

CITY OF COLLEGE STATION
Home of Texas A&M University®

Zoning Board of Adjustment
January 7, 2014
6:00 P.M.
Regular Meeting

City Hall
Council Chambers
1101 Texas Avenue,
College Station, Texas



AGENDA
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, January 7, 2014 at 6:00 PM
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas 77840

1. Call to order – Explanation of functions of the Board.
2. Consideration of absence requests.
 - Josh Benn ~ December 3, 2013
 - Hunter Goodwin ~ January 7, 2014
3. Discussion of requested Administrative Adjustment.
 - **13-251 (AA-Residential Dimensional Standards)** 4314 Odell Lane (**JPaz**)
4. Consideration, possible action and discussion to approve meeting minutes.
 - December 3, 2013 meeting minutes.
5. Public hearing, presentation, possible action, and discussion to consider a variance to the minimum number of stories to the Unified Development Ordinance, Section 12-5.9 – Design District Dimensional Standards, for the property located at Lot 2-R, The Ramparts, generally located at 300 Nagle Street. **Case # 900269 (TR)**
6. Public hearing, presentation, possible action, and discussion to consider a variance to the Unified Development Ordinance, Section 12-5.8.B.6 – Northgate District Off-Street Parking Standards, regarding ramp location on exterior of parking garage for the property located at Lots 1-5 and 16-20 and Associated BPP, Block 4, Tauber Subdivision, generally located at 601 Cross Street. **Case # 9000268 (TR)**
7. Public hearing, presentation, possible action, and discussion to consider a building setback variance to the Unified Development Ordinance, Section 12-5.9 – Design District Dimensional Standards, for the property located at Lot 2-R, The Ramparts, generally located at 300 Nagle Street. **Case # 900270 (TR)**
8. Consideration and possible action on future agenda items – A Zoning Board 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. Adjourn.

Consultation with Attorney [Gov't Code Section 551.071; possible action.

The Zoning Board of Adjustments may seek advice from its attorney regarding a pending and contemplated litigation subject or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. If litigation or attorney-client privileged information issues arise as to the posted subject matter of this Zoning Board of Adjustments meeting, an executive session will be held.

Notice is hereby given that a Regular Meeting of the Zoning Board of Adjustment of College Station, Texas will be held on Tuesday, January 7, 2014 at 6:00 p.m. at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this the ____ day of _____, 2014 at ____ p.m.

CITY OF COLLEGE STATION, TEXAS

By _____
Sherry Mashburn, City Secretary

By _____
Kelly Templin, City Manager

I, the undersigned, do hereby certify that the above Notice of Regular Meeting of the Zoning Board of Adjustment of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov. The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on _____ p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: _____ by _____.

Dated this ____ day of _____, 2014.

CITY OF COLLEGE STATION, TEXAS

By _____

Subscribed and sworn to before me on this the ____ day of _____, 2014.

Notary Public- Brazos County, Texas

My commission expires: _____

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call 979.764.3517 or (TDD) 800.735.2989. Agendas may be viewed on www.cstx.gov.



CITY OF COLLEGE STATION
Planning & Development Services

**Absence Request Form
For Elected and Appointed Officers**

Name Joshua J. Benn

Request Submitted on 8.29.2013

I will not be in attendance at the meeting of 9.3.2013

for the reason(s) specified: _____ (Date)

My law firm provides legal representation to the applicant and his family.



CITY OF COLLEGE STATION
Planning & Development Services

Absence Request Form For Elected and Appointed Officers

Name Hunter Goodwin

Request Submitted on 12/16/2013

I will not be in attendance at the meeting of 1/7/2013
for the reason(s) specified: _____ (Date)

I will be on vacation. _____

_____ *R. Hunter Goodwin* _____
_____ *12-16-13* _____



MINUTES
ZONING BOARD OF ADJUSTMENT
Regular Meeting
December 3, 2013
Council Chambers
1101 Texas Avenue
6:00 P.M.

MEMBERS PRESENT: Chairman Hunter Goodwin, Jim Davis, Marsha Sanford, Dick Dabney, Gary Erwin

MEMBERS ABSENT: Josh Benn

STAFF PRESENT: Staff Assistant Deborah Grace-Rosier, Staff Planner Jenifer Paz, Assistant Director Lance Simms, Senior Assistant City Attorney John Haislet, Action Center Representatives April Howard and Macie Quick

AGENDA ITEM NO. 1: Call to order – Explanation of functions of the Board.

Chairman Goodwin called the meeting to order at 6:02 p.m.

AGENDA ITEM NO. 2: Consideration, possible action, and discussion to approve meeting minutes.

- **September 3, 2013 meeting minutes**

Board Member Davis motioned to approve the September 3, 2013 meeting minutes. Board Member Erwin seconded the motion, which passed (4-0).

AGENDA ITEM NO. 3: Public hearing, presentation, possible action and discussion on a variance request to allow an additional freestanding sign for the property located at 2704 Texas Avenue South, located at the intersection of Harvey Mitchell Parkway South and Texas Avenue South.

Staff Planner Paz presented the staff report and stated that the applicant was requesting an additional free standing sign. She ended her staff report by telling the Board that staff was recommending approval.

Board Member Sanford arrived at the meeting.

There was general discussion amongst the Board.

Chairman Goodwin opened the public hearing.

Stepping forward to speak in favor of the request was Adrianna Duran, 2704 Texas Avenue South, College Station, Texas. Ms. Duran was sworn in by Chairman Goodwin.

There was general discussion amongst the Board.

Chairman Goodwin closed the public hearing.

Board Member Erwin motioned to approve the variance for an additional free-standing sign with the following Staff recommendations:

- **That the sign be located along Texas Avenue South**
- **The sign area be limited to 75 square feet**
- **A maximum height of 25 feet, setback in accordance to the sign ordinance in the UDO**
- **The existing abandoned freestanding sign frame be removed**

Board Member Davis seconded the motion. Motion was approved (4-1), Chairman Goodwin voting against.

AGENDA ITEM NO.4: Consideration and possible action on future agenda items – A Zoning Board 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 were no items discussed.

AGENDA ITEM NO. 5: Adjourn.

Board Member Sanford motioned to adjourn. Board Member Erwin seconded the motion, which passed unopposed (5-0). The meeting was adjourned at 6.28 p.m.

ATTEST:

APPROVED:

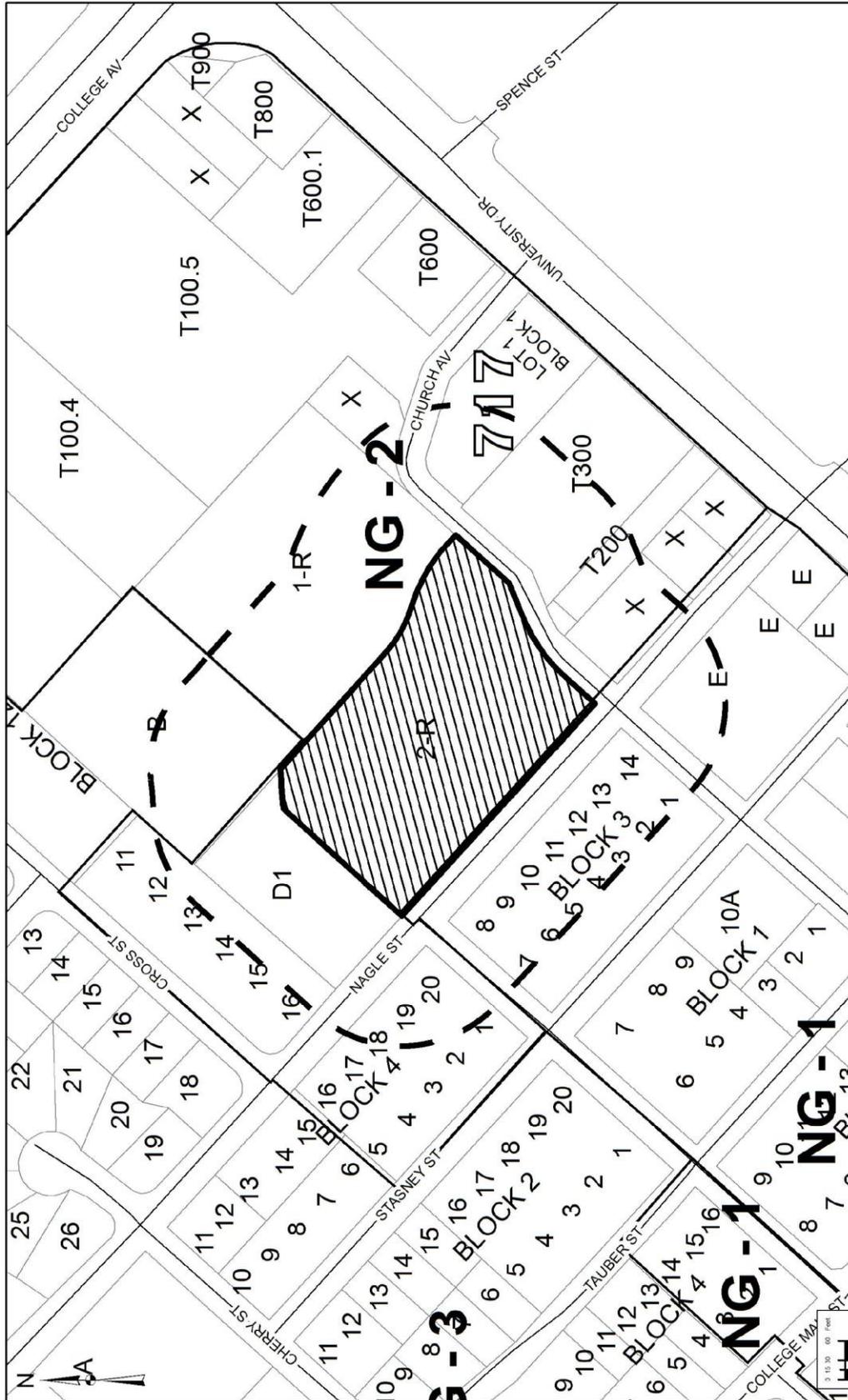
Deborah Grace-Rosier, Staff Assistant

Hunter Goodwin, Chairman



VARIANCE REQUEST
for
Lot 2-R, The Ramparts
13-00900269

- REQUEST:** A variance to Unified Development Ordinance (UDO) Section 12-5.9, Northgate Districts, Design District Dimensional Standards, to allow a single story for St. Mary's sanctuary building.
- LOCATION:** Lot 2-R, The Ramparts, generally located at 300 Nagle Street
- APPLICANT:** Christopher Craig, Jackson & Ryan Architects
- PROPERTY OWNER:** St. Mary's Catholic Church
- PROJECT MANAGER:** Teresa Rogers, Staff Planner
trogers@cstx.gov
- BACKGROUND:** The subject property is zoned NG-2 (Transitional Northgate) and owned by . The site is currently occupied by a surface parking lot but the owner plans to construct a new sanctuary at this location. The UDO allows churches in all zoning districts, however, the NG-2 zoning district requires buildings to have a minimum of two stories. **Therefore, the applicant is requesting a variance to UDO Section 12-5.9, Northgate Districts, Design District Dimensional Standards, to allow the construction of a one-story sanctuary.**
- APPLICABLE ORDINANCE:** UDO Section 12-5.9, Design District Dimensional Standards
- ORDINANCE INTENT:** The City's Northgate dimensional standards are intended to create a unique, pedestrian-friendly, dense urban environment.
- RECOMMENDATION:** Staff recommends approval of the request with the condition that all exterior facades are a minimum of twenty-five (25) feet in height and give the appearance of a two-story structure.



Zoning Districts

- R Rural
- E Estate
- RS Restricted Suburban
- GS General Suburban
- R-1B Single Family Residential
- D Duplex
- T Townhouse

- R-4
- R-6
- MHP
- O
- SC
- GC
- CI
- BP

- Multi-Family
- High Density Multi-Family
- Manufactured Home Park
- Office
- Suburban Commercial
- General Commercial
- Commercial-Industrial
- Business Park

- BPI
- NAP
- C-3
- M-1
- M-2
- C-U
- R & D
- P-MUD

- Business Park Industrial
- Natural Areas Protected
- Light Commercial
- Light Industrial
- Heavy Industrial
- College and University
- Research and Development
- Planned Mixed-Use Development

- PDD
- WPC
- NG-1
- NG-2
- NG-3
- OV
- RDD
- KO

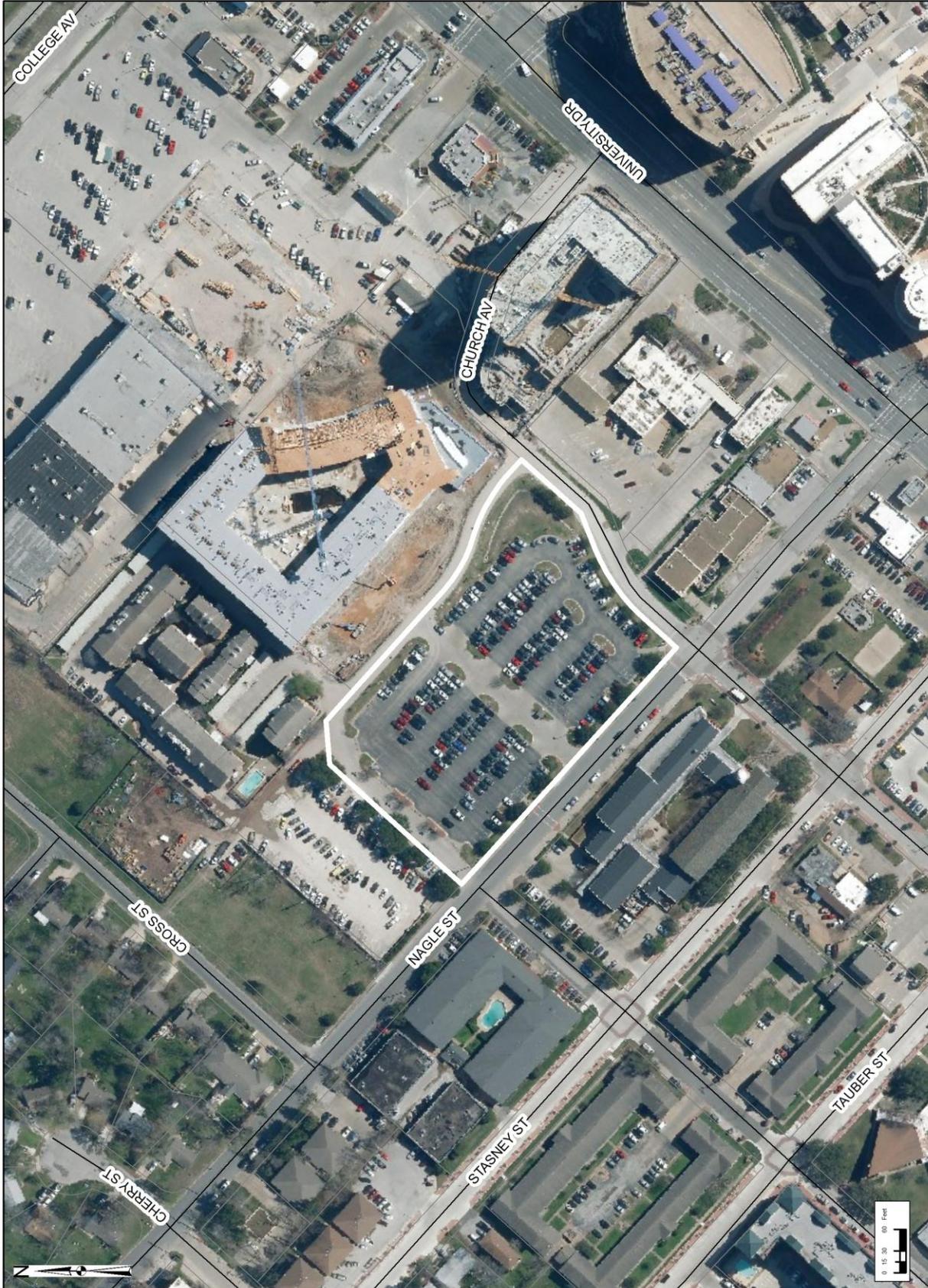
- Planned Development/District
- Wolf Pen Creek Dev. Corridor
- Core Northgate
- Transitional Northgate
- Residential Northgate
- Corridor Overlay
- Redevelopment District
- Krenek Tap Overlay

DEVELOPMENT REVIEW

**ST. MARY'S CATHOLIC CENTER
LOT 2-R, THE RAMPARTS**

ZBA
Case: 13-269





Case: 13-269
ZBA

ST. MARY'S CATHOLIC CENTER
LOT 2-R, THE RAMPARTS

DEVELOPMENT REVIEW



NOTIFICATIONS

Advertised Board Hearing Date: January 7, 2014

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

N/A

Property owner notices mailed: 16
Contacts in support: None at the time of this report.
Contacts in opposition: None at the time of this report.
Inquiry contacts: None at the time of this report.

ZONING AND LAND USES

Direction	Zoning	Land Use
Subject Property	NG-2 Transitional Northgate	Surface Parking Lot
North	NG-2 Transitional Northgate	Vacant
South (across Church Avenue)	NG-2 Transitional Northgate	Office and Bank
East	NG-2 Transitional Northgate	Multi-Family Residential
West (across Nagle Street)	NG-1 Core Northgate	Place of Worship

PHYSICAL CHARACTERISTICS

- Frontage:** The subject property is located on Lot 2-R, The Ramparts and has approximately 340 feet of frontage along Church Avenue and approximately 440 feet along Nagle Street.
- Access:** The property takes access from Nagle Street.
- Topography and vegetation:** The site is relatively flat, with some mature trees
- Floodplain:** The subject property is not located within FEMA regulated flood plain.

REVIEW CRITERIA

- Extraordinary conditions:** *That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the UDO will deprive the applicant of the reasonable use of his land.*

The applicant has stated the minimum height regulation requires additional stories when they are not necessary for the church's operations. In addition, places of worship are allowed in all zoning districts within the City and churches are typically only one story. The UDO allows waiver requests for casual and fine dining restaurants and theaters in NG-2 if all facades are a minimum of twenty-five (25) feet in height and all facades give

the appearance of a two-story structure as determined by the Design Review Board (DRB).

St. Mary's proposed use is for a Place of Worship and therefore it does not meet the criteria to be considered for a waiver through the DRB.

- 2. Enjoyment of a substantial property right:** *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.*

The subject property is allowed to develop as the church's sanctuary under the current design district dimensional standards; however, this would require the sanctuary be a minimum of two stories. Church sanctuaries are typically only one story.

- 3. Substantial detriment:** *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this UDO.*

The granting of this variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area or to the City administering the UDO.

- 4. Subdivision:** *That the granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of this UDO.*

The granting of this variance would not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the UDO.

- 5. Flood hazard protection:** *That the granting of the variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.*

The granting of this variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.

- 6. Other property:** *That these conditions do not generally apply to other property in the vicinity.*

In the NG-2 (Transitional Northgate) zoning district, casual and fine dining restaurants and theaters are allowed to seek a waiver of the two-story height requirement through the DRB. However, since the proposed use in this case is a church sanctuary, no similar option exists.

- 7. Hardships:** *That the hardship is not the result of the applicant's own actions.*

The applicant states the hardship is requiring a second floor for a sanctuary when one is not needed. The proposed sanctuary design features exterior walls with a height that exceeds typical two-story construction and appears like a two-story structure from the outside.

- 8. Comprehensive Plan:** *That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.*

The granting of this variance does not substantially conflict with the Comprehensive Plan. Staff believes the height and appearance of the proposed structure meets the intent of the urban designation in the Comprehensive Plan.

9. **Utilization:** *That because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The application of the UDO standards to this particular piece of property would prohibit or unreasonably restrict the applicant in the utilization of their property as planned.

ALTERNATIVES

The applicant has also suggested that a partial mechanical floor above the one-story occupied space is sufficient to comply with the two-story standard.

STAFF RECOMMENDATION

Staff recommends approval of the request with the condition that all facades are a minimum of twenty-five (25) feet in height and all facades give the appearance of a two-story structure.

SUPPORTING MATERIALS

1. Application
2. Proposed Elevations
3. Proposed Sanctuary Building Plan



FOR OFFICE USE ONLY	
CASE NO.:	_____
DATE SUBMITTED:	_____
TIME:	_____
STAFF:	_____

ZONING BOARD OF ADJUSTMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:
<input type="checkbox"/> \$350 Zoning Board of Adjustment Application Fee. <input type="checkbox"/> Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided. <input type="checkbox"/> Additional materials may be required of the applicant such as site plans, elevation drawings, sign details, and floor plans. The applicant shall be informed of any extra materials required.

Date of Optional Preapplication Conference _____

ADDRESS St. Mary's Catholic Center Development, 603 Church Avenue, College Station, Texas 77840

LEGAL DESCRIPTION (Lot, Block, Subdivision) Lot 2-R of the Ramparts Subdivision

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Christopher Craig E-mail ccraig@jacksonryan.com
 Street Address Jackson & Ryan Architects, 2370 Rice Blvd., Suite 210
 City Houston State Texas Zip Code 77005
 Phone Number 713-526-5436 Fax Number 713-526-4241

PROPERTY OWNER'S INFORMATION (Please attach an additional sheet for multiple owners):

Name St. Mary's Catholic Church E-mail ron-walker@austindiocese.org
 Street Address care of The Chancellor, 6225 US Highway 290 East
 City Austin State Texas Zip Code 78723-1025
 Phone Number 512-949-2400 Fax Number 512-949-2520

Current zoning of subject property Design District NG-1, Core Northgate, and NG-2, Transitional Northgate.

Action requested (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Setback variance | <input type="checkbox"/> Appeal of Written Interpretation |
| <input type="checkbox"/> Parking variance | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Sign variance | <input type="checkbox"/> Drainage Variance |
| <input type="checkbox"/> Lot dimension variance | <input type="checkbox"/> Other _____ |

Applicable ordinance section to vary from:

2 story minimum criteria for buildings located in the NG-2 Design District per the dimensional standards Table in section 12-5.9, Design District Dimensional Standards.
--

GENERAL VARIANCE REQUEST

1. The following specific variation from the ordinance is requested:

Authorization for a 1 story building when the height of the 1 story building meets or exceeds the height of a typical 2 story building and generates the appearance of a 2 story or taller building. Approximate height of the proposed 1 story building's outermost walls: 39'-0"

2. This variance is necessary due to the following special conditions:

Special Condition Definition: To justify a variance, the difficulty must be due to unique circumstances involving the particular property. The unique circumstances must be related to a physical characteristic of the property itself, not to the owner's personal situation. This is because regardless of ownership, the variance will run with the land.

Example: A creek bisecting a lot, a smaller buildable area than is seen on surrounding lots, specimen trees.

Note: A cul-de-sac is a standard street layout in College Station. The shape of standard cul-de-sac lots are generally not special conditions.

The unique circumstance is the hardship placed on a new church design by the UDO's 2 story design criteria. The UDO allows Churches to occur in NG-2, and Churches are typically 1 story.

3. The unnecessary hardship(s) involved by meeting the provisions of the ordinance *other than financial hardship* is/are:

Hardship Definition: The inability to make reasonable use of the property in accord with the literal requirements of the law. The hardship must be a direct result of the special condition.

Example: A hardship of a creek bisecting a lot could be the reduction of the buildable area on the lot, when compared to neighboring properties.

Requiring a second floor to a Church where none is needed; proposed 1 story Church design features exterior walls whose height exceeds typical 2 story construction.

4. The following alternatives to the requested variance are possible:

Recognition that a partial mechanical floor above the 1 story occupied space is sufficient to comply with the definition as a second floor for a Church.

5. This variance will not be contrary to the public interest by virtue of the following facts:

The height of the walls for the proposed new 1 story church meet or exceed typical 2 story construction heights and, as such, conforms to the intent of the Unified Development Ordinance's urban density building criteria.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

Rev. David Kendra Pastor

Signature and title

1/2/14

Date



Diocese of Austin

6225 Highway 290 East · Austin, TX 78723
(512) 949-2415 · Fax (512) 949-2521
www.austindiocese.org

Office of the Bishop

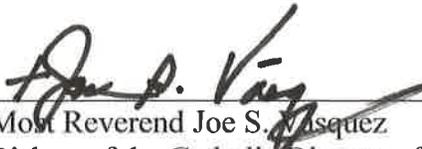
Authorization to Act as Agent

I, the Most Reverend Joe S. Vásquez, Bishop of the Catholic Diocese of Austin hold legal title to the property that is the subject of the three variance applications pending before the City of College Station in cases identified as:

St. Mary's Catholic Center (ZBA) 13-00900268, 13-00900269, and 13-00900270.

I hereby empower REV. DAVID KONDERLA, Pastor of St. Mary's Catholic Center, to sign any and all documents, to take such steps, and do such other acts and things, on my behalf and on behalf of me, the Catholic Diocese of Austin, and St. Mary Catholic Student Center as, in his judgment, may be necessary, appropriate or desirable in connection with pending Variance Applications, of any kind, with the City of College Station.

Further, all transactions with the City of College Station involving the pending Variance Applications by REV. DAVID KONDERLA in my name or the name of the Catholic Diocese of Austin or St. Mary Catholic Student Center prior to the date below are hereby ratified and approved for all purposes.



Most Reverend Joe S. Vásquez
Bishop of the Catholic Diocese of Austin

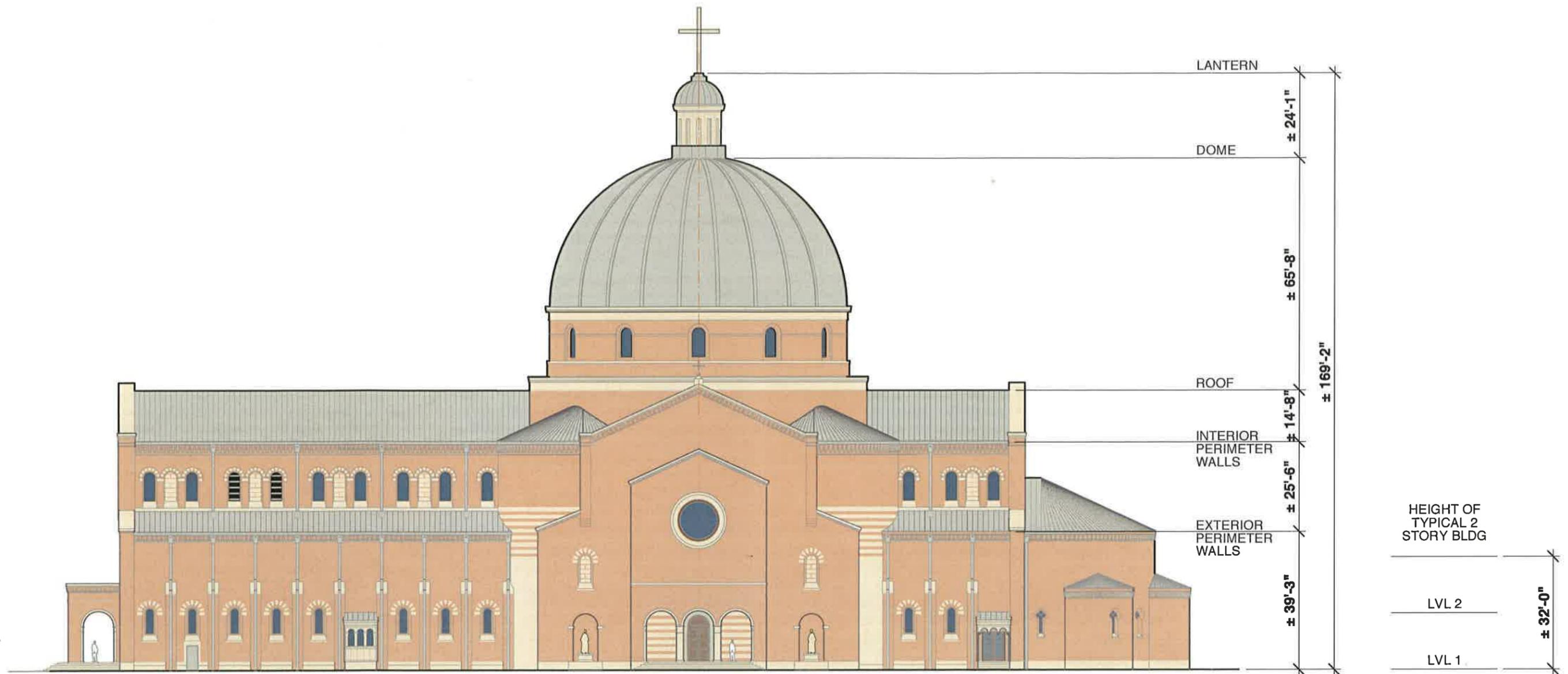
STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 31st day of December, 2013 by the Most Reverend Joe S. Vásquez, Bishop of the Catholic Diocese of Austin





Notary Public
State of Texas

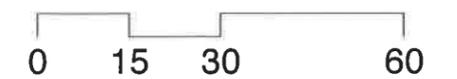


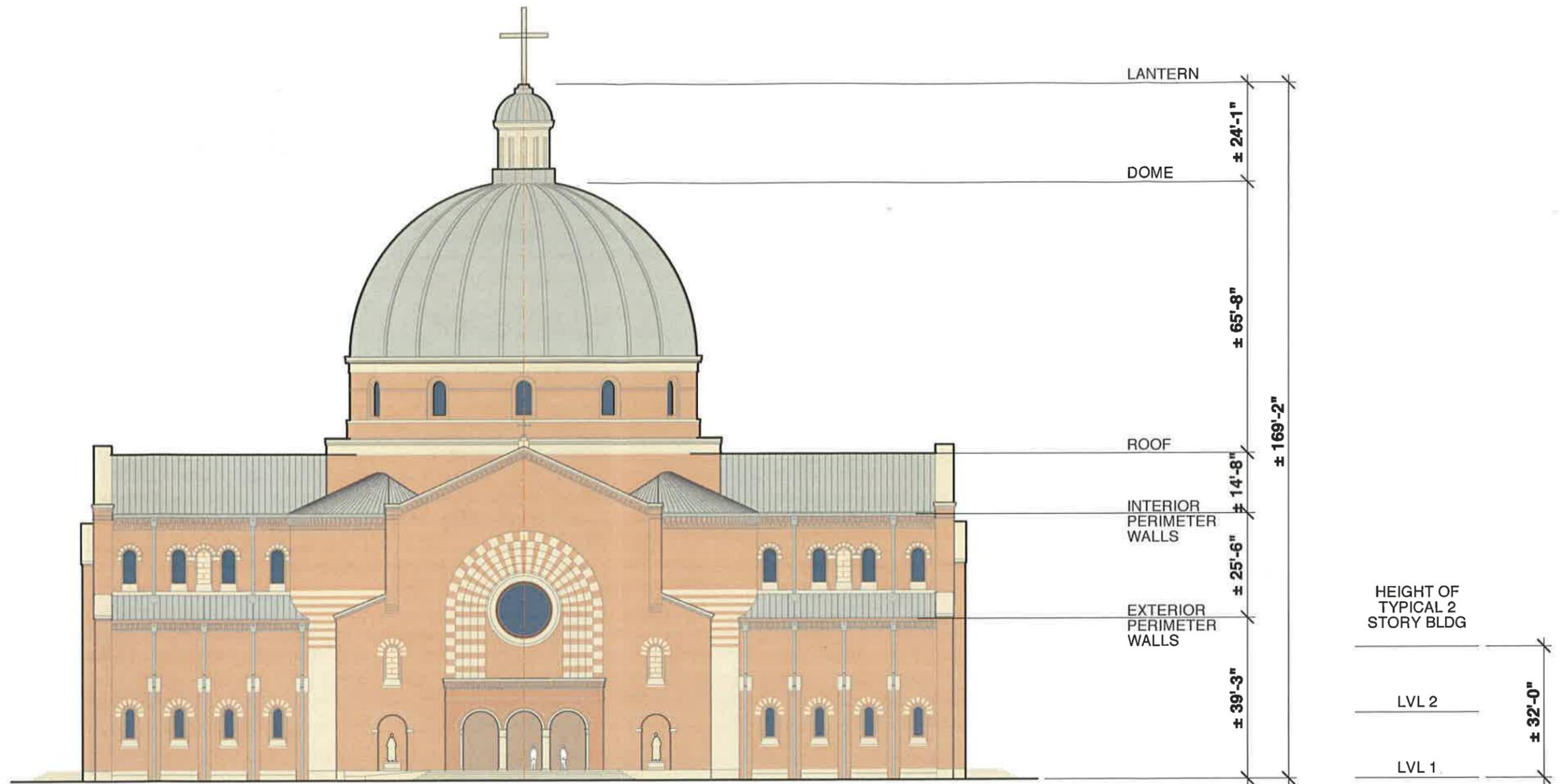
South Elevation - facing Nagle & Church
 (North Elevation similar- facing Private Easement Drive)

**Variance Request
 2 Story criteria**

St. Mary's Catholic Campus
 30 December 2013
 College Station, Texas

Jackson & Ryan Architects
 13015





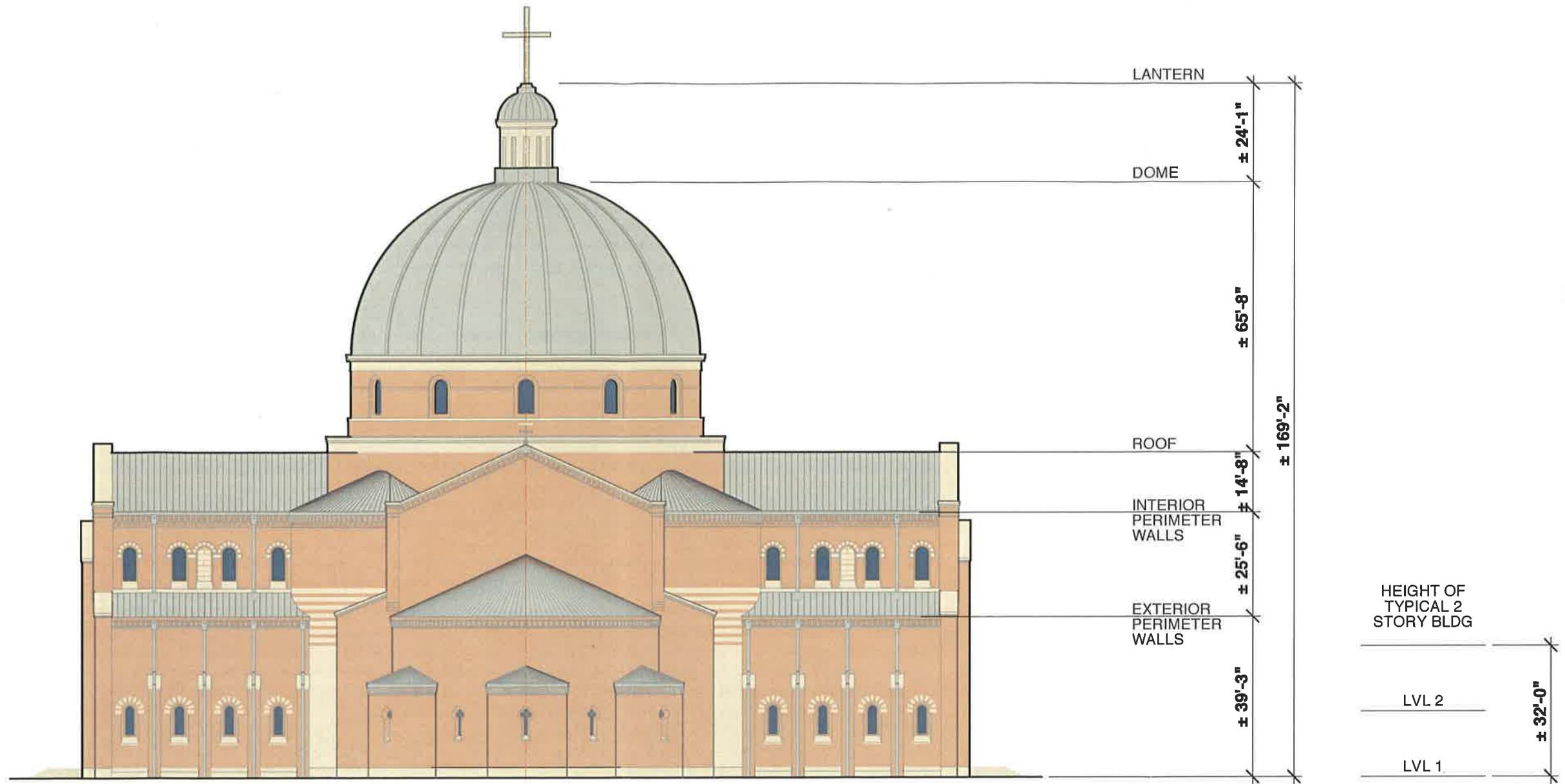
West Elevation - facing southern Nagle & Cross intersection

**Variance Request
2 Story criteria**

St. Mary's Catholic Campus
30 December 2013
College Station, Texas

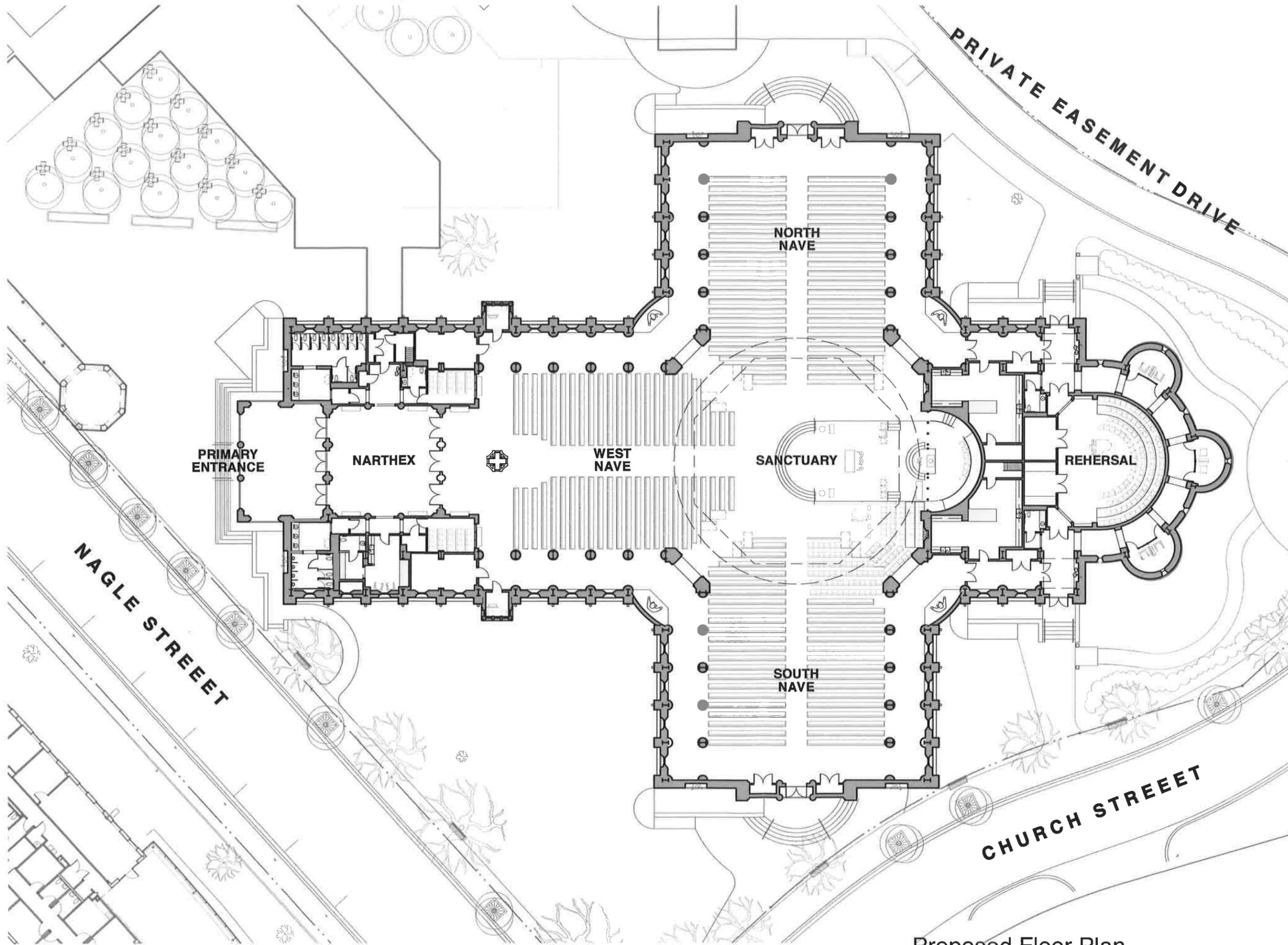
Jackson & Ryan Architects
13015





West Elevation - facing southern Nagle & Cross intersection

**Variance Request
2 Story criteria**



PRIMARY
ENTRANCE

NARTHEX

WEST
NAVE

SANCTUARY

REHERSAL

NORTH
NAVE

SOUTH
NAVE

NAGLE STREET

CHURCH STREET

PRIVATE EASEMENT DRIVE



**Variance Request
2 Story criteria**

St. Mary's Catholic Campus
30 December 2013
College Station, Texas

Jackson & Ryan Architects
13015

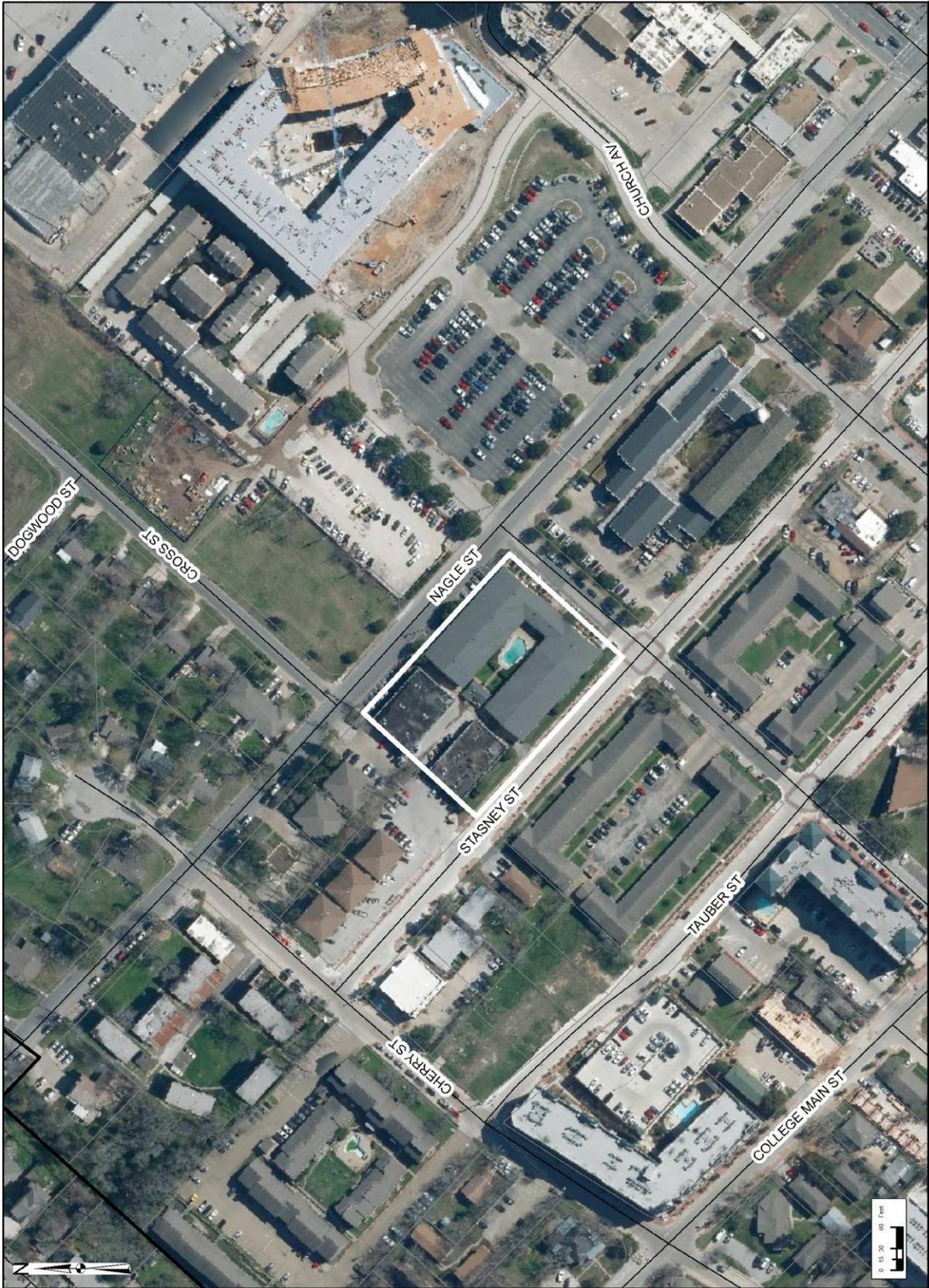
Proposed Floor Plan





VARIANCE REQUEST
for
Lots 1-5 and 16-20, Block 4, Tauber Subdivision
13-00900268

- REQUEST:** A variance to Unified Development Ordinance (UDO) Section 12-5.8.B.6.g, Northgate Districts, Off-Street Parking Standards, to allow a ramp on the exterior of a parking garage.
- LOCATION:** Lots 1-5 and 16-20, Block 4, Tauber Subdivision, generally located at 601 Cross Street
- APPLICANT:** Christopher Craig, Jackson & Ryan Architects
- PROPERTY OWNER:** St. Mary's Catholic Church
- PROJECT MANAGER:** Teresa Rogers, Staff Planner
trogers@cstx.gov
- BACKGROUND:** The subject property is zoned NG-2 (Transitional Northgate) and owned by St. Mary's Catholic Church. An apartment complex currently occupies the site but the owner plans to build a structured parking garage on the site which is currently. The UDO allows structured parking in NG-2, but prohibits ramps on garage exterior facades. The applicant would like to provide an exterior ramp on the proposed parking garage, **therefore, the applicant is requesting a variance to the UDO Section 12-5.8.B.6.g, Northgate Districts, Off-Street Parking Standards, to allow a ramp on the facade of a parking garage.**
- APPLICABLE ORDINANCE:** UDO Section 12-5.8.B.6.g, Northgate Districts, Off-Street Parking Standards
- ORDINANCE INTENT:** The purpose of the Northgate off-street parking regulations is intended to create a pedestrian-friendly environment which minimizes the visual impact of parking areas and encourages pedestrian movement through the district.
- RECOMMENDATION:** Staff recommends denial.



ZBA

Case: 13-268

ST. MARY'S CATHOLIC CENTER
LTS 1-5 & 16-20 & ASSOCIATED
BPP BLK 4 TAUBER SUBD

DEVELOPMENT REVIEW



NOTIFICATIONS

Advertised Board Hearing Date: January 7, 2014

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

N/A

Property owner notices mailed: 12
Contacts in support: None at the time of this report.
Contacts in opposition: None at the time of this report.
Inquiry contacts: None at the time of this report.

ZONING AND LAND USES

Direction	Zoning	Land Use
Subject Property	NG-2 Transitional Northgate	Multi-Family Residential
North	NG-3 Residential Northgate	Multi-Family Residential
South (across Cross Street)	NG-1 Core Northgate	Place of Worship
East (across Nagle Street)	NG-2 Transitional Northgate	Surface Parking Lot and Vacant
West (across Stasney Street)	NG-3 Residential Northgate	Multi-Family Residential

PHYSICAL CHARACTERISTICS

- Frontage:** The subject property is located on Lots 1-5 and 16-20, Block 4, Tauber Subdivision and has approximately 300 feet of frontage on both Nagle Street and Stasney Street and approximately 210 feet along Cross Street.
- Access:** The property takes access from Nagle Street, Stasney Street, and Cross Street.
- Topography and vegetation:** The site is relatively flat, with a few mature trees
- Floodplain:** The subject property is not located within FEMA regulated flood plain.

REVIEW CRITERIA

- Extraordinary conditions:** *That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the UDO will deprive the applicant of the reasonable use of his land.*

The applicant has stated that the exterior ramp is necessary to serve users in a safe and efficient manner and expedite the quick departure of vehicles from the garage. In Staff's opinion, the applicant has not provided evidence that a special condition exists on the property such that the strict application of the provisions of the Unified Development Ordinance would deprive the applicant of the reasonable use of the property. The master plan is proposing multiple exit drives/ramps to serve the garage and ramps are

allowed in structured parking garages so long as they are not located on the building façade.

- 2. Enjoyment of a substantial property right:** *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.*

This variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant. The subject property is allowed to develop as a structured parking garage under the current design Northgate district standards.

- 3. Substantial detriment:** *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this UDO.*

The granting of this variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area or to the City administering the UDO.

- 4. Subdivision:** *That the granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of this UDO.*

The granting of this variance would not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the UDO.

- 5. Flood hazard protection:** *That the granting of the variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.*

The granting of this variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.

- 6. Other property:** *That these conditions do not generally apply to other property in the vicinity.*

All Northgate permitted uses are required to abide by the same standards outlined in UDO Section 12-5.8.B.6.g, Northgate Districts, Off-Street Parking Standards.

- 7. Hardships:** *That the hardship is not the result of the applicant's own actions.*

It is Staff's opinion that a hardship does not exist on the property. The Owner is permitted to construct a structured parking garage with ramps that are enclosed within the structure.

- 8. Comprehensive Plan:** *That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.*

The granting of this variance does not substantially conflict with the Comprehensive Plan.

9. **Utilization:** *That because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The application of the UDO standards to this particular piece of property does not prohibit or unreasonably restrict the applicant in the utilization of their property. If the variance is denied, the applicant can still develop the property as a structured parking garage.

ALTERNATIVES

The applicant has not proposed any alternatives to the granting of the variance request.

STAFF RECOMMENDATION

Staff recommends denial of the variance request. In staff's opinion the applicant has failed to demonstrate that a special condition or hardship exists in this case.

SUPPORTING MATERIALS

1. Application
2. Proposed Site Plan
3. Proposed Elevation



FOR OFFICE USE ONLY	
CASE NO.:	_____
DATE SUBMITTED:	_____
TIME:	_____
STAFF:	_____

ZONING BOARD OF ADJUSTMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:	
<input type="checkbox"/>	\$350 Zoning Board of Adjustment Application Fee.
<input type="checkbox"/>	Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
<input type="checkbox"/>	Additional materials may be required of the applicant such as site plans, elevation drawings, sign details, and floor plans. The applicant shall be informed of any extra materials required.

Date of Optional Preapplication Conference _____

ADDRESS St. Mary's Catholic Center Development, 603 Church Avenue, College Station, Texas 77840

LEGAL DESCRIPTION (Lot, Block, Subdivision) Lots 1-5 & 16-20 and Associated BPP, Block 4, Tauber

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Christopher Craig E-mail ccraig@jacksonryan.com

Street Address Jackson & Ryan Architects, 2370 Rice Blvd., Suite 210

City Houston State Texas Zip Code 77005

Phone Number 713-526-5436 Fax Number 713-526-4241

PROPERTY OWNER'S INFORMATION (Please attach an additional sheet for multiple owners):

Name St. Mary's Catholic Church E-mail ron-walker@austindiocese.org

Street Address care of The Chancellor, 6225 US Highway 290 East

City Austin State Texas Zip Code 78723-1025

Phone Number 512-949-2400 Fax Number 512-949-2520

Current zoning of subject property Design District NG-1, Core Northgate, and NG-2, Transitional Northgate.

Action requested (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Setback variance | <input type="checkbox"/> Appeal of Written Interpretation |
| <input type="checkbox"/> Parking variance | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Sign variance | <input type="checkbox"/> Drainage Variance |
| <input type="checkbox"/> Lot dimension variance | <input type="checkbox"/> Other _____ |

Applicable ordinance section to vary from:

Ramps shall not be built on the exterior of parking garages within the Northgate Design District per section 12-5.8, B, 6, g.

GENERAL VARIANCE REQUEST

1. The following specific variation from the ordinance is requested:

Authorization for the installation of a ramp on the exterior of a garage when the ramp faces an adjacent property in lieu of a public Right of Way.

2. This variance is necessary due to the following special conditions:

Special Condition Definition: To justify a variance, the difficulty must be due to unique circumstances involving the particular property. The unique circumstances must be related to a physical characteristic of the property itself, not to the owner's personal situation. This is because regardless of ownership, the variance will run with the land.

Example: A creek bisecting a lot, a smaller buildable area than is seen on surrounding lots, specimen trees.

Note: A cul-de-sac is a standard street layout in College Station. The shape of standard cul-de-sac lots are generally not special conditions.

The unique circumstance is the hardship placed on a new parking garage's ability to serve its user in a safe and efficient manner by the UDO's exterior ramp criteria. As cars arrive and depart, the condition generates a potential traffic challenge for the three 2,000 seat services on any given Sunday within a set time. A means is needed to ensure visitors can load and unload from the proposed parking garage quickly and safely within the 20 minute window between masses.

3. The unnecessary hardship(s) involved by meeting the provisions of the ordinance *other than financial hardship* is/are:

Hardship Definition: The inability to make reasonable use of the property in accord with the literal requirements of the law. The hardship must be a direct result of the special condition.

Example: A hardship of a creek bisecting a lot could be the reduction of the buildable area on the lot, when compared to neighboring properties.

Although it will provide parking for non-St. Mary's users throughout the week, the primary purpose for the proposed new ± 1,000 space parking garage is to accommodate the three 2,000 seat masses at St. Mary's on a given Sunday within a set time. The proposed exterior exit-only ramp enables an 18 minute exchange window between worshippers departing and worshippers arriving, thereby reducing traffic congestion.

4. The following alternatives to the requested variance are possible:

No other alternative exists that would match or increase the loading and unloading efficacy of the proposed new parking garage's exterior ramp in a timely fashion and simultaneously reduce traffic congestion. The Owner is investing in this secondary exit-only exterior ramp to address traffic congestion.

5. This variance will not be contrary to the public interest by virtue of the following facts:

employment of the proposed exterior ramp along an adjacent property line maintains the UDO's urban street aesthetic design intent as it will not face a Right of Way, and minimizes the potential traffic challenges between Sunday services.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

Rev. David Korderla Pastor
Signature and title

1/2/14
Date



Diocese of Austin

6225 Highway 290 East · Austin, TX 78723
(512) 949-2415 · Fax (512) 949-2521
www.austindiocese.org

Office of the Bishop

Authorization to Act as Agent

I, the Most Reverend Joe S. Vásquez, Bishop of the Catholic Diocese of Austin hold legal title to the property that is the subject of the three variance applications pending before the City of College Station in cases identified as:

St. Mary's Catholic Center (ZBA) 13-00900268, 13-00900269, and 13-00900270.

I hereby empower REV. DAVID KONDERLA, Pastor of St. Mary's Catholic Center, to sign any and all documents, to take such steps, and do such other acts and things, on my behalf and on behalf of me, the Catholic Diocese of Austin, and St. Mary Catholic Student Center as, in his judgment, may be necessary, appropriate or desirable in connection with pending Variance Applications, of any kind, with the City of College Station.

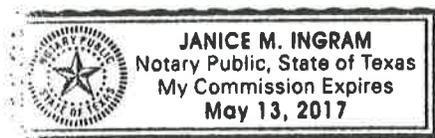
Further, all transactions with the City of College Station involving the pending Variance Applications by REV. DAVID KONDERLA in my name or the name of the Catholic Diocese of Austin or St. Mary Catholic Student Center prior to the date below are hereby ratified and approved for all purposes.



Most Reverend Joe S. Vásquez
Bishop of the Catholic Diocese of Austin

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 31st day of December, 2013 by the Most Reverend Joe S. Vásquez, Bishop of the Catholic Diocese of Austin





Notary Public
State of Texas



VARIANCE REQUEST
for
Lot 2-R, The Ramparts
13-00900270

REQUEST: A variance to Unified Development Ordinance (UDO) Section 12-5.9, Northgate Districts, Design District Dimensional Standards, to allow a 70-foot maximum building setback for St. Mary's sanctuary building when 75% of the building façade is adjacent to right-of-way occur within the setback.

LOCATION: Lot 2-R, The Ramparts, generally located at 300 Nagle Street

APPLICANT: Christopher Craig, Jackson & Ryan Architects

PROPERTY OWNER: St. Mary's Catholic Church

PROJECT MANAGER: Teresa Rogers, Staff Planner
trogers@cstx.gov

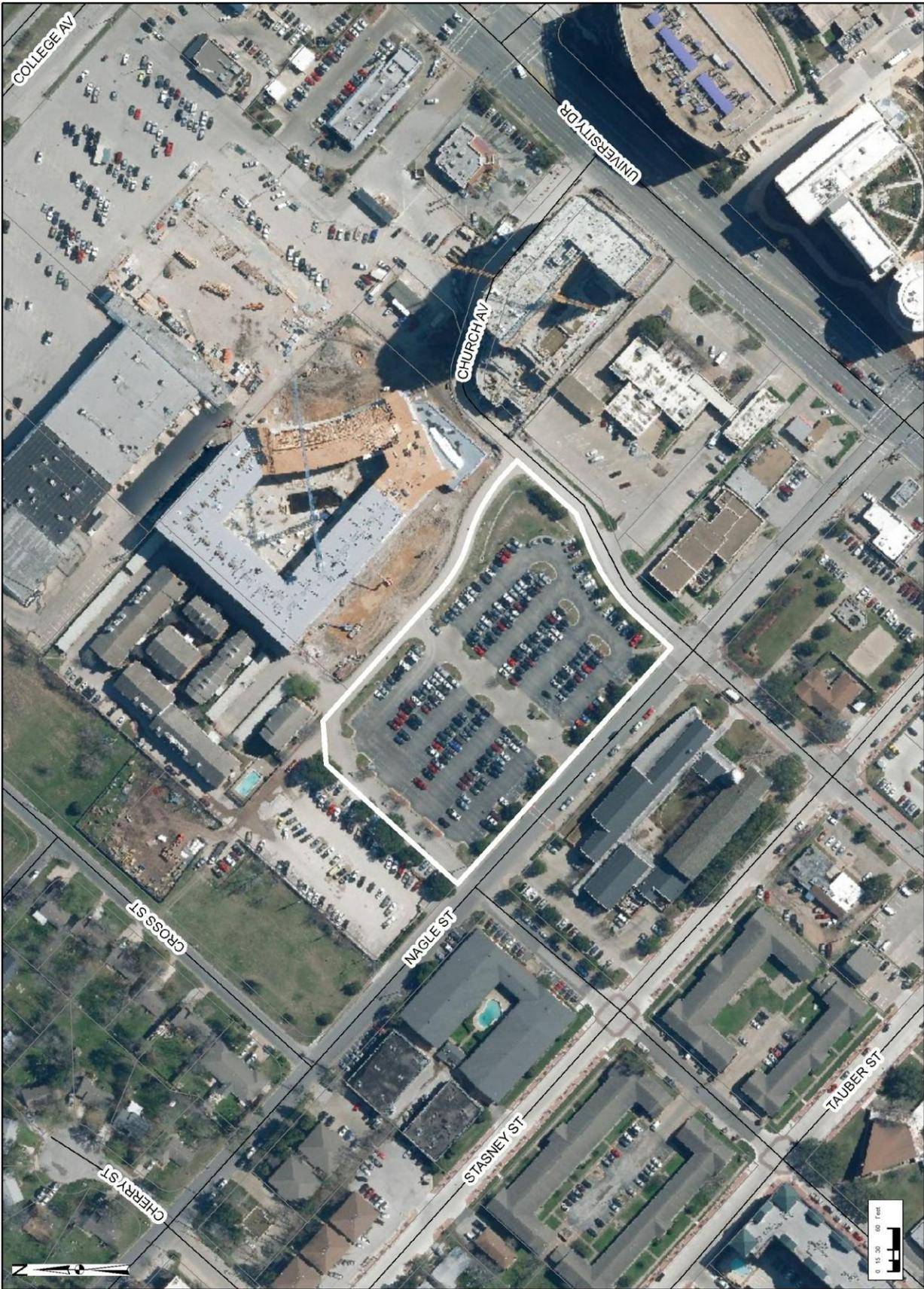
BACKGROUND: The subject property is zoned NG-2 (Transitional Northgate) and owned by St. Mary's Catholic Church. The site is currently occupied by a surface parking lot but the owner plans to construct a new sanctuary at this location. The UDO allows churches in all zoning districts, however, the NG-2 zoning district requires a minimum building setback of 10 feet from the back of curb and a maximum building setback of 25 feet from the back of curb. The applicant is proposing to construct a new sanctuary on the site that would be located further from the curb than allowed by the UDO. **Therefore, the applicant is requesting a variance to the UDO Section 12-5.9, Northgate Districts, Design District Dimensional Standards, to allow a setback of 70 feet when 75% of the building's perimeter facing the right-of-way occurs within this setback.**

APPLICABLE ORDINANCE: UDO Section 12-5.9, Design District Dimensional Standards

ORDINANCE INTENT: The purpose of the Northgate dimensional standards is to create a unique, pedestrian-friendly, dense urban environment in the City of College Station. One important characteristic of urban areas is

the relationship of the buildings to the right-of-way. Urban development is typically marked by buildings located close to the street.

RECOMMENDATION: Staff recommends denial.

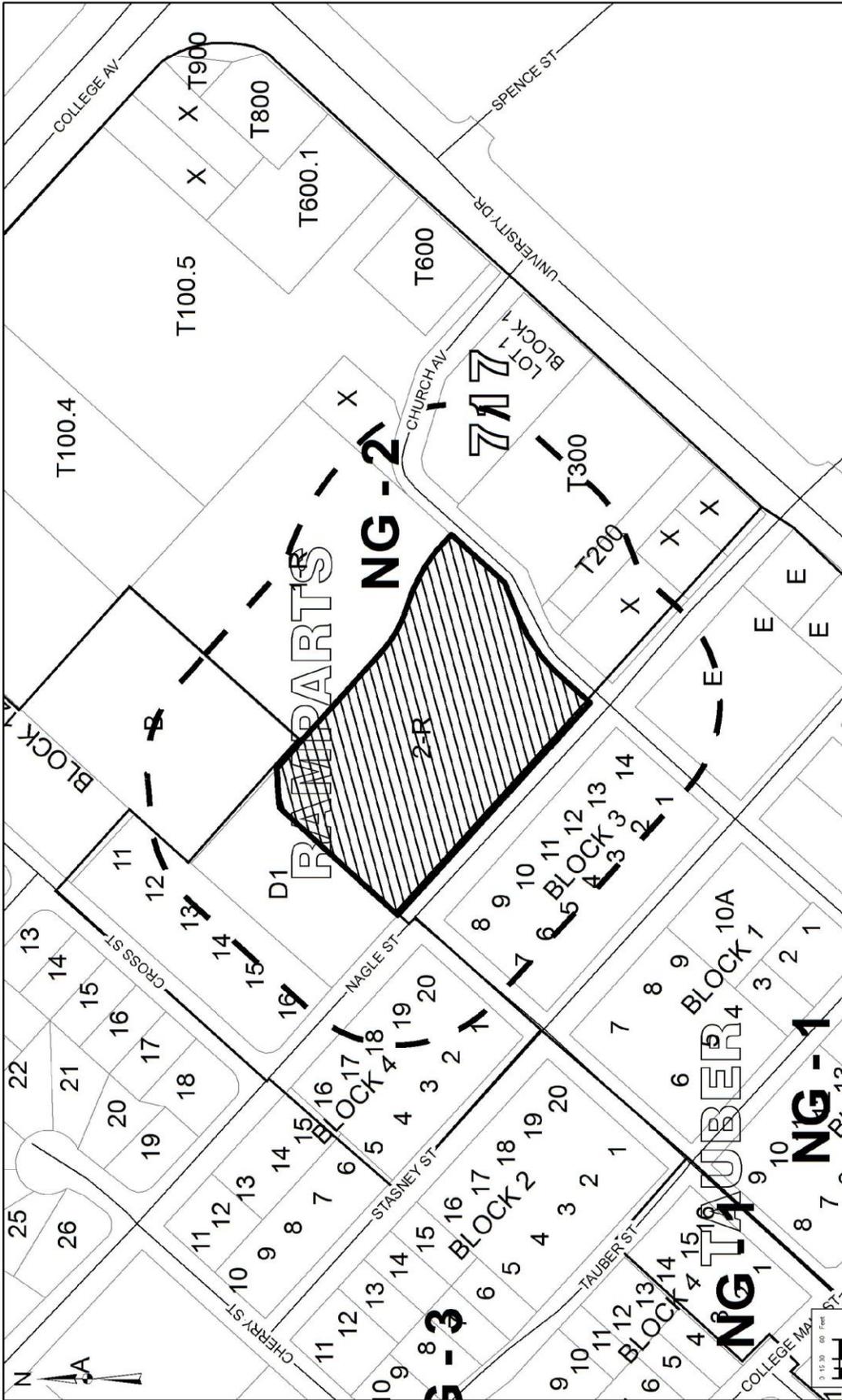


Case: 13-270
ZBA

ST. MARY'S CATHOLIC CENTER
LOT 2-R, THE RAMPARTS

DEVELOPMENT REVIEW





Zoning Districts

R	Rural	R-4	Multi-Family	BPI	Business Park Industrial	PDD	Planned Development District
E	Estate	R-6	High Density Multi-Family	NAP	Natural Areas Protected	WPC	Wolf Pen Creek Dev. Corridor
RS	Restricted Suburban	MHP	Manufactured Home Park	C-3	Light Commercial	NG-1	Core Northgate
GS	General Suburban	O	Office	M-1	Light Industrial	NG-2	Transitional Northgate
R-1B	Single Family Residential	SC	Suburban Commercial	M-2	Heavy Industrial	NG-3	Residential Northgate
D	Duplex	GC	General Commercial	C-2	College and University	OV	Corridor Overlay
T	Townhouse	CI	Commercial-Industrial	R & D	Research and Development	RDD	Redevelopment District
		BP	Business Park	P-MUD	Planned Mixed-Use Development	KO	Krenek Tap Overlay

	DEVELOPMENT REVIEW	ST. MARY'S CATHOLIC CENTER LOT 2-R, THE RAMPARTS	Case: 13-270	ZBA
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NOTIFICATIONS

Advertised Board Hearing Date: January 7, 2014

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

N/A

Property owner notices mailed: 16
Contacts in support: None at the time of this report.
Contacts in opposition: None at the time of this report.
Inquiry contacts: None at the time of this report.

ZONING AND LAND USES

Direction	Zoning	Land Use
Subject Property	NG-2 Transitional Northgate	Surface Parking Lot
North	NG-2 Transitional Northgate	Vacant
South (across Church Avenue)	NG-2 Transitional Northgate	Office and Bank
East	NG-2 Transitional Northgate	Multi-Family Residential
West (across Nagle Street)	NG-1 Core Northgate	Place of Worship

PHYSICAL CHARACTERISTICS

- Frontage:** The subject property is located on Lot 2-R, The Ramparts and has approximately 340 feet of frontage along Church Avenue and approximately 440 feet along Nagle Street.
- Access:** The property takes access from Nagle Street.
- Topography and vegetation:** The site is relatively flat, with some mature trees
- Floodplain:** The subject property is not located within FEMA regulated flood plain.

REVIEW CRITERIA

- Extraordinary conditions:** *That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the UDO will deprive the applicant of the reasonable use of his land.*

The applicant has stated that setback criteria does not allow a church to employ a traditional cruciform plan shape. In Staff's opinion, the applicant has not provided evidence that a special condition exists on the property such that the strict applications of the provisions of the Unified Development Ordinance would deprive the applicant of the reasonable use of the property.

2. **Enjoyment of a substantial property right:** *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.*

This variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant. The subject property is allowed to develop as a sanctuary under the current design district dimensional standards.

3. **Substantial detriment:** *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this UDO.*

The granting of this variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area or to the City administering the UDO.

4. **Subdivision:** *That the granting of the variance will not have the effect of preventing the orderly subdivision of land in the area in accordance with the provisions of this UDO.*

The granting of this variance would not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the UDO.

5. **Flood hazard protection:** *That the granting of the variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.*

The granting of this variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.

6. **Other property:** *That these conditions do not generally apply to other property in the vicinity.*

All Northgate permitted uses are required to abide by the same standards outlined in Section 12-5.9, Northgate Districts, Design District Dimensional Standards, of the UDO.

7. **Hardships:** *That the hardship is not the result of the applicant's own actions.*

It is Staff's opinion that a hardship does not exist on the property. The applicant can design and construct a sanctuary that meets the minimum and maximum setbacks provided by the UDO.

8. **Comprehensive Plan:** *That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.*

The Comprehensive Plan designates this area as Urban and calls for developments that are built close to the street and contribute to the urban environment. The proposed sanctuary is set further back on the property and proposes a large open area between the street and the building façade, which is more suburban in character.

9. **Utilization:** *That because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.*

The application of the UDO standards to this particular piece of property does not prohibit or unreasonably restrict the applicant in the utilization of their property.

ALTERNATIVES

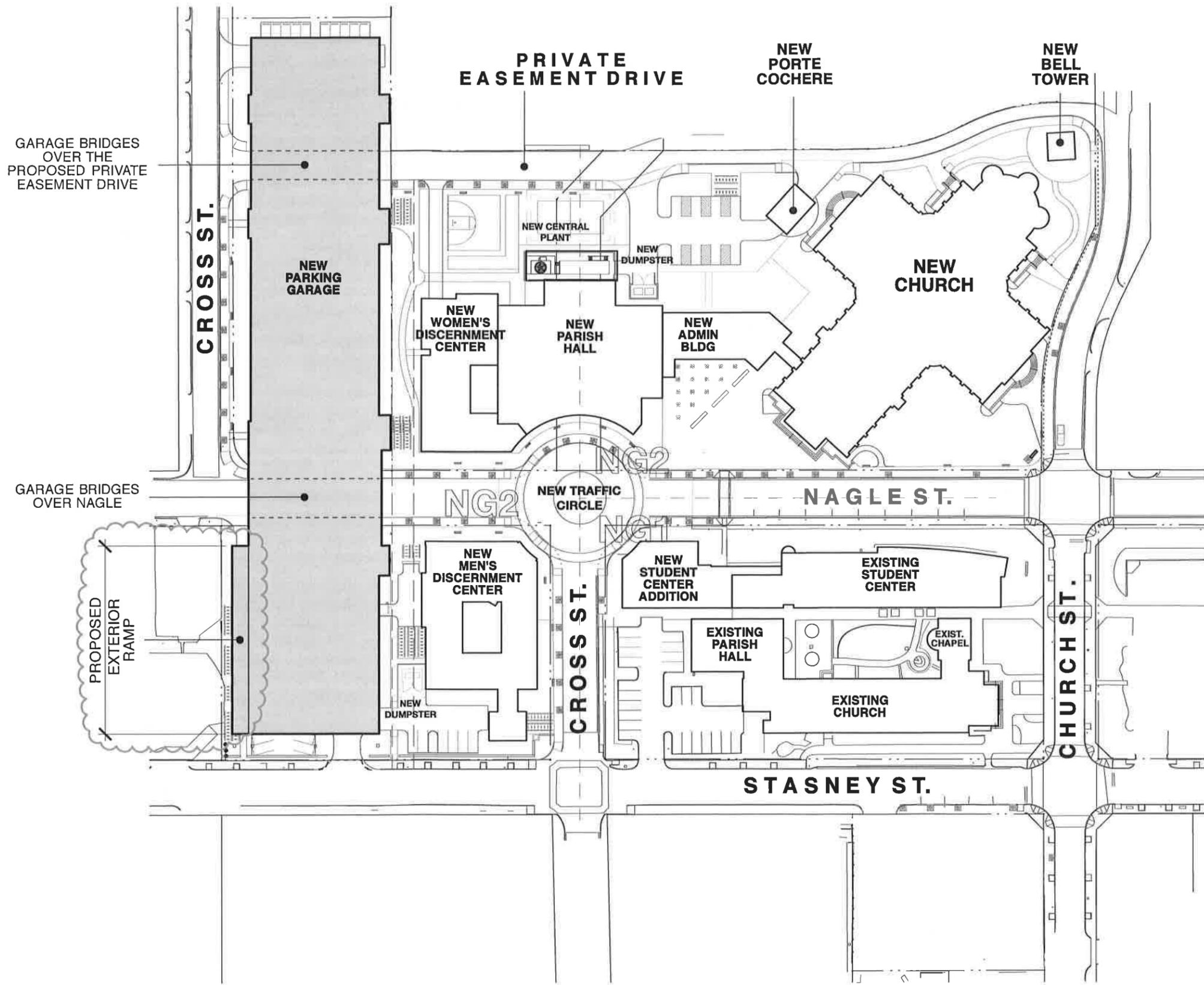
The applicant has not proposed any alternatives to the granting of the variance requests.

STAFF RECOMMENDATION

Staff recommends denial of the variance request. In staff's opinion the applicant has failed to demonstrate that a special condition or hardship exists in this case.

SUPPORTING MATERIALS

1. Application
2. Proposed Site Plan

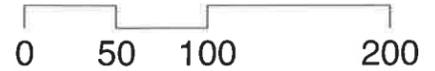


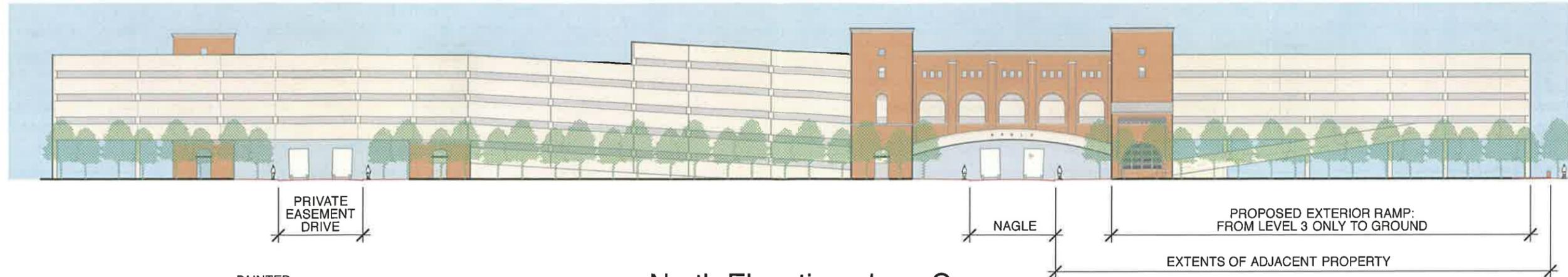
**Variance Request
Exterior Ramp @ Garage**

St. Mary's Catholic Campus
30 December 2013
College Station, Texas

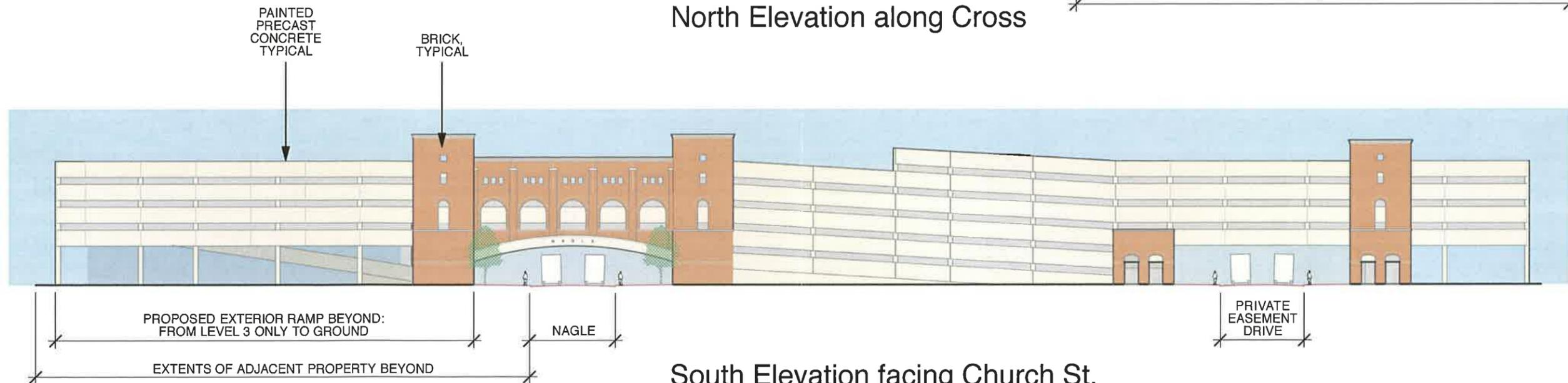
Jackson & Ryan Architects
13015

Proposed Master Plan

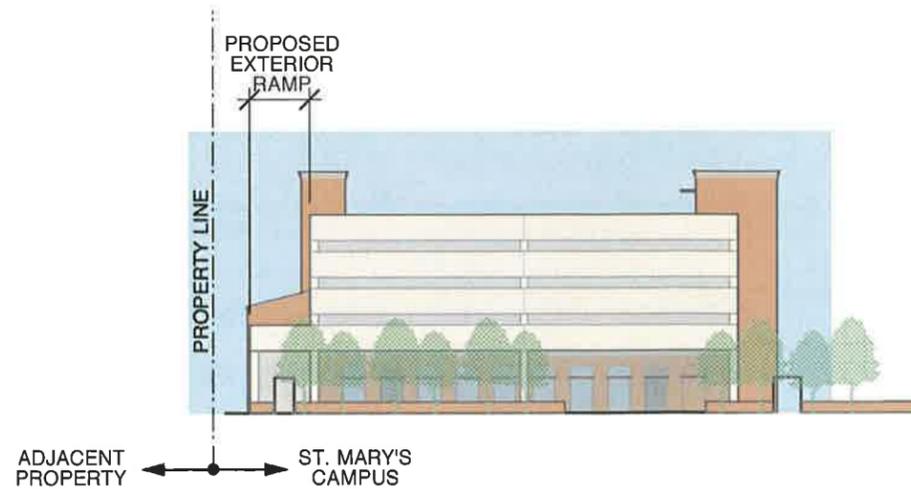




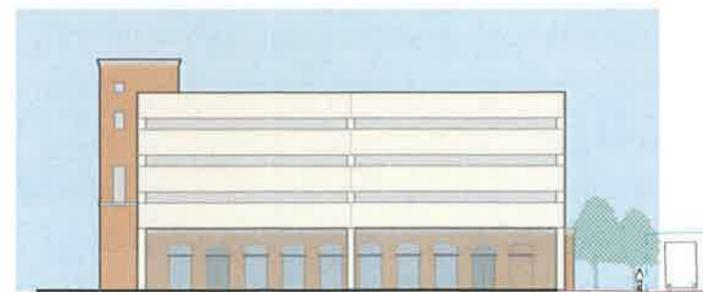
North Elevation along Cross



South Elevation facing Church St.



West Elevation facing Stasney

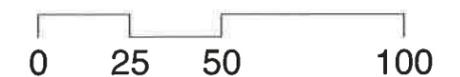


East Elevation

Variance Request Exterior Ramp @ Garage

St. Mary's Catholic Campus
30 December 2013
College Station, Texas

Jackson & Ryan Architects
13015





FOR OFFICE USE ONLY	
CASE NO.:	_____
DATE SUBMITTED:	_____
TIME:	_____
STAFF:	_____

ZONING BOARD OF ADJUSTMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:	
<input type="checkbox"/>	\$350 Zoning Board of Adjustment Application Fee.
<input type="checkbox"/>	Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
<input type="checkbox"/>	Additional materials may be required of the applicant such as site plans, elevation drawings, sign details, and floor plans. The applicant shall be informed of any extra materials required.

Date of Optional Preapplication Conference _____

ADDRESS St. Mary's Catholic Center Development, 603 Church Avenue, College Station, Texas 77840

LEGAL DESCRIPTION (Lot, Block, Subdivision) Lot 2-R of the Ramparts Subdivision

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Christopher Craig E-mail ccraig@jacksonryan.com
 Street Address Jackson & Ryan Architects, 2370 Rice Blvd., Suite 210
 City Houston State Texas Zip Code 77005
 Phone Number 713-526-5436 Fax Number 713-526-4241

PROPERTY OWNER'S INFORMATION (Please attach an additional sheet for multiple owners):

Name St. Mary's Catholic Church E-mail ron-walker@austindiocese.org
 Street Address care of The Chancellor, 6225 US Highway 290 East
 City Austin State Texas Zip Code 78723-1025
 Phone Number 512-949-2400 Fax Number 512-949-2520

Current zoning of subject property Design District NG-1, Core Northgate, and NG-2, Transitional Northgate.

Action requested (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Setback variance | <input type="checkbox"/> Appeal of Written Interpretation |
| <input type="checkbox"/> Parking variance | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Sign variance | <input type="checkbox"/> Drainage Variance |
| <input type="checkbox"/> Lot dimension variance | <input type="checkbox"/> Other _____ |

Applicable ordinance section to vary from:

10' minimum setback from back of any curb and 25' maximum setback from back of any curb within Design District NG-2 per section 12-5.9, Design District Dimensional Standards

GENERAL VARIANCE REQUEST

1. The following specific variation from the ordinance is requested:

Places of Worship are allowed a 70' setback from back of curb when 75% of the building's perimeter that faces a Right-of Way occurs within this setback.

2. This variance is necessary due to the following special conditions:

Special Condition Definition: To justify a variance, the difficulty must be due to unique circumstances involving the particular property. The unique circumstances must be related to a physical characteristic of the property itself, not to the owner's personal situation. This is because regardless of ownership, the variance will run with the land.

Example: A creek bisecting a lot, a smaller buildable area than is seen on surrounding lots, specimen trees.

Note: A cul-de-sac is a standard street layout in College Station. The shape of standard cul-de-sac lots are generally not special conditions.

The unique circumstance is the hardship placed on a new church's footprint design by the UDO's setback criteria. The UDO allows Churches to occur in NG-2, but the setback criteria does not allow a church to employ a traditional cruciform plan shape.

3. The unnecessary hardship(s) involved by meeting the provisions of the ordinance *other than financial hardship* is/are:

Hardship Definition: The inability to make reasonable use of the property in accord with the literal requirements of the law. The hardship must be a direct result of the special condition.

Example: A hardship of a creek bisecting a lot could be the reduction of the buildable area on the lot, when compared to neighboring properties.

To comply with the UDO's setback criteria prevents St. Mary's to instigate, observe, and sustain the history and tradition of a cruciform shaped Catholic Church, and thereby, utilize the land as allowed.

4. The following alternatives to the requested variance are possible:

none are possible that allow the Owner to freely observe their religion and conduct worship in a traditional manner.

5. This variance will not be contrary to the public interest by virtue of the following facts:

Cultural heritage and symbolism of a 2000 year old traditional Catholic Church is maintained.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

Rev. David Konderla Pastor
Signature and title

1/2/11
Date



Diocese of Austin

6225 Highway 290 East · Austin, TX 78723
(512) 949-2415 · Fax (512) 949-2521
www.austindiocese.org

Office of the Bishop

Authorization to Act as Agent

I, the Most Reverend Joe S. Vásquez, Bishop of the Catholic Diocese of Austin hold legal title to the property that is the subject of the three variance applications pending before the City of College Station in cases identified as:

St. Mary's Catholic Center (ZBA) 13-00900268, 13-00900269, and 13-00900270.

I hereby empower REV. DAVID KONDERLA, Pastor of St. Mary's Catholic Center, to sign any and all documents, to take such steps, and do such other acts and things, on my behalf and on behalf of me, the Catholic Diocese of Austin, and St. Mary Catholic Student Center as, in his judgment, may be necessary, appropriate or desirable in connection with pending Variance Applications, of any kind, with the City of College Station.

Further, all transactions with the City of College Station involving the pending Variance Applications by REV. DAVID KONDERLA in my name or the name of the Catholic Diocese of Austin or St. Mary Catholic Student Center prior to the date below are hereby ratified and approved for all purposes.

Most Reverend Joe S. Vásquez
Bishop of the Catholic Diocese of Austin

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 31st day of December, 2013 by the Most Reverend Joe S. Vásquez, Bishop of the Catholic Diocese of Austin

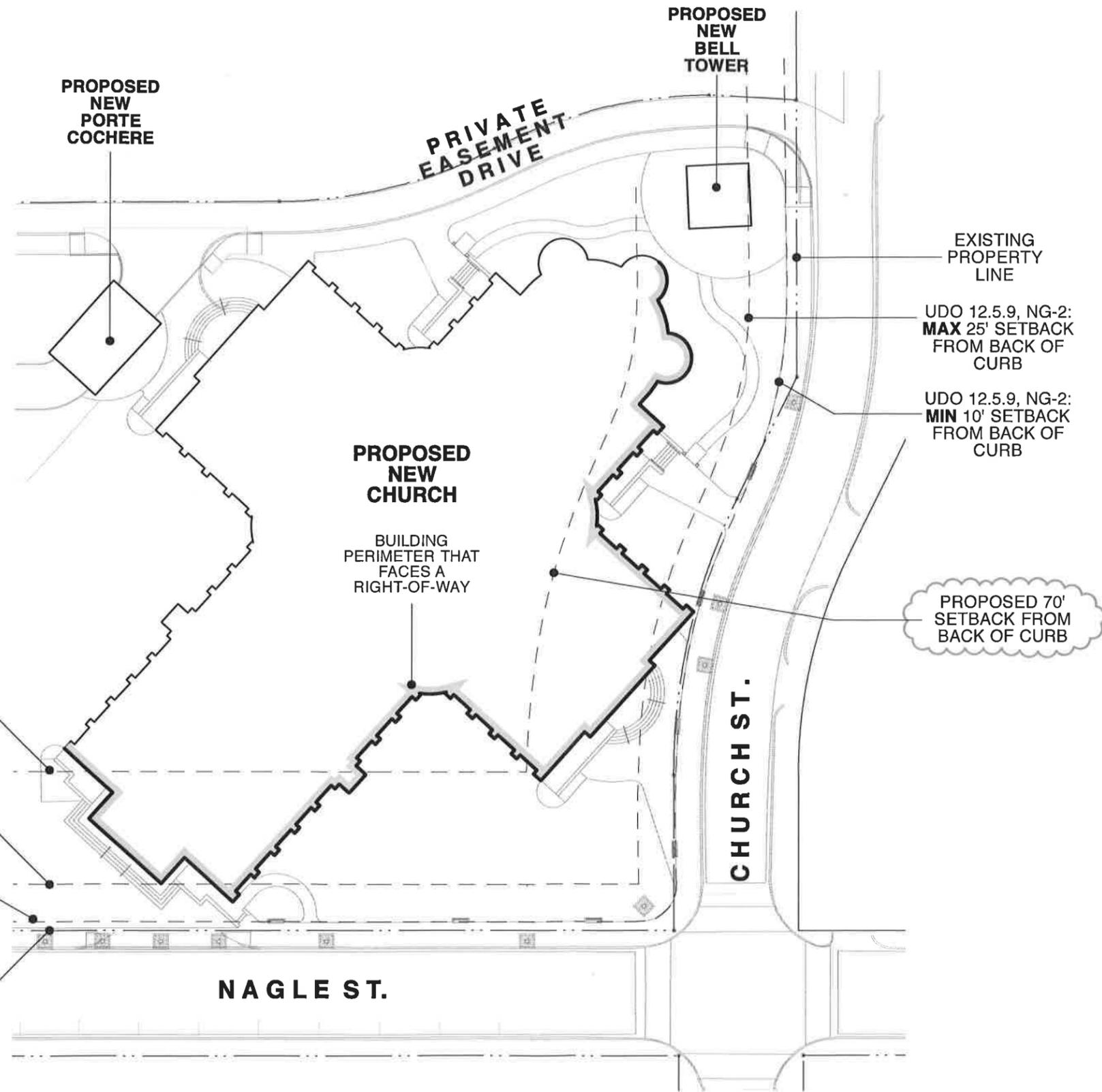


Notary Public
State of Texas

A
 LENGTH OF BUILDING PERIMETER THAT FACES A RIGHT-OF-WAY:
 674'

B
 LENGTH OF BUILDING PERIMETER THAT FACES A RIGHT-OF-WAY BUT DOES NOT FALL WITHIN THE PROPOSED 70' SETBACK:
 135'

C
 % OF THE BUILDING'S PERIMETER THAT OCCURS WITHIN THE 70' SETBACK:
 $C = ((A - B) / A) \times 100$
 $C = ((674 - 135) / 675) \times 100$
 $C = 80\%$



Variance Request Setback Criteria

St. Mary's Catholic Campus
 30 December 2013
 College Station, Texas

Jackson & Ryan Architects
 13015

