

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

**Planning & Zoning  
Commission**

**April 3, 2014**

*College Station Utilities Training  
Facility*

*1603 Graham Road  
College Station, Texas*

**Workshop Meeting 6:00 PM  
Regular Meeting 7:00 PM**



**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**WORKSHOP MEETING**  
**APRIL 3, 2014, AT 6:00 P.M.**  
**COLLEGE STATION UTILITIES TRAINING FACILITY**  
**1603 GRAHAM ROAD**  
**COLLEGE STATION, TEXAS**

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1. Call the meeting to order.
2. Discussion of consent and regular agenda items.
3. Discussion of Minor and Amending Plats approved by Staff.
  - Final Plat ~ Minor Replat ~ Caprock Crossing Block 2, Lots 1A-R1 & 2A-R1 **Case # 14-00900020 (J.Paz)**
  - Final Plat ~ Minor Replat ~ Richards Subdivision Block 1, Lots 2R-1 & 2R-2 **Case # 14-00900044 (J.Paz)**
4. Discussion of new development applications submitted to the City. [[New Development List](#)]
5. Presentation, possible action, and discussion regarding an update on the City's Municipal Utility District Policy and Brazos County Municipal Utility District No. 1. (**L. Simms**)
6. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.
  - Thursday, April 10, 2014 ~ Joint City Council and P&Z Meeting ~ Council Chambers ~ 6:00 p.m.
  - Thursday, April 17, 2014 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
7. Discussion, review and possible action regarding the following meetings: Design Review Board, Joint Parks / Planning & Zoning Subcommittee, BioCorridor Board, BioCorridor Plan Process, 5-Year Comprehensive Plan Review Subcommittee, and Zoning District Subcommittee.
8. 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.
9. Adjourn.



**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**APRIL 3, 2014, AT 7:00 P.M.**  
**COLLEGE STATION UTILITIES TRAINING FACILITY**  
**1603 GRAHAM ROAD**  
**COLLEGE STATION, TEXAS**

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1. Call meeting to order.
  2. **Hear Citizens.** At this time, the Chairman will open the floor to citizens wishing to address the Commission on planning and zoning issues not already scheduled on tonight's agenda. The citizen presentations will be limited to three minutes in order to accommodate everyone who wishes to address the Commission and to allow adequate time for completion of the agenda items. The Commission will receive the information, ask city staff to look into the matter, or will place the matter on a future agenda for discussion. (A recording is made of the meeting; please give your name and address for the record.)

*All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. These items include preliminary plans and final plats, where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. There will not be separate discussion of these items. If any Commissioner desires to discuss an item on the Consent Agenda it will be moved to the Regular Agenda for further consideration.*

3. **Consent Agenda**
  - 4.1 Consideration, possible action, and discussion on Absence Requests from meetings.
    - Jodi Warner ~ April 3, 2014
  - 4.2 Consideration, possible action, and discussion to approve Meeting Minutes.
    - March 20, 2014 ~ Workshop
    - March 20, 2014 ~ Regular
  - 4.3 Presentation, possible action, and discussion on a Final Plat for Creek Meadows Section 4 Phases 3A & 4 consisting of 39 single-family residential lots on approximately 9.13 acres generally located south of Greens Prairie Trail with a connection to Lowry Meadow Trail in the Creek Meadows Subdivision. **Case #12-00500192 (M. Hester)**

**Regular Agenda**

4. Consideration, possible action, and discussion on items removed from the Consent Agenda by Commission action.
5. Public hearing, presentation, possible action, and discussion on a Final Plat of the Northpoint Crossing Subdivision Lot 3, Block 1 being a replat of 0.345-Acre Tract JE Scott League A-50, North Park Lots 2-4, Block 1, and 0.055 acres of abandoned right-of-way (volume 10,788, page 243) consisting of one PDD lot on approximately 0.898 acres with 0.069 acres of right-of-way dedication located at 100 Texas Avenue, more generally located at the southwest corner of the intersection of Texas Avenue and Hensel Street.  
**Case#13-00900279 (J. Schubert)**
6. 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.
7. Adjourn.



1101 Texas Avenue, PO Box 9960  
College Station, Texas 77842  
Phone 979.764.3570 / Fax 979.764.3496

## MEMORANDUM

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**April 3, 2014**

TO: Members of the Planning & Zoning Commission  
FROM: Lance Simms, Interim Director of Planning & Development Services  
SUBJECT: Update on the City's MUD Policy

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**Item:** Presentation, possible action, and discussion regarding an update on the City's MUD policy and the status of Brazos County MUD No. 1.

**Background:** In January, the City Council adopted a policy on the creation, operation, and dissolution of Municipal Utility Districts (MUDs) located within the City's incorporated limits or its extraterritorial jurisdiction (see attached). In February, the City received an application for a proposed MUD located at the Speedway property (also known as Brazos County MUD No. 1).

The purpose of this workshop agenda item is to update the Commission on the recently adopted MUD policy and discuss the status of the proposed Speedway MUD.

**Attachments:**

- 1) City of College Station MUD Policy

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ADOPTING A POLICY ON THE CREATION, OPERATION, AND DISSOLUTION OF MUNICIPAL UTILITY DISTRICTS LOCATED WITHIN THE CITY'S INCORPORATED LIMITS OR ITS EXTRATERRITORIAL JURISDICTION

WHEREAS, the City of College Station, Texas, is empowered under state law to exercise authority over municipal utility districts located within the City's incorporated limits or in its extraterritorial jurisdiction; and

WHEREAS, the City Council of the City of College Station, Texas, desires to adopt a formal policy setting out those requirements necessary for the City's consent to the creation of municipal utility districts located within the City's incorporated limits or in its extraterritorial jurisdiction; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That the City Council hereby adopts a formal policy on the creation, operation, and dissolution of municipal utility districts within the City's incorporated limits or in its extraterritorial jurisdiction as set out in Exhibit "A" attached hereto and incorporated herein for all purposes.

PART 2: That this resolution shall take effect immediately from and after its passage.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

*Carla P. Robinson*  
\_\_\_\_\_  
City Attorney

## EXHIBIT "A"

A POLICY RELATED TO THE CREATION, OPERATION, AND DISSOLUTION OF MUNICIPAL UTILITY DISTRICTS LOCATED WITHIN THE CITY OF COLLEGE STATION INCORPORATED LIMITS OR IN ITS EXTRATERRITORIAL JURISDICTION.

### PURPOSE

This policy establishes how the City Council will exercise its authority relating to the creation, operation, and dissolution of municipal utility districts located within the City or its extraterritorial jurisdiction.

### SCOPE OF POLICY

Municipal utility districts may, at times, play a significant role in financing, constructing and operating water, wastewater, and drainage, facilities for the development of land in the City and the City's extraterritorial jurisdiction. State law gives the City Council authority over the creation, operation, and dissolution of municipal utility districts. This policy sets forth the requirements that the City will exercise over municipal utility districts.

Section I. Definitions. In this Policy:

"ETJ" means the City's extraterritorial jurisdiction.

"MUD" or "District" means a municipal utility district created under section 52, Article III and section 59, article XVI of the Texas Constitution and operating under chapters 49, 51 and 54 of the Texas Water Code.

"TCEQ" means Texas Commission Environmental Quality.

Section II. Creation of ETJ Districts.

- A. Background. The provisions of this Section II apply to the City's consent conditions for the creation of Districts over land located in the ETJ in accordance with the general laws applicable to the creation of Districts as well as special legislation resulting in the creation of Districts. The City may oppose all Districts, regardless of how they are created, that do not meet the prerequisite criteria outlined in Section II.C. or if the applicant does not agree to the City's conditions outlined in Section II.D. Additionally, the City will oppose all Districts if the applicant and the City cannot come to a mutual agreement on the terms expressed in Section II.E. The City reserves the right to annex any and all land in the ETJ and dissolve Districts if necessary when such action is determined to be beneficial by the City Council.

- B. Application for Creation. A person requesting that the City give its written consent to the creation of a District must file an application with the City on a form provided for that purpose, along with the required petition and any fee required by ordinance. The application must state whether the applicant is requesting an Exemption to the Policy that the City will serve the District with water and wastewater services. The application shall also require additional information related to the District and the benefits of the proposed District, including, but not limited to, the number of current property owners within the proposed District, evidence that the value of property located within the proposed District will be significantly increased by the construction of District infrastructure, details demonstrating the proposed District's consistency with the City's Comprehensive Plan, and details demonstrating the community benefits related to the creation of the proposed District. Upon the City's request, the applicant must promptly provide to the City any other information reasonably necessary for the City Council to determine whether its consent should be given.
- C. Prerequisite for Creation. Before the City Council consents to creation of a District, the following issues shall be considered:
1. Whether the City has already made plans to annex, or provide municipal services to the area proposed for inclusion in the District within the next five (5) years,
  2. Whether the proposed area for the District lies in the ETJ of two (2) or more cities.

If the determination on both issues 1. and 2. above is negative, then the City Council should give further consideration to offering their consent for the creation of the District while applying the conditions listed in Section II.D. and II.E. and of this policy. If the determination on either of the two issues is affirmative, then the City Council will not consent to creation, and will move to annex the land or the City may attempt to work through any outstanding issue that prevented the City from providing consent.

- D. Conditions for City Consent. In order for the City Council to consent to the creation of, or inclusion of land within a District, then it shall impose the following requirements as conditions to the City's consent, and such requirements shall be stipulated in the consent resolution and/or other ancillary agreements including, but not limited to, a development agreement and strategic partnership agreement, unless the City Council determines that requirements are not appropriate with regard to a specific District.
1. The authorizing order or resolution regarding the issuance of any series of bonds, which bonds shall be and remain obligations of the District until its dissolution, must be approved by the City Council. The City Council may refuse to give its approval to the issuance of bonds or limit the amount of bonds issued by the District if the District is not in compliance with the

City's requirements contained in the consent resolution or ancillary documents. The City will request compliance with the following terms and reporting requirements:

- a. The District's initial bond debt maturity date will not exceed thirty (30) years. Once the District has established a maturity date for its initial bonds, the maturity date for any additional bonds will not extend beyond the maturity date for the initial bonds, without the approval of the City.
- b. The amount of each annual principal payment on bond debt should be substantially the same or only moderately increased throughout the repayment term. In any case, at least 40% of the principal must be repaid in the first half of the repayment schedule, unless a portion of the bonds are structured as capital appreciation bonds.
- c. The District may not fund capitalized interest in an amount in excess of the lesser of twenty-four (24) months or the amount approved by the TCEQ.
- d. The City may limit a MUD to only issue bonds for the purposes of providing water, wastewater and drainage improvements as provided in Texas Water Code, Section 54.016(e).
- e. The City may approve the issuance of District bonds for park or road improvements if the park or road improvements for which the bonds are issued are included in the City's master plans.
- f. At least thirty (30) days before the issuance of bonds, except refunding bonds, the District's financial advisor shall certify in writing that bonds are being issued within the existing economic feasibility guidelines established by the TCEQ, whether or not the District has been approved by the TCEQ. The report, provided to the City Manager, should also state the following:
  - i. The amount of bonds being proposed for issuance,
  - ii. The projects to be funded by such bonds,
  - iii. The proposed debt service tax rate after issuance of the bonds.
- g. Within thirty (30) days after the District closes the sale of a series of bonds, the District shall deliver to the City Manager a copy of the final official statement for such series of bonds as well as any additional information requested by the City and provide the City with a complete transcript of bond proceedings within sixty (60) days after the date the bonds are delivered.

- h. Terms of any refunding proposed by the District must be approved by the City Council.
2. All water, wastewater, drainage and road infrastructure constructed by the District will become City owned and operated infrastructure unless the Council grants an exemption. Therefore, plans for District infrastructure shall be prepared, reviewed and approved in accordance with City ordinances. District infrastructure shall be constructed in accordance with City design standards. The City reserves the right to inspect all facilities being constructed by or on behalf of the District and to charge inspection fees required by ordinance.
3. All District utility infrastructure must be designed and constructed as part of a City approved regional utility system and in compliance with the City's Water Master Plan and Wastewater Master Plan. The District must pay all applicable connection fees prior to connecting to the City's water and wastewater system.

If land included in the District is developed in phases, each phase of the development included in a bond issue must meet the applicable economic feasibility rules of the TCEQ which require that each phase proposed to be financed includes in the bond application the water, sewer, drainage and other facilities to serve the development and has the requisite governmental approvals.

4. The District will require that District board meetings be recorded and that such recordings be available on-line. The District will require that minutes of District board meetings will be available on-line. A District may not extend the boundaries of the District unless the City Council first adopts a resolution giving its consent to the extension. The conditions contained in the resolution consenting to the creation of the District also apply to any boundary extension, unless the resolution approving the District's proposed boundary extension states otherwise. Conversely, the District may not enter into an agreement to be annexed, in whole or in part with another District or municipality without written authorization from the City.
5. The District shall file a notice in the real property records of Brazos County stating that the City may annex the District as provided by state law. The parties may attach a form of such notice to the consent agreement or development agreement.
6. The District shall send a copy of the order or other action setting an ad valorem tax rate to the City Secretary, Executive Director, Business Services and the City Manager within thirty (30) days after District's adoption of the rate.
7. The District shall send a copy of its annual audit to the Executive Director, Business Services and City Manager. The District will meet accounting

standards set by the Governmental Accounting Standards Board (GASB), and fulfill all arbitrage compliance reports to the satisfaction of the Executive Director, Business Services.

8. The District shall provide copies of any material event notices filed under Rule 15c2-12 of the Securities and Exchange Commission and other applicable federal securities laws or regulations to the City Manager within thirty (30) days after filing such notices with the applicable federal agency.
- E. Additional Conditions. The City may agree to include other conditions or other requirements in the City's consent resolution, upon mutual agreement with the District, including:
1. That the developer(s) of the land will enter into a development agreement with the City, pursuant to Local Government Code, Section 212.172, to extend the City's planning authority over land included in the District by providing for City Council approval of a development plan, authorizing enforcement by the City for land use and development regulations, and include other lawful terms and considerations the parties consider appropriate. The development agreement may include provisions that are mutually acceptable to the parties related to the following matters:
    - a. Land use plan reflecting all approved land uses and residential densities;
    - b. Compliance with City construction codes, including permit requirements;
    - c. Compliance with City and other applicable stormwater and water quality regulations;
    - d. Development standards comparable to City zoning regulations; and
    - e. Dedication and development of park areas.
  2. The City's policy is for water and wastewater services in the District to be provided by the City, with the City owning and operating the infrastructure. If feasible, the District will enter into a strategic partnership agreement which will outline terms for the annexation of the District in to the City limits, as well as address whether the District will be immediately dissolved or continue to operate for limited purposes after annexation.
  3. That the City may annex any or all commercial development within the District for limited purpose pursuant to a Strategic Partnership Agreement under Local Government Code, Section 43.0751, and may impose a sales and use tax within the area annexed for limited purposes.
  4. That a District may not provide water or wastewater service outside the boundaries of the District without written authorization from the City and

will not enter into an agreement with another District or municipality to receive water and wastewater services without the prior written authorization from the City.

5. The District may enter into a Fire Protection Agreement with the City. The agreement will include terms and conditions for the District to receive full City of College Station Fire Protection services, as well as outline plans for the cost allocation of future capital improvements projects, such as the construction of fire stations.
6. That if the City determines that development in a District will place a burden on City roads as a result of a traffic impact analysis, and the District has been provided road bond authority from the City, the District will construct, widen, or improve such roads within the District in accordance with the standards set forth in Section 212.904 of the Texas Local Government Code.

### Section III. Creation of In-City Districts.

- A. Background. The provisions of this Section III. apply to the City's consent conditions for the creation of Districts over land located in the City's corporate limits in accordance with the general laws applicable to the creation of Districts, as well as special legislation resulting in the creation of Districts. All City ordinances and codes, including applicable permits, fees and inspections, shall be of full force and effect within the District in the same manner as with respect to other areas within the City's corporate limits except as specifically stated herein.
- B. Application for Creation. A person requesting that the City give its written consent to the creation of a District must file an application with the City on a form provided for that purpose, along with the required petition and any fee required by ordinance. The application must provide justification if the applicant is requesting that the City not serve the District with water and wastewater services. The application shall also require additional information related to the benefits of the proposed District, including, but not limited to, evidence that the value of property located within the proposed District will be significantly increased by the construction of District infrastructure, details demonstrating the proposed District's consistency with the City's Comprehensive Plan, and details demonstrating the community benefits related to the creation of the proposed District. Upon the City's request, the applicant must provide any other information reasonably necessary for the City Council to determine whether its consent should be given.
- C. Prerequisite for Creation. Before the City Council consents to creation of a District, the following issues shall be considered:
  1. Whether the area has already been developed with sufficient infrastructure to accommodate future or existing water, wastewater, drainage and transportation needs.

2. Whether the proposed District includes land located outside the City's corporate limits.

If the determination on issues 1. and 2. are negative, then the City Council should give further consideration to offering their consent for the creation of the District while applying the conditions listed in Section III.D. and III.E. of this policy. If the determination on any of the two issues is affirmative, then the City Council should not consent to creation.

D. Conditions for City Consent. In order for the City Council to consent to the creation of, or inclusion of land within a District, then it shall impose the following requirements as conditions of the City's consent, and such requirements shall be stipulated in the consent resolution and/or other ancillary agreements such as a development agreement, unless the City Council determines that requirements are not appropriate with regard to a specific District.

1. The authorizing order or resolution regarding the issuance of any series of bonds, which bonds shall be and remain obligations of the District until its dissolution, must be approved by the City Council. The City Council may refuse to give its approval the issuance to of bonds or limit the amount of bonds issued by the District if the District is not in compliance with the City's requirements contained in the consent resolution or ancillary documents. The City will request compliance with the following terms and reporting requirements:
  - a. The District's initial bond debt maturity date will not exceed thirty (30) years. Once the District has established a maturity date for its initial bonds, the maturity date for any additional bonds will not extend beyond the maturity date for the initial bonds, without the approval of the City.
  - b. The amount of each annual principal payment on bond debt should be substantially the same or only moderately increased throughout the repayment term. In any case, at least 40% of the principal must be repaid in the first half of the repayment schedule, unless a portion of the bonds are structured as capital appreciation bonds.
  - c. The District may not fund capitalized interest in an amount in excess of the lesser of twenty-four (24) months or the amount approved by the TCEQ.

The City may limit a MUD to only issue bonds for the purposes of providing water, wastewater and drainage improvements as provided in Texas Water Code, Section 54.016(e).

- d. The City may approve the issuance of District bonds for park or road improvements if the park or road improvements for which the bonds are issued are included in the City's master plans.
  - e. At least thirty (30) days before the issuance of bonds, except refunding bonds, the District's financial advisor shall certify in writing that bonds are being issued within the existing economic feasibility guidelines established by the TCEQ whether or not the District has been approved by the TCEQ. The report, provided to the City Manager, should also state the following:
    - i. The amount of bonds being proposed for issuance,
    - ii. The projects to be funded by such bonds,
    - iii. The proposed debt service tax rate after issuance of the bonds.
  - f. Within thirty (30) days after the District closes the sale of a series of bonds, the District shall deliver to the City Manager a copy of the final official statement for such series of bonds as well as any additional information requested by the City and provide the City with a complete transcript of bond proceedings within sixty (60) days after the date the bonds are delivered.
  - g. Terms of any refunding proposed by the District must be approved by the City Council.
3. The City shall require that the owner of the real property over which the District will be created enter into a written City contract for the City to provide water and wastewater services to the District and that the District accept, after its creation, the water and wastewater service contract agreed upon between the City and the owner. The District must pay all applicable connection fees. All District utility infrastructure must be designed and constructed as a part of the City's regional utility system and in compliance with the City's Water Master Plan and Wastewater Master Plan.
  4. Plans for District infrastructure shall be prepared, reviewed, and approved in accordance with City ordinances. District infrastructure shall be constructed in accordance with City design standards. The City reserves the right to inspect all facilities being constructed by or on behalf of the District and to charge inspection fees required by ordinance.
  5. If land included in the District is developed in phases, each phase of the development included in a bond issue must meet the applicable economic feasibility rules of the TCEQ which require that each phase proposed to be financed includes in the bond application the water, sewer, drainage and other

facilities to serve the development and has the requisite governmental approvals.

6. The District shall provide for the City to appoint one (1) ex officio member to the District's initial board, and to all subsequent boards, unless otherwise prohibited by law.
7. The District will require that District board meetings be recorded and that such recordings be available on-line. The District will require that minutes of District board meetings will be available on-line.
8. A District may not annex additional land into the District unless the City Council first adopts a resolution giving its consent to the annexation. The conditions contained in the resolution consenting to the creation of the District also apply to the land annexed, unless the resolution approving the District's annexation of additional land states otherwise. Conversely, the District may not enter into an agreement to be annexed, in whole or in part, with another District or municipality, without written authorization from the City of College Station.
9. A District may not provide water or wastewater service outside the boundaries of the District. Conversely, the District may not enter into an agreement with another District or municipality to receive water and wastewater services without written consent from the City.
10. The District shall send a copy of the order or other action setting an ad valorem tax rate to the City Secretary, City Finance Director and the City Manager within thirty (30) days after District adoption of the rate.
11. The District shall send a copy of its annual audit to the City Finance Director and City Manager. The District will also ensure that they are meeting accounting standards set by the Governmental Accounting Standards Board (GASB), and they are fulfilling all arbitrage compliance reports to the satisfaction of the City Finance Director.
12. The District shall provide copies of any material event notices filed under applicable federal securities laws or regulations to the City Manager within thirty (30) days after filing such notices with the applicable federal agency.
13. The District will not own any facilities without the City's written approval. The District will finance water, wastewater, and drainage facilities and convey those facilities within the City's service areas to the City, upon completion of construction, for operation and maintenance.

Section IV. Dissolution of Districts.

- A. Application. The City Council may dissolve a District at any time, with or without District approval pursuant to state statute. However, a District may provide a written request that the City consider dissolution if certain guidelines, addressed below, are met. The request should be sent to the City Secretary with the proposed date of dissolution, and supporting documentation showing that the District will meet the guidelines for dissolution by that date. If the City Council decides that dissolution will be beneficial to the City, the City will prepare a written implementation plan for the District's dissolution within six (6) months of the date the City Council considers the request.
- B. Dissolution Guidelines. Districts seeking dissolution should meet all of the following conditions:
- a. Preferably, all District bond debt should be fully paid. At a minimum, the City's annual costs of paying the District's bond debt and reoccurring operation and maintenance expenses after dissolution will be no greater than the amount of revenues the City gains through the total ad valorem value of property within the District;
  - b. The District has fully reimbursed the developer for the developer's cost of installing District infrastructure in compliance with the District's contract with the developer as permitted by Texas law and regulations;
  - c. The District is not delinquent in the payment of any other financial obligation that is due prior to the date of dissolution, other than the bond debt to be assumed by the City;
  - d. The District did not finance and does not own or operate any drainage detention facilities that the City did not specifically approve as a public drainage facility that would become part of the City's public drainage system upon the District's dissolution.



CITY OF COLLEGE STATION  
*Planning & Development Services*

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

Name Jodi Warner

Request Submitted on 3/25/2014

I will not be in attendance at the meeting on 4/3/2014  
for the reason specified: (Date)

Business Meeting  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature Jodi Warner

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Workshop Meeting**  
**March 20, 2014, 6:00 p.m.**  
**City Hall Council Chambers**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Bo Miles, Jodi Warner, Brad Corrier, Jane Kee, Casey Oldham

**COMMISSIONERS ABSENT:** Jerome Rektorik, Jim Ross

**CITY COUNCIL MEMBERS PRESENT:** Steve Aldrich

**CITY STAFF PRESENT:** Lance Simms, Alan Gibbs, Jason Schubert, Carol Cotter, Danielle Singh, Morgan Hester, Molly Hitchcock, Teresa Rogers, Jenifer Paz, Jennifer Prochazka, Robin Krause, Adam Falco, and Macie Quick

1. Call the meeting to order.

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

2. Discussion of consent and regular agenda items.

There was general discussion amongst the Commission regarding Consent Agenda Item 4.6 and Regular Agenda Items 6 and 9.

3. Discussion of new development applications submitted to the City. [[New Development List](#)]

There was no discussion regarding new development applications.

4. Presentation, possible action, and discussion regarding the development of the 2014 Planning & Zoning Commission Plan of Work. (**J. Schubert**)

Principal Planner Schubert presented the 2014 P&Z Plan of Work.

There was general discussion amongst the Commission regarding the Plan of Work.

The Commission stated no changes were needed to the Plan of Work.

5. Presentation, possible action, and discussion regarding an update on the Five-Year Comprehensive Plan Evaluation and Appraisal Report. (**J. Prochazka**)

Principal Planner Prochazka presented an update on the Five-Year Comprehensive Plan Evaluation and Appraisal Report.

There was general discussion amongst the Commission regarding the Five- Year Comprehensive Plan.

6. Presentation, possible action, and discussion regarding an update on the following items:
  - A rezoning of approximately 11.3 acres located in the Northpoint Crossing Subdivision from PDD Planned Development District and R-4 Multi-Family to PDD Planned Development District. The Planning & Zoning Commission heard this item on February 6 and voted 7-0 to recommend approval. The City Council heard this item on February 27 and voted 6-0 to approve the request.
  - An ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to Suburban Commercial for approximately 5.4 acres for the property located at 1201 Norton Lane, generally located at the intersection of Norton Lane and Wellborn Road. The Planning & Zoning Commission heard this item on February 6 and voted 7-0 to recommend approval. The City Council heard this item on February 27 and voted 5-1 to approve the request.

Chairman Miles reviewed the above-referenced items that had been heard by the Planning & Zoning Commission and City Council

7. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.
  - Thursday, March 27, 2014 ~ City Council Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m. (**Liaison – Corrier**)
  - Thursday, April 3, 2014 ~ P&Z Meeting ~ College Station Utilities Training Facility ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
  - Thursday, April 10, 2014 ~ Joint City Council and P&Z Meeting ~ Council Chambers ~ 6:00 p.m.

Chairman Miles reviewed the upcoming meeting dates with the Planning and Zoning Commission.

8. Discussion, review and possible action regarding the following meetings: Design Review Board, Joint Parks / Planning & Zoning Subcommittee, BioCorridor Board, BioCorridor Plan Process, 5-Year Comprehensive Plan Review Subcommittee, and Zoning District Subcommittee.

There was general discussion amongst the Commission regarding upcoming meeting dates for the above-mentioned subcommittees.

9. 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 regarding future agenda items.

10. Adjourn.

The meeting was adjourned at 7:03 p.m.

**Approved:**

**Attest:**

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Bo Miles, Chairman  
Planning & Zoning Commission

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Robin Krause, Permit Technician  
Planning & Development Services

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**March 20, 2014, 7:00 p.m.**  
**City Hall Council Chambers**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Bo Miles, Jodi Warner, Jim Ross, Brad Corrier, Jane Kee, Casey Oldham

**COMMISSIONERS ABSENT:** Jerome Rektorik

**CITY COUNCIL MEMBERS PRESENT:** Steve Aldrich

**CITY STAFF PRESENT:** Lance Simms, Alan Gibbs, Jason Schubert, Carol Cotter, Danielle Singh, Jenifer Paz, Jennifer Prochazka, Morgan Hester, Teresa Rogers, Molly Hitchcock, Adam Falco, Robin Krause, and Macie Quick

1. **Call Meeting to Order**

Chairman Miles called the meeting to order at 7:07 p.m.

2. **Pledge of Allegiance**

3. **Hear Citizens**

No citizens spoke.

4. **Consent Agenda**

*All items approved by Consent are approved with any and all staff recommendations.*

4.1 Consideration, possible action, and discussion on Absence Requests from meetings.

- Jerome Rektorik ~ March 20, 2014

4.2 Consideration, possible action, and discussion to approve Meeting Minutes.

- February 18, 2014 ~ Retreat
- February 20, 2014 ~ Workshop
- February 20, 2014 ~ Regular
- March 6, 2014 ~ Workshop
- March 6, 2014 ~ Regular

- 4.3 Presentation, possible action, and discussion regarding a Final Plat for Tower Point Phase 13B Block 1, Lot 2 consisting of one commercial lot on 1.69 acres located on the northwest corner of Arrington Road and State Highway 6 South frontage road. **Case # 14-00900015 (J. Paz)**
- 4.4 Presentation, possible action, and discussion on a Preliminary Plan for Duck Haven Phase 6 consisting of three residential lots and one HOA lot on approximately 10 acres generally located southwest of the intersection of Wellborn Road and Drake Drive in the City's Extraterritorial Jurisdiction. **Case # 14-00900029 (M. Hester)**
- 4.5 Presentation, possible action, and discussion on a Preliminary Plan for Saddle Creek Subdivision consisting of 231 residential lots on approximately 443 acres generally located southwest of the intersection of Wellborn Road and Wade Road in the City's Extraterritorial Jurisdiction. **Case # 14-00900032 (M.Hester)**
- 4.6 Presentation, possible action, and discussion on a Development Plat for Traditions Montessori School Block 1, Lot 1 consisting of one lot on approximately 2.96 acres located on Barron Road across from the Sonoma Subdivision. **Case # 14-00900038 (J.Paz)**

**Commissioner Warner motioned to approve Items 4.1 - 4.6. Commissioner Ross seconded the motion, motion passed (6-0).**

### **Regular Agenda**

5. Consideration, possible action, and discussion on items removed from the Consent Agenda by Commission action.

No items were removed from the Consent Agenda.

6. Presentation, possible action, and discussion regarding a request to pay a fee into the sidewalk fund in lieu of constructing the required sidewalk on Montclair Avenue and public hearing, presentation, possible action, and discussion on a Final Plat of the West Park Addition Lots 9R-11R, Block 5 being a Replat of West Park Addition Lots 9-10, Block 5 consisting of three lots on approximately 0.43 acres, located at 400 Montclair Avenue, and more generally located at the southwest intersection of Montclair Avenue and Grove Street. **Case # 14-00900037 (J.Paz)**

Staff Planner Paz presented the request to pay the sidewalk fee in lieu of constructing the required sidewalk and the request for Replat for the property located at 400 Montclair Avenue. She recommended approval.

Chairman Miles opened the public hearing.

Shirley Duprest, 400 Fairview, College Station, Texas, had questions regarding parking requirements.

Chairman Miles closed the public hearing.

**Chairman Miles motioned to approve the request to pay the sidewalk fee in lieu of constructing the sidewalk. Commissioner Oldham seconded the motion, motion passed (6-0).**

**Commissioner Oldham motioned to approve the replat. Commissioner Ross seconded the motion, motion passed (6-0).**

7. Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from D Duplex to GS General Suburban for an approximate 0.535-acre tract of land in the Robert Stevenson Survey, Abstract No. 54, College Station, Brazos County, Texas. Said tract being a portion of a called 0.967 acre tract as described by a deed to TMFIVE Properties, LLC, recorded in Volume 8742, Page 170, of the Official Public Records of Brazos County, Texas, more generally located at 805-809 Montclair Avenue. **Case #14-00900036 (T. Rogers) (Note: Final action on this item is scheduled for the April 10, 2014 City Council meeting – subject to change)**

Staff Planner Rogers presented the rezoning and recommended approval.

Chairman Miles opened the public hearing.

No one spoke during the public hearing.

Chairman Miles closed the public hearing.

**Commissioner Warner motioned to recommend approval of the rezoning. Commissioner Ross seconded the motion, motion passed (6-0).**

8. Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from R Rural to GS General Suburban for an approximate 2-acre tract of land in the Robert Stevenson League, Abstract No. 54, College Station, Brazos County, Texas. Said tract being a portion of a called 2-acre tract as described in a deed to B.A. Cathey, Ltd. Recorded in Volume 9516 Page 268, of the Official Public Records of Brazos County, Texas, more generally located at 2670 Barron

Road. **Case #14-00900028 (J. Paz) (Note: Final action on this item is scheduled for the April 10, 2014 City Council meeting – subject to change)**

Staff Planner Paz presented the rezoning and recommended approval.

Chairman Miles opened the public hearing.

No one spoke during the public hearing

Chairman Miles closed the public hearing.

**Commissioner Corrier motioned to recommend approval of the rezoning. Commissioner Oldham seconded the motion, motion passed (6-0).**

9. Public hearing, presentation, discussion, and possible action regarding an ordinance amending Chapter 12, “Unified Development Ordinance,” Section 12-4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from R Rural and PDD Planned Development District to PDD Planned Development District for an approximate 88.7 acres in the Crawford Burnett League, A-7, 29.175-acre tract, Volume 7583, Page 90, Crawford Burnett League A-7, 54.987-acre tract, Volume 9627, Page 73 of the Official Public Records of Brazos County, Texas, which includes Barracks II Subdivision Phase 102 and Barracks II Subdivision Phase 300 Lot 1 Block 28, and Barracks II Subdivision Phase 100 Lot 1A Block 1, generally located at 12470 Old Wellborn Road. **Case #13-00900241 (J. Schubert) (Note: Final action on this item is scheduled for the April 10, 2014 City Council meeting – subject to change)**

Principal Planner Schubert presented the rezoning and recommended approval.

Chairman Miles opened the public hearing.

Heath Phillips, 2440 Stonecastle, College Station, Texas, spoke on behalf of The Barracks in favor of the rezoning.

Chairman Miles closed the public hearing.

**Commissioner Ross motioned to recommend approval of the rezoning. Commissioner Kee seconded the motion, motion passed (6-0).**

10. 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 regarding future agenda items.

11. Adjourn.

The meeting was adjourned at 7:32 p.m.

**Approved:**

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Bo Miles, Chairman  
Planning & Zoning Commission

**Attest:**

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Robin Krause, Permit Technician  
Planning & Development Services



CITY OF COLLEGE STATION

**FINAL PLAT**  
**for**  
**Creek Meadows Section 4 Phase 3A & 4**  
**12-00500192**

**SCALE:** 39 single-family residential lots on approximately 9.13 acres

**LOCATION:** Generally located south of Greens Prairie Trail with a connection to Lowry Meadow Trail in the Creeks Meadows Subdivision.

**ZONING:** PDD Planned Development District

**APPLICANT:** Rabon Metcalf, RME Consulting Engineers

**PROJECT MANAGER:** Morgan Hester, Staff Planner  
mhester@cstx.gov

**RECOMMENDATION:** Staff recommends approval of Final Plat.



Zoning Districts	Townhouse	C-3	Light Commercial	WPC	Wolf Pen Creek Dev. Corridor
A-O Agricultural Open	R-3	M-1	Light Industrial	NG-1	Core Northgate
A-OR Rural Residential Subdivision	R-4	M-2	Heavy Industrial	NG-2	Transitional Northgate
R-1 Single Family Residential	R-6	M-3	College and University	NG-3	Residential Northgate
R-1B Single Family Residential	R-7	C-U	Research and Development	OV	Corridor Overlay
R-2 Duplex Residential	A-P	R & D	Planned Mixed-Use Development	RDD	Redevelopment District
	C-1	P-MUD	Planned Development District	KO	Krenek Tap Overlay
	C-2	PDD			

**DEVELOPMENT REVIEW**

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**CREEK MEADOWS SEC 4 PH 3A & 4**

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Case: **12-192**

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**FINAL PLAT**

## DEVELOPMENT HISTORY

<b>Annexation:</b>	March 2008
<b>Zoning:</b>	PDD Planned Development District
<b>Preliminary Plat:</b>	Master Plan approved in 2006. Subsequent Preliminary Plats have been revised in January 2008, September 2008, November 2008, and January 2009.
<b>Site Development:</b>	Vacant. Thirty-nine residential lots are proposed, averaging 0.23 acres in size.

## COMMENTS

<b>Parkland Dedication:</b>	This development was approved as a Master Plan in the ETJ prior to parkland dedication requirements being applicable in the ETJ. Therefore, no parkland dedication is required.
<b>Greenways:</b>	N/A
<b>Pedestrian Connectivity:</b>	This development was approved as a Master Plan in the ETJ prior to parkland dedication requirements being applicable in the ETJ. Therefore, no sidewalks are required; however, they have been provided throughout the Creek Meadows development.
<b>Bicycle Connectivity:</b>	This development was approved as a Master Plan in the ETJ prior to parkland dedication requirements being applicable in the ETJ. Therefore, no bicycle connectivity is required.
<b>Impact Fees:</b>	N/A

## REVIEW CRITERIA

- 1. Compliance with Comprehensive Plan and Unified Development Ordinance:** The Comprehensive Plan designates this area as Restricted Suburban. The proposed lots will have access through streets that connect to Creek Meadows Boulevard, a Minor Collector on the Thoroughfare Plan, and Greens Prairie Trail, a Minor Arterial on the Thoroughfare Plan.
- 2. Compliance with Subdivision Regulations:** The Final Plat complies with the applicable Subdivision Regulations contained in the Unified Development Ordinance.

## STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

## SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	12-192
DATE SUBMITTED:	9-5-12
TIME:	9:30 Am
STAFF:	Mayford

## FINAL PLAT APPLICATION

(Check one)    Minor (\$700)    Amending (\$700)    Final (\$932)    Vacating (\$932)    Replat (\$932)

Is this plat in the ETJ?    Yes    No      Is this plat Commercial    or Residential  

**MINIMUM SUBMITTAL REQUIREMENTS:**

- \$700-\$932 Final Plat Application Fee (see above).
- \$233 Waiver Request to Subdivision Regulations Fee (if applicable).
- \$600 (minimum) Development Permit Application / Public Infrastructure Review and Inspection Fee. Fee is 1% of acceptable Engineer's Estimate for public infrastructure, \$600 minimum (if fee is > \$600, the balance is due prior to the issuance of any plans or development permit).
- 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.
- Fourteen (14) folded copies of plat. (A signed mylar original must be submitted after approval.)
- Two (2) copies of the grading, drainage, and erosion control plans with supporting drainage report.
- Two (2) copies of the Public infrastructure plans and supporting documents (if applicable).
- Copy of original deed restrictions/covenants for replats (if applicable).
- Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.
- Paid tax certificates from City of College Station, Brazos County and College Station I.S.D.
- The attached Final Plat checklist with all items checked off or a brief explanation as to why they are not.

**NOTE:** A mylar of the approved preliminary plan must be on file before a final plat application will be considered complete. If the mylar is submitted with the final plat application, it shall be considered a submittal for the preliminary plan project and processed and reviewed as such. Until the mylar has been confirmed by staff to be correct, the final plat application will be considered incomplete.

Date of Optional Preapplication or Stormwater Management Conference \_\_\_\_\_

NAME OF PROJECT Creek Meadows - Section 4, Phase 3A & 4

ADDRESS \_\_\_\_\_

SPECIFIED LOCATION OF PROPOSED PLAT:

Creek Meadows Master Planned Subdivision

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

Name RME Consulting Engineers      E-mail rabon@rmengineer.com

Street Address PO Box 9253

City College Station      State TX      Zip Code 77842

Phone Number (979) 764-0704      Fax Number (979) 764-0704

PROPERTY OWNER'S INFORMATION (All owners must be identified. Please attach an additional sheet for multiple owners):

Name Creek Meadow Partners, LP (c/o Randy Lowry) E-mail Chris@oldhamgoodwin.com  
Street Address 2800 South Texas Avenue, Suite 401  
City Bryan State TX Zip Code 77802  
Phone Number (979) 268-2000 Fax Number (979) 846-7020

ARCHITECT OR ENGINEER'S INFORMATION:

Name Same As Applicant E-mail \_\_\_\_\_  
Street Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Do any deed restrictions or covenants exist for this property?  Yes  No  
Is there a temporary blanket easement on this property? If so, please provide the Volume 7863 and Page No. 072  
Total Acreage 9.129 Total No. of Lots 39 R-O-W Acreage 1.835  
Existing Use Vacant Proposed Use Single-Family Residential  
Number of Lots By Zoning District 39 / PDD / / /  
Average Acreage Of Each Residential Lot By Zoning District:  
0.187 / PDD / / / /  
Floodplain Acreage 0.0

Is there Special Flood Hazard Area (Zone A or Zone AE on FEMA FIRM panels) on the property?  Yes  No

This information is necessary to help staff identify the appropriate standards to review the application and will be used to help determine if the application qualifies for vesting to a previous ordinance. Notwithstanding any assertion made, vesting is limited to that which is provided in Chapter 245 of the Texas Local Government Code or other applicable law.  
Is this application a continuation of a project that has received prior City platting approval(s) and you are requesting the application be reviewed under previous ordinance as applicable?  
 Yes  
 No  
If yes, provide information regarding the first approved application and any related subsequent applications (provide additional sheets if necessary):  
Project Name: Creek Meadows - Master Planned Subdivision  
City Project Number (if known): \_\_\_\_\_  
Date / Timeframe when submitted: October 2006

A statement addressing any differences between the Final Plat and Preliminary Plan (if applicable):

*Not Applicable*

Requested waiver to subdivision regulations and reason for same (if applicable):

*Not Applicable*

Regarding the waiver request, explain how:

1. There are special circumstances or conditions affecting the land involved such that strict application of the subdivision regulations will deprive the applicant of the reasonable use of his land.

*Not Applicable*

2. The waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.

*Not Applicable*

3. The granting of the waiver 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 subdivision regulations.

*Not Applicable*

4. The granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Unified Development Ordinance.

*Not Applicable*

Fee in lieu of sidewalk construction is being requested because of the following condition (if applicable):

1.  An alternative pedestrian way or multi-use path has been or will be provided outside the right-of-way;
2.  The presence of unique or unusual topographic, vegetative, or other natural conditions exist so that strict adherence to the sidewalk requirements of the UDO is not physically feasible or is not in keeping with the purposes and goals of the UDO or the City's comprehensive Plan;
3.  A capital improvement project is imminent that will include construction of the required sidewalk. Imminent shall mean the project is funded or projected to commence within twelve (12) months;
4.  Existing streets constructed to rural section that are not identified on the Thoroughfare Plan with an estate / rural context;
5.  When a sidewalk is required along a street where a multi-use path is shown on the Bicycle, Pedestrian, and Greenways Master Plan;

- 6.  The proposed development is within an older residential subdivision meeting the criteria in Platting and Replatting within Older Residential Subdivisions Section of the UDO; or
- 7.  The proposed development contains frontage on a Freeway / Expressway as designated by Map 6.6, Thoroughfare Plan - Functional Classification, in the City's Comprehensive Plan.

Detailed explanation of condition identified above:

NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

Requested Oversize Participation Not Applicable

<p style="text-align: center;"><b>Total Linear Footage of Proposed Public:</b></p> <p><u>1258</u> Streets</p> <p><u>2204</u> Sidewalks</p> <p><u>1089</u> Sanitary Sewer Lines</p> <p><u>1482</u> Water Lines</p> <p><u>        </u> Channels</p> <p><u>659</u> Storm Sewers</p> <p><u>        </u> Bike Lanes / Paths</p>	<p style="text-align: center;"><b>Parkland Dedication due prior to filing the Final Plat:</b></p> <p>ACREAGE:</p> <p><u>        </u> No. of acres to be dedicated + \$ <u>        </u> development fee</p> <p><u>        </u> No. of acres in floodplain</p> <p><u>        </u> No. of acres in detention</p> <p><u>        </u> No. of acres in greenways</p> <p><b>OR</b></p> <p>FEE IN LIEU OF LAND:</p> <p><u>        </u> No. of SF Dwelling Units X \$ <u>        </u> = \$ <u>        </u></p> <p><u>        </u> (date) Approved by Parks &amp; Recreation Advisory Board</p>
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**NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.**

*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. LIEN HOLDERS identified in the title report are also considered owners and the appropriate signatures must be provided as described above.*

  
 \_\_\_\_\_  
 Signature and title

9/4/12  
 \_\_\_\_\_  
 Date

## CERTIFICATIONS REQUIRED FOR ALL DEVELOPMENT

### Owner Certification:

1. No work of any kind may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Occupancy is issued.
5. The permit will expire if no significant work is progressing within 24 months of issuance.
6. Other permits may be required to fulfill local, state, and federal requirements. Owner will obtain or show compliance with all necessary State and Federal Permits prior to construction including NOI and SWPPP.
7. If required, Elevation Certificates will be provided with elevations certified during construction (forms at slab pre-pour) and post construction.
8. Owner hereby gives consent to City representatives to make reasonable inspections required to verify compliance.
9. If, stormwater mitigation is required, including detention ponds proposed as part of this project, it shall be designed and constructed first in the construction sequence of the project.
10. In accordance with Chapter 13 of the Code of Ordinances of the City of College Station, measures shall be taken to insure that all debris from construction, erosion, and sedimentation shall not be deposited in city streets, or existing drainage facilities. All development shall be in accordance with the plans and specifications submitted to and approved by the City Engineer for the above named project. All of the applicable codes and ordinances of the City of College Station shall apply.
11. The information and conclusions contained in the attached plans and supporting documents will comply with the current requirements of the City of College Station, Texas City Code, Chapter 13 and associated BCS Unified Design Guidelines Technical Specifications, and Standard Details. All development has been designed in accordance with all applicable codes and ordinances of the City of College Station and State and Federal Regulations.
12. Release of plans to \_\_\_\_\_ (name or firm) is authorized for bidding purposes only. I understand that final approval and release of plans and development for construction is contingent on contractor signature on approved Development Permit.
13. I, THE OWNER, AGREE TO AND CERTIFY THAT ALL STATEMENTS HEREIN, AND IN ATTACHMENTS FOR THE DEVELOPMENT PERMIT APPLICATION, ARE, TO THE BEST OF MY KNOWLEDGE, TRUE, AND ACCURATE.

\_\_\_\_\_  
Property Owner(s)

\_\_\_\_\_  
Date

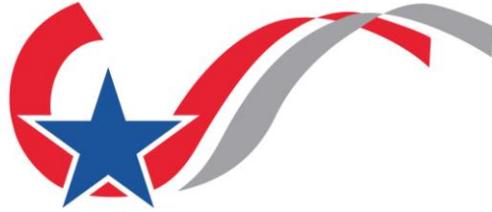
### Engineer Certification:

1. The project has been designed to ensure that stormwater mitigation, including detention ponds, proposed as part of the project will be constructed first in the construction sequence.
2. I will obtain or can show compliance with all necessary Local, State and Federal Permits prior to construction including NOI and SWPPP. Design will not preclude compliance with TPDES: i.e., projects over 10 acres may require a sedimentation basin.
3. The information and conclusions contained in the attached plans and supporting documents comply with the current requirements of the City of College Station, Texas City Code, Chapter 13 and associated BCS Unified Design Guidelines. All development has been designed in accordance with all applicable codes and ordinances of the City of College Station and State and Federal Regulations.
4. I, THE ENGINEER, AGREE TO AND CERTIFY THAT ALL STATEMENTS HEREIN, AND IN ATTACHMENTS FOR THE DEVELOPMENT PERMIT APPLICATION, ARE, TO THE BEST OF MY KNOWLEDGE, TRUE, AND ACCURATE.

\_\_\_\_\_  
Engineer

\_\_\_\_\_  
Date





CITY OF COLLEGE STATION

**FINAL PLAT**  
**for**  
**Northpoint Crossing Subdivision Lot 3, Block 1**  
**Being a Replat of**  
**0.345-Acre Tract JE Scott League A-50, North Park Lots 2-4, Block 1, and**  
**0.055 Acres of Abandoned Right-of-Way (volume 10788, page 243)**  
**13-00900279**

**SCALE:** One lot on 0.898 acres with 0.069 acres of right-of-way dedication

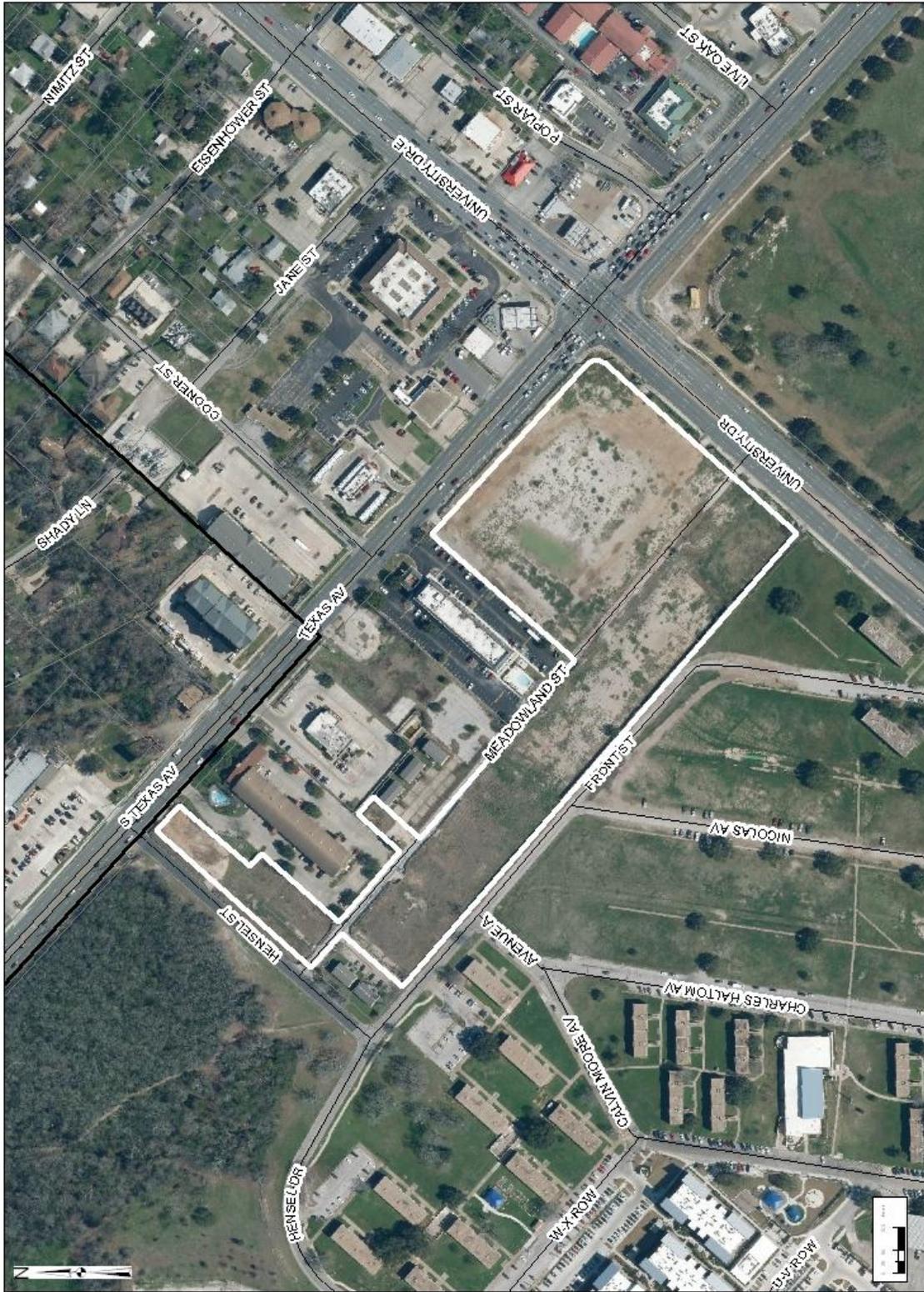
**LOCATION:** 100 Texas Avenue, located at the corner of Texas Avenue and Hensel Street

**ZONING:** PDD Planned Development District

**APPLICANT:** Mitchell & Morgan, LLP

**PROJECT MANAGER:** Jason Schubert, AICP, Principal Planner  
jschubert@cstx.gov

**RECOMMENDATION:** Staff recommends approval of the Final Plat.



REZONING  
Case: 13-278

NORTHPOINT CROSSING  
410 TEXAS AVE

DEVELOPMENT REVIEW  


## DEVELOPMENT HISTORY

- Annexation:** 1939
- Zoning:** C-1 General Commercial and R-4 Multi-Family rezoned to PDD Planned Development District in March 2012; PDD Planned Development District and R-4 Multi-Family to PDD Planned Development District to revise the Concept Plan in February 2014.
- Preliminary Plan:** A Preliminary Plan is not required as the proposed Final Plat consolidates three lots and two small tracts of land.
- Site Development:** A donut shop and three fourplex were demolished in 2012 and the site is currently vacant.

## COMMENTS

- Parkland Dedication:** This lot is for multi-family use and \$1,636 per multi-family unit will be due at the time of building permit.
- Greenways:** No greenway dedication is proposed or required.
- Pedestrian Connectivity:** Six-foot sidewalks will be constructed along Texas Avenue and Hensel Street.
- Bicycle Connectivity:** Hensel Street is designated as a Bike Route on the Bicycle, Pedestrian, and Greenways Master Plan.
- Impact Fees:** None required as this property is not located in an impact fee area.

## REVIEW CRITERIA

**Compliance with Subdivision Regulations:** The proposed Final Plat complies with the Subdivision Regulations contained in the Unified Development Ordinance.

## STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

## SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>13-279</u>
DATE SUBMITTED:	<u>12/18/13</u>
TIME:	<u>9:20</u>
STAFF:	<u>AJ</u>

## FINAL PLAT APPLICATION

(Check one)    Minor (\$700)    Amending (\$700)    Final (\$932)    Vacating (\$932)    Replat (\$932)

Is this plat in the ETJ?    Yes    No      Is this plat Commercial  or Residential

**MINIMUM SUBMITTAL REQUIREMENTS:**

- \$700-\$932 Final Plat Application Fee (see above).
- \$233 Waiver Request to Subdivision Regulations Fee (if applicable).
- \$600 (minimum) Development Permit Application / Public Infrastructure Review and Inspection Fee. Fee is 1% of acceptable Engineer's Estimate for public infrastructure, \$600 minimum (if fee is > \$600, the balance is due prior to the issuance of any plans or development permit).
- 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.
- Fourteen (14) folded copies of plat. (A signed mylar original must be submitted after approval.)
- Two (2) copies of the grading, drainage, and erosion control plans with supporting drainage report.
- Two (2) copies of the Public infrastructure plans and supporting documents (if applicable).
- Copy of original deed restrictions/covenants for replats (if applicable).
- Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.
- Paid tax certificates from City of College Station, Brazos County and College Station I.S.D. *TO BE SUBMITTED PRIOR TO FILING.*
- The attached Final Plat checklist with all items checked off or a brief explanation as to why they are not.

**NOTE:** A mylar of the approved preliminary plan must be on file before a final plat application will be considered complete. If the mylar is submitted with the final plat application, it shall be considered a submittal for the preliminary plan project and processed and reviewed as such. Until the mylar has been confirmed by staff to be correct, the final plat application will be considered incomplete.

Date of Optional Preapplication or Stormwater Management Conference N/A

NAME OF PROJECT Northpoint Crossing Subdivision

ADDRESS 100 Texas Avenue South, College Station, Texas 77840

SPECIFIED LOCATION OF PROPOSED PLAT:

Corner of Texas Avenue and Hensel Street

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

Name Mitchell & Morgan, LLP C/O Veronica Morgan, PE      E-mail v@mitchellandmorgan.com

Street Address 511 University Drive East, Suite 204

City College Station      State Texas      Zip Code 77840

Phone Number 979-260-6963      Fax Number 979-260-3564

PROPERTY OWNER'S INFORMATION (All owners must be identified. Please attach an additional sheet for multiple owners):

Name Woodridge College Station Phase II, C/O Rick Arambulo E-mail rick@woodridgecapital.com  
Street Address 1999 Avenue of the Stars, Suite 2850  
City Los Angeles State California Zip Code 90067  
Phone Number 310-824-2200 Fax Number 310-824-7931

ARCHITECT OR ENGINEER'S INFORMATION:

Name Humphreys and Partners Architects, L.P. C/O Bobby Finta E-mail bobby@humphreys.com  
Street Address 5339 Alpha Road, Suite 300  
City Dallas State Texas Zip Code 75240  
Phone Number 972-701-9636 Fax Number 972-701-9639

Do any deed restrictions or covenants exist for this property?  Yes  No

Is there a temporary blanket easement on this property? If so, please provide the Volume \_\_\_\_\_ and Page No. \_\_\_\_\_

Total Acreage 0.967 Acres Total No. of Lots 4 R-O-W Acreage 0.094 Acres

Existing Use Vacant Proposed Use Mult-Family

Number of Lots By Zoning District 4 / PDD \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Average Acreage Of Each Residential Lot By Zoning District:  
\_\_\_\_\_ / \_\_\_\_\_ \_\_\_\_\_ / \_\_\_\_\_ \_\_\_\_\_ / \_\_\_\_\_ \_\_\_\_\_ / \_\_\_\_\_

Floodplain Acreage 0

Is there Special Flood Hazard Area (Zone A or Zone AE on FEMA FIRM panels) on the property?  Yes  No

This information is necessary to help staff identify the appropriate standards to review the application and will be used to help determine if the application qualifies for vesting to a previous ordinance. Notwithstanding any assertion made, vesting is limited to that which is provided in Chapter 245 of the Texas Local Government Code or other applicable law.

Is this application a continuation of a project that has received prior City platting approval(s) and you are requesting the application be reviewed under previous ordinance as applicable?

Yes

No

If yes, provide information regarding the first approved application and any related subsequent applications (provide additional sheets if necessary):

Project Name: N/A

City Project Number (if known): \_\_\_\_\_

Date / Timeframe when submitted: \_\_\_\_\_

A statement addressing any differences between the Final Plat and Preliminary Plan (if applicable):

N/A

Requested waiver to subdivision regulations and reason for same (if applicable):

N/A

Regarding the waiver request, explain how:

1. There are special circumstances or conditions affecting the land involved such that strict application of the subdivision regulations will deprive the applicant of the reasonable use of his land.

N/A

2. The waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.

N/A

3. The granting of the waiver 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 subdivision regulations.

N/A

4. The granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Unified Development Ordinance.

N/A

Fee in lieu of sidewalk construction is being requested because of the following condition (if applicable):

1. ~~N/A~~ An alternative pedestrian way or multi-use path has been or will be provided outside the right-of-way;
2. ~~N/A~~ The presence of unique or unusual topographic, vegetative, or other natural conditions exist so that strict adherence to the sidewalk requirements of the UDO is not physically feasible or is not in keeping with the purposes and goals of the UDO or the City's comprehensive Plan;
3. ~~N/A~~ A capital improvement project is imminent that will include construction of the required sidewalk. Imminent shall mean the project is funded or projected to commence within twelve (12) months;
4. ~~N/A~~ Existing streets constructed to rural section that are not identified on the Thoroughfare Plan with an estate / rural context;
5. ~~N/A~~ When a sidewalk is required along a street where a multi-use path is shown on the Bicycle, Pedestrian, and Greenways Master Plan;

6. ~~N/A~~ The proposed development is within an older residential subdivision meeting the criteria in Platting and Replatting within Older Residential Subdivisions Section of the UDO; or
7. ~~N/A~~ The proposed development contains frontage on a Freeway / Expressway as designated by Map 6.6, Thoroughfare Plan - Functional Classification, in the City's Comprehensive Plan.

Detailed explanation of condition identified above:

NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

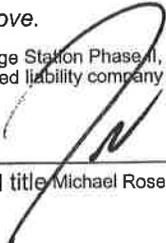
Requested Oversize Participation No

<p style="text-align: center;"><b>Total Linear Footage of Proposed Public:</b></p> <p><u>0</u> Streets</p> <p><u>412 F</u> Sidewalks</p> <p><u>0</u> Sanitary Sewer Lines</p> <p><u>0</u> Water Lines</p> <p><u>0</u> Channels</p> <p><u>0</u> Storm Sewers</p> <p><u>0</u> Bike Lanes / Paths</p>	<p style="text-align: center;"><b>Parkland Dedication due prior to filing the Final Plat:</b></p> <p>ACREAGE:</p> <p><u>        </u> No. of acres to be dedicated + \$ <u>        </u> development fee</p> <p><u>        </u> No. of acres in floodplain</p> <p><u>        </u> No. of acres in detention</p> <p><u>        </u> No. of acres in greenways</p> <p><b>OR</b></p> <p>FEE IN LIEU OF LAND:</p> <p><u>    </u> x No. of SF Dwelling Units X \$ <u>        </u> = \$ <u>        </u> <small>To be determined at building permit</small></p> <p><u>        </u> (date) Approved by Parks &amp; Recreation Advisory Board</p>
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**NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.**

*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. LIEN HOLDERS identified in the title report are also considered owners and the appropriate signatures must be provided as described above.*

Woodridge College Station Phase II, LLC  
a Delaware limited liability company



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Signature and title Michael Rosenfeld, Authorized Signatory

December 17, 2013

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Date

## CERTIFICATIONS REQUIRED FOR ALL DEVELOPMENT

### Owner Certification:

1. No work of any kind may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Occupancy is issued.
5. The permit will expire if no significant work is progressing within 24 months of issuance.
6. Other permits may be required to fulfill local, state, and federal requirements. Owner will obtain or show compliance with all necessary State and Federal Permits prior to construction including NOI and SWPPP.
7. If required, Elevation Certificates will be provided with elevations certified during construction (forms at slab pre-pour) and post construction.
8. Owner hereby gives consent to City representatives to make reasonable inspections required to verify compliance.
9. If, stormwater mitigation is required, including detention ponds proposed as part of this project, it shall be designed and constructed first in the construction sequence of the project.
10. In accordance with Chapter 13 of the Code of Ordinances of the City of College Station, measures shall be taken to insure that all debris from construction, erosion, and sedimentation shall not be deposited in city streets, or existing drainage facilities. All development shall be in accordance with the plans and specifications submitted to and approved by the City Engineer for the above named project. All of the applicable codes and ordinances of the City of College Station shall apply.
11. The information and conclusions contained in the attached plans and supporting documents will comply with the current requirements of the City of College Station, Texas City Code, Chapter 13 and associated BCS Unified Design Guidelines Technical Specifications, and Standard Details. All development has been designed in accordance with all applicable codes and ordinances of the City of College Station and State and Federal Regulations.
12. Release of plans to Veronica Morgan (name or firm) is authorized for bidding purposes only. I understand that final approval and release of plans and development for construction is contingent on contractor signature on approved Development Permit.
13. I, THE OWNER, AGREE TO AND CERTIFY THAT ALL STATEMENTS HEREIN, AND IN ATTACHMENTS FOR THE DEVELOPMENT PERMIT APPLICATION, ARE, TO THE BEST OF MY KNOWLEDGE, TRUE, AND ACCURATE.

Michael Rosenfeld  
Woodridge College Station Phase II, LLC  
a Delaware limited liability company  
Property Owner(s) Michael Rosenfeld, Authorized Signatory

December 17, 2013

Date

### Engineer Certification:

1. The project has been designed to ensure that stormwater mitigation, including detention ponds, proposed as part of the project will be constructed first in the construction sequence.
2. I will obtain or can show compliance with all necessary Local, State and Federal Permits prior to construction including NOI and SWPPP. Design will not preclude compliance with TPDES: i.e., projects over 10 acres may require a sedimentation basin.
3. The information and conclusions contained in the attached plans and supporting documents comply with the current requirements of the City of College Station, Texas City Code, Chapter 13 and associated BCS Unified Design Guidelines. All development has been designed in accordance with all applicable codes and ordinances of the City of College Station and State and Federal Regulations.
4. I, THE ENGINEER, AGREE TO AND CERTIFY THAT ALL STATEMENTS HEREIN, AND IN ATTACHMENTS FOR THE DEVELOPMENT PERMIT APPLICATION, ARE, TO THE BEST OF MY KNOWLEDGE, TRUE, AND ACCURATE.

James T. Batenhorst  
Engineer TX Firm # F-1443

12-16-2013  
Date



The following CERTIFICATIONS apply to development in Special Flood Hazard Areas.

Required for Site Plans, Final Plats, Construction Plans, Fill / Grading Permits, and Clearing Only Permits:\*

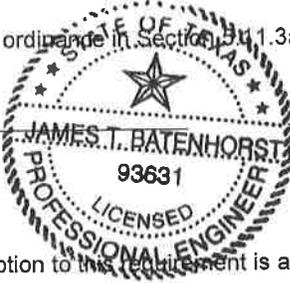
A. I, JAMES BATENHORST certify, as demonstrated in the attached drainage study, that the alterations or development covered by this permit, shall not:

- (i) increase the Base Flood elevation;
- (ii) create additional areas of Special Flood Hazard Area;
- (iii) decrease the conveyance capacity to that part of the Special Flood Hazard Area that is not in the floodway and where the velocity of flow in the Base Flood event is greater than one foot per second. This area can also be approximated to be either areas within 100 feet of the boundary of the regulatory floodway or areas where the depth of from the BFE to natural ground is 18 inches or greater;
- (iv) reduce the Base Flood water storage volume to the part of the Special Flood Hazard Area that is beyond the floodway and conveyance area where the velocity of flow in the Base Flood is equal to and less than one foot per second without acceptable compensation as set forth in the City of College Station Code of Ordinances, Chapter 13 concerning encroachment into the Special Flood Hazard Area; nor
- (v) increase Base Flood velocities.

beyond those areas exempted by ordinance in Section 11.3a of Chapter 13 Code of Ordinances.

JTB

Engineer Tx Fin # F-1443



12-18-2013

Date

Initial

\* If a platting-status exemption to this requirement is asserted, provide written justification under separate letter in lieu of certification.

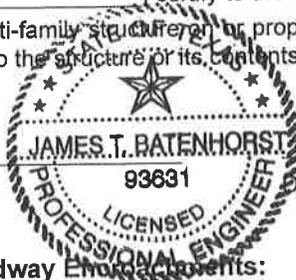
Required for Site Plans, Final Plats, Construction Plans, and Fill / Grading Permits:

B. I, JAMES BATENHORST certify to the following:

- (i) that any nonresidential or multi-family structure or proposed to be on this site as part of this application is designed to prevent damage to the structure or its contents as a result of flooding from the 100-year storm.

JTB

Engineer Tx Fin # F-1443



12-18-2013

Date

Additional certification for Floodway Encroachments:

C. I, N/A certify that the construction, improvement, or fill covered by this permit shall not increase the base flood elevation. I will apply for a variance to the Zoning Board of Adjustments.

Engineer

Date

**Required for all projects proposing structures in Special Flood Hazard Area (Elevation Certificate required).**

**Residential Structures:**

D. I, N/A, certify that all new construction or any substantial improvement of any residential structure shall have the lowest floor, including all utilities, ductwork and any basement, at an elevation at least one foot above the Base Flood Elevation. Required Elevation Certificates will be provided with elevations certified during construction (forms at slab pre-pour) and post construction.

\_\_\_\_\_  
Engineer / Surveyor

\_\_\_\_\_  
Date

**Commercial Structures:**

E. I, N/A, certify that all new construction or any substantial improvement of any commercial, industrial, or other non-residential structure are designed to have the lowest floor, including all utilities, ductwork and basements, elevated at least one foot above the Base Flood Elevation

\_\_\_\_\_  
Engineer / Surveyor

\_\_\_\_\_  
Date

**OR**

I, N/A, certify that the structure with its attendant utility, ductwork, basement and sanitary facilities is designed to be flood-proofed so that the structure and utilities, ductwork, basement and sanitary facilities are designed to be watertight and impermeable to the intrusion of water in all areas below the Base Flood Elevation, and shall resist the structural loads and buoyancy effects from the hydrostatic and hydrodynamic conditions.

Required Elevation Certificates will be provided with elevations certified during construction (forms at slab pre-pour) and post construction.

\_\_\_\_\_  
Engineer / Surveyor

\_\_\_\_\_  
Date

Conditions or comments as part of approval: \_\_\_\_\_

