



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Workshop

Thursday, October 13, 2016

3:00 PM

City Hall Council Chambers

1. Call meeting to order.
2. Executive Session will be held in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

Litigation

- a. Juliao v. City of College Station, Cause No. 14-002168-CV-272, In the 272nd District Court of Brazos County, Texas
- b. Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas

Personnel {Gov't Code Section 551.074}; possible action - The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. City Secretary
- b. City Attorney
- c. Internal Auditor

Competitive Matters {Gov't Code Section 551.086}; possible action: The City Council may deliberate, vote, or take final action on a competitive matter as that term is defined in Gov't Code Section 552.133 in closed session. The following is a general representation of the subject matter to be considered:

- a. Power Supply

Real Estate {Gov't Code Section 551.072}; possible action The City Council may

deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

a. Property located generally west of the intersection of Raymond Stotzer Pkwy (FM 60) and State Highway 47 in College Station, Texas.

3. Take action, if any, on Executive Session.

4. Presentation, possible action and discussion on items listed on the consent agenda.

5. [16-0637](#) Presentation, possible action, and discussion relating to a legislative update and preview of the 85th Texas State Legislature.

Sponsors: Nettles

6. [16-0646](#) Presentation, possible action, and discussion regarding the Impact Fee Advisory Committee's written comments on the proposed Roadway Impact Fees for Services Areas A, B, C and D, and an update on the process for possible implementation of Roadway Impact Fees.

Sponsors: Gibbs

Attachments: [Roadway IFAC Meeting Minutes - LUA and CIP](#)
[Roadway IFAC Meeting Minutes - fee calculation](#)
[Commissioner Oldham's Comments](#)
[Commissioner Rektorik's Comments](#)
[IFAC Member French's Comments](#)
[IFAC Member Hellriegel's Comments](#)

7. Council Calendar - Council may discuss upcoming events.

8. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

9. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Convention & Visitors Bureau, Design Review Board, Economic Development Committee, Texas Aggies Go

to War, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, YMCA, Youth Advisory Council, Zoning Board of Adjustments, (Notice of Agendas posted on City Hall bulletin board).

10. Adjourn

The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

APPROVED



City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on October 7, 2016 at 5:00 p.m.



City Secretary

for Sherry Mashburn

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

Penal Code § 30.07. Trespass by License Holder with an Openly Carried Handgun.

"Pursuant to Section 30.07, Penal Code (Trespass by License Holder with an Openly Carried Handgun) A Person Licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this Property with a Handgun that is Carried Openly."

Codigo Penal § 30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de

mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre.”



Legislation Details (With Text)

File #: 16-0637 **Version:** 1 **Name:** Legislative update and preview of the 85th Texas State Legislative Session
Type: Minutes **Status:** Agenda Ready
File created: 9/28/2016 **In control:** City Council Workshop
On agenda: 10/13/2016 **Final action:**
Title: Presentation, possible action, and discussion relating to a legislative update and preview of the 85th Texas State Legislature.
Sponsors: Aubrey Nettles
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion relating to a legislative update and preview of the 85th Texas State Legislature.

Relationship to Strategic Goals: (Select all that apply)

- Good Governance

Recommendation(s):

Summary: Legislative consultant Jennifer Rodriguez will provide a legislative update, as well as a preview of the upcoming legislative session.

Budget & Financial Summary:

Attachments:



Legislation Details (With Text)

File #: 16-0646 **Version:** 1 **Name:** Roadway Impact Fee Advisory Committee's Comments and Update

Type: Presentation **Status:** Agenda Ready

File created: 9/29/2016 **In control:** City Council Workshop

On agenda: 10/13/2016 **Final action:**

Title: Presentation, possible action, and discussion regarding the Impact Fee Advisory Committee's written comments on the proposed Roadway Impact Fees for Services Areas A, B, C and D, and an update on the process for possible implementation of Roadway Impact Fees.

Sponsors: Alan Gibbs

Indexes:

Code sections:

Attachments: [Roadway IFAC Meeting Minutes - LUA and CIP](#)
[Roadway IFAC Meeting Minutes - fee calculation](#)
[Commissioner Oldham's Comments](#)
[Commissioner Rektorik's Comments](#)
[IFAC Member French's Comments](#)
[IFAC Member Hellriegel's Comments](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the Impact Fee Advisory Committee's written comments on the proposed Roadway Impact Fees for Services Areas A, B, C and D, and an update on the process for possible implementation of Roadway Impact Fees.

Relationship to Strategic Goals:

- Good Governance
- Financially Sustainable City
- Core Services and Infrastructure
- Neighborhood Integrity
- Diverse Growing Economy
- Improving Mobility

Recommendation(s): Acknowledge receipt of written comments from the Impact Fee Advisory Committee and provide feedback and direction as desired.

Summary: City Council directed staff to conduct an engineering study for possible implementation of roadway impact fees. This presentation will provide an update on the following:

- Schedule for actions completed and upcoming

- Calculation of maximum allowable fees
- Comments from Advisory Committee
- Staff Recommendation

Please note that a public hearing and formal action has been advertised for the Regular City Council meeting on November 10, 2016.

Budget & Financial Summary: N/A

Attachments:

1. IFAC Meeting Minutes - LUA and CIP
2. IFAC Meeting Minutes - Fee Calculations
3. Written Comments from IFAC Members

MINUTES
PLANNING & ZONING COMMISSION
Workshop Meeting
June 2, 2016 5:30 p.m.
CITY HALL COUNCIL CHAMBERS
College Station, Texas

COMMISSIONERS PRESENT: Jane Kee, Jodi Warner, Jerome Rektorik, Barry Moore, Casey Oldham, Jim Ross and Johnny Burns

IMPACT FEE ADVISORY COMMITTEE MEMBERS PRESENT: Don Hellriegel, Kirk Joseph

CITY COUNCIL MEMBERS PRESENT: Blanche Brick

CITY STAFF PRESENT: Lance Simms, Molly Hitchcock, David Coleman, Donald Harmon, Chuck Gilman, Jeff Kersten, Alan Gibbs, Danielle Singh, Carol Cotter, Stephen Maldonado, Mark Bombek, Jenifer Paz, Madison Thomas, Rachel Lazo, Erika Bridges, Kevin Ferrer, Mary Ann Powell, Kirk Price and Kristen Hejny

1. Call the meeting to order.

Chairperson Kee called the Impact Fee Advisory Committee (IFAC) meeting to order at 5:35 p.m.

2. Presentation, possible action, and discussion regarding the Water and Wastewater Impact Fee Advisory Committee reviewing and making a recommendation on land use assumptions and capital improvement plan for water and wastewater impact fees.

City Engineer Gibbs introduced this item to the IFAC.

Director of Water Services Coleman introduced Richard Weatherly to the IFAC.

Richard Weatherly with Freese Nichols presented the Land Use Assumptions and the associated Capital Improvement Projects for the water and wastewater impact fee areas.

Commissioner Warner arrived at 5:57 p.m.

There was general discussion amongst the IFAC.

Commissioner Oldham asked for a clarification on what is expected from the IFAC.

City Engineer Gibbs stated that the IFAC should provide input on whether the growth assumptions are reasonable, based on growth areas and the land use plan. The IFAC should also comment on the projected capital projects based on the expected growth.

There was general discussion amongst the IFAC.

There was general consensus by the IFAC that the Land Use Assumptions and Capital Improvement projects for the Water/Wastewater Impact Fee areas seemed reasonable.

Committee Member Joseph left the meeting at 7:00 p.m.

3. Presentation, possible action, and discussion regarding the Roadway Impact Fee Advisory Committee reviewing and making a recommendation on land use assumptions and capital improvement plan for roadway impact fees.

Jeff Whitacre, Kimley Horn, presented the growth projections and capital improvement projects for the roadway impact fee areas.

There was general discussion amongst the IFAC.

There was general consensus that the growth projections and capital improvement projects for the roadway impact fee areas seemed reasonable.

4. Discussion of consent and regular agenda items.

There was general discussion regarding consent agenda item #4.2 and regular agenda items #6 and #7.

5. Discussion of new development applications submitted to the City.

New Development Link: www.cstx.gov/newdev

There was no discussion.

6. Discussion of Minor and Amending Plats approved by Staff.

*Final Plat ~ Minor Plat ~ West Park Addition Lot 11R ~ Case #FP2016-000019 (Thomas)

There was no discussion.

7. Presentation, possible action, and discussion regarding the status of items in the 2016 P&Z Plan of Work

There was no discussion.

8. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings:

*Thursday, June 9, 2016 ~ City Council Meeting ~ Council Chambers ~ Joint P&Z and Council Workshop 4:30 p.m. and Regular 7:00 p.m. (Liaison – Burns)

*Thursday, June 16, 2016 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

Chairperson Kee reviewed upcoming meetings for the Planning & Zoning Commission.

9. Presentation, possible action, and discussion regarding an update on the following items:

*A Rezoning on approximately 28 acres located between Wellborn Road (FM 2154) and Royder Road near Greens Prairie Road West from R Rural to PDD Planned Development District. The Planning & Zoning Commission heard this item on April 21, 2016 and voted (5-0) to recommend approval. The City Council heard this item on May 16, 2016 and voted (6-0) to approve the request.

*A Rezoning on approximately one acre located at 150 Graham Road from M-1 Light Industrial / M-2 Heavy Industrial to SC Suburban Commercial. The Planning and Zoning Commission heard this item on April 21, 2016 and voted (5-0) to recommend approval. The City Council heard this item on May 16, 2016 and voted (6-0) to approve the request.

10. Discussion, review and possible action regarding the following meetings: Design Review Board, Bio Corridor Board.

Commissioner Ross mentioned that there would be a BioCorridor Board Meeting on June 3, 2016.

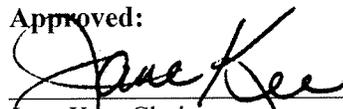
11. Discussion and possible action on future agenda items - A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion.

12. Adjourn.

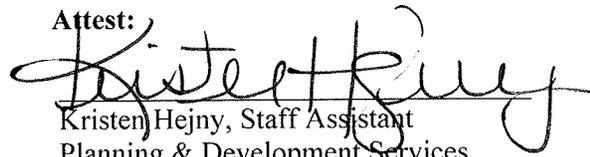
The meeting was adjourned at 7:22 p.m.

Approved:



Jane Kee, Chairperson
Planning & Zoning Commission

Attest:



Kristen Hejny, Staff Assistant
Planning & Development Services

**MINUTES
PLANNING & ZONING COMMISSION
Workshop Meeting
September 1, 2016 5:30 p.m.
CITY HALL COUNCIL CHAMBERS
College Station, Texas**

COMMISSIONERS PRESENT: Jane Kee, Jerome Rektorik, Johnny Burns Jodi Warner, Barry Moore and Jim Ross

COMMISSIONERS ABSENT: Casey Oldham

IFAC MEMBERS PRESENT: Don Hellriegel, Randy French

CITY COUNCIL MEMBERS PRESENT: Blanche Brick, Steve Aldrich

CITY STAFF PRESENT: Kelly Templin, Chuck Gilman, Jeff Kersten, Donald Harmon, Lance Simms, Alan Gibbs, Molly Hitchcock, Natalie Ruiz, Carol Cotter, Danielle Singh, Kevin Ferrer, Mark Bombek, Jessica Bullock, Jenifer Paz, Jennifer Prochazka, Rachel Lazo, Madison Thomas, Tiffany Cousins, Timothy Horn, Mary Ann Powell, Lauren Basey and Kristen Hejny

1. Call the meeting to order.

Chairperson Kee Called the meeting to order at 5:35 p.m.

2. Presentation, possible action, and discussion regarding the Roadway Impact Fee Advisory Committee reviewing and making a recommendation on the Maximum Calculated Roadway Impact Fees.

This item was heard after Workshop Agenda Item #3.

City Engineer Gibbs and Jeff Whitacre, Consultant, presented this item to the IFAC.

IFAC Member Hellriegel asked if the Maximum Calculated Fee, is a product of state law, or Staff recommendation.

City Engineer Gibbs stated that the Maximum Calculated Fee is based on state law allowance.

IFAC Member French asked for a clarification on a "vehicle mile".

Jeff Whitacre, Kimley Horn, responded that a vehicle mile is the product of a calculation of trip length times the number of trips based on one peak hour. Mr. Whitacre also stated that the calculations are calibrated to individual cities based upon data provided from the Metropolitan Planning Organization (MPO).

IFAC Member Hellriegel asked if the benchmark city numbers are the assessed impact fee, or the maximum fee.

Mr. Whitacre stated that these numbers are the assessed fee.

IFAC Member French asked if the benchmark cities presented were the only cities utilizing Roadway Impact Fees.

Mr. Whitacre stated that there are approximately 50 cities in Texas that have enacted the Roadway Impact Fees.

Chairperson Kee asked if the benchmark cities used the Roadway Impact Fees for both residential and non-residential developments, or were any land use categories exempt.

Mr. Whitacre responded that the Impact Fees/vehicle mile can be set to specific land uses.

Commissioner Rektorik asked if the impact fee can be changed by City Council after adoption.

Mr. Whitacre stated that the fee cannot go above the maximum and that with a public hearing and through the impact fee process, the fee can be changed/updated, however, an evaluation of the fee is required every five years.

Mr. Whitacre stated that developments that build public infrastructure receive credit for the dollars they spend toward an arterial road or collector road and could potentially not pay an impact fee. Developers who are not building infrastructure would pay impact fees.

IFAC Member French asked if a developer paying into an Oversize Participation Agreement would be exempt from the Roadway Impact Fee.

City Engineer Gibbs stated that the credit toward the impact fees would be another way/means to “over participate”.

IFAC Member French asked if the Impact Fees would be paid on the developers end or at building permit.

Mr. Whitacre responded that the fee would be paid at building permit.

City Engineer Gibbs stated that any impact credit would be assessed at platting.

Commissioner Moore asked if the credits were pro-rated or up to the developer on how the credits are used.

Mr. Whitacre stated that it is recommended for credits to be tied to the land.

Mr. Whitacre stated that Staff is looking for feedback/comments to present to City Council on impact fee collection rates.

Commissioner Ross stated that he believes it would be counter-intuitive to charge a fee to corporations or business moving to College Station. He also stated that he would like to hear thoughts and input from an Economic Development standpoint.

Director of Economic Development Ruiz stated that Staff tried to strike a balance between generating needed revenue and not discouraging businesses from locating in College Station. She stated that non-residential impact fees are lower and they have discussed providing exemptions, different ways of funding through incentives, or development agreements.

Commissioner Ross asked if growing businesses are accustomed to paying impact fees when beginning in a new town.

Director of Economic Development Ruiz stated that businesses are accustomed to the fees, however, they are usually waived.

Commissioner Rektorik asked if companies or corporations looking to move into the area evaluate the economic advantages of operating in that area.

Director of Economic Development Ruiz stated that yes, they do an evaluation on the economic advantages including overall cost, taxes, and impact fees.

Commissioner Ross asked if there are any specific areas that will be exempted from the impact fees.

Director of Economic Development Ruiz stated that staff have discussed identifying specific land uses for setting impact fee at \$0, but a conclusion has not been made.

Chairperson Kee asked if this exemption determination would have to be made before the November 10th City Council meeting.

City Engineer Gibbs confirmed that any exempt areas would need to be identified before the November 10th City Council meeting. Mr. Gibbs also stated that if the IFAC has areas of concern on exempting specific land uses, they can make such a recommendation in comments that will be presented to City Council.

Commissioner Rektorik clarified that neither the City of Bryan nor Brazos County have Roadway Impact Fees at this time.

City Engineer Gibbs stated that neither the City of Bryan, or Brazos County have an impact fee, but Wellborn Special Utility District has a water impact fee.

Commissioner Warner stated that the City of Bryan has a transportation user fee.

Commissioner Rektorik, asked if the City of College Station is looking into creating a transportation fee.

City Engineer Gibbs stated that the City of College Station is currently evaluating a transportation fee only for maintenance.

Commissioner Warner asked if Texas A&M University (TAMU) would incur a fee.

City Engineer Gibbs stated that the fee would not apply to most TAMU projects, but it would be case specific.

Commissioner Warner asked if it is known where residential arterials are currently deficient.

Mr. Whitacre stated that the impact fee would help fund expansion on roadways, not existing deficiencies to roadways.

City Engineer Gibbs stated that the impact fee is charging for the increase of capacity in roadways.

Commissioner Warner stated that she does not feel comfortable in adding a fee to new developments in the City. Ms. Warner also stated that adding fees to commercial developments will inhibit commercial developments building in new residential areas.

City Engineer Gibbs reiterated the example fees Staff is recommending. He also stated that the same fee is being proposed across all four impact fee areas. Mr. Gibbs also stated that Staff was recommending fee amounts that they believed the market could sustain, and keep the City competitive.

IFAC Member Hellriegel asked if, within a benchmark basis, are the fees that are recommended by Staff lower than those of the benchmark cities.

City Engineer Gibbs stated that the recommended fees are lower than benchmark cities and the fees are an important funding source for the budget and transportation city.

Commissioner Moore stated his concerns for putting an impact fee on any land use that will result in basic jobs. He also stated his concerns for additional hurdles for new businesses planning to develop in College Station, and that he is opposed to Roadway Impact Fees for commercial developments.

IFAC Member French stated that he is opposed to Roadway Impact Fees on both commercial and single-family developments. Mr. French suggested utilizing a usage tax to help with funding.

Commissioner Warner stated her concerns for adding a Roadway Impact Fee on single-family homes, causing more one acre lots. Ms. Warner was concerned about pushing single-family developments into the Extraterritorial Jurisdiction (ETJ).

City Engineer Gibbs addressed concerns for higher impact fees throughout the City, stating that Staff is recommending the fees be flat across all four impact fee areas.

Commissioner Ross stated his concerns for implementing a Roadway Impact Fee before an evaluation on raising tax rates.

Commissioner Burns stated his agreement with Commissioner Ross citing concerns for low tax rates and comparisons to benchmark cities who are already implementing Roadway Impact Fees.

IFAC Member Hellriegel stated his support of raising taxes and utility fees.

Commissioner Rektorik stated his concerns for implementing Roadway Impact Fees before evaluating higher tax and utility rates.

Chairperson Kee stated that all funding sources should be considered. Ms. Kee also stated that she does not like the idea of the impact fees affecting the job creators, but a waiver process and an Economic Development evaluation will help the process. She also stated that she does not feel comfortable with recommending a Roadway Impact Fee amount, but does believe this is something that should be evaluated.

Mr. Whitacre stated that the Impact Fees are to be reviewed every six months, and Staff is looking for a starting rate, so some of the data that is not presented will be presented at the six month reviews.

Commissioner Warner asked for a list of other towns that are utilizing Roadway Impact Fees.

Mr. Whitacre responded that towns such as Baytown and Houston are currently implementing fees, Galveston and Fulshear are evaluating roadway impact fees.

IFAC Member French stated that the City needs a mechanism for better streets. He also stated that an Impact Fee would be counterproductive, and does not support the Roadway Impact Fee.

IFAC Member Hellriegel stated that he will make his comments in writing to Staff.

Commissioner Ross stated that the City is not using the tools they have available. He also stated that the City should attempt to raise the tax rate before implementing Impact Fees.

Commissioner Warner stated that she does not support the proposed Roadway Impact Fee.

Commissioner Burns stated that the city should implement a consumption fee and does not support a Roadway Impact Fee.

Commissioner Moore stated again that he is opposed to any additional hurdles applied to new developments. Mr. Moore also stated that a tax increase should be implemented first.

Commissioner Rektorik stated that the City should try raising the tax rate or implement a transportation fee and does not support a Roadway Impact Fee.

3. Discussion of consent and regular agenda items.

Workshop Agenda Item #3 was heard before Workshop Agenda Item #2.

There was general discussion regarding Regular Agenda Item #12.

4. Discussion of new development applications submitted to the City.
New Development Link: www.cstx.gov/newdev

There was no discussion.

5. Discussion of Minor and Amending Plats approved by Staff.

*Final Plat ~ Minor Plat ~ Cottages of College Station Phase 3 ~ Case #FP2016-000021 (Bombek)

*Final Plat ~ Minor Plat ~ WC Boyett Estates Partition Block 18 Lot 3R ~ Case #FP2012-500156 (Paz)

There was no discussion.

6. Presentation, possible action, and discussion regarding the status of items within the 2016 P&Z Plan of Work.

There was no discussion.

7. Presentation, possible action, and discussion regarding a recommendation on the Planning & Zoning Commission's appointments to the BioCorridor Board.

There was general discussion amongst the Commission.

Commissioner Rektorik motioned to recommend Commissioner Burns be appointed to the BioCorridor Board. Chairperson Kee seconded the motion, motion was approved (6-0).

8. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings:
*Thursday, September 8, 2016 ~ City Council Meeting ~ Council Chambers ~ Workshop 4:30 p.m. and Regular 7:00 p.m. (Liaison – Oldham)
*Thursday, September 15, 2016 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

Chairperson Kee reviewed upcoming meetings for the Planning & Zoning Commission.

9. Presentation, possible action, and discussion regarding an update on the following items:
*A Rezoning for approximately 23 acres located on Horseback Drive from R Rural to RS Restricted Suburban and NAP Natural Areas Preserved. The Planning & Zoning Commission heard this item on August 4, 2016, and voted (5-0) to recommend approval. City Council heard this item on August 25, 2016, and voted (7-0) to approve the request.
*A Comprehensive Plan Amendment for approximately 14.35 acres located at 2501 Earl Rudder Freeway South from Business Park to General Commercial. The Planning & Zoning Commission heard this item on August 4, 2016, and voted (4-0-1) to recommend approval. City Council heard this item on August 25, 2016, and voted (7-0) to approve the request.
*A Rezoning for approximately 14.35 acres located at 2501 Earl Rudder Freeway South from M-1 Light Industrial to M-1 Light Industrial and GC General Commercial. The Planning & Zoning Commission heard this item on August 4, 2016, and voted (4-0-1) to recommend approval. City Council heard this item on August 25, 2016, and voted (7-0) to approve the request.

There was no discussion.

10. Discussion, review and possible action regarding the following meetings: Design Review Board, Bio Corridor Board.

There was no discussion.

11. Discussion and possible action on future agenda items - A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion.

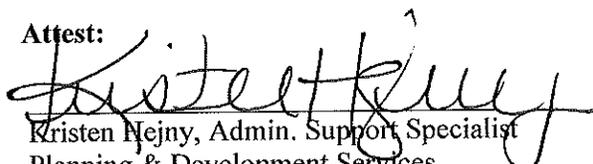
12. Adjourn.

The meeting was adjourned at 7:24 p.m.

Approved:


Jane Kee, Chairman
Planning & Zoning Commission

Attest:


Kristen Nejny, Admin. Support Specialist
Planning & Development Services

I will speak plainly. I don't think we should have this transportation Impact fee and if it gets passed it should be accessed at zero dollars.

I would like to see the other options that are "tools" in the shed used first before I would even think about supporting this in anyway. If you choose to have the transportation impact fee and you set any amount it will have a severe impact on your commercial growth. It will cost you precious sales tax dollars and it will have a negative effect. I believe it works against your efforts to grow economic development efforts in commercial. Companies and retailers will choose to do something else. (The End)

Casey M. Oldham | Chairman & CEO
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Impact Fee Discussion (Revised) for August 4, 2016 - Comments by Jerome Rektorik

August 1, 2016

Any fee collected by the city from our citizens is a tax, regardless of what it is called. College Station citizens have enjoyed a comparatively low ad valorem tax rate for many years. (Our sales tax provides about 40% of our General Fund and sales taxes can vary with the overall economy.) Over time, we created the situation that we now face, and we either need to look at all options across the board or continue to struggle to build our city for the future. Regardless of the source of the tax being raised, no one option is going to solve all of our issues and all options must be considered.

College Station has now reached “middle age” and we have many streets as well as utility systems that need to be repaired or upgraded. This does not include what we need to do for our transportation, water, and waste water systems to adequately provide for our future.

As we look to our plans for the future, we need to consider all options available to fund all of our infrastructure systems. If we do not, then we are only fulfilling a small part of our responsibilities. We need to balance any increases in taxes and fees across all sectors of the community that provide overall benefits and balance to our city. We need to combine increasing ad valorem tax rates with establishing a transportation fee, and increasing any other taxes and fees that are available, including increasing sales tax, drainage fees, sewer fees, and water fees, along with creating impact fees. Any increase has to be fair across all sectors of the city, whether they be a new or existing household or business, as well as supporting the city’s long term vision for growth.

The risk of instituting impact fees can create a “slippery slope” and unintended consequences. If new funding is necessary, and future councils do not have the political will to make across the board increases, and they only increase impact fees, there is a danger of driving up the cost of economic development to the point where the market can no longer bear the cost. If impact fees are instituted, we should start at the lower end of the spectrum. It should be remembered that even if the maximum impact fees were initiated, this would not pay for all new development. We should put a “sunset clause” on any and all impact fees. Additionally, it would have been helpful if an economic analysis on the effects of an impact fee to economic development would have been provided for all to consider.

Impact Fees for Water and Waste Water:

We should implement impact fees for water and waste water in conjunction with increasing the ad valorem tax rate, as well as sewer fees, drainage fees, and water fees. The impact fee should be about 10% to 15% of the maximum allowable. For Water, this should be \$290 - \$430 per single family home. For Waste Water, this should be \$550 - \$820 per single family home. Additionally, we need to immediately start increasing the ad valorem tax rate so that over time, it increases by 15% to 20% - i.e. to 52 cents – 54 cents per \$100. This still puts the College Station ad valorem rate in the middle one-third of the comparison cities and about 9 cents to 11 cents below Bryan. Additionally, when necessary, this increases the city’s ability to borrow more money in the future. (A one cent increase in the ad valorem tax currently generates an additional \$720,000.) Water and Waste Water Impact Fees should also apply to the ETJ.

Impact Fees for Road:

Again, we need to start increasing the ad valorem tax rate by 15% to 20% - i.e. to 52 cents – 54 cents per \$100. Additionally, we should institute a transportation fee for all citizens, similar to what Bryan has done – \$10 - \$14 per month per household. (Assuming 25,000 households, a \$10 fee would generate \$3 million / year.) We should also consider an increase to the sales tax which would capture those people living outside of College Station who shop here and use our roads. Only when these are done, should impact fees be considered for roads. Again, the impact fee should be about 10% - 15% of the maximum allowable and should be uniform in all sectors of the city. Using road section “C” for a base for all roads, the impact fee should be \$1,020 - \$1,530 per single family home. This total for all three impact fees at these rates would be \$1,860 - \$2,780 per single family household.

All type of residences, to include multi-family buildings should be included in any of the above fees (Water, Waste Water, and Roads) that are instituted.

Commercial Development (GC, CI, BP, and BPI):

Details for impact fees for commercial development were not discussed. However, the city is actively encouraging and actively engaged in creating more economic development. **It is consistent to the city’s overall vision and therefore in the best interest of the city as a whole to exempt all commercial development (GC, CI, BP, and BPI), except residential multi-family buildings, from any and all impact fees**. This includes all water, waste water, and road impact fees. Commercial businesses especially, look for the most economically advantageous places to grow. If there are additional fees, competition from other cities could prevent future commercial construction in College Station. Also new commercial businesses not only pay new taxes, they also increase roof-tops and retail operations which adds to the overall tax base.

Rand French Comments re: IFAC

September 9, 2016

Water and Waste Water:

The City is behind in having mainly waste water and, secondly, water to areas that need to be developed. There are several tracts that are small (20-50 acres) that cannot afford to pay for a \$2M sewer trunk line so these tracts remain undeveloped. As a builder, we have extremely limited areas to build (especially affordable) homes without extension of utilities. Water is not as important because Wellborn SUD covers so much of the ETJ and land to be developed. With reluctance, I agree to an impact fee if this will help get utilities to new areas. The \$3,000 waste water and \$500 water impact fees would be a shock to real estate prices in the short run—and it only represents 15% of the total cost. I feel if that is the amount agreed to them they should be tiered over a three year period of \$1,666 per year so that in year 1 builders pay \$1,000, year 2 \$2,000 and year 3 on \$3,000. This will give the market time to absorb the pricing. If the City feels the entire amount should not be tiered then I think the fee needs to be reduced to \$1,750 rather than \$3,500.

Roadway Impact Fees:

I am not in favor of roadway fees. I feel roadways are used by all citizenry and should be borne by everyone. Alternatively, roadways could be funded through a utility fee add-on much like Bryan's. From a development perspective, roadway is less important than waste water and water. Our current system where the developer pays for most of the streets and the City participates in OP (Oversized Participation) is working. I think the City should be more assertive on alternatives such as TIFS or TIRZ for both utility and roadway expansions.

General:

The city needs to be very careful on impact fees. I am focused on residential and what that will do for housing. It is the cumulative cost that concerns me. There are standards in CS that are not in Bryan (block length for instance) that already make development more expensive in CS vs. Bryan. There is additional consideration right now about requiring concrete streets that would add another \$1,000-\$1,200 per lot. The proposed amounts of \$3,500 (water/wastewater)+\$1,500 (roadway)+ \$1,000 concrete streets total \$6,000 per lot. This will send our new home real estate prices into shock and we will have difficulty with appraisals and I'm afraid they will be consumer push back.

The commercial and multi-family cost ramifications should be a huge concern. Commercial/Multi-family developers are pro-forma driven and if cost are too high they will not invest or look at other options. This will also provide downward pressure on land prices—is that fair to existing landowners? Many of the comparison cities outlined make it appear that almost all Texas cities have impact fees. Actually they do not. My company builds in Killeen, Temple, Coppres Cove, Waco, Hewitt, Waco, Conroe, Brenham, Huntsville and B-CS—none of those cities have impact fees.

Thank you for your consideration.

COMMENTS ON COMMUNITY IMPACT FEES
SUBMITTED BY DON HELLRIEGEL, MEMBER
IMPACT FEE ADVISORY COMMITTEE

NOTE; ALL CAPS FOR EASE OF READING.

THE PURPOSE OF THIS COMMUNICATION IS TO PROVIDE A FEW ADDITIONAL INPUTS IN THE CONSIDERATION OF IMPACT FEES, ESPECIALLY AS RELATED TO TRANSPORTATION IMPACT FEES. MY THOUGHTS ARE A REFLECTION OF THE EXTENSIVE RESEARCH ON COMMUNITY IMPACT FEES. FOR THOSE INTERESTED, THERE IS A CONSIDERABLE BODY OF HIGH QUALITY RESEARCH INTO THE MATTER OF COMMUNITY IMPACT FEES.

THE INPUTS THAT I PREVIOUSLY SHARED [DATED AUGUST 3, 2016] IS INTENDED TO BE APPLICABLE TO BOTH WATER/ WASTEWATER IMPACT FEES AND TRANSPORTATION IMPACT FEES. THUS, THOSE REMARKS ARE INCLUDED WITH THIS COMMUNICATION-- BELOW. MY ADDITIONAL INPUTS FOLLOW.

ADDITIONAL INPUTS

A. TRANSPORTATION AND WATER/WASTE WATER IMPACT FEES PARTIALLY SHIFT ALL OF THE BURDEN OF GROWTH FROM EXISTING TAXPAYERS TO NEW DEVELOPMENT. THE IMMEDIATE REQUIREMENTS FOR CAPITAL INTENSIVE INFRASTRUCTURE DUE TO GROWTH HAS LONG BEEN TOTALLY PAID BY EXISTING TAXPAYERS. TAXPAYERS IN MANY COMMUNITIES HAVE INCREASINGLY STATED THAT AT LEAST SOME [OR EVEN ALL] OF THE INFRASTRUCTURE CAPITAL COSTS DUE TO GROWTH MUST AT LEAST PARTLY [OR TOTALLY] PAY FOR ITSELF ON A MORE TIMELY BASIS TO REDUCE THE MANY PROBLEMS/NEEDS THAT OCCUR IN HIGH GROWTH COMMUNITIES.

B. MOREOVER, WE FACE A CRISIS IN THE NEED TO FIND NEW SOURCES OF REVENUE TO PROVIDE THE NECESSARY COMMUNITY CAPITAL INTENSIVE INFRASTRUCTURE ON A MORE TIMELY BASIS. IT IS APPARENT THAT MULTIPLE SOURCES WILL NEED TO BE EXPLORED TO ADDRESS THIS CRISIS.

C. TRANSPORTATION IMPACT FEES MORE CLOSELY SYNCHRONIZE THE CONSTRUCTION OF NEW OR EXPANDED CAPITAL INTENSIVE TRANSPORTATION CAPACITY WITH THE ARRIVAL OF NEW DEVELOPMENT.

D. GENERAL PROPERTY TAX REVENUES FAIL --ESPECIALLY IN HIGH GROWTH COMMUNITIES-- TO COVER THE FULL COST OF THE TRANSPORTATION INFRASTRUCTURE NEEDED TO SERVE NEW DEVELOPMENT, ESPECIALLY ON A TIMELY BASIS.

E. TRANSPORTATION AND WATER/WASTE WATER IMPACT FEES, LIKE USER FEES, PROVIDE A MORE EFFICIENT WAY TO PAY FOR CAPITAL INTENSIVE INFRASTRUCTURE THAN GENERAL TAXES. ALSO, THEY ENSURE THAT BENEFITS GO TO THOSE WHO PAY THE FEES.

F. IMPACT FEES TEND TO EXPAND THE SUPPLY OF DEVELOPABLE LAND WHILE ENABLING QUALITY OF LIFE NEEDS ARE MET.

G. MUCH RESEARCH SUGGESTS THAT IMPACT FEES DO NOT SLOW COMMUNITY GROWTH. SOME STUDIES SUGGEST IMPACT FEES SERVE AS GREASE THAT HELPS SUSTAIN JOB GROWTH IN LOCAL ECONOMIES. LOGICALLY, EXTREME LEVELS AND FORMS OF IMPACT FEES COULD ADVERSELY IMPACT GROWTH.

H. IMPACT FEES REDUCE THE OPPORTUNITY COSTS OF DELAYED, CANCELLED, OR REDUCED COMMUNITY QUALITY OF LIFE INITIATIVES. I COULD LIST A NUMBER OF THOSE THAT WERE DROPPED OR LONG DELAYED AS RESULT OF THE DECISIONS TO ALLOCATE AN OVERWHELMING AMOUNT OF AVAILABLE CAPITAL FUNDS TO ROADWAYS AND OTHER REQUIREMENTS ASSOCIATED WITH HIGH LEVELS OF GROWTH--SUCH AS MORE FIRE STATIONS, NEW AND MUCH LARGER POLICE DEPARTMENT, AND SO ON. I AM NOT SUGGESTING THAT THESE ALLOCATIONS WERE WRONG, GIVEN THE CRISIS NEEDS CREATED BY RAPID GROWTH.

I. RESEARCH SHOWS THAT THE ADVERSE CONSEQUENCES EXPRESSED BY SOME IF TRANSPORTATION FEES ARE ADOPTED HAVE NOT TAKEN PLACE IN THE COMMUNITIES WHICH HAVE ADOPTED THEM--BOTH IN TEXAS AND NATIONWIDE.

FINAL THOUGHT

I DO THINK THE CITY STAFF PRESENTED A REASONABLE, THOUGHTFUL, MODEST, AND RATIONAL SCENARIO FOR IMPACT FEES--BOTH TRANSPORTATION AND WATER/WASTWATER.

SUBMITTED BY,

DON HELLRIEGEL

PREVIOUS SUBMISSION OF COMMENTS

Dear Alan:

Please forward my remarks to all relevant parties prior to the meeting on Thursday.

In my opinion, the discussion and consideration of impact fees needs to be considered in the CONTEXT of the City Council Mission and the COMMUNITY VISION as articulated in the CITY COUNCIL STRATEGIC PLAN -2016 UPDATE. [The entire document is readily available on the College Station website.] To me, a consideration of the mission and vision statements has been missing in the dialogue associated with the matter of suggesting or not suggesting impact fees-- and, if yes, how much and in what domains.

CONTEXT: CITY COUNCIL MISSION

"On behalf of the citizens of College Station, home of Texas A&M University, we will continue to promote and advance the community's QUALITY OF LIFE". [emphasis added]

CONTEXT: COMMUNITY VISION

"College Station will be a vibrant, progressive, knowledge-based community that promotes the HIGHEST QUALITY OF LIFE by: [emphasis added]

- * Promoting safe, tranquil, and healthy neighborhoods with enduring character.
- * Increasing and maintaining CITIZENS MOBILITY [emphasis added] through a well-planned and constructed intermodal transportation system.
- * Promoting sensitive development and management of the built and natural environments.
- * Supporting HIGH QUALITY, [emphasis added] well-planned and sustainable growth.
- * Valuing and protecting our community's cultural and historical resources.
- * Developing and maintaining HIGH QUALITY [emphasis added], cost-effective community facilities, infrastructure and services that ensure a cohesive and connected city.
- * Proactively supporting economic and educational opportunities for all citizens.

College Station will remain a friendly and responsive community and will be a demonstrated partner in maintaining and enhancing all that is good and celebrated in the Brazos Valley. It will forever be place where Texas and the world come to learn, live and conduct business".

CONSIDERATIONS FOR ME

1. These vision and mission statements have been key ingredients [decision premises] as I have attempted to research and weigh the potential implications of adopting impact fees. To the extent possible, I do think that the city staff and the consultants have brought forth a rational, thoughtful, and extensive analysis, including assessment, of the design and features for the recommended impact fees related to water, waste water, and transportation CAPITAL requirements/needs consistent with the Council mission and community vision.

2. I had the opportunity to serve on the two previous citizen advisory capital committees. In both cases, it was disappointing that the VAST majority of the projected and available capital funds had to be allocated to core capital projects such as roads, fire stations, police station, and the like. These projects were required due to relatively high levels of community growth. Unfortunately, a number of QUALITY OF LIFE capital projects had to be eliminated even though they were valued and recognized as desirable.

3. The plans for the new police station are based on a 35 year time horizon, not the 10 year time horizon required in the consideration of impact fees. The space requirements for the police station are based on a projection of College Station with a POPULATION OF OVER 300,000 by 2051. If this projection holds [and even if somewhat less], the CAPITAL requirements associated with new growth related to collector roads, water, and waste water will only increase. We are already behind in these domains. Of course, all forecasts are subject to error and revision.

4. I recognize and understand that the good and smart folks in the development/real estate community are likely to view the matter of impact fees different than me--and from that which has been proposed. It is understandable that there is a divergence in problem definition, divergence in goals, and divergence in solutions related to the domain of impact fees.

5. It is clearly set forth in law that impact fees, including those proposed, may only address a portion of the capital costs associated with the related growth over a ten year period. In my opinion, it is not feasible or legal for there to be a "slippery slope" related to impact fees.

6. Even with the proposed impact fees [or a version of them], I am of the opinion that there needs to an increase in tax rates and water/waste water fees IF WE ARE SERIOUS ABOUT "PROMOTING AND ADVANCING THE QUALITY OF LFE". To me, we are falling behind even if it is not visible to some.

7. There is much evidence that the adoption of impact fees, such as those suggested by City Staff, will not have major adverse consequences. More likely, they will provide one of SEVERAL means to assist in having a "COMMUNITY THAT PROMOTES THE HIGHEST QUALITY OF LIFE".

8. Again, I appreciate that the proposed adoption of impact fees presents a situation where the parties [or some parties] have separate and different interests, goals, and values. I make no claim that I am right and others who view this situation differently are wrong.

PAYING FOR PROGRESS

I share an excerpt from the July 2007 issue of Tierra Grande [a publication of TAMU Real Estate Center], entitled "Impact Fees: Paying for Progress" by James P. Gaines and Judon Fambrough.

"Debate over whether new development pays for itself has continued for decades. expecting developers to pay for expansion of existing facilities or construction of new facilities, especially in areas of substantial and rapid growth , appears justifiable and equitable if properly implemented. Developers in high growth areas not only expect but may actually encourage and promote impact fees to ensure their developments are built."

Best wishes to all,
Don Hellriegel