



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Regular

Thursday, July 27, 2017

7:00 PM

City Hall Council Chambers

1. Pledge of Allegiance, Invocation, Consider absence request.

Presentation:

- Recognition of the top 10 Business Performance Awards in Brazos County.

Hear Visitors: During this time a citizen may address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the lobby and at the desk of the City Secretary. This form should be completed and delivered to the City Secretary by 5:30 PM on the day of the Council meeting. Upon stepping to the podium the speaker must state their name and city of residence, including the state of residence if the city is located out of state. Each speaker's remarks are limited to three minutes. A series of timer lights will change from green to yellow and an alarm will sound after two and one-half minutes to signal thirty seconds remaining to conclude the remarks. At three minutes the timer light will change to red and the final alarm will sound. The speaker must then conclude the remarks. The City Council will listen and receive the information presented by the speaker, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager. Comments should not personally attack other speakers, Council or staff.

Consent Agenda

At the discretion of the Mayor, individuals may be allowed to speak on a Consent Agenda Item. Individuals who wish to address the City Council on a consent agenda item not posted as a public hearing shall register with the City Secretary prior to the Mayor's reading of the agenda item. Registration forms are available in the lobby and at the desk of the City Secretary.

2. Presentation, possible action, and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

- 2a. [17-0385](#) Presentation, possible action, and discussion of minutes for:
 - July 13, 2017 Workshop
 - July 13, 2017 Regular Meeting

Sponsors: Mashburn

Attachments: [WKSHP071317 DRAFT Minutes](#)
[RM071317 DRAFT Minutes](#)

- 2b. [17-0328](#) Presentation, possible action, and discussion on an ordinance authorizing a General Election to be held on November 7, 2017, for the purpose of electing City Councilmembers, Place 1, 3, and 5, by the qualified voters of the City of College Station, establishing early voting locations, polling places for this election and making provisions for conducting the election.
(Presentación, posible acción y discusión acerca de una ordenanza que autorice Elecciones Generales a celebrarse el 7 de noviembre de 2017, con el propósito de elegir a los Miembros del Consejo de la Ciudad, Puestos número 1, 3 y 5, por los votantes calificados de la Ciudad de College Station, estableciendo los puestos de votaciones tempranas, los centros de votaciones para estas elecciones e indicando las estipulaciones para realizar las elecciones.)

Sponsors: McNutt

Attachments: [ORD Ordering November 2017 General Election \(1\)](#)
[ORD Ordering November 2017 General Election - Spanish](#)

- 2c. [17-0329](#) Presentation, possible action, and discussion on an interlocal government agreement with Brazos County for the conduct and management of the City of College Station General Election that will be held on Tuesday, November 7, 2017. (Presentación, posible acción y discusión acerca de un acuerdo de gobierno interlocal con el Condado de Brazos para celebrar y administrar las Elecciones Generales de la Ciudad de College Station a celebrarse el día martes 7 de noviembre de 2017.)

Sponsors: McNutt

Attachments: [ILA Election Agr 2017 signed](#)
[ILA Election Agr 2017 Spanish signed](#)

- 2d. [17-0344](#) Presentation, possible action, and discussion on a bid award for annual price agreements for various electrical items to be stored in inventory as follows: Anixter: \$22,958; KBS Electrical Dist.: \$101,254; Texas Electric Cooperatives: \$114,303; Techline, Inc.: \$598,318.50. Total estimated annual expenditure is \$836,833.50.

Sponsors: Leonard

Attachments: [17-056 Tabulation](#)

- 2e. [17-0349](#) Presentation, possible action, and discussion on a bid award for the annual blanket order for electric meters and sockets, to be stored in inventory, as follows: Anixter: \$58,500; Priester-Mell &

Nicholson: \$203,768.70; KBS Electric Dist.: \$37,237.50. Total estimated annual expenditure is \$299,506.20.

Sponsors:

Leonard

Attachments:

[Copy of 17-054 Tabulation 7.7](#)

2f. [17-0345](#)

Presentation, possible action, and discussion on approving a contract granting Community Development Partnership Grant (CDBG) funds to Brazos Valley Community Action Programs in the amount of \$200,000 for the acquisition of a four bedroom, single-family home located at 1112 Waynesboro Court that will maintained as an affordable rental unit for an income-eligible household.

Sponsors:

Eller

Attachments:

[BVCAP CDBG Funding Agreement](#)

[Location Map](#)

2g. [17-0353](#)

Presentation, possible action, and discussion regarding approval to negotiate an agreement with CIGNA Health & Life Insurance Company for a medical, dental and prescription drug plan for calendar year 2018. The amount of the contract is estimated to be \$382,265.

Sponsors:

Pond

Attachments:

[Cigna Application](#)

Regular Agenda

Individuals who wish to address the City Council on an item posted as a public hearing shall register with the City Secretary prior to the Mayor's announcement to open the public hearing. A speaker who wishes to include computer-based information while addressing the Council must provide the electronic file to the City Secretary by noon of the Council meeting day when the presentation is planned. The Mayor will recognize individuals who wish to come forward to speak for or against the item. Upon stepping to the podium the speaker must state their name and city of residence, including the state of residence if the city is located out of state. On items related to land use and those that would directly impact the speaker's residence or neighborhood, the speaker is encouraged to identify their College Station neighborhood. Each speaker's remarks are limited to three minutes. A series of timer lights will change from green to yellow and an alarm will sound after two and one-half minutes to signal thirty seconds remaining to conclude the remarks. At three minutes the timer light will change to red and the final alarm will sound. The speaker must then conclude the remarks. After a public hearing is closed, there shall be no additional public comments. If Council needs additional information from the general public, some limited comments may be allowed at the discretion of the Mayor.

1. [17-0384](#) Presentation, possible action, and discussion regarding the 2016 Incentives Compliance Report by the Research Valley Partnership.
Sponsors: Prochazka
2. [17-0357](#) Public Hearing, presentation, possible action, and discussion on Budget Amendment #2 amending Ordinance No. 3809 which will amend the budget for the 2016-2017 Fiscal Year in the amount of \$584,700 and increase the net personnel count by 1.0; and presentation, possible action and discussion on a contingency transfer totaling \$125,000.
Sponsors: Leonard
Attachments: [FY17 BA #2 List](#)
[FY17 Budget Amendment #2 ordinance](#)
3. [17-0364](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial to General Commercial for approximately 3.34 acres located at 2381 Earl Rudder Freeway South, generally located North of Raintree Drive along Earl Rudder Freeway South. Case #CPA2017-000005.
Sponsors: Bombek
Attachments: [Background Information](#)
[Aerial and Comp Plan Exhibit](#)
[Application](#)
[Comp Plan Amendment Map](#)
[Ordinance](#)
4. [17-0365](#) 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 SC Suburban Commercial to GC General Commercial for approximately 3.34 acres located at 2381 Earl Rudder Freeway South, generally located north of Raintree Drive along Earl Rudder Freeway South. Case #REZ2017-000007.
Sponsors: Bombek
Attachments: [Background Information](#)
[Aerial and Small Area Map](#)
[Application](#)
[Zoning Map](#)
[Ordinance](#)

5. [17-0366](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Urban and Natural Areas Reserved to General Commercial and Natural Areas Reserved for approximately 12.5 acres located at 2338 Harvey Mitchell Parkway South. Case #CPA2017-000006.

Sponsors:

Bombek

Attachments:[Background](#)[Aerial and Amendment Boundary](#)[Application](#)[Comp Plan Exhibit](#)[Ordinance](#)

6. [17-0367](#) 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 GS General Suburban, P-MUD Planned Mix-Use District with OV Corridor Overlay and O Office to GC General Commercial with OV Corridor Overlay, MF Multi-Family and NAP Natural Areas Protected on approximately 27.868 acres of land, located at 2338 Harvey Mitchell Parkway South which is generally located west of Earl Rudder Freeway South along Harvey Mitchell Parkway South. Case #REZ2017-000009.

Sponsors:

Bombek

Attachments:[Background](#)[Aerial and Small Area Map](#)[Application](#)[Zoning Map](#)[Ordinance](#)

7. [17-0373](#) 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 CI Commercial Industrial to GC General Commercial on approximately 8.158 acres of land located at 1501 Earl Rudder Freeway South, and more generally located on the east side of Earl Rudder Freeway, north of Harvey Road. Case #REZ2017-000018.

Sponsors:

Prochazka

Attachments:[Background](#)[Aerial and Small Area Map](#)[Lock N Roll zoning](#)[Ordinance](#)

8. [17-0374](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from General Suburban and Business Park to General Commercial for approximately 100 acres located along the east side of State Highway 6, south of The Business Park at College Station and north of the Texas World Speedway property. Case #CPA2017-000008 and Case #CPA2017-000009.

Sponsors:

Prochazka

Attachments:[Background](#)[Aerial](#)[Amendment](#)[Ordinance](#)

9. [17-0371](#) 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 GC General Commercial on approximately 35.91 acres of land located at 4000 and 4002 University Drive East, and more generally located south of the intersection of University Drive East and FM158 at the College Station city limit line. Case #REZ2017-000016.

Sponsors:

Prochazka

Attachments:[Background](#)[Small Area Map and Aerial](#)[Zoning Map](#)[Ordinance](#)

10. [17-0372](#) 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 GS General Suburban to GC General Commercial for approximately one acre of land being College Hills Estates Block 18, Lots 5, 6, 9 and 11, more generally located at 108, 110, 200 & 206 George Bush Drive East.

Case #REZ2017-000017.

Sponsors:

Prochazka

Attachments:

[Background](#)

[Aerial and Small Area Map](#)

[Rezoning Map](#)

[Ordinance](#)

11. [17-0350](#)

Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance", Section 7.6.B, Section 7.6.D.4, and Section 7.9.B of the Code of Ordinances of the City of College Station, Texas regarding landscaping for single-family developments, screening of retaining walls, and visual treatment of drainage features such as concrete weirs, outlets, and spillways.

Sponsors:

Simms

Attachments:

[Red Lined Version](#)

[Ordinance](#)

12. [17-0351](#)

Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.0397 acre Public Utility Easement lying within Lot 1, Block 2, of College Station ISD Willow Branch and Oakwood School Sites, according to the plat recorded in Volume 3588, Page 51, of the Deed Records of Brazos County, Texas.

Sponsors:

Cotter

Attachments:

[Vicinity Map](#)

[Location Map](#)

[Ordinance](#)

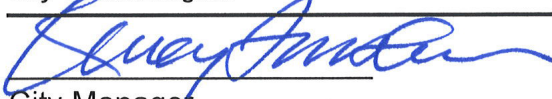
[Exhibit A](#)

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

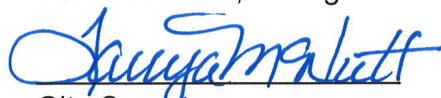
14. Adjourn.

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

APPROVED


City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on July 21, 2017 at 5:00 p.m.


City Secretary

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

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

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

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

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre."



Legislation Details (With Text)

File #: 17-0385 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 7/14/2017 **In control:** City Council Regular
On agenda: 7/27/2017 **Final action:**
Title: Presentation, possible action, and discussion of minutes for:
 · July 13, 2017 Workshop
 · July 13, 2017 Regular Meeting
Sponsors: Sherry Mashburn
Indexes:
Code sections:
Attachments: [WKSHP071317 DRAFT Minutes](#)
 [RM071317 DRAFT Minutes](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion of minutes for:

- July 13, 2017 Workshop
- July 13, 2017 Regular Meeting

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: None

Budget & Financial Summary: None

Attachments:

- July 13, 2017 Workshop
- July 13, 2017 Regular Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
JULY 13, 2017

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Karl Mooney, Mayor

Council:

Blanche Brick
Jerome Rektorik
Linda Harvell
Barry Moore
Julie Schultz, arrived after roll call
James Benham, arrived after roll call, via teleconference

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Student Liaison

Tory Oxendahl, Municipal Affairs

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Mooney at 3:33 p.m. on Thursday, July 13, 2017 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

2. Presentation, possible action, and discussion concerning the City Internal Auditor's Fire Prevention Audit.

Madison Rorshach, Assistant Internal Auditor, reported that the Fire Prevention Division is compliant with all applicable federal, state, and local laws and regulations and aligns with industry best practices. The department excels at providing fire education to the public. However, two areas were identified where operations could be improved. He noted that due to the City's rapid growth, the Fire Prevention Division is forced to allocate most of its resources towards new construction reviews and tests, hindering existing structure inspections. There is no evidence that fires in the City could have been prevented by direct inspector action; however, this exposes the City to unidentified hazards and an unknown level of risk. The Fire Prevention Division's reporting system currently presents inaccurate and limited fire origin and cause information. This hinders

the Division when attempting to conduct needed analysis to evaluate the impact and effectiveness of Division operations.

The Internal Auditor offered two recommendations that will further aid the Division in addressing the findings:

- Investigate strategies to bolster annual existing inspection activities.
- Develop a process to report fire cause and origin information to aid public education and code enforcement efforts.

3. Presentation, possible action, and discussion regarding the Wanda and Bob Meyer restricted gift fund.

David Schmitz, Director of Parks and Recreation, noted that in 2013, Bob Meyer bequeathed a portion of his estate to the City of College Station Parks and Recreation Department. The stated intent of the money was “for the benefit and advancement of programs for senior citizens.” The restricted fund amount received to date equals \$570,245.00.

The Parks and Recreation Advisory Board, Senior Advisory Board, and staff, met and arrived at several recommendations:

- Bob Meyer Annual “Pool Trout Fish Out” (Scheduled for Fall of 2018)
- Plaque recognizing Wanda and Bob Meyer for their contribution to the community as well as their gift to the City. (Completed 2016)
- Additional public meeting space with a priority given to Senior Programming

The current plan to use allocated project funds (\$363,202) as well as the Wanda and Bob Meyer gift funds (\$570,245) to renovate the Arts Council building to accommodate the needs for additional public meeting space. Once the Arts Council vacates the building, the building will be renovated to serve as a Community Center with an emphasis on senior programs. The building will be used by the general public whenever the facility is not being used by senior programming.

4. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.072-Real Estate, §551.074-Personnel, and §551.087-Economic Incentive Negotiations, the College Station City Council convened into Executive Session at 3:50 p.m. on Thursday, July 13, 2017 in order to continue discussing matters pertaining to:

A. Consultation with Attorney to seek advice regarding pending or contemplated litigation; to wit:

- Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas; and
- Charlton F. Clayton v. City of College Station; Case: 4:16-cv-03485 in the US District Court for the Southern District of Texas Houston Division.
- McCrory Investments II, LLC d/b/a Southwest Stor Mor v. City of College Station; Cause No. 17-000914-CV-361; In the 361st District Court, Brazos County, Texas

B. Deliberation on the purchase, exchange, lease or value of real property; to wit:

- Property located generally south of the intersection of SH 6 and William D. Fitch Parkway in the College Station Business Park in College Station, Texas;
- Property located generally at the intersection of FM 60 and Wellborn Road in College Station, Texas

C. Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer; to wit:

- City Manager
- City Secretary
- Council Self-evaluation

D. Deliberation on the offer of financial or other incentives for a business prospect the City seeks to have locate, stay or expand in or near the City; to wit:

- Potential economic incentives for the development of the City-owned Spring Creek Corporate Campus

The Executive Session recessed at 6:08 p.m.

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

No action was required from Executive Session.

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

No items were pulled from Consent.

7. Presentation, possible action, and discussion regarding an overview of the 85th Texas State Legislature

Jennifer Rodriquez, lobbyist, updated the Council on the outcomes of the 85th Texas State Legislature and briefed the Council on the upcoming Special Session. 6,631 bills were filed, and 1,211 were sent to the Governor, with 1,008 signed by the Governor. A brief overview of the State budget was also provided. Significant bills that failed included, revenue caps, the bathroom bill, short term rentals, eminent domain, annexation, and city fees. Significant bills that passed included a statewide texting ban, statewide TNC regulations, sanctuary cities, right-of-way for small cell technology, and TXDOT sunset. Governor Abbott has called a special session of the Legislature to convene next Tuesday, July 18th at 10 a.m. Special session items that will be of interest to cities include property tax reform, caps on state and local spending, preventing cities from regulating what property owners do with trees on private land, preventing local governments from changing rules midway through construction projects, speeding up local government permitting process, municipal annexation reform, texting while driving preemption, and privacy.

8. Presentation, possible action, and discussion regarding the Rental Registration program.

Debbie Eller, Director of Community Services, updated the Council on the Rental Registration Program. Each owner or real estate manager of Rental Property is required to annually register the property with the City on a form provided by the Administrator. A new registration is also required upon any change in the conditions reported through registration. She defined rental property as any single-family or duplex dwelling that is not owner-occupied, whether or not rent is charged. Registration can be completed in person, by mail, by phone, or online through eTRAKit. A process has been developed to allow management companies the ability to have all properties on the same registration timeline. They can provide a list of all managed rental properties and City staff works to adjust the renewal schedule so that all properties are on the same schedule. Data is maintained in TRAKit as a license, and data is accessed to investigate any violation or complaint. An annual analysis of BCAD data is done to determine properties that could be subject to the ordinance, but are not currently registered. Challenges to program management include the identification of rental properties, educating property owners so that they better understand the use and practicality of the program, and compliance with property owners registering properties. There are currently 8,323 properties registered. Estimated revenue for FY17 is \$100,727 and estimated FY17 expenses are \$108,633.

Staff was directed to bring back to Council a change in the process to move to a one-time registration (plus anytime there is any change), eliminating the renewal requirement. It was also suggested to add four-plexes to the initial registration requirement.

9. Presentation, possible action, and discussion regarding issues related to Experience Bryan College Station.

This item was pulled from the agenda.

10. Council Calendar

Council reviewed the calendar.

11. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Experience Bryan-College Station, Design Review Board, Economic Development Committee, FBT/Texas Aggies Go to War, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Transportation and Mobility Committee, TAMU Economic Development, TAMU Student Senate, Texas Municipal League, Twin City Endowment, Walk with the Mayor, YMCA, Youth Advisory Council, Zoning Board of Adjustments.

Mayor Mooney provided reports to the Council on the ITGA and the Conference of Mayors.

Councilmember Brick noted that the history book is available for sale in the City Secretary's Office for \$15.

Councilmember reported on BVWACS.

12. Adjournment

There being no further business, Mayor Mooney adjourned the workshop of the College Station City Council at 7:18 p.m. on Thursday, July 13, 2017.

Karl Mooney, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
JULY 13, 2017

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Karl Mooney, Mayor

Council:

Blanche Brick
Jerome Rektorik
Linda Harvell
Barry Moore
Julie Schultz
James Benham, via teleconference

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Student Liaison

Tory Oxendahl, Municipal Affairs

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Mooney at 7:29 p.m. on Thursday, July 13, 2017 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

1. Pledge of Allegiance, Invocation, consider absence request.

Presentation of the Texas Association of Governmental Information Technology Managers (TAGITM) Technology Excellence Award to the City of College Station for the Code Enforcement Mobile Mapping Application

Mayor Mooney noted that the Texas Association of Governmental Information Technology Managers, TAGITM, is a State-wide information system's professional organization that provides a forum for generating ideas, sharing problems, and developing solutions. The association's main objective is to enable cities, counties, schools and appraisal districts within Texas to realize the full potential of automation benefits. TAGITM presents up to three awards annually for Technology Excellence for improving internal operations, providing exceptional customer service or enhancing communications. Ben Roper, Director of Information Technology, was presented a Technology Excellence Award for the Code Enforcement Mobile Mapping Application at the 2017 TAGITM Education Conference. Eric Caldwell, Brazos County CIO and a member the TAGIM Education Committee, presented the award.

Hear Visitors Comments

Ben Roper, College Station, came before Council to honor the service and sacrifice of Corporal Jeffery G. Green.

Fred Dupriest, College Station, representing the Southside Advocacy Group. They have over 200 members now. He stated their opposition to proposed re-zoning in their neighborhood. He noted that some derelict houses have been purchased and the new owner is proposing a retail-type of development, which will be right next to \$650,000 homes.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- **June 8, 2017 Workshop**
- **June 8, 2017 Regular Meeting**

2b. Presentation, possible action, and discussion regarding construction contract 17300389 with McDonald Municipal & Industrial, in the amount of \$1,126,469 for the Lick Creek Wastewater Treatment Plant Generator Addition Project.

2c. Presentation, possible action, and discussion of Ordinance 2017-3893, amending Code of Ordinances Chapter 10, "Traffic Code", Section Two "Traffic Control Devices", J "One-Way Streets and Alleyways" by making Newton Road one-way between Aberdeen Place and George Bush Drive.

2d. Presentation, possible action, and discussion regarding approval of an agreement to terminate an economic development agreement between the City of College Station, Research Valley Partnership and PM Realty Group and approval of a Release of Memorandum of Economic Development Agreement regarding the same.

2e. Presentation, possible action, and discussion of Ordinance 2017-3894, amending Chapter 10, "Traffic Code", Section 4 "Administrative Adjudication of Parking Violations", E "Parking Regulations of Certain Described Areas", (1) "Traffic Schedule XIV - No Parking Here to Corner or No Parking Anytime", to include No Parking Here To Corner on the east side of Stasney from its intersection with Cherry Street, extending south 85 feet.

2f. Presentation, possible action, and discussion regarding approval of additional expenditure of funds for Electric Reliability Council of Texas (ERCOT) fees in the amount of \$37,000.

2g. Presentation, possible action, and discussion regarding Ordinance 2017-3895, approving an amendment to section 4-4, "Carnivals, Circuses, Menageries, Sideshows, Concessions, and Special Events," of the Code of Ordinances to modify the definition of, and requirement for, a 'Special Event'.

2h. Presentation, possible action, and discussion on approving a construction contract with TF Harper, in the amount of \$339,853.30 for improvements to various City Park playgrounds.

2i. Presentation, possible action, and discussion on a bid award for 15 kV circuit breakers and a 138 kV Circuit Switcher, which will be used in the upcoming Graham Road Substation Construction Project or be maintained in electrical inventory and expended as needed. To achieve economy of scale pricing on the 15 kV circuit breakers, capital and operational needs for FY18 projects were combined for this bid. The total recommended award is \$746,347 and will be awarded by line item to the lowest responsible bidder.

2j. Presentation, possible action, and discussion regarding Resolution 07-13-17-2j, authorizing a License Agreement with Bracol Developers, LLC for a 62 square foot encroachment into the public utility easement on Lot 23R, Block 4, Prairie View Heights Subdivision, according to the plat recorded in Volume 13331, Page 121 of the Official Records of Brazos County, Texas.

2k. Presentation, possible action, and discussion on an Amendment to the lease agreement with Wirestar Inc. for lease of City Fiber Optic Cable Facilities.

2l. Presentation, possible action, and discussion regarding renewing contracts for Temporary Personnel Services with Spherion Staffing LLC and Kelly Services. The estimated annual expenditure for temporary personnel services is \$340,000.

2m. Presentation, possible action, and discussion on approving a contract for the grant of federal HOME Investment Partnership Grant Program Community Housing Development Organization Set-Aside funds with Elder-Aid, Inc. in the amount of \$220,000 for acquisition and rehabilitation of two (2) existing dwelling units located at 3400-3402 Normand to be used as affordable rental housing for income-eligible elderly households.

2n. Presentation, possible action, and discussion on approving a contract providing Community Development Partnership Grant (CDBG) funds to Bryan-College Station Habitat for Humanity, Inc. in the amount of \$794,000 for the acquisition, development, and infrastructure costs related to the construction of at least eight affordable single-family homes at 14015 Renee Lane.

2o. Presentation, possible action, and discussion on approving a contract granting Community Development Partnership Grant (CDBG) funds to Twin City Mission in the amount of \$471,500 for the acquisition and rehabilitation costs related to the creation of four affordable rental units located at 2404 Blanco Drive.

2p. Presentation, possible action, and discussion on professional services contract no. 17300450 with Binkley & Barfield in the amount of \$110,598 for the professional engineering services related to the preliminary design of the FM 2154/Holleman Intersection Safety Improvements Project.

2q. Presentation, possible action, and discussion regarding Change Order No. 1 to contract 16300415 with Binkley and Barfield, Inc. for the FM 2818 Capacity Improvement Project decreasing the design contract by \$70,631.41 for a new contract total of \$500,471.09.

2r. Presentation, possible action, and discussion on professional services contract 17300476 with Binkley and Barfield, Inc., in the amount of \$397,190.36, for engineering and surveying services associated with the FM 2818 Capacity Improvements Project.

2s. Presentation, possible action, and discussion on the renewal of the annual blanket purchase orders for Type D Hot Mix Asphalt to be picked up by City Crews for the maintenance of streets to Knife River Corp- South for \$1,397,500 and Brazos Paving, Inc. for \$427,000. The total annual not to exceed expenditure is \$1,824,500.

2t. Presentation, possible action, and discussion regarding approval of professional services contract no. 17300470 with Kimley-Horn and Associates, Inc. in the amount of \$240,036, for the design and construction phase services for the Southwood Valley Trunk Line Phase I Project.

2u. Presentation, possible action, and discussion on professional services contract no. 17300421 with Jones & Carter, Inc. in the amount of \$266,000, for the design, bidding, and construction administration for the State Highway 6 Waterline Phase III project.

2v. Presentation, possible action, and discussion regarding approval of an Interlocal Agreement (17300486) with Texas A&M University regarding construction and maintenance of sidewalks constructed with the University Drive Pedestrian Safety Improvements Project Phase 2.

MOTION: Upon a motion made by Councilmember Rektorik and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Presentation, possible action, and discussion regarding the rejection of the low bid from Texcon General Contractors, and the approval of contract 17300449 with Brazos Paving, Inc. for the construction and or installation of One Inch Overlay With Specialty Mix as needed for an amount not to exceed \$472,000.

Donald Harmon, Director of Public Works, reported that the City and Brazos County went out for a joint bid on the construction and/or installation of One Inch Overlay With Specialty Mix as needed. The lowest bidder, Texcon General Contractors, is not recommended to award this contract due to the fact that Texcon does not meet one or more of the criteria in Sect. 2269.055 Texas Government Code, including Texcon's experience and reputation in performing projects for the City. Therefore, Texcon General Contractors is not considered the lowest responsible bidder. A notice of non-award was sent to Texcon on May 30, 2017. The next lowest responsible bidder was Brazos Paving, Inc. The City of College Station has completed the evaluation of the Joint Bid 17-287 with Brazos County, and is recommending award of our portion to Brazos Paving, Inc. for an amount not to exceed \$472,000.00.

Robertson Neal, attorney for Texcon, protested the recommendation. He stated it was important to Texcon that Council receive additional information and provided a list of private projects performed within College Station. Within the last three years, Texcon has done work for TXDOT,

City of Bryan, Brazos County, and TAMU, mainly within the city limits of College Station. All have been approved by College Station City inspectors. He said they are competent and sought after. They want to do business with College Station.

Staff recommends rejecting the bid from Texcon General Contractors based on a prior experience with Texcon. The owner and a City employee were found guilty of theft of City funds. Mr. Neal noted that the owner received deferred adjudication and met the terms of his plea bargain.

Staff is in the process of drafting a policy regarding the eligibility of bidders/vendors who have perpetrated a crime against the City and the taxpayers.

MOTION: Upon a motion made by Councilmember Brick and a second by Mayor Mooney, the City Council voted six (6) for and one (1) opposed, with Councilmember Schultz voting against, to reject the low bid from Texcon General Contractors, and approve contract 17300449 with Brazos Paving, Inc. for the construction and or installation of One Inch Overlay With Specialty Mix as needed for an amount not to exceed \$472,000. The motion carried.

2. Presentation, possible action, and discussion regarding the rejection of the bid from Texcon General Contractors, and the approval of contract 17300391 with Palasota Contracting, LLC for Southwest Parkway Drainage Improvements in an amount not to exceed \$286,088.

Donald Harmon, Director of Public Works, noted this item is similar to the previous item, and staff is recommending rejection of the low bidder based upon the same considerations as before. The next lowest responsible bidder for the project was Palasota Contracting, LLC and is being recommended to be awarded the contract in an amount not to exceed \$286,088.00.

Robertson Neal, attorney for Texcon, reminded Council that the owner has never been convicted of anything.

MOTION: Upon a motion made by Councilmember Brick and a second by Mayor Mooney, the City Council voted six (6) for and one (1) opposed, with Councilmember Schultz voting against, to reject the low bid from Texcon General Contractors, and approve contract 17300391 with Palasota Contracting, LLC for Southwest Parkway Drainage Improvements in an amount not to exceed \$286,088. The motion carried.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2017-3896, 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 RS Restricted Suburban and GS General Suburban for approximately 2.43 acres being Pebble Creek Phase 2C, Block 20 and Block 21, of the Official Records of Brazos County, Texas, located at 5101 & 5201 Pebble Creek Parkway, more generally located at the intersection of Pebble Creek Parkway & Champions Boulevard.

Jennifer Paz, Planning and Development, noted that the applicant has requested a rezoning from Rural to Restricted Suburban (Block 21, 1.08 acres) and General Suburban (Block 20, 1.35 acres) to allow for the future subdivision of the property.

The Planning & Zoning Commission considered this item at their June 15, 2017 meeting and acted on each block individually. The Commission voted 6-0 to recommend approval of the rezoning for Block 21 with the condition that a 25' buffer be provided along Champions Boulevard. The recommendation to approve the rezoning of Block 20 failed (3-3). The Unified Development Ordinance (UDO) states that any recommendation to the City Council without a majority of positive votes from members of the Planning & Zoning Commission shall be deemed a negative report.

Veronica Morgan, Mitchell and Morgan Engineering, representing Pebble Creek Development Company, further clarified the re-zoning request and reported on meetings with neighborhood associations and agreed upon restrictions.

David Dixon, attorney for Pebble Creek Development Company, stated that a signed copy of the affidavit has been found. To minimize the tax burden, the appraised values were reduced to zero the past three years, and the owner maintained the property as open space. The property has been re-appraised, and they are now paying taxes.

At approximately 9:16 p.m., Mayor Mooney opened the Public Hearing.

John Guido, Pebble Creek Subdivision, stated that a re-zoning request was first submitted by Mr. Young and was dropped when he died. He referenced a computer reference number on the affidavit; the assessment board had a copy for evidence. He noted that the lots were marketed as green space to prospective home buyers. The owners received tax relief based on this. They are breaking promises made to the homeowners. He noted that the two supportive letters both mention their desire to maintain the lots as green space.

Brian Bochner, Pebble Creek Subdivision, noted that the letter from Pebble Creek Homeowners Association stated their desire to maintain the lots as greenspace, but if the re-zoning is approved then they wanted certain conditions. He also noted a letter sent to the Appraisal District, confirming the assessed valuations. By virtue of their not paying taxes for three years, others had to subsidize the tax burden. Audience members in opposition were called upon to stand to show their opposition.

Ed Brady, Stone Briar subdivision, said the sanitation department would pick up in the alley, but would need permission from Council to back up more than 100 feet.

There being no further comments, the Public Hearing was closed at 9:28 p.m.

MOTION: Upon a motion made by Councilmember Rektorik and a second by Councilmember Schultz, the City Council voted six (6) for and one (1) opposed, with Councilmember Brick voting against, to separate the question, voting on each block separately. The motion carried.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Rektorik, the City Council voted six (6) for and one (1) opposed, with Councilmember Brick voting against, to adopt Ordinance 2017-3896, 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 Rural to Restricted

Suburban for Pebble Creek Phase 2C, Block 21, of the Official Records of Brazos County, Texas, located at 5201 Pebble Creek Parkway, more generally located at the intersection of Pebble Creek Parkway and Champions Boulevard, subject to a 25' buffer off Champions Blvd. The motion carried.

MOTION: Upon a motion made by Councilmember Rektorik and a second by Councilmember Schultz, the City Council voted five (5) for and two (2) opposed, with Councilmembers Brick and Harvell voting against, to adopt Ordinance 2017-3896, 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 Rural to General Suburban for Pebble Creek Phase 2C, Block 20, of the Official Records of Brazos County, Texas, located at 5101 Pebble Creek Parkway, more generally located at the intersection of Pebble Creek Parkway and Champions Boulevard, subject to a 25' buffer. The motion carried.

Mayor Mooney recessed the meeting at 10:13 p.m.

The meeting reconvened at 10:19 p.m.

4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2017-3897, 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 amending Ordinance number 2012-3404 adopted on or about April 26, 2012 which created a PDD Planned Development District by making changes to a portion of such district known as Harper's Crossing, Block 1, Lot 2 located at 2849 Barron Road by amending the uses and requirements thereof.

Jennifer Paz, Planning and Development, stated that the applicant has requested an amendment to the existing Planned Development District and associated concept plan to allow for the development of fuel sales. The existing base zoning of C-3 Light Commercial allows for the development of two fuel pumps, although the adopted concept plan did not account for the land use. The request is to keep the C-3 Light Commercial standards as the base zoning district of the PDD, but to allow for the use of four fuel pumps and the development of a fuel sales area on the concept plan. Additional development standards are proposed to mitigate the impact of fuel sales and fuel canopy on the neighboring properties and to provide community benefits that achieve the goals and strategies of the Comprehensive Plan.

The Planning & Zoning Commission considered this item at their June 15 meeting, and the motion to recommend approval failed by a vote of 5-1. Staff is recommending approval.

Mike Gentry, representing the property owners, provided a brief history on the development of the property. The list of original permitted uses includes fuel sales, but the concept plan did not reflect that. They are proposing to double the setback, as well as constructing an eight foot masonry fence. On top of that, canopy trees will also serve to mitigate any light impact.

At approximately 10:41 p.m., Mayor Mooney opened the Public Hearing.

Anita Whitley, Sonoma Subdivision, stated her opposition to a gas station and convenience store. She is opposed to fuel sales, regardless of whether it is two pumps or four. She is concerned about

noise and light pollution and traffic congestion. It will take many years for the canopy trees to grow. She is also concerned about alcohol sales to neighborhood minors and safety due to the rising number of convenience store robberies.

There being no further comments, the Public Hearing was closed at 10:45 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Mayor Mooney, the City Council voted none (0) for and seven (7) opposed, to adopt Ordinance 2017-3897, 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 amending Ordinance number 2012-3404 adopted on or about April 26, 2012 which created a PDD Planned Development District by making changes to a portion of such district known as Harper's Crossing, Block 1, Lot 2 located at 2849 Barron Road by amending the uses and requirements thereof. The motion failed.

5. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2017-3898, 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 MF Multi-Family and GC General Commercial to MF Multi-Family and GC General Commercial for approximately 17.8 acres generally located at the northeast corner of the intersection of Turkey Creek Road and Raymond Stotzer Frontage Road.

Councilmember Moore recused himself from this item.

Mark Bombeck, Planning and Development, stated that the request is to adjust the zoning district boundary between the subject properties. The land use composition for the 17.8 acre tract is requested to be adjusted as follows; 12 acres Multi-Family and 5.8 acres General Commercial to 13.2 Multi-Family and 4.6 acres General Commercial.

The Planning & Zoning Commission considered this item at their June 15, 2017 meeting and voted 6-0 to recommend approval.

At approximately 10:54 p.m., Mayor Mooney opened the Public Hearing.

There being no comments, the Public Hearing was closed at 10:54 p.m.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Rektorik, the City Council voted six (6) for and none (0) opposed, with Councilmember Moore recusing himself, to adopt Ordinance 2017-3898, 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 Multi-Family and General Commercial to Multi-Family and General Commercial for approximately 17.8 acres generally located at the northeast corner of the intersection of Turkey Creek Road and Raymond Stotzer Frontage Road. The motion carried.

6. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or

the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

Councilmember Harvell asked to see an item regarding a “Welcome to Wellborn” sign.

Councilmember Rektorik asked for the status regarding the five-mile ETJ agreement with the City of Bryan and any annexation to our boundary. He also asked to see the status on our laws as they relate to state law. He also asked for a Comp Plan review.

7. Executive Session

In accordance with the Texas Government Code §551.074-Personnel, the College Station City Council convened into Executive Session at 10:58 p.m. on Thursday, July 13, 2017 in order to continue discussing matters pertaining to:

Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer; to wit:

- City Secretary
- Council Self-evaluation

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

No action was required from Executive Session.

9. Adjournment.

There being no further business, Mayor Mooney adjourned the Regular Meeting of the City Council at 10:55 p.m. on Thursday, July 13, 2017.

Karl Mooney, Mayor

ATTEST:

Sherry Mashburn, City Secretary

Legislation Details (With Text)

File #:	17-0328	Version:	1	Name:	Ordering General Election (Solicitando Elecciones Generales)
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	6/26/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on an ordinance authorizing a General Election to be held on November 7, 2017, for the purpose of electing City Councilmembers, Place 1, 3, and 5, by the qualified voters of the City of College Station, establishing early voting locations, polling places for this election and making provisions for conducting the election. (Presentación, posible acción y discusión acerca de una ordenanza que autorice Elecciones Generales a celebrarse el 7 de noviembre de 2017, con el propósito de elegir a los Miembros del Consejo de la Ciudad, Puestos número 1, 3 y 5, por los votantes calificados de la Ciudad de College Station, estableciendo los puestos de votaciones tempranas, los centros de votaciones para estas elecciones e indicando las estipulaciones para realizar las elecciones.)				
Sponsors:	Tanya McNutt				
Indexes:					
Code sections:					
Attachments:	ORD Ordering November 2017 General Election (1) ORD Ordering November 2017 General Election - Spanish				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on an ordinance authorizing a General Election to be held on November 7, 2017, for the purpose of electing City Councilmembers, Place 1, 3, and 5, by the qualified voters of the City of College Station, establishing early voting locations, polling places for this election and making provisions for conducting the election.

(Presentación, posible acción y discusión acerca de una ordenanza que autorice Elecciones Generales a celebrarse el 7 de noviembre de 2017, con el propósito de elegir a los Miembros del Consejo de la Ciudad, Puestos número 1, 3 y 5, por los votantes calificados de la Ciudad de College Station, estableciendo los puestos de votaciones tempranas, los centros de votaciones para estas elecciones e indicando las estipulaciones para realizar las elecciones.)

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): *(Recomendación):* Approve as presented to the City Council. *(Aprobar en cuanto sea presentado ante el Consejo de la Ciudad.)*

Summary: *(Resumen):* The ordinance calls a general election to be held on November 7, 2017 and provides a possible run-off date for December 12, 2017.

(La ordenanza convoca a elecciones generales para celebrarse el 7 de noviembre de 2017 y proporciona una fecha posible de segunda vuelta para el 12 de diciembre de 2017.)

Budget & Financial Summary: *(Presupuesto y Resumen Financiero)*: The Election Administrator provided a conservative estimate of \$80,000 for this year's election. The cost will be split among the entities on the ballot. This does not include the cost to publish the Notice of Election. The Notice must be published in English and Spanish and must appear in The Eagle and La Voz.

(El Administrador Electoral proporcionó una estimación conservadora de \$80,000 para las elecciones de este año. El costo se dividirá entre las entidades indicadas en la boleta de votación. Este cálculo no incluye el costo de publicar la Notificación de las Elecciones. La Notificación deberá ser publicada en inglés y en español y deberá aparecer en los periódicos The Eagle y La Voz.)

Attachments: *(Documentos adjuntos)*:

- Ordinance *(Ordenanza)*

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2017, FOR THE PURPOSE OF ELECTING CITY COUNCILMEMBERS, PLACE 1, 3 AND 5, BY THE QUALIFIED VOTERS OF THE CITY OF COLLEGE STATION; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THIS ELECTION; AND MAKING PROVISIONS FOR CONDUCTING THE ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION:

SECTION 1. A general election is ordered to be held by the City of College Station (the “City”) at the various polling places and election precincts within the corporate limits of the City, as hereinafter designated, on November 7, 2017 from the hours of 7:00 a.m. to 7:00 p.m. This general election will be conducted jointly with Brazos County and will be administered for the City by the Brazos County Elections Administrator, but this general election is not a county-wide election. At this election the qualified voters of the City will elect City Councilmembers for Place 1, 3 and 5, with each position having a term of three years.

SECTION 2. Should any candidate in the general election fail to receive a majority vote, then in that event a runoff election shall be ordered for every place in the general election to which no one was elected as required by Section 17 (d) of the City Charter, as amended. In the event it becomes necessary to conduct a runoff election, it shall be held on Tuesday, December 12, 2017. Canvass of the returns of the runoff election, if necessary, shall be held no earlier than the 8th day and no later than the 11th day following the date of the runoff election or on the next regular business day if the 11th day falls on a Saturday, Sunday or official state holiday.

SECTION 3. The Vote Centers (polling locations) for College Station for this election shall be as follows:

Vote Centers	Vote Centers
Arena Hall 2906 Tabor Road Bryan, Texas	Church of the Nazarene 2122 E William J Bryan Pkwy Bryan, Texas
Lincoln Center 1000 Eleanor College Station, Texas	Castle Heights Baptist Church 4504 E. Hwy 21 Bryan, Texas
Memorial Student Center (MSC), 2408, 2 nd Fl Texas A&M Campus, Joe Routt Blvd. College Station, Texas	First Baptist Church - Bryan 3100 Cambridge Drive Bryan, Texas
College Station ISD Administration Building 1812 Welsh College Station, Texas	Living Hope Baptist Church 4170 Texas 6 Frontage Rd College Station, Texas
Parkway Baptist Church 1501 Southwest Parkway College Station, Texas	Beacon Baptist Church 2001 East Villa Maria Road Bryan, Texas
College Station City Hall 1101 Texas Avenue College Station, Texas	Aldersgate Methodist Church 2201 Earl Rudder Freeway College Station, Texas

Wellborn Community Center 4119 W. Greens Prairie Road College Station, Texas	Fellowship Freewill Baptist Church 1228 W. Villa Maria Road Bryan, Texas
Smetana Fire Station 3098 Fazzino Rd Bryan, Texas	Christ United Methodist Church 4201 State Highway 6, South College Station, Texas
Pct. 4 Volunteer Fire Station (Brushy) 6357 Raymond Stotzer Pkwy College Station, Texas	St. Francis Episcopal Church 1101 Rock Prairie Road College Station, Texas
Zion Church of Kurten 977 N. FM 2038 Kurten, Texas	Galilee Baptist Church 804 N. Logan Bryan, Texas
Millican Community Center 22284 Pierce Street Millican, Texas	College Heights Assembly of God 4100 Old College Rd. Bryan, Texas
Brazos County Admin. Building 200 South Texas Ave. Bryan, Texas	Brazos Center 3232 Briarcrest Drive Bryan, Texas
Momentum Church 1216 Beck St. Bryan, Texas	GW Williams Tabernacle 311 Waco St. Bryan, Texas

SECTION 4. Joint early voting shall be conducted by personal appearance and by mail. The period for early voting by personal appearance for the general election shall be October 23 through November 3, 2017. Optical scan ballots shall be used for early voting by mail and direct recording electronic voting machines shall be used for early voting by personal appearance. The Early Voting Clerk for said elections shall be the Brazos County Elections Administrator. She shall determine the number of election workers to be hired and arrange for training of all election workers. Early voting by personal appearance for the general election shall be conducted jointly at the locations and on the following dates and times specified by the Brazos County Elections Administrator:

Brazos County Administration Building – 200 S. Texas Ave., Bryan, Texas

Arena Hall – 2906 Tabor Road, Bryan, Texas

Galilee Baptist Church – 804 N. Logan, Bryan, Texas

College Station Utilities Meeting & Training Facility – 1603 Graham Road, College Station, Texas

Memorial Student Center - Room 526, A&M Campus, Joe Routt Blvd., College Station, Texas

October 23 – October 27 8:00 am – 5:00 pm
(Monday – Friday)

October 30 – November 1 8:00 am – 5:00 pm
(Monday - Wednesday)

November 2 – November 3 8:00 am – 8:00 pm
(Thursday - Friday)

SECTION 5. Early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code. The address of 302 E. 24th Street, Bryan, Texas 77803, shall be the early voting clerk's mailing address to which ballot applications and ballots voted by mail may be sent for the City.

SECTION 6. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Early Voting Ballot Board at the Brazos County Election Administrator's office. Early votes shall be counted at the central counting station. The Early Voting Ballot Board shall perform in accordance with applicable provisions of the Election Code.

SECTION 7. A Direct Record Electronic ("DRE") System, as the term is defined in the Texas Election Code, shall be utilized in connection with the election. This system shall be utilized for all early voting as well as for all precinct voting conducted on Election Day. The Brazos County Elections Administrator will appoint a programmer, who shall prepare a program for the automatic tabulating equipment. Ample voting equipment shall be provided for early voting and in each of the various precincts on Election Day. The central counting station is established as the Brazos County Election Administrator's Office, 300 E. William J Bryan, Suite 100, Bryan.

SECTION 8. The Brazos County Elections Administrator will appoint the Early Voting Ballot Board, a Presiding Judge of the Central Counting Station, a Tabulation Supervisor of the Central Counting Station, and a Central Counting Station Manager.

SECTION 9. The election will be held in accordance with the provisions of the Charter and Ordinances of the City of College Station and the laws of the State of Texas.

SECTION 10. Notice of the election, including a Spanish translation thereof, will be published at least once in a newspaper published in College Station on or after October 8, 2017 and on or before October 28, 2017, and will be posted on the bulletin board at City Hall on or before October 17, 2017.

SECTION 11. A writ of election as required by the Texas Election Code will be delivered on or before October 23, 2017 by the Brazos County Elections Administrator to the presiding and alternate judges of each election precinct in which the election is ordered to be held.

SECTION 12. Testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with Subchapter D of Chapter 127 of the Texas Election Code.

SECTION 13. If any portion of this Ordinance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 14. That this ordinance shall be effective immediately upon adoption.

APPROVED AND ADOPTED by the City Council of the City of College Station this 27th day of July, 2017.

CITY OF COLLEGE STATION:

Karl Mooney, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

Carla Robinson, City Attorney

ORDENANZA NO. _____

UNA ORDENANZA AUTORIZANDO ELECCIONES GENERALES A CELEBRARSE EL 7 DE NOVIEMBRE DE 2017, CON EL PROPÓSITO DE ELEGIR A MIEMBROS DEL CONSEJO, PUESTOS NÚMEROS 1, 3, Y 5, POR LOS VOTANTES CALIFICADOS DE LA CIUDAD DE COLLEGE STATION, ESTABLECIENDO LOS CENTROS DE VOTACIONES TEMPRANAS Y CENTROS DE VOTACIONES PARA EL DÍA DE LAS ELECCIONES; Y LOS ARREGLOS NECESARIOS PARA DIRIGIR DICHAS ELECCIONES.

POR LO TANTO, EL CONSEJO DE LA CIUDAD DE COLLEGE STATION DISPONE LO SIGUIENTE:

SECCIÓN 1. Se ordenan elecciones generales a celebrarse por medio de la Ciudad de College Station (la “Ciudad”) en los diferentes centros de votaciones y distritos electorales dentro de los límites corporativos de la Ciudad, como se designa en este documento, el 7 de noviembre de 2017 de las 7:00 a.m. a las 7:00 p.m. Estas elecciones generales de la Ciudad se celebrarán conjuntamente con el Condado de Brazos y serán administradas para la Ciudad por el Oficial Electoral del Condado de Brazos; pero estas elecciones generales no serán elecciones para todo el condado. En estas elecciones, los votantes calificados de la Ciudad elegirán a Miembros del Consejo de la Ciudad para los Puestos números 1, 3, y 5, en donde cada puesto tendrá un término de tres años.

SECCIÓN 2. Si algún candidato en las elecciones generales no recibiese una mayoría de votos, entonces en esa ocasión se ordenarán elecciones de segunda vuelta para cada puesto en las elecciones generales en las cuales nadie fue elegido, como se requiere en la Sección 17(d) de los Estatutos de la Ciudad, según la enmienda. En caso fuese necesario realizar elecciones de segunda vuelta, éstas se celebrarán el martes 12 de diciembre de 2017. El escrutinio de los votos de las elecciones de segunda vuelta, si fuese necesario, no se podrá realizar antes del 8^{vo} día ni pasarse del décimo primer día después de la fecha de las elecciones de segunda vuelta o en el siguiente día hábil si el décimo primer día cae en sábado, domingo, o en un feriado estatal oficial.

SECCIÓN 3. Los Centros de Votaciones para la ciudad de College Station para estas elecciones será como se indica a continuación:

Centros de Votaciones	Centros de Votaciones
Arena Hall [Salón Arena] 2906 Tabor Road Bryan, Texas	Church of the Nazarene [Iglesia del Nazareno] 2122 E William J Bryan Pkwy Bryan, Texas
Lincoln Center [Centro Lincoln] 1000 Eleanor College Station, Texas	Castle Heights Baptist Church [Iglesia Bautista Castle Heights] 4504 E. Hwy 21 Bryan, Texas

Memorial Student Center (MSC), 2408, 2nd Fl [Centro Conmemorativo Estudiantil Salón 2408] Texas A&M Campus, Joe Routt Blvd. College Station, Texas	First Baptist Church - Bryan [Iglesia Bautista en Bryan <i>First Baptist</i>] 3100 Cambridge Drive Bryan, Texas
College Station ISD Administration Building [Edificio Administrativo del Distrito Escolar Independiente de College Station] 1812 Welsh College Station, Texas	Living Hope Baptist Church [Iglesia Bautista <i>Living Hope</i>] 4170 Texas 6 Frontage Rd College Station, Texas
Parkway Baptist Church [Iglesia Bautista <i>Parkway</i>] 1501 Southwest Parkway College Station, Texas	Beacon Baptist Church [Iglesia Bautista <i>Beacon</i>] 2001 East Villa Maria Road Bryan, Texas
College Station City Hall [Municipalidad de College Station] 1101 Texas Avenue College Station, Texas	Aldersgate Methodist Church [Iglesia Metodista <i>Aldersgate</i>] 2201 Earl Rudder Freeway College Station, Texas
Wellborn Community Center [Centro Comunitario de Wellborn] 4119 W. Greens Prairie Road College Station, Texas	Fellowship Freewill Baptist Church [Iglesia Bautista <i>Fellowship Freewill</i>] 1228 W. Villa Maria Road Bryan, Texas
Smetana Fire Station [Estación de Bomberos Smetana] 3098 Fazzino Rd Bryan, Texas	Christ United Methodist Church [Iglesia Metodista <i>Christ United</i>] 4201 State Highway 6, South College Station, Texas
Pct. 4 Volunteer Fire Station (Brushy) [Estación de Bomberos Voluntarios Distrito 4 (<i>Brushy</i>)] 6357 Raymond Stotzer Pkwy College Station, Texas	St. Francis Episcopal Church [Iglesia Episcopal <i>St. Francis</i>] 1101 Rock Prairie Road College Station, Texas
Zion Church of Kurten [Iglesia Zion en Kurten] 977 N. FM 2038 Kurten, Texas	Galilee Baptist Church [Iglesia Bautista <i>Galilee</i>] 804 N. Logan Bryan, Texas
Millican Community Center [Centro Comunitario de Millican] 22284 Pierce Street Millican, Texas	College Heights Assembly of God [Iglesia <i>College Heights Assembly of God</i>] 4100 Old College Rd. Bryan, Texas
Brazos County Admin. Building [Edificio Administrativo del Condado de Brazos] 200 South Texas Ave. Bryan, Texas	Brazos Center [Centro de Brazos] 3232 Briarcrest Drive Bryan, Texas

Momentum Church [Iglesia Momentum] 1216 Beck St. Bryan, Texas	GW Williams Tabernacle [Tabernáculo GW Williams] 311 Waco St. Bryan, Texas
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SECCIÓN 4. Las elecciones tempranas conjuntas se realizarán en persona y por correo. El período para las votaciones tempranas en persona para las elecciones generales será del 23 octubre al 3 de noviembre de 2017. Las boletas electorales de escaneo óptico serán utilizadas para las votaciones tempranas por correo y las máquinas electrónicas de registro directo serán utilizadas para las votaciones tempranas en persona. El Oficial de las Votaciones Tempranas para dichas elecciones será el Oficial Electoral del Condado de Brazos. Ella determinará el número de personas a contratar y hará los arreglos necesarios para la capacitación de todas las personas contratadas para trabajar en las elecciones. Las votaciones tempranas realizadas en persona para las elecciones generales serán dirigidas conjuntamente en los centros de votaciones y en las fechas y horarios señalados por el Oficial Electoral del Condado de Brazos:

Brazos County Administration Building **[Edificio Administrativo del Condado de Brazos]**

200 S. Texas Ave., Bryan, Texas

Arena Hall **[Salón Arena]**

2906 Tabor Road, Bryan, Texas

Galilee Baptist Church **[Iglesia Bautista Galilee]**

804 N. Logan, Bryan, Texas

College Station Utilities Meeting & Training Facility **[Edificio de Conferencias y Capacitación de la Empresa Eléctrica de College Station]**

1603 Graham Rod, College Station, Texas

Memorial Student Center **[Centro Conmemorativo Estudiantil]**

Room 526, A&M Campus, Joe Routt Blvd., College Station, Texas

del 23 al 27 de octubre (de lunes a viernes)	8:00 am – 5:00 pm
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del 30 de octubre al 1 ^{ro} de noviembre (de lunes a miércoles)	8:00 am – 5:00 pm
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del 2 al 3 de noviembre (jueves y viernes)	8:00 am – 8:00 pm
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SECCIÓN 5. Las Elecciones Tempranas por correo serán dirigidas de acuerdo con las provisiones aplicables del Código Electoral de Texas. La dirección siguiente: 302 E. 24th Street, Bryan, Texas 77803, será la dirección de correo del oficial de elecciones tempranas a donde se podrán enviar las solicitudes y las boletas con votos emitidos para la Ciudad.

SECCIÓN 6. Todos los votos anticipados y otros votos a ser procesados de acuerdo con los procedimientos de las votaciones tempranas conforme el Código Electoral de Texas serán entregados a la Junta de Boleta de Votaciones Tempranas en la oficina del Oficial Electoral del Condado de Brazos. Los votos anticipados serán contados en la estación central de conteo. La

Junta de Boleta de Votaciones Tempranas desempeñará su cargo de acuerdo con las provisiones aplicables del Código Electoral.

SECCIÓN 7. Un Sistema Directo de Registro Electrónico (“DRE, por sus siglas en el idioma inglés”), como se define el término en el Código Electoral de Texas, será utilizado en conexión con las elecciones. Este sistema será utilizado para todas las votaciones tempranas así como también para todas las votaciones realizadas en los distritos electorales el Día de las Elecciones. El Oficial Electoral del Condado de Brazos nombrará a un programador para preparar un programa para el equipo de tabulación automático. Se proporcionará suficiente equipo para votar en las votaciones tempranas así como también en cada uno de los diferentes distritos electorales el Día de las Elecciones. La estación central de conteo se establecerá en la oficina del Oficial Electoral del Condado de Brazos, 300 E. William J Bryan, Suite 100, Bryan.

SECCIÓN 8. El Oficial Electoral del Condado de Brazos nombrará a: la Junta de Boleta de Votaciones Tempranas, un Juez que presidirá en la Estación Central de Conteo, un Supervisor de Tabulación de la Estación Central de Conteo, y un Gerente de la Estación Central de Conteo.

SECCIÓN 9. Las elecciones se celebrarán de acuerdo con las provisiones de los Estatutos y Ordenanzas de la Ciudad de College Station y con las leyes del Estado de Texas.

SECCIÓN 10. La Notificación de las Elecciones, incluyendo la respetiva traducción al idioma español, se publicará por lo menos una vez en un periódico publicado en College Station el día 8 de octubre de 2017 ó después de esa fecha, y el día 28 de octubre de 2017 ó antes de esa fecha, y se colocará en el tablero de avisos de la Municipalidad el día 17 de octubre de 2017 ó antes de esa fecha.

SECCIÓN 11. Una orden de elecciones, requerida por el Código Electoral de Texas, será entregada el día 23 de octubre de 2017 ó antes de esa fecha, por el Oficial Electoral del Condado de Brazos al juez que preside y a los jueces alternos de cada distrito electoral en el cual se dispone celebrar elecciones.

SECCIÓN 12. Se harán las respectivas pruebas del equipo de tabulación automático y los resultados de dichas pruebas se entregarán y se harán saber de acuerdo con el Subcapítulo D del Capítulo 127 del Código Electoral de Texas.

SECCIÓN 13. Si alguna parte de esta Ordenanza se considera inválida por una corte de jurisdicción competente, las provisiones restantes de esta Ordenanza permanecerán en plena vigencia.

SECCIÓN 14. Que esta ordenanza entrará en efecto inmediatamente después de ser adoptada.

APROBADA Y ADOPTADA por el Consejo de la Ciudad de College Station este vigésimo séptimo [27] día del mes de julio de 2017.

CIUDAD DE COLLEGE STATION:

Karl Mooney, Alcalde

DOY FE:

Secretaria de la Ciudad

APROBADA EN CUANTO A FORMA:

Carla Robinson, Abogada de la Ciudad

Legislation Details (With Text)

File #:	17-0329	Version:	1	Name:	ILA with Brazos County for Election Services (Acuerdo Interlocal con el Condado de Brazos para los Servicios de Elecciones)
Type:	Agreement	Status:			Consent Agenda
File created:	6/26/2017	In control:			City Council Regular
On agenda:	7/27/2017	Final action:			
Title:	Presentation, possible action, and discussion on an interlocal government agreement with Brazos County for the conduct and management of the City of College Station General Election that will be held on Tuesday, November 7, 2017. (Presentación, posible acción y discusión acerca de un acuerdo de gobierno interlocal con el Condado de Brazos para celebrar y administrar las Elecciones Generales de la Ciudad de College Station a celebrarse el día martes 7 de noviembre de 2017.)				
Sponsors:	Tanya McNutt				
Indexes:					
Code sections:					
Attachments:	ILA Election Agr 2017 signed ILA Election Agr 2017 Spanish signed				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on an interlocal government agreement with Brazos County for the conduct and management of the City of College Station General Election that will be held on Tuesday, November 7, 2017. (*Presentación, posible acción y discusión acerca de un acuerdo de gobierno interlocal con el Condado de Brazos para celebrar y administrar las Elecciones Generales de la Ciudad de College Station a celebrarse el día martes 7 de noviembre de 2017.*)

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): (*Recomendación*): Approve as presented to the City Council. (*Aprobar en cuanto sea presentado ante el Consejo de la Ciudad.*)

Summary: (*Resumen*): A General Election and Bond Election will be held on November 7, 2017 for the purpose of electing City Councilmembers, Place 1, 3 and 5. (*Se celebrarán Elecciones Generales y elección de bonos el 7 de noviembre de 2017 con el propósito de elegir a los miembros del Consejo de la Ciudad, Puestos número 1, 3 y 5.*)

Budget & Financial Summary: (*Presupuesto y Resumen Financiero*): The Election Administrator provided a conservative estimate of \$80,000 for this year's election. The cost will be split among the entities on the ballot. This does not include the cost to publish the Notice of Election. The Notice must be published in English and Spanish and must appear in The Eagle and La Voz. (*El Administrador Electoral proporcionó una estimación conservadora de \$80,000 para las elecciones de este año. El costo se dividirá entre las entidades indicadas en la boleta de votación.*)

Este cálculo no incluye el costo de publicar la Notificación de las Elecciones. La Notificación deberá ser publicada en inglés y en español y deberá aparecer en los periódicos The Eagle y La Voz.)

Attachments: *(Documentos adjuntos):*

- Interlocal Agreement with Brazos County *(Acuerdo Interlocal con el Condado de Brazos)*
**Legal has reviewed and approved. *(La oficina de asuntos legales ha revisado y ha aprobado lo mencionado anteriormente.)*

INTERLOCAL GOVERNMENT AGREEMENT
Joint Election

This agreement is made this _____ day of _____, 2017, by and between Brazos County ("the County") and the City of College Station ("the City").

WHEREAS, Brazos County will conduct a general election on Tuesday, November 7, 2017; and

WHEREAS, the City of College Station will call for a general municipal election to be held within the city limits of College Station, Texas, on November 7, 2017; and

WHEREAS, Brazos County and the City of College Station will hold elections on the same day; and

WHEREAS, the parties to this agreement desire that a joint election be held that is cost effective and convenient for the voters of the entities;

NOW, THEREFORE, IT IS AGREED that a joint election will be held by the County and the City under the following terms and conditions, and the parties hereto agree with said conditions:

1. That there shall be one ballot that contains all appropriate races and propositions available for qualified voters of the two entities.
2. That there shall be one set of voting equipment to be used at the common polling places.
3. That election forms be used and records be maintained in a manner convenient and adequate to record and report the results of the election for the County and the City.
4. That the joint tabulation of the precinct results shall be in a manner to facilitate the independent canvass of returns by the two entities.
5. That each entity shall be responsible for the preparation, publication and Spanish translations of its own Notice of Election and Order of Election.
6. That the implementation, conduct and management of said election shall be by the Brazos County Elections Administrator. The Brazos County Elections Administrator is hereby designated as the Chief Election Official and Early Voting Clerk for the two entities for the elections to be held on November 7, 2017. The implementation, conduct and management of the election shall include, but not be limited to:
 - A. The securing of qualified individuals to serve as election judges for each polling place.
 - B. The securing of locations and facilities where the election is to be conducted.

- C. The securing of the election materials and supplies requisite to the proper administration of the election, and the programming and preparation of DRE voting equipment to be used in the election.
 - D. The securing of a contract with an independent, qualified contractor for election services and supplies.
 - E. The Brazos County Elections Administrator will be responsible for the conduct of joint early voting by personal appearance and by mail, with the City Secretary serving as Joint Early Voting Clerk.
7. The amount to be paid by the City to the County for services rendered by the County in the November 7, 2017, election is:
- A. Brazos County will first fund all costs in full, other than the publication of each entity's Notice of Election.
 - B. The City of College Station will reimburse the County for certain costs as follows:
 - 1. One-fifth (1/5) the cost for payment of the early voting election workers.
 - 2. One-fifth (1/5) the cost paid to an independent, qualified contractor for election services and supplies.
 - 3. Each entity shall fund one-fifth (1/5) the expenses of the election day polling places at vote centers as approved by the Secretary of State's Office.
 - 4. One-fifth (1/5) of the cost of publication for all jointly required notices.
 - 5. The cost of rental of two (2) DRE voting equipment used in the precinct in which the City has items appearing on the ballot for that precinct.
 - 6. One-fifth (1/5) the cost of the Early Ballot Board, Central Counting Station, the tabulation supervisor and data processing manager.
 - 7. Administrative fee of 10% for the City's portion of expenses as allowed in the Texas Election Code.
8. Should any of the five governmental entities that hold elections on the uniform election date (Brazos County, City of Bryan, City of College Station, Bryan ISD, or College Station ISD) cancel all or part of their elections, then the distribution of expenses above shall be prorated accordingly.
9. The financial obligations of the parties under this agreement are payable from current revenues of the respective parties.
10. That the undersigned are the duly authorized representatives of the parties' governing bodies, and their signatures represent adoption and acceptance of the terms and conditions of this agreement.

APPROVED AND AGREED this _____ day of _____, 2017.

BRAZOS COUNTY



Trudy Hancock, Elections Administrator

CITY OF COLLEGE STATION

Mayor

City Attorney

Attest:

City Secretary

ACUERDO DE GOBIERNO INTERLOCAL

Elecciones Conjuntas

El presente acuerdo se realiza el ____ del mes de _____ de 2017, por y entre el Condado de Brazos (“el Condado”) y la Ciudad de College Station (“la Ciudad”).

CONSIDERANDO que el Condado de Brazos celebrará elecciones generales el día martes 8 de noviembre de 2016; y

CONSIDERANDO que la Ciudad de College Station ha convocado Elecciones Generales para realizarse dentro de los límites de la ciudad de College Station, Texas, el 7 de noviembre de 2017; y

CONSIDERANDO que el Condado de Brazos y la Ciudad de College Station celebrarán elecciones el mismo día; y

CONSIDERANDO que las partes de este acuerdo desean celebrar elecciones conjuntas para que les sea conveniente y costo-efectivo a los votantes de ambas entidades;

AHORA, POR LO TANTO, SE ACUERDA que el Condado y la Ciudad celebrarán elecciones conjuntas bajo los términos y condiciones siguientes, y que las partes presentes están de acuerdo con dichas condiciones:

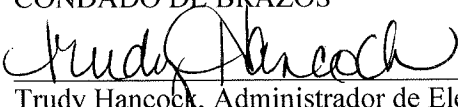
1. Que habrá una boleta que contenga todas las nominaciones apropiadas y las propuestas disponibles para los votantes calificados de ambas entidades.
2. Que habrá un juego de equipo necesario para las votaciones a ser utilizado en los centros de votaciones comunes.
3. Que los formularios de elecciones utilizados y los registros llevados deberán mantenerse de una manera conveniente y adecuada para registrar y reportar los resultados de las elecciones para el Condado y para la Ciudad.
4. Que la tabulación conjunta de los resultados de los distritos se hará de una manera que facilite el escrutinio de los votos de forma independiente para ambas entidades.
5. Que cada entidad será responsable de la preparación, publicación y traducción al idioma español de sus propios documentos denominados Notificación de Elecciones y Orden de Elecciones.
6. Que la implementación, realización y manejo de dichas elecciones será dirigida por el Administrador de Elecciones del Condado de Brazos. El Administrador de Elecciones del Condado de Brazos es nombrado, por el presente acuerdo, el Oficial Encargado de las Elecciones y será el Oficial de la Elecciones Tempranas para ambas entidades, para las elecciones a celebrarse el 7 de noviembre de 2017. La implementación, realización y manejo de las elecciones incluirá, pero no se limitará a lo siguiente:
 - A. Conseguir individuos calificados para servir como jueces de las elecciones para cada centro de votaciones.

- B. Conseguir los lugares y las instalaciones donde se realizarán las elecciones.
 - C. Conseguir los materiales de elecciones y demás materiales requeridos para administrar apropiadamente las elecciones, y la programación y preparación del equipo de votaciones DRE a ser utilizado en las elecciones.
 - D. Conseguir un contrato con un contratista independiente y calificado para los servicios y materiales necesarios para las elecciones.
 - E. El Oficial del Condado de Brazos será el responsable de dirigir las votaciones tempranas conjuntas en persona y por correo con Secretaria de la Ciudad sirviendo como la votación temprana conjunto.
7. La cantidad que la Ciudad le deberá pagar al Condado por servicios ofrecidos por el Condado en las elecciones del 7 de noviembre de 2017 se detalla a continuación:
- A. El Condado de Brazos primero pondrá todos los fondos menos la publicación de la Notificación de Elecciones que deberá hacer cada entidad.
 - B. La Ciudad de College Station le reembolsará al Condado ciertos costos como se detalla a continuación:
 - 1. Un quinto (1/5) del costo del pago a los empleados contratados para las elecciones tempranas. Los centros de votaciones serán: El Edificio Administrativo del Condado de Brazos [*Brazos County Administration Building*], El Salón Arena [*Arena Hall*], la Iglesia Bautista Galilee [*Galilee Baptist Church*], el Centro Conmemorativo Estudiantil [*Memorial Student Center*], y el Edificio de Conferencias y Capacitación de la Empresa Eléctrica de College Station [*College Station Utilities Meeting and Training facility*].
 - 2. Un quinto (1/5) del costo pagado a la compañía *Texas Voting Systems* por materiales y servicios prestados para las elecciones.
 - 3. Cada entidad deberá financiar un quinto (1/5) de los gastos de los lugares de votación el día de las elecciones en los centros de voto según lo aprobado por la oficina de la Secretaria de la Ciudad.
 - 4. Un quinto (1/5) del costo de las publicaciones de todas las notificaciones conjuntas necesarias.
 - 5. El costo de dos (2) equipos para votaciones DRE alquilados para ser utilizados en los distritos en los cuales la Ciudad tiene nominaciones que aparecen en la boleta para ese distrito.
 - 6. Un quinto (1/5) del costo del pago remunerado de la Junta de Boleta de Elecciones Tempranas, de la Estación Central de Conteo, del supervisor de tabulación y del gerente de procesamiento de datos.

7. La cuota administrativa del 10% por la parte de los gastos de la Ciudad como lo es permitido en el Código de Elecciones de Texas.
8. Si alguna de las cinco entidades gubernamentales que celebra elecciones en la fecha uniforme (Condado de Brazos, Ciudad de Bryan, Ciudad de College Station, Distrito Escolar Independiente de Bryan, Distrito Escolar Independiente de College Station) cancela toda o parte de las elecciones, entonces la distribución de los gastos mencionados anteriormente será prorrateada como corresponde.
9. Las obligaciones financieras de las partes bajo este acuerdo se pagarán de los ingresos actuales de las partes respectivas.
10. Que los que firman a continuación son los representantes debidamente autorizados por los entes reguladores de ambas entidades, y que sus firmas representan la adopción y aceptación de los términos y condiciones de este acuerdo.

APPROBADO Y ACORDADO el _____ día del mes de _____ de 2017.

CONDADO DE BRAZOS


Trudy Hancock, Administrador de Elecciones

CIUDAD DE COLLEGE STATION

Alcalde

Doy fe:

Secretaria de la Ciudad

Aprobada:

Abogada de la Ciudad



Legislation Details (With Text)

File #:	17-0344	Version:	1	Name:	Various Electric Inventory Items
Type:	Agreement	Status:		Status:	Consent Agenda
File created:	7/5/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on a bid award for annual price agreements for various electrical items to be stored in inventory as follows: Anixter: \$22,958; KBS Electrical Dist.: \$101,254; Texas Electric Cooperatives: \$114,303; Techline, Inc.: \$598,318.50. Total estimated annual expenditure is \$836,833.50.				
Sponsors:	Mary Ellen Leonard				
Indexes:					
Code sections:					
Attachments:	17-056 Tabulation				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a bid award for annual price agreements for various electrical items to be stored in inventory as follows: Anixter: \$22,958; KBS Electrical Dist.: \$101,254; Texas Electric Cooperatives: \$114,303; Techline, Inc.: \$598,318.50. Total estimated annual expenditure is \$836,833.50.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure

Recommendation(s): Staff recommends awards to the lowest responsible bidder meeting specifications for annual estimated expenditures totaling \$836,833.50.

1. Anixter	\$ 22,958.00
2. KBS Electrical Dist.	\$101,254.00
3. Texas Electric Cooperatives	\$114,303.00
4. Techline, Inc.	\$598,318.50
Total	\$836,833.50

Summary: These purchases will be made as needed during the term of the agreement. The various electrical items are maintained in Electrical Inventory in an inventory account and expensed as necessary during the agreement period. The purchasing agreement period shall be for one (1) year with the option to renew for two additional one-year periods.

Budget & Financial Summary: Nine (9) sealed, competitive bids were received and opened on June 16, 2017. Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #17-056



City of College Station
Annual Price Agreement for Various Electrical Items
ITB #17-056
Opened June 16, 2017 @ 2:00 PM

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

Group "A" Materials 15kV Underground Cable Accessories

Item No.	Est. Qty	ea	Description	Inv No.	Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
A-1	500	ea	Disconnectable Secondary Transformer Connector	285-008-00007	CMC	\$10.36	\$5,180.00	14 wks					CMC	\$10.19	\$5,095.00	14 wks
A-2	300	ea	Disconnectable Secondary Transformer Connector	285-008-00008	CMC	\$36.00	\$10,800.00	14 wks					CMC	\$34.60	\$10,380.00	14 wks
A-3	1000	ea	Gelpport Insulated Secondary Connector	285-008-00012	TE/Tyco	\$47.00	\$47,000.00	4-6 wks					Tyco	\$42.99	\$42,990.00	4-6 wks
A-4	100	ea	Deadbreak T-OPIII Connector	285-022-00036												
A-5	25	ea	Inline Splice	285-076-00002	3M	\$31.62	\$790.50	stk -15 days					3M	\$31.96	\$799.00	5-10 days
A-6	100	ea	Splice Re-jacketing Kit, cold shrink type	285-076-00005	3M	\$49.79	\$4,979.00	stk -15 days					3M	\$50.33	\$5,033.00	5-10 days
A-7	150	ea	Inline Splice	285-076-00007	3M	\$561.86	\$84,279.00	2-3 wks					3M	\$567.96	\$85,194.00	MTO/15 day
A-8	200	ea	Elbow Arrester	285-082-00005												
A-9	100	ea	Cable Terminator Cold Shrink Type	285-082-00010	3M	\$307.68	\$30,768.00	2-3 wks					3M	\$123.00	\$12,300.00	MTO/15 day
A-10	150	ea	Pole Top Terminator Cold Shrink	285-082-00016	3M	\$122.38	\$18,357.00	2-3 wks								
A-11	100	ea	Parking Stand Arrester	285-082-00022												
A-12	1000	ea	Loadbreak Elbow, Jacket Seal Type	285-082-00028	Richards	\$60.00	\$60,000.00	6 wks	TE-Tyco	\$29.00	\$29,000.00	6-8 wks	Raychem	\$42.35	\$42,350.00	6-8 wks
A-13	150	ea	Protective Cap	285-095-00004	Richards	\$31.00	\$4,650.00	4-6 wks	TE-Tyco	\$36.00	\$5,400.00	2 wks	Raychem	\$27.25	\$4,087.50	2 wks
A-14	1500	ea	Loadbreak Bushing Insert	285-095-00006	Richards	\$56.00	\$84,000.00	4-6 wks	TE-Tyco	\$36.00	\$54,000.00	4 wks	Raychem	\$35.00	\$52,500.00	4 wks
A-15	300	ea	Underground Fault Circuit Indicator	285-111-00001									Power Del. Product	\$164.00	\$49,200.00	stk
A-16	500	ea	Underground Faulted Circuit Indicator	285-111-00002	SEL	\$136.00	\$68,000.00	12-17 wks					SEL	\$134.00	\$67,000.00	2-3 wks

Group A Recommended Award Total

Group "B" Materials - Overhead Cable and Pole Accessories

B-1	200	ea	Riser Pole Arrester 10 KV	285-003-00005	Maclean	\$33.00	\$6,600.00	6 wks					Aluma Form	\$26.29	\$5,258.00	3-4 wks
B-2	600	ea	Arrester & Bracket for Polemount Transformers	285-003-00007	Maclean	\$30.00	\$18,000.00	6 wks					Aluma Form	\$28.75	\$17,250.00	3-4 wks
B-3	500	ea	Mounting Plate for Metal Banding Strap	285-047-00119	Maclean	\$21.00	\$10,500.00	6 wks					Band-It	\$11.20	\$5,600.00	1-2 wks
B-4	500	ea	Bolt Clamp for Metal Branding Strap	285-047-00120	Maclean	\$12.00	\$6,000.00	4 wks					Band-It	\$18.20	\$9,100.00	1-2 wks
B-5	500	ea	Pole Setting Foam	285-065-00019	Polyset	\$71.00	\$35,500.00	1 wks					Utility Structural	\$69.95	\$34,975.00	3-5 days
B-6	2000	ea	Arrester Protective Cap	M285-003-00008												
B-7	2000	ea	1/0 H-Tap Copper Connector	M285-022-00003												
B-8	500	ea	Small Hotline Clamp	M285-047-00027	CMC	\$6.18	\$3,090.00	14 wks	Macean	\$7.00	\$3,500.00	stk-2 wks	Maclean	\$6.00	\$3,000.00	

Group B Recommended Award Total

Group "C" Materials - Pad-mount Enclosure Junction Boxes & Pull Boxes

C-1	15	ea	Pull Box, 36x60x48	285-045-00007	Quazite	\$3,166.00	\$47,490.00	3 wks					Quazite	\$3,113.00	\$46,695.00	3 wks
C-2	20	ea	Pull Box, 48x96x48	285-045-00008	Quazite	\$6,238.00	\$124,760.00	3 wks					Quazite	\$6,135.00	\$122,700.00	3 wks
C-3	12	ea	Pull Box Extension 24" for 48x96x48	285-045-00012	Quazite	\$2,630.00	\$31,560.00	3 wks					Quazite	\$2,587.00	\$31,044.00	3 wks/stk
C-4	300	ea	Secondary Pedestal	285-045-00009	Hubbel	\$150.00	\$45,000.00	3 wks					Hubbell	\$149.00	\$44,700.00	3 wks/stk
C-5	5	ea	Torsion Assist Lids	285-045-00013	Quazite	\$5,540.00	\$27,700.00	3-4 wks					Quazite	\$5,450.00	\$27,250.00	3-4 wks/stk

Group C Recommended Award Total

Group D - Crossarm Braces

D-1	60	ea	HD Dead End 8'	285-047-00088	Aluma	\$216.00	\$12,960.00	4 wks	Maclean	\$182.00	\$10,920.00		Aluma Form	\$205.00	\$12,300.00	4 wks
D-2	150	ea	Standard Duty Crossarm 8'	285-047-00093	Aluma	\$100.00	\$15,000.00	4 wks	Maclean	\$118.00	\$17,700.00	6 wks	Aluma Form	\$237.00	\$35,550.00	4 wks
D-3	100	ea	Standard Duty Crossarm 10'	285-047-00094	Aluma	\$120.00	\$12,000.00	4 wks	Maclean	\$137.00	\$13,700.00	6 wks	Aluma Form	\$100.00	\$10,000.00	4 wks
D-4	20	ea	HD Deadend 10'	285-047-00099	Aluma	\$247.00	\$4,940.00	4 wks					Aluma Form	\$118.00	\$2,360.00	4 wks

Group D Recommended Award Total

Group E - Streetlight Fixtures

E-1	50	ea	LED Cobrahead Light Fixture, LED 50	285-056-00015												
E-2	50	ea	LED Cobrahead Light Fixture, LED 130	285-056-00017												
E-3	50	ea	LED Cobrahead Light Fixture, LED 210	285-056-00018												

Group E Recommended Award Total

Group F - Motor Operators

E-1	10	ea	ADMO Class Motor Operator - Reciprocating Motion	285-079-00014												
E-2	15	ea	ADMO Class Motor Operator - Torsional Motion	285-079-00015												

Group F Recommended Award Total

Total Recommended Award Amount	\$0.00	\$0.00	\$22,958.00
Certification of Bid	Y		Y
Addendums Acknowledged	Y		N
Exceptions			Items B3 and B4 were bid by the box. Unit prices corrected to price per each for evaluation purposes.

City of College Station
Annual Price Agreement for Various Electrical Items
ITB #17-056
Opened June 16, 2017 @ 2:00 PM

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

Group "A" Materials 15kV Underground Cable Accessories

Item No.	Est. Qty	Unit	Description	Inv No.	Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
A-1	500	ea	Disconnectable Secondary Transformer Connector	285-008-00007	CMC	\$9.79	\$4,895.00	14 wks								
A-2	300	ea	Disconnectable Secondary Transformer Connector	285-008-00008	Polaris	\$23.10	\$6,930.00	6-8 wks					Polaris	\$30.00	\$9,000.00	5-7 wks
A-3	1000	ea	Gelpport Insulated Secondary Connector	285-008-00012	Tyco	\$41.68	\$41,680.00	4-6 wks								
A-4	100	ea	Deadbreak T-OPIII Connector	285-022-00036	Cooper	\$243.00	\$24,300.00	8 weeks								
A-5	25	ea	Inline Splice	285-076-00002	3M	\$30.90	\$772.50	1-2 wks								
A-6	100	ea	Splice Re-jacketing Kit, cold shrink type	285-076-00005	3M	\$48.60	\$4,860.00	1-2 wks								
A-7	150	ea	Inline Splice	285-076-00007	3M	\$549.00	\$82,350.00	2-3 wks								
A-8	200	ea	Elbow Arrester	285-082-00005	Cooper	\$55.00	\$11,000.00	6 wks								
A-9	100	ea	Cable Terminator Cold Shrink Type	285-082-00010	3M	\$299.65	\$29,965.00	2-3 wks								
A-10	150	ea	Pole Top Terminator Cold Shrink	285-082-00016	3M	\$119.78	\$17,967.00	2-3 wks								
A-11	100	ea	Parking Stand Arrester	285-082-00022	Cooper	\$128.40	\$12,840.00	8 wks								
A-12	1000	ea	Loadbreak Elbow, Jacket Seal Type	285-082-00028	Cooper	\$26.70	\$26,700.00	9 wks					Elastimold	\$58.00	\$58,000.00	6 wks
A-13	150	ea	Protective Cap	285-095-00004	Cooper	\$18.20	\$2,730.00	stk - 7 wks								
A-14	1500	ea	Loadbreak Bushing Insert	285-095-00006	Cooper	\$18.90	\$28,350.00	5 wks								
A-15	300	ea	Underground Fault Circuit Indicator	285-111-00001	Smart Grid	\$131.15	\$39,345.00	2-4 wks								
A-16	500	ea	Underground Faulted Circuit Indicator	285-111-00002									Schweitzer	\$156.00	\$78,000.00	6 wks

Group A Recommended Award Total

\$51,000.00

Group "B" Materials - Overhead Cable and Pole Accessories

B-1	200	ea	Riser Pole Arrester 10 KV	285-003-00005	Cooper	\$32.20	\$6,440.00	19 wks	Maclean	\$32.43	\$6,486.00	6 wks				
B-2	600	ea	Arrester & Bracket for Polemount Transformers	285-003-00007	Cooper	\$26.84	\$16,104.00	8-10 wks	Maclean	\$28.18	\$16,908.00	6 wks				
B-3	500	ea	Mounting Plate for Metal Banding Strap	285-047-00119	Band It	\$13.49	\$6,745.00	3-4 wks								
B-4	500	ea	Bolt Clamp for Metal Branding Strap	285-047-00120	Band It	\$22.60	\$11,300.00	3-4 wks					Band-It	\$39.00	\$19,500.00	4-6 wks
B-5	500	ea	Pole Setting Foam	285-065-00019	Poly-Set	\$68.30	\$34,150.00	1-2 wks								
B-6	2000	ea	Arrester Protective Cap	M285-003-00008												
B-7	2000	ea	1/0 H-Tap Copper Connector	M285-022-00003	Blackburn	\$1.63	\$3,260.00	4 wks								
B-8	500	ea	Small Hotline Clamp	M285-047-00027	CMC	\$6.40	\$3,200.00	14 wks	Richards	\$7.35	\$3,675.00	1-2 wks				

Group B Recommended Award Total

\$50,254.00

Group "C" Materials - Pad-mount Enclosure Junction Boxes & Pull Boxes

C-1	15	ea	Pull Box, 36x60x48	285-045-00007	CDR/Quazite	\$3,015.00	\$45,225.00	3 wks								
C-2	20	ea	Pull Box, 48x96x48	285-045-00008	CDR/Quazite	\$5,473.00	\$109,460.00	3 wks								
C-3	12	ea	Pull Box Extension 24" for 48x96x48	285-045-00012	CDR/Quazite	\$2,210.00	\$26,520.00	3 wks								
C-4	300	ea	Secondary Pedestal	285-045-00009	CDR/Quazite	\$146.00	\$43,800.00	3 wks								
C-5	5	ea	Torsion Assist Lids	285-045-00013	CDR/Quazite	\$5,383.00	\$26,915.00	6-8 wks								

Group C Recommended Award Total

Group D - Crossarm Braces

D-1	60	ea	HD Dead End 8'	285-047-00088	Pupi	\$192.00	\$11,520.00	4 wks	Maclean	\$183.00	\$10,980.00	4 wks				
D-2	150	ea	Standard Duty Crossarm 8'	285-047-00093	Pupi	\$87.50	\$13,125.00	4 wks								
D-3	100	ea	Standard Duty Crossarm 10'	285-047-00094	Pupi	\$106.00	\$10,600.00	4 wks								
D-4	20	ea	HD Deadend 10'	285-047-00099	Pupi	\$212.00	\$4,240.00	4 wks	Maclean	\$202.00	\$4,040.00	4 wks				

Group D Recommended Award Total

Group E - Streetlight Fixtures

E-1	50	ea	LED Cobrahead Light Fixture, LED 50	285-056-00015												
E-2	50	ea	LED Cobrahead Light Fixture, LED 130	285-056-00017												
E-3	50	ea	LED Cobrahead Light Fixture, LED 210	285-056-00018												

Group E Recommended Award Total

Group F - Motor Operators

E-1	10	ea	ADMO Class Motor Operator - Reciprocating Motion	285-079-00014	Cleveland Price	\$6,540.00	\$65,400.00	14-16 wks								
E-2	15	ea	ADMO Class Motor Operator - Torsional Motion	285-079-00015	Cleveland Price	\$6,688.00	\$100,320.00	14-16 wks								

Group F Recommended Award Total

Total Recommended Award Amount					\$101,254.00				\$0.00				\$0.00			
Certification of Bid					Y								Y			
Addendums Acknowledged					Y								Y			
Exceptions					Pricing Sheet from Addendum 2 was not used, but addendum was acknowledged and signed.											

City of College Station
Annual Price Agreement for Various Electrical Items
ITB #17-056
Opened June 16, 2017 @ 2:00 PM

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

Group "A" Materials 15kV Underground Cable Accessories

Item No	Est. Qty	Description	Inv No.													
A-1	500	ea	Disconnectable Secondary Transformer Connector	285-008-00007	Connector Mfg	\$10.28	\$5,140.00	6-7 wks	Homac	\$9.60	\$4,800.00	stk-4 wks	CMC	\$9.89	\$4,945.00	14-16 wks
A-2	300	ea	Disconnectable Secondary Transformer Connector	285-008-00008	Homac	\$21.78	\$6,532.50	2-3 wks	Homac	\$16.00	\$4,800.00	2-4 wks	CMC	\$33.51	\$10,053.00	14-16 wks
A-3	1000	ea	Gelpport Insulated Secondary Connector	285-008-00012	Tyco	\$38.00	\$38,000.00	2-3 wks	Tyco	\$43.00	\$43,000.00	2-3 wks				
A-4	100	ea	Deadbreak T-OPIII Connector	285-022-00036												
A-5	25	ea	Inline Splice	285-076-00002	3M	\$32.67	\$816.75	2-3 wks	3M	\$29.30	\$732.50	\$732.50				
A-6	100	ea	Splice Re-jacketing Kit, cold shrink type	285-076-00005	3M	\$50.33	\$5,033.00	2-3 wks	3M	\$46.25	\$4,625.00	stk-2 wks				
A-7	150	ea	Inline Splice	285-076-00007	3M	\$561.86	\$84,279.00	3-4 wks	3M *	\$520.00	\$78,000.00	3 wks				
A-8	200	ea	Elbow Arrester	285-082-00005					Elastimold	\$54.15	\$10,830.00	stk-8 wks				
A-9	100	ea	Cable Terminator Cold Shrink Type	285-082-00010	3M	\$307.69	\$30,769.00	2-3 wks	3M	\$267.00	\$26,700.00	3 wks				
A-10	150	ea	Pole Top Terminator Cold Shrink	285-082-00016	3M	\$122.39	\$18,358.50	3-4 wks	3M	\$107.00	\$16,050.00	3 wks				
A-11	100	ea	Parking Stand Arrester	285-082-00022	(Not filled in)	\$205.33	\$20,533.00	8-9 wks	Elastimold	\$127.00	\$12,700.00	7-9 wks				
A-12	1000	ea	Loadbreak Elbow, Jacket Seal Type	285-082-00028	Elastimold	\$26.91	\$26,910.00	3-4 wks	Elastimold	\$26.95	\$26,950.00	5-7 wks				
A-13	150	ea	Protective Cap	285-095-00004	(Not filled in)	\$25.00	\$3,750.00	2-3 wks	Elastimold	\$17.90	\$2,685.00	6-8 wks				
A-14	1500	ea	Loadbreak Bushing Insert	285-095-00006	(Not filled in)	\$25.89	\$38,835.00	2-3 wks	Elastimold	\$18.50	\$27,750.00	stk-8 wks				
A-15	300	ea	Underground Fault Circuit Indicator	285-111-00001	Smartgrid	\$25.25	\$7,575.00	stk	Smart Grid	\$125.99	\$37,797.00	stk				
A-16	500	ea	Underground Faulted Circuit Indicator	285-111-00002	Schweitzer	\$126.80	\$63,400.00	4-5 wks	SEL	\$130.00	\$65,000.00	4 wks				

Group A Recommended Award Total

\$101,400.00	\$227,469.50
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Group "B" Materials - Overhead Cable and Pole Accessories

B-1	200	ea	Riser Pole Arrester 10 KV	285-003-00005	Alumaform	\$30.00	\$6,000.00	stk	Ohio Brass	\$31.85	\$6,370.00	3-4 wks				
B-2	600	ea	Arrester & Bracket for Polemount Transformers	285-003-00007	Alumaform	\$28.00	\$16,800.00	3-4 wks	Ohio Brass	\$27.12	\$16,272.00	2-4 wks				
B-3	500	ea	Mounting Plate for Metal Banding Strap	285-047-00119												
B-4	500	ea	Bolt Clamp for Metal Branding Strap	285-047-00120												
B-5	500	ea	Pole Setting Foam	285-065-00019	BMK	\$71.78	\$35,890.00	stk	BMK	\$68.30	\$34,150.00	stk	Poly-Set	\$69.39	\$34,695.00	stk
B-6	2000	ea	Arrester Protective Cap	M285-003-00008												
B-7	2000	ea	1/0 H-Tap Copper Connector	M285-022-00003				Blackburn	\$1.50	\$3,000.00	stk					
B-8	500	ea	Small Hotline Clamp	M285-047-00027	Richards	\$7.85	\$3,925.00	2-3 wks	Hubbell	\$6.35	\$3,175.00	stk				

Group B Recommended Award Total

\$3,000.00

Group "C" Materials - Pad-mount Enclosure Junction Boxes & Pull Boxes

C-1	15	ea	Pull Box, 36x60x48	285-045-00007				Quazite	\$1,090.00	\$16,350.00	3 wks					
C-2	20	ea	Pull Box, 48x96x48	285-045-00008				Quazite	\$2,405.00	\$48,100.00	3 wks					
C-3	12	ea	Pull Box Extension 24" for 48x96x48	285-045-00012				Quazite	\$1,025.00	\$12,300.00	3 wks					
C-4	300	ea	Secondary Pedestal	285-045-00009				Quazite	\$110.00	\$33,000.00	3 wks					
C-5	5	ea	Torsion Assist Lids	285-045-00013				Quazite	\$4,135.00	\$20,675.00	6-8 wks					

Group C Recommended Award Total

\$130,425.00

Group D - Crossarm Braces

D-1	60	ea	HD Dead End 8'	285-047-00088	Pupi	\$235.00	\$14,100.00	4-5 wks	Shakespeare	\$184.00	\$11,040.00	4-6 wks	Pupi	\$226.39	\$13,583.40	2-3 wks
D-2	150	ea	Standard Duty Crossarm 8'	285-047-00093	Pupi	\$86.02	\$12,903.00	4-5 wks	Shakespeare	\$86.95	\$13,042.50	4-6 wks	Pupi	\$94.00	\$14,100.00	2-3 wks
D-3	100	ea	Standard Duty Crossarm 10'	285-047-00094	Pupi	\$96.19	\$9,619.00	4-5 wks	Shakespeare	\$103.20	\$10,320.00	4-6 wks	Pupi	\$116.79	\$11,679.00	2-3 wks
D-4	20	ea	HD Deadend 10'	285-047-00099	Pupi	\$293.42	\$5,868.40	stk	Shakespeare	\$205.95	\$4,119.00	4-6 wks	Pupi	\$268.39	\$5,367.80	2-3 wks

Group D Recommended Award Total

\$12,903.00	\$25,479.00
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Group E - Streetlight Fixtures

E-1	50	ea	LED Cobrahead Light Fixture, LED 50	285-056-00015				AEL	\$173.00	\$8,650.00	3-5 wks					
E-2	50	ea	LED Cobrahead Light Fixture, LED 130	285-056-00017				AEL	\$320.00	\$16,000.00	3-5 wks					
E-3	50	ea	LED Cobrahead Light Fixture, LED 210	285-056-00018				AEL	\$480.00	\$24,000.00	3-5 wks					

Group E Recommended Award Total

\$48,650.00

Group F - Motor Operators

F-1	10	ea	ADMO Class Motor Operator - Reciprocating Motion	285-079-00014				Cleveland/Price	\$6,449.00	\$64,490.00	14-16 wks					
F-2	15	ea	ADMO Class Motor Operator - Torsional Motion	285-079-00015				Cleveland/Price	\$6,587.00	\$98,805.00	14-16 wks					

Group F Recommended Award Total

\$163,295.00

Total Recommended Award Amount	\$114,303.00	\$598,318.50	\$0.00
Certification of Bid	Y	Y	Y
Addendums Acknowledged	N	Y	Y
Exceptions	A total of 3 bids were received from TEC. After verifying with the vendor, the one marked "Amended Final Bid Copy" was used for the tabulation.		

City of College Station
Annual Price Agreement for Various Electrical Items
ITB #17-056
Opened June 16, 2017 @ 2:00 PM

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

				Dis-Tran Overhead Solutions				Irby Utilities				
				Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery	
Group "A" Materials 15kV Underground Cable Accessories												
Item No	Est. Qty		Description	Inv No.								
A-1	500	ea	Disconnectable Secondary Transformer Connector	285-008-00007				CMC	\$10.19	\$5,095.00	14 wks	
A-2	300	ea	Disconnectable Secondary Transformer Connector	285-008-00008				CMC	\$34.60	\$10,380.00	14 wks	
A-3	1000	ea	Gelport Insulated Secondary Connector	285-008-00012								
A-4	100	ea	Deadbreak T-OPH Connector	285-022-00036				Cooper	\$252.00	\$25,200.00	8 wks	
A-5	25	ea	Inline Splice	285-076-00002				3M	\$30.95	\$773.75	2-3 wks	
A-6	100	ea	Splice Re-jacketing Kit, cold shrink type	285-076-00005				3M	\$48.75	\$4,875.00	2-3 wks	
A-7	150	ea	Inline Splice	285-076-00007				3M	\$550.00	\$82,500.00	2-3 wks	
A-8	200	ea	Elbow Arrestor	285-082-00005				Cooper	\$54.71	\$10,942.00	6 wks	
A-9	100	ea	Cable Terminator Cold Shrink Type	285-082-00010				3M	\$301.21	\$30,121.00	2-3 wks	
A-10	150	ea	Pole Top Terminator Cold Shrink	285-082-00016				3M	\$119.81	\$17,971.50	2-3 wks	
A-11	100	ea	Parking Stand Arrestor	285-082-00022				Cooper	\$131.19	\$13,119.00	8 wks	
A-12	1000	ea	Loadbreak Elbow, Jacket Seal Type	285-082-00028				Cooper	\$26.74	\$26,740.00	9 wks	
A-13	150	ea	Protective Cap	285-095-00004				Cooper	\$18.11	\$2,716.50	7 wks	
A-14	1500	ea	Loadbreak Bushing Insert	285-095-00006				Cooper	\$18.89	\$28,335.00	5 wks	
A-15	300	ea	Underground Fault Circuit Indicator	285-111-00001								
A-16	500	ea	Underground Faulted Circuit Indicator	285-111-00002				Schweitzer	\$129.47	\$64,735.00	2-3 wks	
Group A Recommended Award Total												
Group "B" Materials - Overhead Cable and Pole Accessories												
B-1	200	ea	Riser Pole Arrestor 10 KV	285-003-00005				Cooper	\$33.00	\$6,600.00	19 wks	
B-2	600	ea	Arrestor & Bracket for Polemount Transformers	285-003-00007				Cooper	\$28.50	\$17,100.00	8-10 wks	
B-3	500	ea	Mounting Plate for Metal Banding Strap	285-047-00119				Band It	\$17.65	\$8,825.00	8wks	
B-4	500	ea	Bolt Clamp for Metal Branding Strap	285-047-00120				Band It	\$23.70	\$11,850.00	8 wks	
B-5	500	ea	Pole Setting Foam	285-065-00019				Poly-Set	\$68.50	\$34,250.00	stk	
B-6	2000	ea	Arrestor Protective Cap	M285-003-00008								
B-7	2000	ea	1/0 H-Tap Copper Connector	M285-022-00003				Blackburn	\$1.45	\$2,900.00	stk	
B-8	500	ea	Small Hotline Clamp	M285-047-00027				Maclean	\$6.25	\$3,125.00	stk	
Group B Recommended Award Total												
Group "C" Materials - Pad-mount Enclosure Junction Boxes & Pull Boxes												
C-1	15	ea	Pull Box, 36x60x48	285-045-00007								
C-2	20	ea	Pull Box, 48x96x48	285-045-00008								
C-3	12	ea	Pull Box Extension 24" for 48x96x48	285-045-00012								
C-4	300	ea	Secondary Pedestal	285-045-00009								
C-5	5	ea	Torsion Assist Lids	285-045-00013								
Group C Recommended Award Total												
Group D - Crossarm Braces												
D-1	60	ea	HD Dead End 8'	285-047-00088	Dis-Tran	\$178.06	\$10,683.60	2-3 wks	Aluma-Form	\$201.00	\$12,060.00	4 wks
D-2	150	ea	Standard Duty Crossarm 8'	285-047-00093	Dis-Tran	\$116.17	\$17,425.50	2-3 wks	Aluma-Form	\$96.00	\$14,400.00	4 wks
D-3	100	ea	Standard Duty Crossarm 10'	285-047-00094	Dis-Tran	\$142.53	\$14,253.00	2-3 wks	Aluma-Form	\$110.00	\$11,000.00	4 wks
D-4	20	ea	HD Deadend 10'	285-047-00099	Dis-Tran	\$210.41	\$4,208.20	2-3 wks	Aluma-Form	\$227.00	\$4,540.00	4 wks
Group D Recommended Award Total												
Group E - Streetlight Fixtures												
E-1	50	ea	LED Cobrahead Light Fixture, LED 50	285-056-00015								
E-2	50	ea	LED Cobrahead Light Fixture, LED 130	285-056-00017								
E-3	50	ea	LED Cobrahead Light Fixture, LED 210	285-056-00018								
Group E Recommended Award Total												
Group F - Motor Operators												
E-1	10	ea	ADMO Class Motor Operator - Reciprocating Motion	285-079-00014								
E-2	15	ea	ADMO Class Motor Operator - Torsional Motion	285-079-00015								
Group F Recommended Award Total												
Total Recommended Award Amount				\$0.00				\$0.00				
Certification of Bid				Y				Y				
Addendums Acknowledged				N				Y				
Exceptions				Prices firm for 30 days								

Notes:

- Letter of no bid received from TEC Soloman

Item

- A-9 Awarded to Techline. Anixter bid wrong part number
- A-15 Awarded to Techline. TEC unable to honor incorrect price
- B-6 Item not being awarded at this time
- B-7 Awarded to Techline instead of Irby to reduce number of overall contracts to manage by City Staff. Price difference did not warrant the resources needed to manage contract for one item.
- D-1 Awarded to Techline, arm has 17,000 lb load rating. Dis-Tran has 11,000 lb load rating. Wesco alternate and KBS alternate have 12,500 lb load rating.
- D-3 Awarded to Techline. TEC bid wrong part number. Anixter bid wrong part number.
- D-4 Awarded to Techline, arm has 13,450 load rating. Anixter bid wrong part number. KBS alternate has 11,000 lb load rating.



Legislation Details (With Text)

File #:	17-0349	Version:	1	Name:	Annual bid for Electric Meters and Sockets
Type:	Presentation	Status:		Status:	Consent Agenda
File created:	7/7/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on a bid award for the annual blanket order for electric meters and sockets, to be stored in inventory, as follows: Anixter: \$58,500; Priester-Mell & Nicholson: \$203,768.70; KBS Electric Dist.: \$37,237.50. Total estimated annual expenditure is \$299,506.20.				
Sponsors:	Mary Ellen Leonard				
Indexes:					
Code sections:					
Attachments:	Copy of 17-054 Tabulation 7.7				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a bid award for the annual blanket order for electric meters and sockets, to be stored in inventory, as follows: Anixter: \$58,500; Priester-Mell & Nicholson: \$203,768.70; KBS Electric Dist.: \$37,237.50. Total estimated annual expenditure is \$299,506.20.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure

Recommendation(s): Staff recommends awards to the lowest responsible bidder meeting specifications for annual estimated expenditures totaling \$299,506.20.

1.	Anixter	\$ 58,500.00
2.	Priester-Mell & Nicholson	\$203,768.70
3.	KBS Electric Dist.	\$ 37,237.50

Summary: These purchases will be made as needed during the term of the agreement. The various electrical meters and sockets are maintained in Electrical Inventory in an inventory account and expensed as necessary during the agreement period. The purchasing agreement period shall be for one (1) year with the option to renew for two additional one-year periods.

Budget & Financial Summary: Nine (9) sealed, competitive bids were received and opened on June 13, 2017. Award is being recommended by meter group, except for item B-9, which was not bid by the awarded vendor for group B. Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #17-054

City of College Station - Purchasing Division
Bid Tabulation for # 17-054
"Annual Purchase of Electric Meters and Sockets"
Open Date: Tuesday, June 13, 2017 @ 2:00 p.m.

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

					Anixter				Summitt Electric			
					Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
Group A - Meter Sockets												
A-1	50	ea	Meter Socket, Overhead, 200 amp	285-063-00003	Milbank	\$28.95	\$1,447.50	3-4 wks	Milbank	\$29.00	\$1,450.00	2-3 wks
A-2	500	ea	Meter Socket, Underground, 200 amp	285-063-00004	Milbank	\$29.47	\$14,735.00	7-10 days	Milbank	\$29.25	\$14,625.00	2-4 wks
A-3	30	ea	Meter Socket, URD or O/H, 320 amp	285-063-00006	Milbank	\$157.00	\$4,710.00	4-6 wks	Milbank	\$159.00	\$4,770.00	4-6 wks
A-4	30	ea	Meter Socket, Underground, 200 amp	285-063-00008	Milbank	\$105.00	\$3,150.00	4-6 wks	Milbank	\$106.00	\$3,180.00	2-3 wks
A-5	50	ea	Meter Socket Bases, 13 Terminal	285-063-00011	Milbank	\$175.00	\$8,750.00	4-6 wks	Milbank	\$177.00	\$8,850.00	4-6 wks
A-6	10	ea	Meter Socket, Duplex Type	285-063-00013	Milbank	\$117.56	\$1,175.60	7-10 wks	Milbank	\$115.00	\$1,150.00	2-3 wks
Group A Recommended Award Total												
Group B - Meters												
B-1	800	ea	Electric Meter, Class 200 no Demand	285-061-00064	Aclara	\$27.85	\$22,280.00	4-6 wks				
B-2	20	ea	Electric Meter, Class 20 w Demand	285-061-00008	Aclara	\$85.00	\$1,700.00	4-6 wks				
B-3	40	ea	Electric Meter, Class 320 w Demand	285-061-00005	Aclara	\$85.00	\$3,400.00	4-6 wks				
B-4	80	ea	Electric Meter, Class 20 w Demand	285-061-00050	Aclara	\$144.00	\$11,520.00	4-6 wks				
B-5	50	ea	Electric Meter, Class 200 w Demand	285-061-00052	Aclara	\$144.00	\$7,200.00	4-6 wks				
B-6	800	ea	Electric Meter, Class 200 w Demand	285-061-00056	Aclara	\$97.00	\$77,600.00	4-6 wks				
B-7	800	ea	Electric Meter, Class 200 w Demand	285-061-00058	Aclara	\$144.00	\$115,200.00	4-6 wks				
B-8	12	ea	Electric Meter, Class 320 w Demand	285-061-00060	Aclara	\$148.00	\$1,776.00	4-6 wks				
B-9	25	ea	Transmission Revenue Meter	285-061-00066	SEL	\$2,340.00	\$58,500.00	stock				
Group B Recommended Award Total					\$58,500.00							
Total Recommended Award Amount					\$58,500.00				\$0.00			
Certification of Bid					Y				Y			
Exceptions					Vendor T&Cs attached.							

Vendor provided no MFG Catalog number for cross reference - bid for these items is considered incomplete.

Notes:
Letter of No Bid received from TEC Solomon

Item
A-4 Group A being awarded as a whole to one vendor
A-5 Group A being awarded as a whole to one vendor
B-2 Group B being awarded as a whole to one vendor (with the exception of Item B9)

City of College Station - Purchasing Division
Bid Tabulation for # 17-054
"Annual Purchase of Electric Meters and Sockets"
Open Date: Tuesday, June 13, 2017 @ 2:00 p.m.

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

						Texas Electric Cooperatives				Priester-Mell & Nicholson			
						Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
Group A - Meter Sockets													
A-1	50	ea	Meter Socket, Overhead, 200 amp	285-063-00003		Milbank	\$29.00	\$1,450.00	3-4 wks	Milbank	\$30.00	\$1,500.00	3-4 wks
A-2	500	ea	Meter Socket, Underground, 200 amp	285-063-00004		Milbank	\$29.00	\$14,500.00	1-2 wks	Milbank	\$32.00	\$16,000.00	3-4 wks
A-3	30	ea	Meter Socket, URD or O/H, 320 amp	285-063-00006		Milbank	\$160.04	\$4,801.20	5-6 wks	Milbank	\$201.00	\$6,030.00	3-4 wks
A-4	30	ea	Meter Socket, Underground, 200 amp	285-063-00008		Milbank	\$106.92	\$3,207.60	1-2 wks	Milbank	\$114.00	\$3,420.00	3-4 wks
A-5	50	ea	Meter Socket Bases, 13 Terminal	285-063-00011		Milbank	\$178.68	\$8,934.00	5-6 wks	Milbank	\$249.00	\$12,450.00	3-4 wks
A-6	10	ea	Meter Socket, Duplex Type	285-063-00013		Milbank	\$117.57	\$1,175.70	1-2 wks	Milbank	\$161.00	\$1,610.00	3-4 wks
Group A Recommended Award Total													
Group B - Meters													
B-1	800	ea	Electric Meter, Class 200 no Demand	285-061-00064						Itron	\$23.89	\$19,112.00	
B-2	20	ea	Electric Meter, Class 20 w Demand	285-061-00008						Itron	\$97.50	\$1,950.00	
B-3	40	ea	Electric Meter, Class 320 w Demand	285-061-00005						Itron	\$97.50	\$3,900.00	
B-4	80	ea	Electric Meter, Class 20 w Demand	285-061-00050						Itron	\$134.89	\$10,791.20	
B-5	50	ea	Electric Meter, Class 200 w Demand	285-061-00052						Itron	\$134.89	\$6,744.50	
B-6	800	ea	Electric Meter, Class 200 w Demand	285-061-00056						Itron	\$106.49	\$85,192.00	
B-7	800	ea	Electric Meter, Class 200 w Demand	285-061-00058						Itron - Centron	\$92.77	\$74,216.00	
B-8	12	ea	Electric Meter, Class 320 w Demand	285-061-00060						Itron	\$155.25	\$1,863.00	
B-9	25	ea	Transmission Revenue Meter	285-061-00066									
Group B Recommended Award Total										B7-Alt/ Sentinel	\$183.00	\$ 146,400.00	
										\$203,768.70			
Total Recommended Award Amount						\$0.00				\$203,768.70			
Certification of Bid						Y				Y			
Exceptions						Vendor T&Cs attached.							

Notes:
Letter of No Bid received from TEC Solomon

- Item
- A-4 Group A being awarded as a whole to one vendor
 - A-5 Group A being awarded as a whole to one vendor
 - B-2 Group B being awarded as a whole to one vendor (with the exception of Item B9)

City of College Station - Purchasing Division
Bid Tabulation for # 17-054
"Annual Purchase of Electric Meters and Sockets"
Open Date: Tuesday, June 13, 2017 @ 2:00 p.m.

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

						Texas Meter & Device				Wesco			
						Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
Group A - Meter Sockets													
A-1	50	ea	Meter Socket, Overhead, 200 amp	285-063-00003		Milbank	\$33.75	\$1,687.50	3 wks	Durham	\$34.00	\$1,700.00	8-10 wks
A-2	500	ea	Meter Socket, Underground, 200 amp	285-063-00004		Milbank	\$34.00	\$17,000.00	1 wk	Durham	\$51.00	\$25,500.00	8-10 wks
A-3	30	ea	Meter Socket, URD or O/H, 320 amp	285-063-00006		Milbank	\$184.00	\$5,520.00	5 wks	Durham	\$181.00	\$5,430.00	8-10 wks
A-4	30	ea	Meter Socket, Underground, 200 amp	285-063-00008		Milbank	\$123.00	\$3,690.00	1 wk	Durham	\$138.00	\$4,140.00	8-10 wks
A-5	50	ea	Meter Socket Bases, 13 Terminal	285-063-00011		Milbank	\$206.00	\$10,300.00	5 wks	Durham	\$170.00	\$8,500.00	8-10 wks
A-6	10	ea	Meter Socket, Duplex Type	285-063-00013		Milbank	\$136.00	\$1,360.00	1 wk	Durham	\$180.00	\$1,800.00	8-10 wks
Group A Recommended Award Total													
Group B - Meters													
B-1	800	ea	Electric Meter, Class 200 no Demand	285-061-00064						Elster/Honeywell	\$80.00	\$64,000.00	8 wks
B-2	20	ea	Electric Meter, Class 20 w Demand	285-061-00008						Elster/Honeywell	\$96.00	\$1,920.00	8 wks
B-3	40	ea	Electric Meter, Class 320 w Demand	285-061-00005									
B-4	80	ea	Electric Meter, Class 20 w Demand	285-061-00050						Elster/Honeywell	\$156.00	\$12,480.00	8 wks
B-5	50	ea	Electric Meter, Class 200 w Demand	285-061-00052						Elster/Honeywell	\$156.00	\$7,800.00	8 wks
B-6	800	ea	Electric Meter, Class 200 w Demand	285-061-00056						Elster/Honeywell	\$120.00	\$96,000.00	8 wks
B-7	800	ea	Electric Meter, Class 200 w Demand	285-061-00058						Elster/Honeywell	\$120.00	\$96,000.00	8 wks
B-8	12	ea	Electric Meter, Class 320 w Demand	285-061-00060						Elster/Honeywell	\$180.00	\$2,160.00	8 wks
B-9	25	ea	Transmission Revenue Meter	285-061-00066						SEL	\$2,479.00	\$61,975.00	12-17 wks
Group B Recommended Award Total													
Total Recommended Award Amount						\$0.00				\$0.00			
Certification of Bid						Y							
Exceptions													

Notes:
Letter of No Bid received from TEC Solomon

Item
A-4 Group A being awarded as a whole to one vendor
A-5 Group A being awarded as a whole to one vendor
B-2 Group B being awarded as a whole to one vendor (with the exception of Item B9)

City of College Station - Purchasing Division
Bid Tabulation for # 17-054
"Annual Purchase of Electric Meters and Sockets"
Open Date: Tuesday, June 13, 2017 @ 2:00 p.m.

	Bid total was corrected using the unit price
	Recommended Award
	Low Bid not acceptable or did not meet specifications
	Exceptions as listed below

					Wesco (Alternate)				Techline			
					Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
Group A - Meter Sockets												
A-1	50	ea	Meter Socket, Overhead, 200 amp	285-063-00003	Milbank	\$29.30	\$1,465.00	6-8 wks	Durham	\$32.00	\$1,600.00	8-10 wks
A-2	500	ea	Meter Socket, Underground, 200 amp	285-063-00004	Milbank	\$34.00	\$17,000.00	6-8 wks	Durham	\$46.25	\$23,125.00	8-10 wks
A-3	30	ea	Meter Socket, URD or O/H, 320 amp	285-063-00006	Milbank	\$160.00	\$4,800.00	6-8 wks	Durham	\$164.50	\$4,935.00	8-10 wks
A-4	30	ea	Meter Socket, Underground, 200 amp	285-063-00008	Milbank	\$115.00	\$3,450.00	6-8 wks	Durham	\$125.00	\$3,750.00	8-10 wks
A-5	50	ea	Meter Socket Bases, 13 Terminal	285-063-00011	Milbank	\$174.00	\$8,700.00	6-8 wks	Durham	\$156.50	\$7,825.00	8-10 wks
A-6	10	ea	Meter Socket, Duplex Type	285-063-00013	Milbank	\$126.00	\$1,260.00	6-8 wks	Durham	\$169.00	\$1,690.00	8-10 wks
Group A Recommended Award Total												
Group B - Meters												
B-1	800	ea	Electric Meter, Class 200 no Demand	285-061-00064								
B-2	20	ea	Electric Meter, Class 20 w Demand	285-061-00008								
B-3	40	ea	Electric Meter, Class 320 w Demand	285-061-00005								
B-4	80	ea	Electric Meter, Class 20 w Demand	285-061-00050								
B-5	50	ea	Electric Meter, Class 200 w Demand	285-061-00052								
B-6	800	ea	Electric Meter, Class 200 w Demand	285-061-00056								
B-7	800	ea	Electric Meter, Class 200 w Demand	285-061-00058								
B-8	12	ea	Electric Meter, Class 320 w Demand	285-061-00060								
B-9	25	ea	Transmission Revenue Meter	285-061-00066								
Group B Recommended Award Total												
Total Recommended Award Amount					\$0.00				\$0.00			
Certification of Bid												
Exceptions												

Specified Milbank Only

Notes:
Letter of No Bid received from TEC Solomon

Item
A-4 Group A being awarded as a whole to one vendor
A-5 Group A being awarded as a whole to one vendor
B-2 Group B being awarded as a whole to one vendor (with the exception of Item B9)

City of College Station - Purchasing Division
Bid Tabulation for # 17-054
"Annual Purchase of Electric Meters and Sockets"
Open Date: Tuesday, June 13, 2017 @ 2:00 p.m.

Bid total was corrected using the unit price
Recommended Award
Low Bid not acceptable or did not meet specifications
Exceptions as listed below

						KBS Electric Dist.				Schneider Electric			
						Manufacturer	Unit Price	Total Price	Delivery	Manufacturer	Unit Price	Total Price	Delivery
Group A - Meter Sockets													
A-1	50	ea	Meter Socket, Overhead, 200 amp	285-063-00003		Milbank	\$27.95	\$1,397.50	3-4 wks				
A-2	500	ea	Meter Socket, Underground, 200 amp	285-063-00004		Milbank	\$28.60	\$14,300.00	3-4 wks				
A-3	30	ea	Meter Socket, URD or O/H, 320 amp	285-063-00006		Milbank	\$156.00	\$4,680.00	3-4 wks				
A-4	30	ea	Meter Socket, Underground, 200 amp	285-063-00008		Milbank	\$105.50	\$3,165.00	3-4 wks				
A-5	50	ea	Meter Socket Bases, 13 Terminal	285-063-00011		Milbank	\$251.00	\$12,550.00	3-4 wks				
A-6	10	ea	Meter Socket, Duplex Type	285-063-00013		Milbank	\$114.50	\$1,145.00	3-4 wks				
Group A Recommended Award Total								\$37,237.50					
Group B - Meters													
B-1	800	ea	Electric Meter, Class 200 no Demand	285-061-00064									
B-2	20	ea	Electric Meter, Class 20 w Demand	285-061-00008									
B-3	40	ea	Electric Meter, Class 320 w Demand	285-061-00005									
B-4	80	ea	Electric Meter, Class 20 w Demand	285-061-00050						Schneider Electric	\$1,884.32	\$150,745.60	4 weeks
B-5	50	ea	Electric Meter, Class 200 w Demand	285-061-00052									
B-6	800	ea	Electric Meter, Class 200 w Demand	285-061-00056									
B-7	800	ea	Electric Meter, Class 200 w Demand	285-061-00058									
B-8	12	ea	Electric Meter, Class 320 w Demand	285-061-00060									
B-9	25	ea	Transmission Revenue Meter	285-061-00066						Schneider Electric	\$1,950.00	\$48,750.00	
Group B Recommended Award Total													
Total Recommended Award Amount								\$37,237.50				\$0.00	
Certification of Bid													
Exceptions										Vendor T&Cs attached. No delivery time listed for Item B9.			
										Not a Valid Alternative to SEL Meter			

Notes:

Letter of No Bid received from TEC Solomon

Item

- A-4 Group A being awarded as a whole to one vendor
- A-5 Group A being awarded as a whole to one vendor
- B-2 Group B being awarded as a whole to one vendor (with the exception of Item B9)



Legislation Details (With Text)

File #:	17-0345	Version:	1	Name:	BVCAP CDBG Contract
Type:	Contract	Status:		Status:	Consent Agenda
File created:	7/7/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on approving a contract granting Community Development Partnership Grant (CDBG) funds to Brazos Valley Community Action Programs in the amount of \$200,000 for the acquisition of a four bedroom, single-family home located at 1112 Waynesboro Court that will maintained as an affordable rental unit for an income-eligible household.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:	BVCAP CDBG Funding Agreement Location Map				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on approving a contract granting Community Development Partnership Grant (CDBG) funds to Brazos Valley Community Action Programs in the amount of \$200,000 for the acquisition of a four bedroom, single-family home located at 1112 Waynesboro Court that will maintained as an affordable rental unit for an income-eligible household.

Relationship to Strategic Goals: (Select all that apply)

- Financially Sustainable City
- Core Services and Infrastructure
- Neighborhood Integrity

Recommendation(s):

Staff recommends approval of this Contract.

Summary:

The City of College Station annually receives the Community Development Block Grant (CDBG) from the U. S. Department of Housing and Urban Development. CDBG is utilized to address the growing need for more affordable, decent housing units, creating a suitable living environment, and expanding economic opportunities, principally for low- and moderate-income residents. RFP 17-058 was released seeking proposals to develop affordable housing.

Three responses were received, including a proposal from Brazos Valley Community Action Programs. Brazos Valley Community Action Programs currently has a rental program that includes ownership and management of twelve (12) units of affordable rental units. The proposal submitted

includes the expansion their current rental program to include a four bedroom, single-family home located at 1112 Waynesboro Court. This contract will grant funds to Brazos Valley Community Action Programs in the amount of \$200,000.00 for acquisition expenses. Affordability will be secured for a fifteen (15) year period with the execution of a Land Use Restriction Agreement. Proceeds from previous Community Housing Development Organization will be used to complete rehabilitation, as needed.

Budget & Financial Summary:

This contract commits \$200,000 of unobligated CDBG funds from Program Years 2016. These funds will be provided to Brazos Valley Community Action Programs on a reimbursement basis and are budgeted and available through the Community Development FY 2017 (PY 2016) federal Community Development Block Grant Program budget.

Attachments:

Attachment 1: Contract

Attachment 2: Location Map

**CITY OF COLLEGE STATION COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDING CONTRACT WITH
BRAZOS VALLEY COMMUNITY ACTION PROGRAMS**

This Contract is by and between the CITY OF COLLEGE STATION, a Home Rule Municipal Corporation incorporated under the laws of the State of Texas (hereinafter referred to as the "City"), and **BRAZOS VALLEY COMMUNITY ACTION PROGRAMS** a private non-profit agency (hereinafter referred to as "Agency").

WHEREAS, the City has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended (HCD Act), Public Law 93-383; and

WHEREAS, the City wishes to engage Agency in utilizing such funds; and

WHEREAS, the City desires to assist Agency in the acquisition and rehabilitation of housing units for the purpose of providing affordable rental units for income eligible tenants through funds provided by the Community Development Block Grant (*Federal Award Identification CFDA 14-218 and Federal Award Date 10/1/2016*) (hereinafter referred to as "CDBG") program administered by the U.S. Department of Housing and Urban Development (hereinafter referred to as "HUD");

NOW, THEREFORE, FOR AND IN CONSIDERATION of funding in an amount not to exceed TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) to be paid to Agency by the City as set forth herein below, the City and Agency covenant and agree as follows:

**ARTICLE I
STATEMENT OF WORK**

1.1 Through its Program, Agency will provide one (1) 4-bedroom affordable rental unit in the City of College Station to be rented to low-and moderate income households. Agency shall provide services as specified in the Detailed Statement of Work attached as Exhibit A. Agency shall provide such services utilizing CDBG funds as specified in the Budget attached as Exhibit B.

**ARTICLE II
PAYMENT**

2.1 During the term of this contract, City shall reimburse Agency, in an amount not to exceed TWO HUNDRED THOUSAND DOLLARS (\$200,000.00), for services or expenditures as referenced in Article I of this Contract.

2.2 No funds will be reimbursed until City receives the Reimbursement Request Form along with all required receipts, bills, payroll records, canceled checks and other proofs of expenditures, as determined by City, in its sole discretion. Agency may not request disbursement

Contract Number: _____ CDBG Funding Contract: 2017 – 2018

of funds under this contract until the funds are needed for payment of eligible costs. The amount of each request must be limited to the amount of money needed to pay eligible costs actually incurred, and may not include amounts for prospective or future needs. Unexpended funds will remain in the possession of City.

2.3 This Contract and the payments made herein, are contingent upon receipt by City of U.S. Department of Housing and Urban Development Community Development Block Grant funds and the City of College Station City Council funding approval. Should funds be unavailable, discontinued or disapproved, this Contract may be revised or terminated as determined by the HUD or the City, in their sole discretion.

2.4 The City retains the right, in its sole discretion, to recapture and seek full reimbursement from Agency for any funds used for prohibited activities, prohibited purposes, or usages of funds which cause a breach of this Contract.

ARTICLE III TERM

3.1 The term of this Contract shall commence upon execution and the Project shall be completed by October 30, 2018, or until the date in which funds awarded by the City are completely expended by Agency, unless the Contract is terminated as provided for herein. This Contract will remain valid throughout the "Period of Affordability", which will be fifteen (15) years.

3.2 Enforcement of Affordability. City shall provide a legally enforceable contract consisting of a Land Use Restriction Agreement ("LURA"), containing remedies adequate to enforce the fifteen (15) year affordability period for each activity assisted under this contract, to be recorded in the real property records of Brazos County.

3.2 The term of this Contract may be extended by mutual agreement of the parties, in writing, provided that the City has approved and budgeted sufficient funds from the current budget year to satisfy any additional expenditures that result from such extension.

ARTICLE IV BENEFICIARY POPULATIONS

4.1 Direct services provided through programs supported by CDBG shall target applicants whose annual family income is at or below 80% of the median family income for the College Station Metropolitan Statistical Area as established by the U.S. Department of Housing and Urban Development Income Limits attached as Exhibit F. 100% of the clients served through this program must be determined to be at or below 80% of the median family income.

4.2 Annually or as tenant occupancy changes, whichever occurs earlier, the Agency will submit to the City a copy of the lease and proof of income of the tenants occupying the units. This information will be submitted for the duration of the affordability period as noted in the Land

Use Restriction Agreement.

4.3 Agency agrees not to prohibit a Section 8 tenant from occupying a funded unit. Agency is not prohibited from conducting a background check on credit history or criminal history.

ARTICLE V PROGRAM INCOME

5.1 Agency shall report annually all program income (as defined at 24 CFR 570.500(a)) generated by activities carried out with CDBG funds made available under this Contract. The use of program income by the Agency shall comply with the requirements set forth at 24 CFR 570.504. By way of further limitations, Agency may use such income during the contract period for activities permitted under this contract and shall reduce requests for additional funds by the amount of any such program income balances on hand. All unexpended program income shall be returned to the City at the end of the contract period. Any interest earned on cash advances from the U.S. Treasury and from funds held in a revolving fund account is not program income and shall be remitted promptly to the City.

ARTICLE VI RECORDS, REPORTS AND MONITORING

6.1 Agency shall maintain fiscal records and supporting documents in the form of receipts, canceled checks, payroll records, employee time sheets and other mutually agreed upon documentation to verify all expenditures of funds under the terms of this Contract. Said documentation shall conform to HUD and the City's accounting practices, OMB Circular A-87, and HUD regulation 24 C.F.R. § 85 (2009) as they currently are enacted or as amended. Said documentation shall conform to revised OMB Circular Title 2, Uniform Administrative Requirements, Cost Principles for Nonprofit Organizations, and Audit Requirements for Federal Awards, which supersedes and combines the requirements of eight existing OMB Circulars (A-21, A-50, A-87, A-89, A-102, A-110, A-122 and A-133).

6.2 Agency shall maintain written records and supporting documents as required under this Contract for all applicable, generally accepted, and required administrative and operating policies. Agency shall maintain such records, accounts, reports, files or other documents for a minimum of four (4) years beginning with the submission of the Consolidated Annual Performance and Evaluation Report for the fiscal year 2017 - 2018. City and HUD's right to access Agency's files shall continue during this period and for as long as the records are retained past the minimum four (4) year period by Agency.

6.3 Agency shall provide the City and HUD representative reasonable access during regular business hours to any financial records, client records, administrative reports, board documentation, files or other papers belonging to or in use by Agency.

6.4 Verification of Income. Verification of income for CDBG assisted unit tenants will be pursuant to 24 C.F.R 5.609.

CDBG Funding Contract: 2017 – 2018

6.5 Agency shall ensure the affordability of each unit by ensuring that households pay no more than 25 percent of their income for rent.

6.6 Rents may not exceed the maximum high HOME rents published annually by HUD (“Exhibit H”).

6.7 The City reserves the right to carry out regular and periodic field inspections to ensure compliance with the requirements of this Contract. After each monitoring visit, City shall provide Agency with a written report of the monitor’s findings. If the monitoring reports note deficiencies in Agency’s performances under the terms of this Contract, the monitoring report shall include requirements for the timely correction of such deficiencies by Agency. Failure by Agency to take action specified in the monitoring report may be cause for suspension or termination of this Contract as provided in Article VII of this Contract. In addition to the limitations on liability otherwise specified in this Contract, it is expressly understood and agreed by the Parties hereto that if Agency fails to promptly submit to City any report required by this Contract, City may, at its sole option and in its sole discretion, withhold any or all payments otherwise due or requested by Agency hereunder. If City withholds such payments, it shall notify Agency in writing of its decision and the reasons therefore. Payments withheld pursuant to this paragraph may be held by City until such time as Agency fully cures or performs any and all delinquent obligations which are identified as the reason funds are withheld.

6.8 Agency shall submit activity reports to the City on an annual basis, with information on rents and occupancy. The format of such reports shall be prescribed by City. Annual reports will be due no later than October 30th of each year.

ARTICLE VII CONTRACT SUSPENSION/TERMINATION

7.1 The City has the right to terminate this Contract, in whole or in part, at any time if the City determines that Agency has failed to comply with any part of this Contract or if funds are unavailable, discontinued or disapproved, as determined by the City or HUD, at their sole discretion. In addition, the City has the right, in its sole discretion, to terminate this Contract if it determines that the information contained in its application for CDBG funding was materially incorrect, if the City determines that Agency is not delivering the services approved in its application for CDBG funding, if Agency fails to file the reports required under Article VII of this Contract, or if Agency fails to fulfill any other obligations required under this Contract.

7.2 The City shall notify Agency, in writing, thirty (30) days prior to the date of termination. The notice shall include the reason for termination and the effective date of termination.

7.3 The City retains the right to terminate this Contract, in whole or in part, at any time, for convenience.

7.4 Either party to this Contract has the right to terminate this Contract, in whole or in part, upon the mutual written agreement of the parties that the continuation of the activities funded under this Contract would not produce beneficial results commensurate with the further expenditure of funds.

ARTICLE VIII REVERSION OF ASSETS

8.1 Upon the expiration of the term of this Contract, the Agency shall transfer to City any CDBG Grant funds on hand at the time of expiration and any accounts receivable attributable to the use of Grant funds. Any real property under Agency's control that was acquired or improved in whole or in part with Grant funds in excess of \$25,000 shall:

(a) be used to meet one of the national objectives of the Federal CDBG until five (5) years after expiration of this Contract, or for such a longer period of time as determined to be appropriate by the City; OR

(b) be disposed of in a manner which results in City being reimbursed in the amount of the fair market value of the property less any portion thereof attributable to expenditures of non-CDBG funds for acquisition of or improvement to the property. Such reimbursement is not required after the period of time specified above.

ARTICLE IX ADMINISTRATIVE REQUIREMENTS

9.1 City and Agency agree to perform their duties in relation to this Contract in compliance with all applicable HUD regulations.

9.2 Agency shall administer this Contract in compliance with U.S. Department of Housing and Urban Development applicable Uniform Administrative Requirements 24 C.F.R. § 84 and 24 C.F.R. § 85, as described in 24 C.F.R. § 570.502 (2009).

9.3 Agency shall comply, as related to CDBG provisions, with the requirements and standards of revised OMB Circular Title 2, Uniform Administrative Requirements, Cost Principles for Nonprofit Organizations, and Audit Requirements for Federal Awards, which supersedes and combines the requirements of eight existing OMB Circulars (A-21, A-50, A-87, A-89, A-102, A-110, A-122 and A-133).

9.4 Nonprofit agencies that receive at least seven hundred fifty thousand dollars (\$750,000) a year in Federal Awards shall have an audit made in accordance with the requirements set forth in OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations). In order to meet those requirements any subrecipient receiving over \$750,000 will provide a financial audit within three (3) months of the ending of their fiscal year covered by this Contract.

ARTICLE X NONDISCRIMINATION

10.1 Agency hereby agrees and binds itself that no person shall, on the ground of race, color, national origin, religion, sex, age or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, such as is provided under this Contract, in compliance with Public Law 88-352 (Civil Rights Act of 1964) and amendments and Section 109 of the Housing and Community Development Act of 1974.

10.2 In accordance with Public Law 90-284, Fair Housing Act, Title VIII of the Civil Rights Act of 1968, Agency hereby agrees and binds itself that no person shall, on the ground of race, color, religion (creed), national origin, sex, age, disability or familial status be discriminated against in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including otherwise making unavailable or denying a dwelling to any person. Moreover, Agency certifies that it will affirmatively further fair housing.

10.3 In accordance with Executive Order 11063, as amended by Executive Order 12259, Agency hereby agrees and binds itself that it shall take all action necessary and appropriate to prevent discrimination because of race, color, religion (creed), national origin, sex, age, handicap or familial status in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use or occupancy thereof.

ARTICLE XI ENVIRONMENTAL CLEARANCE REQUIREMENTS

11.1 Agency understands and agrees that by the execution of this Contract, City shall assume the responsibilities for environmental review, decision making, and other action which would otherwise apply to City in accordance with and to the extent specified in 24 C.F.R. § 58 (2009). In accordance with 24 C.F.R. § 58.77(b) (2009), Agency further understands and agrees that City shall handle inquiries and complaints from persons and agencies seeking redress in relation to environmental reviews covered by approved certifications.

11.2 City shall prepare and maintain a written Environmental Review Record for this project in accordance with 24 C.F.R. § 58 (2009) to ensure compliance with the National Environmental Policy Act (NEPA). Agency must also maintain a copy of the Environmental Review Record in Agency's project file. City shall document its compliance with such other requirements in its environmental review file.

ARTICLE XII PERSONNEL & PARTICIPANT CONDITIONS

12.1 In accordance with Executive Order 11246, as amended by Executive Orders 12086, 11375, 11478, 12107 and the regulations issued pursuant thereto, Agency hereby agrees and binds itself that no person shall, on the ground of race, color, religion (creed), national origin, sex, age, reprisal or disability be discriminated against in any phase of employment during the performance of this Contract. Further, Agency shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay, or other forms of compensation and selection for training and apprenticeship.

12.2 In accordance with Section 3 of the Housing and Urban Development Act of 1968, Agency agrees that, to the greatest extent feasible, opportunities for training and employment will be given to low and moderate income persons residing within the City of College Station, and, to the greatest extent feasible, contracts for work in connection with the project will be awarded to eligible business concerns which are located in or owned by persons residing in the City of College Station.

12.3 Agency will use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this Contract. As used in this Contract, the terms "small business" means a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and "minority and women's business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are Afro-Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian-Americans, and American Indians. Agency may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

12.4 Agency is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.

12.5 Labor Standards - Agency agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Contract. Agency agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. Agency shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the City for review upon request. Agency agrees that, except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors engaged under contracts in excess of \$2,000.00 for construction, renovation or repair work financed in whole or in part with

assistance provided under this contract, shall comply with Federal requirements adopted by the City pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve Agency of its obligation, if any, to require payment of the higher wage. Agency shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

12.6 “Section 3” Clause - Compliance with the provisions of Section 3 of the HUD Act of 1968, as amended, and as implemented by the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this contract, shall be a condition of the Federal financial assistance provided under this contract and binding upon the City, Agency and any of the Agency’s subrecipients and subcontractors. Failure to fulfill these requirements shall subject the City, Agency and any of Agency’s subrecipients and subcontractors, their successors and assigns, to those sanctions specified by the Contract through which Federal assistance is provided. Agency certifies and agrees that no contractual or other disability exists that would prevent compliance with these requirements.

Agency further agrees to comply with these “Section 3” requirements and to include the following language in all subcontracts executed under this Contract:

“The work to be performed under this Contract is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing in the metropolitan area in which the project is located.”

Agency further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to business concerns that provide economic opportunities to low- and very low-income residents within the service area or the neighborhood in which the project is located, and to low-

and very low-income participants in other HUD programs. Agency certifies and agrees that no contractual or other legal incapacity exists that would prevent compliance with these requirements.

Agency agrees to send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker's representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

Agency will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. Agency will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

12.7 Subcontracts - Agency shall not enter into any subcontracts with any agency or individual in the performance of this contract without the written consent of the City prior to the execution of such agreement. Agency will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized in written reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance. Agency shall cause all of the provisions of this contract in its entirety to be included in and made a part of any subcontract executed in the performance of this Contract. Agency shall undertake to insure that all subcontracts let in the performance of this Contract shall be awarded on a fair and open competition basis in accordance with applicable procurement requirements. Executed copies of all subcontracts shall be forwarded to the City along with documentation concerning the selection process.

12.8 Hatch Act - Agency agrees that no funds provided, nor personnel employed under this Contract, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

12.9 Lobbying – Agency hereby certifies that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or

employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

- c. It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly:
- d. Lobbying Certification: This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

ARTICLE XIII

ARCHITECTURAL BARRIERS ACT AND AMERICANS WITH DISABILITIES ACT

13.1 In accordance with the Architectural Barriers Act of 1968 42 U.S.C. §§ 4151-4157 (2009), Agency agrees to abide by laws and regulations requiring certain Federal and Federally funded buildings and other facilities to be designed, constructed, or altered.

13.2 In accordance with standards that ensure accessibility to, and use by, persons with physical disabilities. A building or facility designed, constructed, or altered with funds allocated or reallocated under this part after December 11, 1995, and that meets the definition of "residential structure" as defined in 24 C.F.R. § 40.2 (2009) or the definition of "building" as defined in 41 C.F.R. §101-19.602(a) (2009) is subject to the requirements of this Act and shall comply with the Uniform Federal Accessibility Standards.

13.3 In accordance with the Americans with Disabilities Act 42 U.S.C. §12131 (2009); 47 U.S.C. §§ 155, 201, 218 and 225 (2009) (ADA), the Agency agrees to comply with the provision of comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. Discrimination includes a failure to design and construct facilities for first occupancy no later than January 26, 1993 that are readily accessible to and usable by individuals with disabilities. Further, the ADA requires the removal of architectural barriers and communication barriers that are structural in nature in existing facilities, where such removal is readily achievable.

**ARTICLE XIV
USE OF DEBARRED, SUSPENDED, INELIGIBLE CONTRACTORS OR
SUBRECIPIENTS**

14.1 Agency agrees and binds itself that it has not and will not directly or indirectly employ, award contracts to, or otherwise engage the services of any other contractor or subrecipient of CDBG monies during any period of that contractor's or subrecipient's debarment, suspension, or placement in ineligible status under the provisions of 24 C.F.R. § 24 (2009).

**ARTICLE XV
CONFLICT OF INTEREST**

15.1 Agency certifies that no employee, agent, consultant, officer, elected or appointed official of the Agency who exercises or has exercised any functions or responsibilities with respect to CDBG activities or who is in a position to participate in a decision-making process or gain inside information with regard to such activities has or will have any personal or financial interest or benefit to obtain from this Contract and the CDBG-assisted activity, nor any interest in any contract, subcontract or Contract with respect thereto, or the proceeds thereunder, either for the official or those with whom they have family or business ties, either during the official's tenure or for one year after completion of the Contract term.

**ARTICLE XVI
WHERE AGENCY IS A RELIGIOUS ENTITY**

16.1 Where Agency is a religious entity, Agency certifies that all CDBG funds shall be used wholly for secular purposes. Agency agrees and binds itself that it will not discriminate against any person applying for such public services on the basis of religion and will not limit such services or give preference to persons on the basis of religion. Agency agrees and binds itself that it will provide no religious instruction or counseling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of public services funded by this Contract.

**ARTICLE XVII
RELOCATION, REAL PROPERTY ACQUISITION AND ON-FOR-ONE
HOUSING REPLACEMENT**

17.1 Agency agrees to comply with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606(b); (b) the requirements of 24 CFR 570.606(c) governing the Residential Anti-displacement and Relocation Assistance Plan under section 104(d) of the HCD Act; and (c) the requirements in 24 CFR 570.606(d) governing optional relocation policies. Agency shall provide relocation assistance to displaced persons as defined by 24 CFR 570.606(b)(2) that are displaced as a direct result of acquisition, rehabilitation, demolition or conversion for a CDBG-assisted project. Agency also agrees to comply with applicable City ordinances, resolutions and policies concerning the displacement of persons from their residences.

ARTICLE XVIII INDEMNIFICATION, RELEASE, AND INSURANCE

18.1 Indemnification. The Agency shall indemnify, hold harmless, and defend the City, its officers, agents, volunteers, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorneys' fees, for injury to or death of any person or for damage to any property arising out of or in connection with the work done by the Contractor under this Contract. Such indemnity shall apply regardless of whether the claims, losses, damages, causes of action, suits, or liability arise in whole or in part from the negligence of the City, any other party indemnified hereunder, the Contractor, or any third party.

18.2 Release. The Agency assumes full responsibility for the work to be performed hereunder and hereby releases, relinquishes, and discharges the City, its officers, agents, volunteers, and employees from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to or death of any person and any loss of or damage to any property that is caused by, alleged to be caused by, arising out of, or in connection with the Agency's work to be performed hereunder. This release shall apply regardless of whether said claims, demands, and causes of action are covered in whole or in part by insurance and regardless of whether such injury, death, loss, or damage was caused in whole or in part by the negligence of the City, any other party released hereunder, the Agency, or any third party.

18.3 The Agency shall procure and maintain, at its sole cost and expense for the duration of this Contract, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the services performed by the Agency, its agents, representatives, volunteers, employees, or subcontractors.

18.4 The Agency's insurance shall list the City of College Station, its employees, agents, volunteers, and officials as additional insureds. Insurance requirements are attached in **Exhibit "C"**. Certificates of insurance evidencing the required insurance coverages are attached in **Exhibit "D"**.

ARTICLE XIX GENERAL PROVISIONS

19.1 The parties to this Contract agree and understand that Agency is an independent contractor and not an agent or representative of the City and that the obligation to compensate its employees and personnel furnished or used by Agency to provide the services specified in this Contract shall be the responsibility of Agency and shall not be deemed employees of the City for any purpose.

19.2 The City's Community Services Department shall provide "technical" assistance to Agency as requested and as mutually agreed upon in the performance of Agency's duties under this Contract. "Technical" assistance is described as including, but not limited to staff assistance

to ensure compliance to CDBG regulations and to ensure that proper accountability and program delivery results are achieved; and providing orientation to Agency staff and board members regarding CDBG regulations and procedures. The provision of “technical” assistance is dependent on time constraints and priorities of the Community Services Department staff, at City’s sole discretion. **City shall have no liability to Agency or any third party in providing any “technical” assistance.**

19.3 No amendment to this Contract shall be effective and binding unless and until it is reduced to writing and signed by duly authorized representatives of both parties.

19.4 This Contract has been made under and shall be governed by the laws of the State of Texas.

19.5 Performance and all matters related thereto shall be in Brazos County, Texas, United States of America.

19.6 Each party has the full power and authority to enter into and perform this Contract, and the person signing this Contract on behalf of each party has been properly authorized and empowered to enter into this Contract. The persons executing this Contract hereby represent that they have authorization to sign on behalf of their respective organizations.

19.7 Failure of any party, at any time, to enforce a provision of this Contract, shall in no way constitute a waiver of that provision, nor in any way affect the validity of this Contract, any part hereof, or the right of either party thereafter to enforce each and every provision hereof. No term of this Contract shall be deemed waived or breach excused unless the waiver shall be in writing and signed by the party claimed to have waived. Furthermore, any consent to or waiver of a breach will not constitute consent to or waiver of or excuse of any other different or subsequent breach.

19.8 The parties acknowledge that they have read, understand, and intend to be bound by terms and conditions of this Contract.

19.9 This Contract and the rights and obligations contained herein may not be assigned by any party without the prior written approval of the other parties to this Contract.

19.10 It is understood and agreed that this Contract may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

19.11 If any provision of this Contract shall be held to be invalid, illegal, or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The parties shall use their best efforts to replace the respective provision or provisions of this Contract with legal terms and conditions approximating the original intent of the parties.

19.12 It is understood that this Contract contains the entire agreement between the parties

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and supersedes any and all prior agreements, arrangements, or understandings between the parties relating to the subject matter. No oral understandings, statements, promises, or inducements contrary to the terms of this Contract exist. This Contract cannot be changed or terminated orally. No verbal agreement or conversation with any officer, agent, or employee of any party before or after the execution of this Contract shall affect or modify any of the terms or obligations hereunder.

19.13 Unless otherwise specified, written notice shall be deemed to have been duly served if delivered in person or sent by certified mail to the last business address as listed herein. Each party has the right to change its business address by giving at least thirty (30) days advance written notice of the change to the other party.

Agency: Attn: Bryan Jones, Director Energy & Housing
1733 Briarcrest Dr, Suite 111
Bryan, TX 77802
979-213-4057

City: Attn: Brian Piscacek, Community Development Analyst
Community Services Department
City of College Station
511 University Drive East
P.O. Box 9960
College Station, Texas 77842
979-764-3488

[Remainder of page intentionally left blank. Signature page to follow]

AGENCY

By: Bobby Hubley

Printed Name: Bobby Hubley

Title: Executive Director

Date: 07-07-17

CITY OF COLLEGE STATION

By: _____

City Manager

Date: _____

APPROVED:

City Attorney

Date: _____

Assistant City Manager / CFO

Date: _____

EXHIBIT A
DETAILED STATEMENT OF WORK

BRAZOS VALLEY COMMUNITY ACTION PROGRAMS will use funds under this contract for the acquisition of the following property:

Brazos Valley Community Action Programs (BVCAP), is proposing to purchase 1 single-family housing unit for the purpose of providing an affordable rental unit for income eligible tenants. BVCAP intends to target all applicants at or below 80% of the area median income (AMI).

Property for proposed purchase is as follows:

The single-family home located at:
1112 Waynesboro Court, College Station, Texas, 77845

This property will add to the agency's Affordable Rental Program, consisting of four-plex, duplex, and single-family units for rent to income-eligible and otherwise qualified households.

The Agency will utilize matching funds from other sources for any necessary rehabilitation prior to making the units available for rent.

A detailed Project Rehabilitation Budget and cost breakdown shall be submitted by Agency to the City for review for cost or price analysis prior to the start of the Project. A final budget shall be submitted with CDBG close-out information at the end of each project showing total costs and funding sources.

These properties will be made available for lease to income-eligible households at or below 80% of the Area Median Income for the duration of the LURA.

Agency shall dedicate all easements required by City, including blanket easements which shall be substituted with as-built easements for all City utilities.

If it is the intent of the Agency to hire a Contractor to perform all construction work, Contractor shall comply with current City of College Station Building Codes, all required permits must be obtained prior to any work commencing, and required inspections must be performed by the City of College Station Building Inspectors. Agency must provide written submittal of all proposed contractors to the City. Agency's Contractor will be required to meet the Insurance Requirements of Exhibit C, and will comply with all requirements of Article XII, of this contract.

Agency is not prohibited from conducting a background check, including credit history and criminal history checks in order to determine eligibility of residents.

The project shall be completed no later than October 30, 2018.

Upon completion of acquisition, Agency must submit a copy of all valid and eligible expense invoices paid. At that point, the City will have 30 days to review and validate eligible expenses contained in the invoices. Payment by City on valid and eligible invoices shall not exceed the maximums established in Exhibit B, Budgets.

EXHIBIT B
BUDGET

Agency: BRAZOS VALLEY COMMUNITY ACTION PROGRAMS

SOURCES OF FUNDS:

Maximum Proceeds of grant under the Contract..... \$200,000.00

USES OF FUNDS:

Acquisition	\$200,000.00 (FY 2017 Funds)
-------------	------------------------------

An additional Project Budget will be supplied to and approved by the City of College Station prior to any expenditure to be reimbursed by CDBG funds.

EXHIBIT C INSURANCE REQUIREMENTS

Throughout the term of this Contract the Agency must comply with the following:

I. Standard Insurance Policies Required:

- A. Commercial General Liability
- B. Business Automobile Liability
- C. Workers' Compensation

II. General Requirements Applicable to All Policies:

- A. Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent
- B. Certificates of Insurance and endorsements shall be furnished on the most current State of Texas Department of Insurance-approved forms to the City's Representative at the time of execution of this Contract; shall be attached to this Contract as Exhibit D; and shall be approved by the City before work begins
- C. Contractor shall be responsible for all deductibles on any policies obtained in compliance with this Contract. Deductibles shall be listed on the Certificate of Insurance and are acceptable on a per-occurrence basis only
- D. The City will accept only Insurance Carriers licensed and authorized to do business in the State of Texas
- E. The City will not accept "claims made" policies
- F. Coverage shall not be suspended, canceled, non-renewed or reduced in limits of liability before thirty (30) days written notice has been given to the City

III. Commercial General Liability

- A. General Liability insurance shall be written by a carrier rated "A:VIII" or better under the current A. M. Best Key Rating Guide.
- B. Policies shall contain an endorsement naming the City as Additional Insured and further providing "primary and non-contributory" language with regard to self-insurance or any insurance the City may have or obtain
- C. Limits of liability must be equal to or greater than \$1,000,000 per occurrence for bodily injury and property damage, with an annual aggregate limit of \$1,000,000.00. Limits shall be endorsed to be per project.
- D. No coverage shall be excluded from the standard policy without notification of individual exclusions being submitted for the City's review and acceptance
- E. The coverage shall include, but not be limited to the following: premises/operations with separate aggregate; independent contracts; products/completed operations; contractual liability (insuring the indemnity provided herein) Host Liquor Liability, and Personal & Advertising Liability.

IV. Business Automobile Liability

- A.** Business Automobile Liability insurance shall be written by a carrier rated “A:VIII” or better rating under the current A. M. Best Key Rating Guide.
- B.** Policies shall contain an endorsement naming the City as Additional Insured and further providing “primary and non-contributory” language with regard to self-insurance or any insurance the City may have or obtain
- C.** Combined Single Limit of Liability not less than \$1,000,000 per occurrence for bodily injury and property damage.
- D.** The Business Auto Policy must show Symbol 1 in the Covered Autos Portion of the liability section in Item 2 of the declarations page
- E.** The coverage shall include any autos, owned autos, leased or rented autos, non-owned autos, and hired autos.

V. Workers’ Compensation Insurance

- A.** Workers compensation insurance shall include the following terms:
 - 1.** Employer’s Liability minimum limits of liability not less than \$500,000 for each accident/each disease/each employee are required
 - 2.** “Texas Waiver of Our Right to Recover From Others Endorsement, WC 42 03 04” shall be included in this policy
 - 3.** TEXAS must appear in Item 3A of the Workers’ Compensation coverage or Item 3C must contain the following: “All States except those listed in Item 3A and the States of NV, ND, OH, WA, WV, and WY”

EXHIBIT D
CERTIFICATES OF INSURANCE

GENERAL LIABILITY

INSURED: Brazos Valley Community Action Programs

INSURER: Philadelphia Insurance Companies

POLICY TERM: June 30, 2017 to June 30, 2018

Limits of Liability	Description
\$1,000,000	Per Occurrence
\$3,000,000	Annual Aggregate, Other Than Products
\$3,000,000	Annual Aggregate, Products & Completed Operations
\$1,000,000	Personal And Advertising Injury Aggregate
\$100,000	Damage to Premises Rented to You
\$5,000	Medical Expense Each Claim
Not Applicable	Deductible / Claim

Extensions of Coverages:

General Liability Deluxe Endorsement: Human Services

Schedule of General Liability Forms/Endorsements:

CG2026	0704	Addl Ins - Designated Person or Organization
CG2116	0798	Exclusion - Designated Professional Services
CG2153	0196	Exclusion - Designated Ongoing Operations
CG2157	0798	Exclusion - Counseling Services
CG2167	1204	Fungi or Bacteria Exclusion
CG2170	0115	Cap On Losses From Certified Acts Of Terrorism
CG2240	0196	Exclusion-Medical Payments to Children Day Care Center
CG2244	0798	Exclusion -Services Furnished by Health Care Providers
CG2267	1093	Corporal Punishment
CG2271	1001	Colleges or Schools (Limited Form)
CG2404	0509	Waiver of Transfer of Rights of Recovery Against Other
CG2639	1207	Texas Changes - Employment-Related Practices Exclusion
CG2646	0499	Texas Abuse or Molestation Exclusion
CG3208	1204	Texas Changes-Binding Arbitration
PI-GLD-HS	1011	General Liability Deluxe Endorsement: Human Services
PI-HS-005 TX	0704	Exclusion - Professional Liability Coverage
PI-SE-001	1205	Fund Raising Events Endorsement

**BUSINESS
AUTOMOBILE**

INSURED: Brazos Valley Community Action Programs
INSURER: Philadelphia Insurance Companies
POLICY TERM: June 30, 2017 to June 30, 2018

Coverage	Covered Autos	Limits/ Deductible
Liability: Combined Single Limit	Any Auto including Hired and Non-Owned	\$1,000,000
Uninsured/Underinsured Motorists Combined Single Limits	As Specified on Schedule	\$1,000,000 No Coverage No Coverage
Medical Payments Per Person/Per Accident	As Specified on Schedule	\$5,000
Physical Damage Specified Causes of Loss Comprehensive Collision	As Specified on Schedule	See Schedule \$1,000 \$1,000
Hired Car Physical Damage Comprehensive Coverage Specified Causes of Loss Collision	Hired Cars Only	\$1,000 No Coverage \$1,000

Extensions of Coverage:
Commercial Automobile Elite Endorsement

COMMERCIAL AUTOMOBILE ELITE ENDORSEMENT

Coverage Applicable	Limit of Insurance	Page #
Who is An Insured		2
Board Members	Included	
Newly Acquired Entities	Included	
Designated Insured	Included	
Lessor of Leased Autos	Included	
Cost of Bail Bonds	\$5,000	2
Reasonable Expenses – Loss of Earnings	\$500 per day	2
Fellow Employee Coverage	Amended	3
Towing	\$100 per disablement	3
Glass Breakage (Windshields and Windows)	No deductible applies	3
Transportation Expenses	\$100 per day / \$3,000 maximum	3
Hired Auto Physical Damage – Loss of Use	\$100 per day / \$1,000 maximum	3
Hired Auto Physical Damage	ACV or repair or replacement of the vehicle whichever is less	4
Personal Effects	\$500	4
Rental Reimbursement	\$100 per day / 30 days	4
Accidental Discharge – Air Bag	Amended	4
Electronic Equipment	\$1000	5
Original Equipment Manufacturer Parts Replacement	Included	5
Auto Loan / Lease Gap Coverage	Amended	5
One Comprehensive Coverage Deductible Per Occurrence	Amended	6
Notice of and Knowledge of Occurrence	Amended	7
Blanket Waiver of Subrogation	Amended (as required by written contract)	7
Unintentional Errors or Omissions	Amended	7
Mental Anguish – Bodily Injury Redefined	Amended	7

**WORKERS'
COMPENSATION**

INSURED: Brazos Valley Community Action Programs
INSURER: Summit
POLICY TERM: June 30, 2017 to June 30, 2018

Workers Compensation Insurance

Statutory Benefits apply in the following state(s):

TX

Employers Liability Insurance

Applies to work in each state listed above subject to the following limits of liability

Bodily Injury by Accident:	\$1,000,000	Each Accident
Bodily Injury by Disease:	\$1,000,000	Policy Limit
Bodily Injury by Disease:	\$1,000,000	Each Employee

Other States Insurance

Applies to the states, if any, listed below:

No Coverage in Other States

Endorsements:

None

Included / Excluded Individuals:

Name	Title	Included	Excluded
TBD	TBD	TBD	TBD

COMMERCIAL UMBRELLA

INSURED: Brazos Valley Community Action Programs

INSURER: Philadelphia Insurance Companies

POLICY TERM: June 30, 2017 to June 30, 2018

Coverage Detail

Description	Limits
Per Occurrence	\$5,000,000
General Aggregate Limit	\$5,000,000
Products Completed Operations Aggregate	\$5,000,000
Personal & Advertising Injury Limit	\$5,000,000
Retained Limit	\$10,000

Required Underlying Limits

Policy Type	Limits	Policy Type	Limits
Automobile Liability		Employers Liability	
CSL	\$1,000,000	Each Accident	\$1,000,000
Bodily Injury	None	Disease Policy Limit	\$1,000,000
Property Damage	None	Disease Each Employee	\$1,000,000
General Liability		Professional Liability	
Each Occurrence	\$1,000,000	Each Occurrence	\$1,000,000
General Aggregate	\$3,000,000	Aggregate	\$3,000,000
Products/Comp Ops	\$3,000,000		
Personal/Advertising Injury	\$1,000,000		
Abuse or Molestation			
Each Abusive Conduct	\$1,000,000		
Aggregate	\$3,000,000		

Confirmation of Coverage



A Member of The Tokio Marine Group

Dear Pat,

Thank you for your business! Outlined below is your Confirmation of Coverage for:

Brazos Valley Community Action Programs, Inc

Policy Number:	PHSD1257554
Issuing Company:	Philadelphia Indemnity Insurance Company
Policy Holder:	Brazos Valley Community Action Programs, Inc 1500 University Dr E Ste 100 College Station, TX 77840
Product:	FF - Flexi Plus Five
Effective Date:	06/30/2017
Expiration Date:	06/30/2018
Billing Type:	Bill Insured
Premium:	\$5,298.00
Taxes/Fees/Surcharges	\$0.00
Account number:	79359619
Payment plan:	25% Down & 9 Monthly Installments
Payment type:	Gross Check
Lock Box:	Philadelphia Insurance Companies PO Box 70251 Philadelphia, PA 19176-0251

For your convenience please note the important links and contact information below:

[Risk Management Services Website](#)

[Claims Center Website](#) or 1 (800) 765-9749

Billing/Customer Service 1 (877) GET PHLI or 1 (877) 438-7459

This is not an invoice

If you wish to pay your premium prior to the new or renewal effective date, please call the contact center at 877-438-7459 and press option 6 to speak to a live representative. The contact center hours of operation are Monday – Friday 8:30am ET to 8:00pm ET. Please note system generated invoices are not created until the policy effective date and the policy has been issued.

EXHIBIT E REIMBURSEMENT REQUEST FORM



CITY OF COLLEGE STATION
COMMUNITY SERVICES DEPARTMENT
COMMUNITY DEVELOPMENT BLOCK GRANT
REIMBURSEMENT REQUEST FORM
2017-2018

AGENCY:			
CONTRACT EXPENSES:	BUDGETED	CURRENT REQUEST	YEAR TO DATE REQUESTED
	\$	\$	\$
(INVOICES OR ACCEPTABLE ALTERNATIVE DOCUMENTATION MUST BE SUBMITTED)			
TOTAL	\$	\$	\$
REIMBURSEMENT REQUEST		\$	
EXPENSES FOR THE PERIOD OF:			
AMOUNT REMAINING IN CDBG CONTRACT	\$		

I hereby request reimbursement for approved program expenses to date in the amount of \$ _____.

Signature of Authorized Agency Representative

Date

Agency's Certification and Reimbursement Request Form	
Agency Name	Contract #
Program Name	
Name of Agency Contact	Agency's Address
I. Agency's Certification and Reimbursement Request	
I hereby certify: ☐ The information presented on this form is true and complete to the best of my knowledge; ☐ All programs and services have been executed in accordance with the terms and requirements of the contract; ☐ All expenses for which payment is being requested herein were incurred by the above-referenced program(s); ☐ All supporting documentation to substantiate this request has been received by the Community Services Department. ☐ The agency is in full compliance with the terms and conditions of the above referenced contract. I hereby request reimbursement for approved program expenses to date in the amount of \$ _____. _____ Signature of Authorized Agency Representative _____ Date	
II. Monitor's Certification	
I have reviewed the documents submitted by the above-referenced agency and agree that all services and expenditures have been satisfactorily completed in accordance with all applicable requirements and terms of the above referenced contract number. I hereby approve payment to the agency in the amount of \$ _____. _____ Signature of Monitor _____ Date	
III. Director of Community Services' Certification	
I hereby approve payment to the agency in the amount of \$ _____. _____ Signature of Director of Community Services _____ Date	

EXHIBIT F
2017 HUD INCOME LIMITS
(Updates made during the length of Contract term)

2017 MEDIAN INCOME LIMITS
City of College Station
Community Services

This list supersedes all other lists of prior dates.

Household	30%	50%	80%
1	\$12,700	\$21,150	\$33,850
2	\$16,240	\$24,200	\$38,650
3	\$20,420	\$27,200	\$43,500
4	\$24,600	\$30,200	\$48,300
5	\$28,780	\$32,650	\$52,200
6	\$32,960	\$35,050	\$56,050
7	\$37,140	\$37,450	\$59,900
8	\$39,900	\$39,900	\$63,800

The left column (Household) refers to the number of people in the home. The highlighted column (80%) refers to your maximum income allowed per year by HUD guidelines.

Source: <https://www.huduser.gov/portal/datasets/il/il2017/2017summary.odn>

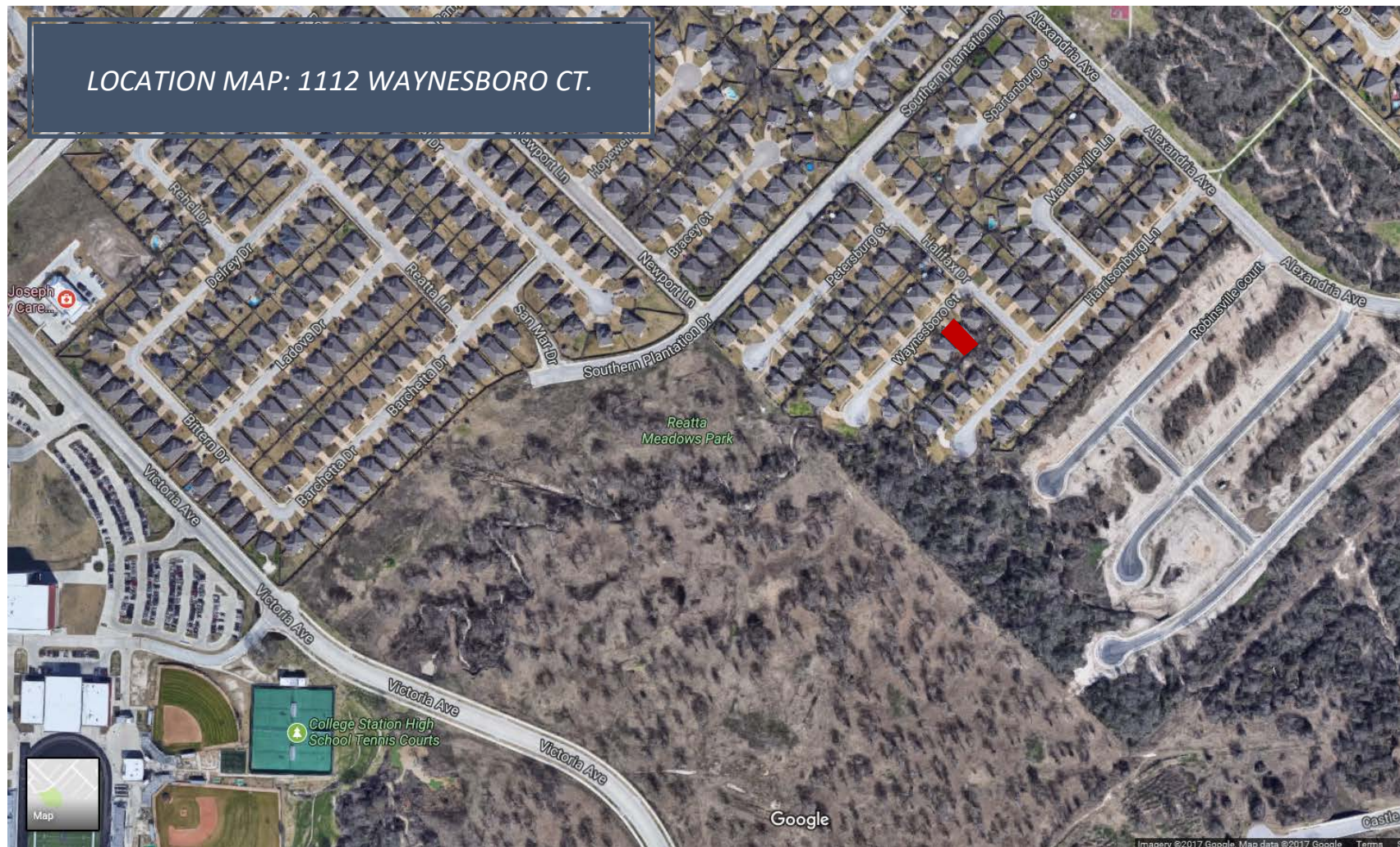
**EXHIBIT G
PROJECT COMPLIANCE REPORT**

A	B	C	D	E	F	G	H
Unit Number	Tennant Name	Household Size	No. Bedrooms	Max Rent	Monthly Rent	Tenants Annual Gross Income	Compliance Y/N?

EXHIBIT H
HOME Rents
College Station – Bryan MSA
Effective June 15, 2017

Program	Efficiency	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Low HOME Rent	\$533	\$571	\$686	\$791	\$883	\$975	\$1,065
High HOME Rent	\$624	\$699	\$845	\$1,047	\$1,148	\$1,248	\$1,348

LOCATION MAP: 1112 WAYNESBORO CT.





Legislation Details (With Text)

File #:	17-0353	Version:	2	Name:	Benefits RFP
Type:	Contract	Status:		Status:	Agenda Ready
File created:	7/10/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approval to negotiate an agreement with CIGNA Health & Life Insurance Company for a medical, dental and prescription drug plan for calendar year 2018. The amount of the contract is estimated to be \$382,265.				
Sponsors:	Alison Pond				
Indexes:					
Code sections:					
Attachments:	Cigna Application				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approval to negotiate an agreement with CIGNA Health & Life Insurance Company for a medical, dental and prescription drug plan for calendar year 2018. The amount of the contract is estimated to be \$382,265.

Relationship to Strategic Goals:

- Financially Sustainable City

Recommendation(s): Staff recommends approval to negotiate an agreement with CIGNA Health & Life Insurance Company for a medical, dental and prescription drug plan for calendar year 2018.

Summary: The City's health plan is self-funded and has contracted with Blue Cross and Blue Shield of Texas since 2004 to administer claims. A Request for Proposals (RFP) for claims administration went out in March 2017 and resulted in several proposals. After extensive analysis and negotiations, CIGNA was determined by staff to have the best proposal, which includes a 17.26% decrease to medical & dental administration and an 8.5% projected decrease in overall costs including administration and claims.

The Council will consider a resolution at a future meeting delegating the authority to enter in an agreement with CIGNA to the City Manager. The Council will also be asked to consider funding approval for the agreement at a later time.

Budget & Financial Summary: Funds are available in the employee benefits fund.

Attachments: CIGNA Application

Application for Group Insurance

CLEAR FORM

Insured and/or Administered by
CIGNA Health and Life Insurance Company
900 Cottage Grove Road
Hartford, CT 06152



1. Name of Applicant

City of College Station

2. Main Address

1101 Texas Avenue; College Station, Texas 77840

3. Nature of Business

Governmental Entity

4. Classes and Locations of Individuals Eligible

All

5. Subsidiary and Affiliated Companies Included

6. Total Number of Individuals Eligible

For Individual Benefits

953

For Dependent Benefits

450

Have any of the classes of individuals eligible been covered under a group insurance policy or any other form of group plan within the past five years?

☒ Yes

☐ No

If so, please specify the benefits, the underwriting company or organization, and the dates these benefits were terminated.

7. Group Insurance Applied For: (Please check all that apply)

Individual

Dependent

☐

☐

☐

☐

☐

☐

☐

Life Insurance

Accidental Death & Dismemberment Insurance

Short Term Disability Insurance

Long Term Disability Insurance

Hospital Benefits

Surgical Benefits

Individual

Dependent

☐

☐

☐

☐

☒

☒

☐

Doctors Attendance Benefits

Laboratory and X-ray Examination Benefits

Major Medical Benefits

Comprehensive Medical Benefits

Dental Benefits

Vision Care Benefits

8. Effective Date Requested:

January 1, 2018

Group Insurance at the Insurance Company's rates and under the terms of the policy(s) applied for will take effect on the Effective Date Requested if the Application is accepted at the Home Office of the Insurance Company. If certain persons eligible are to contribute to the cost of the Group Insurance, such Group Insurance will take effect on the later of: the date the required number have enrolled, or on the Effective Date Requested. If this Application is not accepted, no insurance will become effective. Any premium advanced by the Applicant will be refunded upon surrender of this Conditional Receipt.

9. THE APPLICANT DECLARES: that he has read the above statement and the answers to the above questions are complete and true to the best of his knowledge and belief. The Applicant agrees: (1) that this Application is offered as an inducement for the Group Insurance applied for; (2) that the terms and conditions of the Insurance Company's Proposal for the Group Insurance applied for forms a part of this Application and that this Application will form a part of any policy(s) issued; (3) that only the information on this Application will bind the Insurance Company; and (4) that no waiver or change will bind the Insurance Company unless signed by an Executive Officer of the Insurance Company. Group Insurance will only be provided for persons eligible under the policy(s) issued.

Dated at

on

Name of Applicant

City of College Station

By

Title

Witness

Soliciting Agent if other than Witness

ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE MAY BE GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.

STATEMENT TO BE SIGNED BY APPLICANT UPON PAYMENT OF THE PREMIUM OR ANY PART THEREOF

I HEREBY DECLARE that I have paid to

Agent

Dollars for which I hold his receipt.

Date

Applicant

Agent

Agent's License No.

HP-APP-13Cat. #831506 04-10 FOR USE IN TX ONLY

Conditional Receipt

Insured and/or Administered by
CIGNA Health and Life Insurance Company
900 Cottage Grove Road
Hartford, CT 06152



Received of

City of College Station

Dollars

to be applied against the first premium on the proposed Group Insurance under this Application. This payment is made and accepted subject to the following conditions. Group Insurance at the Insurance Company's rates and under the terms of the policy(s) applied for will take effect as of the Effective Date Requested if the Application is accepted at the Home Office of the Insurance Company. If certain persons eligible are to contribute to the cost of the Group Insurance, such Group Insurance will take effect on the later of: the date the required number have enrolled, or on the Effective Date Requested. If the Application is not accepted, no insurance will become effective. Any premium payment advanced by the Applicant will be refunded upon surrender of this Conditional Receipt.

Date

Agent

Agent's License No.

DETACH THIS RECEIPT WHEN PAYMENT IS MADE

HP-APP-13Cat. #831506 04-10 FOR USE IN TX ONLY

PRINT



Legislation Details (With Text)

File #:	17-0384	Version:	1	Name:	RVP Compliance Report 2016
Type:	Presentation	Status:		Status:	Agenda Ready
File created:	7/13/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding the 2016 Incentives Compliance Report by the Research Valley Partnership.				
Sponsors:	Jennifer Prochazka				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the 2016 Incentives Compliance Report by the Research Valley Partnership.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): None; no action is required.

Summary: This item is a presentation by the Research Valley Partnership (RVP) regarding project compliance for 2016.

Budget & Financial Summary: N/A

Attachments: N/A



Legislation Details (With Text)

File #:	17-0357	Version:	1	Name:	Budget Amendment #2
Type:	Presentation	Status:		Status:	Agenda Ready
File created:	7/10/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion on Budget Amendment #2 amending Ordinance No. 3809 which will amend the budget for the 2016-2017 Fiscal Year in the amount of \$584,700 and increase the net personnel count by 1.0; and presentation, possible action and discussion on a contingency transfer totaling \$125,000.				
Sponsors:	Mary Ellen Leonard				
Indexes:					
Code sections:					
Attachments:	FY17 BA #2 List FY17 Budget Amendment #2 ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion on Budget Amendment #2 amending Ordinance No. 3809 which will amend the budget for the 2016-2017 Fiscal Year in the amount of \$584,700 and increase the net personnel count by 1.0; and presentation, possible action and discussion on a contingency transfer totaling \$125,000.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure

Recommendation(s): Staff recommends the City Council approve Budget Amendment #2, approve the FTE personnel change, and approve the contingency transfer.

Summary: The proposed budget amendment is to increase the FY17 budget appropriations by \$584,700 and increase the net personnel count by 1.0. The charter of the City of College Station provides for the City Council to amend the annual budget in the event there are revenues available to cover increased expenditures and after holding a public hearing on such budget amendment. Attached is a summary with a description of the items included on the proposed budget amendment. Also included is a contingency transfer. Contingency transfers greater than \$100,000 require Council approval.

Budget & Financial Summary: The City has resources or can reasonably expect resources to cover the appropriations in this budget amendment. The attached summary has the complete description of the items included on the proposed budget amendment, the change in the personnel FTE count, and the contingency transfer. If approved, the net revised budget appropriations will be \$347,694,517.

Reviewed and Approved by Legal: Yes

Attachments:

1. FY17 Budget Amendment #2 Detail Listing
2. Ordinance

The proposed budget amendment is to increase the FY17 budget for the items listed below by \$584,700. Contingency transfers greater than \$100,000 require Council approval and are therefore included as part of this Budget Amendment.

1. Project Manager – Vertical Design and Construction position (\$25,000 Budget Amendment and 1.0 FTE)

The City Manager's Office (CMO) has identified the need for a Project Manager position that will be responsible for the management of the City's vertical capital projects. The purpose of this position is to lead, direct and manage the planning, development, design and construction of new building/facility and building/facility renovation projects for the City of College Station. The primary role of the professional who fills this position is to collaborate and coordinate directly with the Department Director or Chief at the City who will ultimately manage the staff, operations and/or programs to be located at this facilities and ensure projects remain on schedule and within budget. Examples of projects include the new Police Station, the renovation of the existing Police Station, the Library expansion, a future Fire Station, the Arts Council Building Renovation, renovations to the Utilities Building and a future City Hall. The requested budget amendment amount reflects an estimated three months of salary and benefits as well as office furniture and supplies that will be needed. The budget amendment also adds 1.0 FTE to the FY17 Revised Budget. The funds for this item are available in the General Fund balance. The position has been forecasted and will be included in FY18 Proposed Budget.

2. Public Works Milling Machine - \$550,800 (Budget Amendment)

The milling machine is critical for the pavement operations of the Streets Division and is scheduled for replacement via the Equipment Replacement Fund in FY18. Parts on the machine have been failing and repairs are needed. The cost of repairs and the rental of a similar unit while the unit is being repaired will exceed the expected trade-in value. Public Works has proposed to replace the milling machine in FY17, as this is only a few months ahead of the scheduled replacement. The total purchase price will be \$550,800. The funds for this item are available in the Equipment Replacement Fund and have been forecasted for the replacement of this vehicle.

3. Sidewalk Zone 15 - \$8,900 (Budget Amendment)

The FY17 Approved Budget included \$11,500 for sidewalk projects in Sidewalk Zone 15. The budget was based on the amount that was in the Fund at that time. Additional contributions have since been received, bringing the Fund balance to approximately \$20,400. This item will increase the budget in Sidewalk Zone 15 so that these funds can be used on an eligible project. The funds will be used toward the design of the sidewalks and multiuse paths that will be constructed as part of the Holleman Drive South street extension project. The funds for this item are available in the Sidewalk Zone 15 fund balance.

4. City Hall Complex Facility Renovations - \$125,000 (Contingency Transfer)

Ongoing space limitations in the City Hall facility resulted in the transition of the Community Services Department into off-site lease space and the subsequent transition of the Human Resources Department into the space previously occupied by Community Services. The new Human Resources space, as well as the former Human Resources space, required renovations prior to the space being ready to be occupied. This item is for the transfer of General Fund contingency in the amount of \$125,000 for the cost of the renovations. As contingency transfers greater than \$100,000 must be approved by Council, this item is for the approval of these contingency transfers.

ORDINANCE NO. _____

AN ORDINANCE (BUDGET AMENDMENT #2) AMENDING ORDINANCE NO. 2016-3809 WHICH WILL AMEND THE BUDGET FOR THE 2016-2017 FISCAL YEAR AND AUTHORIZING AMENDED EXPENDITURES AS THEREIN PROVIDED.

WHEREAS, on September 22, 2016, the City Council of the City of College Station, Texas, adopted Ordinance No. 2016-3809 approving its Budget for the 2016-2017 Fiscal Year; and

WHEREAS, on January 26, 2017, the City Council of the City of College Station, Texas, adopted Budget Amendment #1 amending the 2016-2017 Budget; and

WHEREAS, this amendment was prepared and presented to the City Council and a public hearing held thereon as prescribed by law and the College Station City Charter, after notice of said hearing having been first duly given; now, therefore,

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

PART 1: That Ordinance No. 2016-3809 is hereby amended by amending the 2016-2017 Budget adopted thereto by a net amount of \$584,700 as further detailed in Exhibit A attached hereto and incorporated herein for all purposes.

PART 2: That this Budget Amendment #2 shall be attached to and made a part of the 2016-2017 Budget.

PART 3: That except as amended hereby, Ordinance No, 2016-3809 shall remain in effect in accordance with its terms.

PART 4: That this ordinance shall become effective immediately after passage and approval.

PASSED and APPROVED this _____ day of _____ 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Legislation Details (With Text)

File #:	17-0364	Version:	1	Name:	Comprehensive Plan Amendment – McGill Tract
Type:	Comprehensive Plan			Status:	Agenda Ready
File created:	7/11/2017			In control:	City Council Regular
On agenda:	7/27/2017			Final action:	
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial to General Commercial for approximately 3.34 acres located at 2381 Earl Rudder Freeway South, generally located North of Raintree Drive along Earl Rudder Freeway South. Case #CPA2017-000005.				
Sponsors:	Mark Bombek				
Indexes:					
Code sections:					
Attachments:	Background Information Aerial and Comp Plan Exhibit Application Comp Plan Amendment Map Ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial to General Commercial for approximately 3.34 acres located at 2381 Earl Rudder Freeway South, generally located North of Raintree Drive along Earl Rudder Freeway South. Case #CPA2017-000005.

Relationship to Strategic Goals:

- Good Governance
- Neighborhood Integrity
- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission unanimously recommended approval of the amendment to the Comprehensive Plan Future Land Use and Character Map at their meeting on July 6, 2017.

Summary: The applicant has requested the proposed Comprehensive Plan Future Land Use and Character Map amendment to General Commercial as a step toward marketing the property for a broader range of commercial uses that otherwise would not be permitted by the current zoning and future land use designation. The property owner has made several attempts to generate interest in this property while working to provide protection to the adjacent Raintree Subdivision. The applicant believes the current request, which includes an amendment to the current zoning on the property, is the best option to further market the property to commercial uses, but also allows for mitigation that helps protect the existing residents adjacent to the property.

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:** The subject property and adjacent properties to the south are designated as Suburban Commercial and General Suburban on the Comprehensive Plan Future Land Use and Character Map. Properties to the north are identified as Natural Areas Reserved and General Commercial

This tract was identified as Suburban Commercial on the Comprehensive Plan due to its adjacency to an existing single-family neighborhood. However, its location along a major state highway would garner General Commercial land uses that are more serving to the region rather than Suburban Commercial land uses that are smaller scale and appropriate for residential areas. Much of the corridor along Earl Rudder Freeway has been given the same designation of Suburban Commercial due to its adjacency to existing residential areas. Recently the City has recognized that some of the land may not be suitable and or marketable for Suburban Commercial and has taken efforts to proactively identify properties that would be more appropriately designated General Commercial. One example being the most recent amendments made near Emerald Parkway and Corsair Drive.

2. **Scope of the request:** The request is to amend the Comprehensive Plan Future Land Use and Character Map designation for approximately 3.34 acres from Suburban Commercial to General Commercial. If approved by City Council, the applicant intends to pursue a rezoning of the property from SC Suburban Commercial to GC General Commercial. A request for rezoning was submitted for consideration and will be heard following this item.

3. **Availability of adequate information:** General Commercial land use designation allows for the future development of commercial activities, including retail sale and service uses, which serve the nearby residents and larger community or region. Properties in this area are served by College Station Utilities (CSU). Domestic water and sanitary sewer service is available to serve the future development in this area, but additional infrastructure improvements may be needed with site development. A Traffic Impact Analysis (TIA) was completed for the previous amendments to the zoning in 2009. The area of land proposed in this amendment as General Commercial was not enough land to trigger a new study at this time. A new TIA may be required with the Site Plan once uses for the property have been further established. No additional traffic information was needed for consideration of this amendment or the proposed zoning amendment.

4. **Consistency with the goals and strategies set forth in the Plan:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. A relevant strategy identified to achieve this goal is to develop and maintain, through regular review, a land use plan that identifies, establishes, and enhances community character. The subject area is near property zoned GC General Commercial. This land use will also be more compatible with the Suburban Commercial land use and zoning that is being retained at the rear of this tract. The retention of the Suburban Commercial will act as a step down land use transitioning from commercial to the residential property and will provide some additional protections due to the enhanced development restrictions that currently exist with Suburban Commercial development standards.

Additionally, the economic development goals in College Station are to provide a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and

contributing to a high quality of life. A relevant strategy identified to achieve these goals is to promote and support new investments that serve regional market opportunities. City staff has identified areas along State Highway 6 to provide opportunity for businesses that need highway access. While there will not be a City initiated Comprehensive Plan Amendment for this area, as properties closest to State Highway 6 are currently zoned GC General Commercial, staff recognizes the value of having General Commercial on the Future Land Use and Character Map at this location. The Map is conceptual in nature and this amendment will allow for the subject property to be rezoned keeping in character with adjacent property to the north.

The current designation of Suburban Commercial is suitable for commercial uses that serve the nearby community and are compatible with residential uses. Since surrounding properties are currently entitled for a broader range of uses than would be allowed with Suburban Commercial, an amendment to the Future Land Use and Character Map will be more in line with existing entitled uses and the regional opportunity provided by proximity to State Highway 6.

5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans: The subject property is currently designated as Suburban Commercial on the Comprehensive Plan Future Land Use and Character Map. The proposed amendment is to General Commercial.

The current land use of Suburban Commercial is intended for concentrations of commercial activities that cater primarily to nearby residents versus the larger community or region. Generally, these areas tend to be small in size and located adjacent to major roads (arterials and collectors). Design of Suburban Commercial structures is compatible in size, roof type and pitch, architecture, and lot coverage with the surrounding single-family residential use.

The proposed land use of General Commercial is intended for concentrations of commercial activities that cater both to nearby residents and to the larger community or region. Generally, these areas tend to be large in size and located near the intersection of two regionally significant roads (arterials and freeways).

Earl Rudder Freeway South is designated as a Highway/Freeway on the City's Thoroughfare Plan. Given its location, and that the subject tract retains Suburban Commercial adjacent to the single-family homes, the subject property is suitable for a General Commercial land use designation.

6. Compatibility with the surrounding area: The proposed amendment to General Commercial would allow for the property to be zoned for commercial uses that serve the general community and region. Properties to the north, along the frontage road and are currently zoned GC General Commercial or developed as commercial uses guided by a PDD Planned Development District. The rear portion of the subject property is again being retained as Suburban Commercial to act as a step down land use to the adjacent General Suburban land uses.

Amending the Comprehensive Plan to General Commercial in this area would be more in line with the existing zoning in the area. A Comprehensive Plan Designation of Suburban Commercial would require the retention of the SC Suburban Commercial zoning district on the entire property and would reduce the marketability for potential users given the more stringent development standards that are intended for smaller scale community or neighborhood services.

7. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service will be served by College Station Utilities. There is an existing 12-inch waterline along frontage of Earl Rudder Freeway. Sewer service is available via existing 15-inch sewer main running through the northern portion of the subject property.

Additionally, the property is in the Wolf Pen Creek drainage basin. Sites are generally draining to the North. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the B/CS Unified Design Guidelines.

8. **Impact on the City's ability to provide, fund, and maintain services:** The proposed amendment for the subject property does not negatively impact the City's ability to provide, fund, and maintain services.

9. **Impact on environmentally sensitive and natural areas:** The proposed amendment for the subject property does not negatively impact environmentally sensitive and natural areas or does not prevent the preservation of such areas.

10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. The proposed amendment from Suburban Commercial to General Commercial on approximately 3.34 acres is in line with the Comprehensive Plan.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Background Information
2. Aerial and Amendment Exhibit
3. Application
4. Comprehensive Plan Map
5. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: July 6, 2017

Advertised Council Hearing Dates: July 27, 2017

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:

Raintree Neighborhood Association

Property owner notices mailed: 17

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: One

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural Areas Reserved	NAP Natural Areas Protected	Floodplain
South	Restricted Suburban, Suburban Commercial	R-1 Single- Family Residential	Single-Family, Vacant
East	Suburban Commercial	Suburban Commercial	Vacant
West (Across Earl Rudder Freeway S)	Natural Areas Reserved, General Commercial	GC General Commercial, WPC Wolf Pen Creek	Allen Honda, Grand Station Entertainment

DEVELOPMENT HISTORY

Annexation: February 1971 and September 1977

Zoning: A-O Agricultural Open and R-1 Single-Family Residential Upon Annexation

PDD Planned Development District in 2009

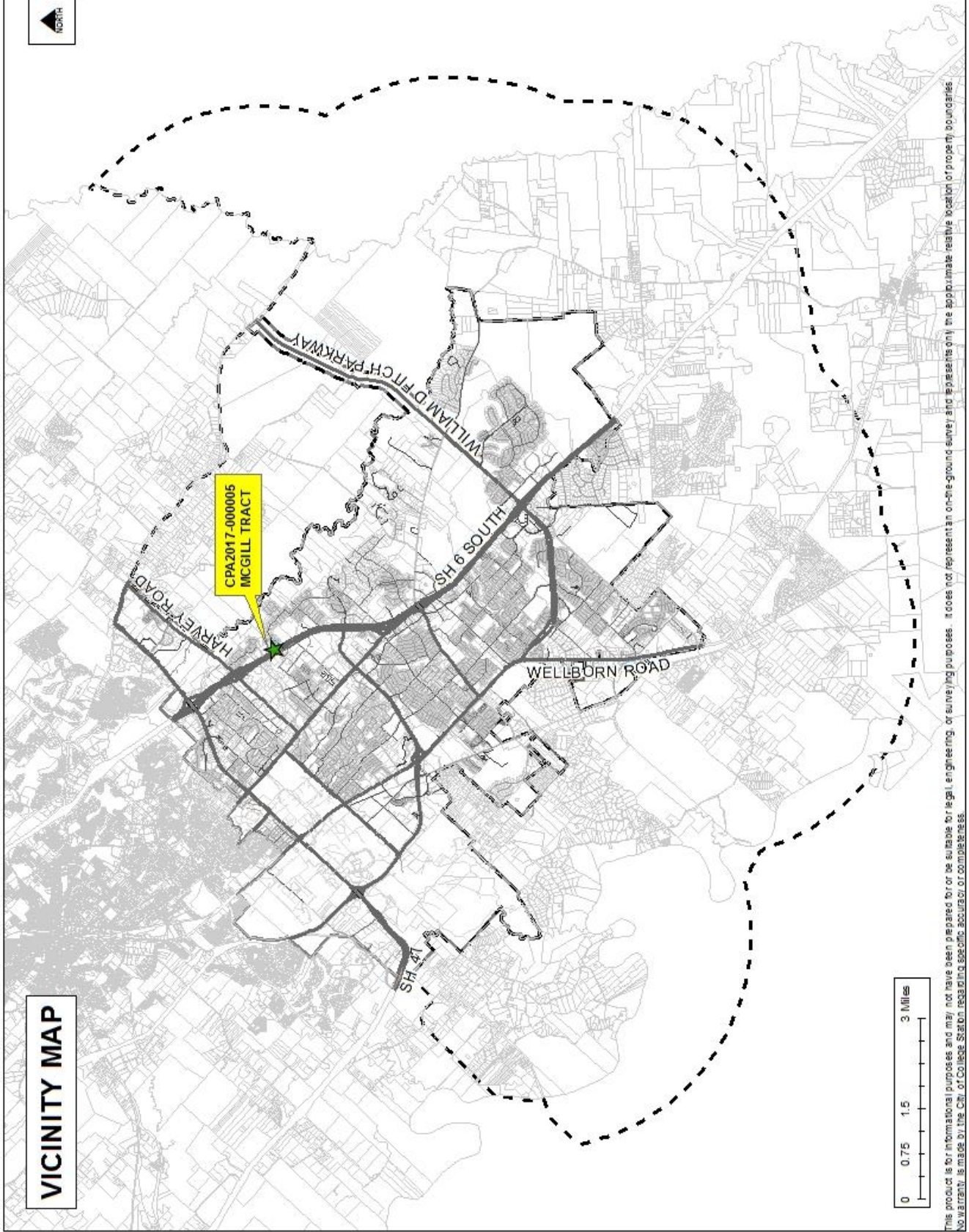
SC Suburban Commercial in 2013

Final Plat: Platted as Lot 1, Block 1 of the McGill Subdivision (2013)

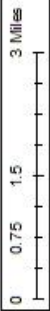
Site development: Vacant



VICINITY MAP

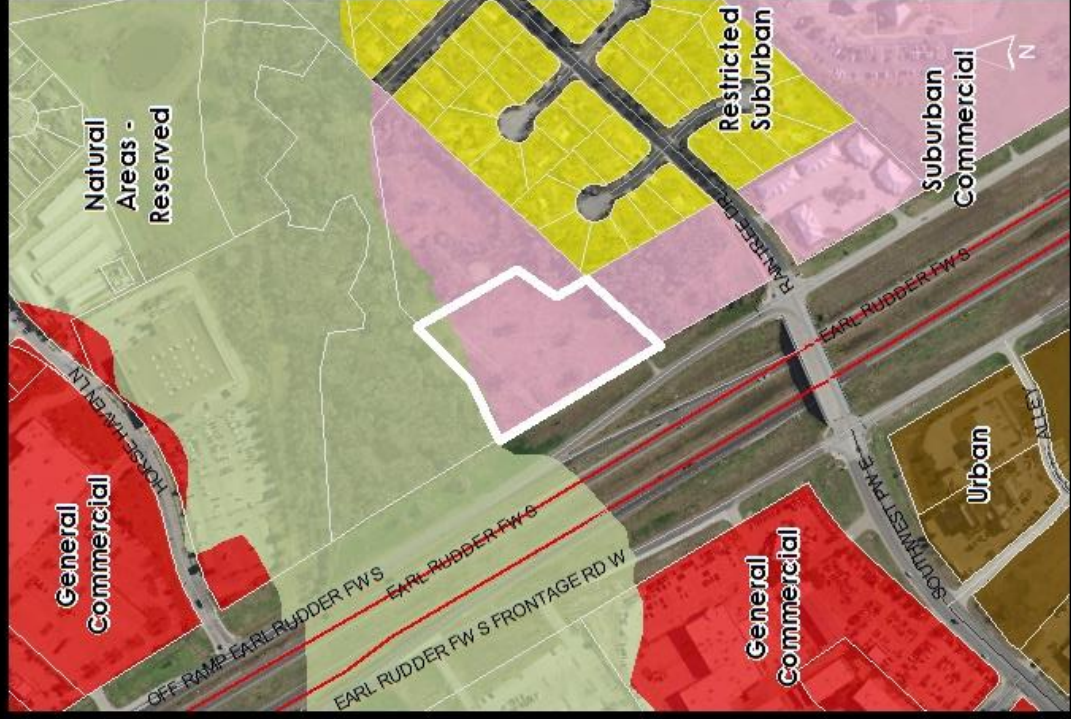


CPA2017-000005
MCGILL TRACT



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and presents only the approximate relative location of property boundaries. No warranty is made by the City of College Station regarding specific accuracy or completeness.

EXISTING Future Land Use



PROPOSED Future Land Use



FOR OFFICE USE ONLY

CASE NO.: _____
DATE SUBMITTED: _____
TIME: _____
STAFF: _____

COMPREHENSIVE PLAN AMENDMENT APPLICATION

(Check all applicable)

☒ Related to Community Character ☐ Related to Transportation ☐ Related to Other _____

MINIMUM SUBMITTAL REQUIREMENTS:

- ☒ \$1,240 Comprehensive Plan Amendment Application Fee.
- ☒ 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.
- ☒ Fully dimensioned map on 24" X 36" paper showing (if applicable):
- Land affected;
 - Present zoning of property and zoning classification of all abutting property;
 - Current Concept Map and Future Land Use and Character Map classifications and proposed classifications;
 - Current Concept Map and Future Land Use and Character Map classifications of all abutting property;
 - Current and proposed thoroughfare alignments;
 - Currently planned utility infrastructure and proposed utility infrastructure;
 - General location and address of property; and
 - Total acres of property.

Date of Optional Preapplication Conference _____

NAME OF PROJECT McGill Tract Comp Plan Amendment

ADDRESS 2381 Earl Rudder Freeway S

LEGAL DESCRIPTION (Lot, Block, Subdivision) Lot 1, Block 1, McGill Subdivision

GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:

TOTAL ACREAGE 3.34 acres / 6.89 acres

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

Name Mitchell & Morgan, c/o Crissy Hartl E-mail crissy@mitchellandmorgan.com

Street Address 3204 Earl Rudder Freeway S

City College Station State TX Zip Code 77845

Phone Number 979.260.6963 Fax Number 979.260.3564

PROPERTY OWNER'S INFORMATION:

Name D&B, LLC c/o Bill Lero E-mail blero@verizon.net
Street Address P.O. Box 3462
City Bryan State TX Zip Code 77805
Phone Number 979.776.1646 Fax Number _____

ANSWER ALL OF THE FOLLOWING:

1. What specific element of the Comprehensive Plan (for example, Land Use and Character designation, Thoroughfare Plan Context Class, or thoroughfare alignment) and at what specific location (if applicable) is requested to be amended?

We are requesting an amendment to the Land Use and Character portion of the Comprehensive Plan.

2. What is the amendment request?

We are requesting that the Land Use and Character designation be amended from Suburban Commercial and Natural Areas Reserved to General Commercial.

3. Explain the reason for this amendment.

This property has been through several rounds of rezonings to find a best scenario for development. All have been based on Suburban Commercial standards, which has not proven to be successful. Due to it's frontage along State Highway 6, the property is best suited for General Commercial uses; however it also abuts residences in the Raintree neighborhood. Therefore, we are requesting that only a portion of the property be amended to General Commercial in order to offer protections to those residences. Additionally, the NAR portion of the request does not contain any FEMA floodplain, therefore we will not be affecting any floodplain areas.

4. Identify the conditions that have changed to warrant this change to the existing Comprehensive Plan.

It has recently been brought to the City Council's attention that the plethora of Suburban Commercial designated property has made it more difficult for many properties to develop. We believe that this property along State Highway 6 is one that is inappropriately considered Suburban Commercial. While we believe it is most appropriate for General Commercial land uses, we also understand that Raintree is a condition that will not change. In order to offer neighborhood protections, we are only requesting that the front portion be amended while the remainder of the property will retain the Suburban Commercial designation.

5. Explain why the existing element of the Comprehensive Plan in question is no longer appropriate.

This property has had difficulty developing under Suburban Commercial land use designation and zoning standards. The market does not see this property as developable under Suburban Commercial standards. In order to give this property fair development opportunity, we are requesting that only the front portion of the property be amended to allow General Commercial land uses. Regarding the NAR, a topographic survey of the area reveals that there is no FEMA floodplain within the request. Therefore, this element of the Comprehensive Plan is not appropriate.

6. How does the requested amendment further the goals and objectives of the Comprehensive Plan?

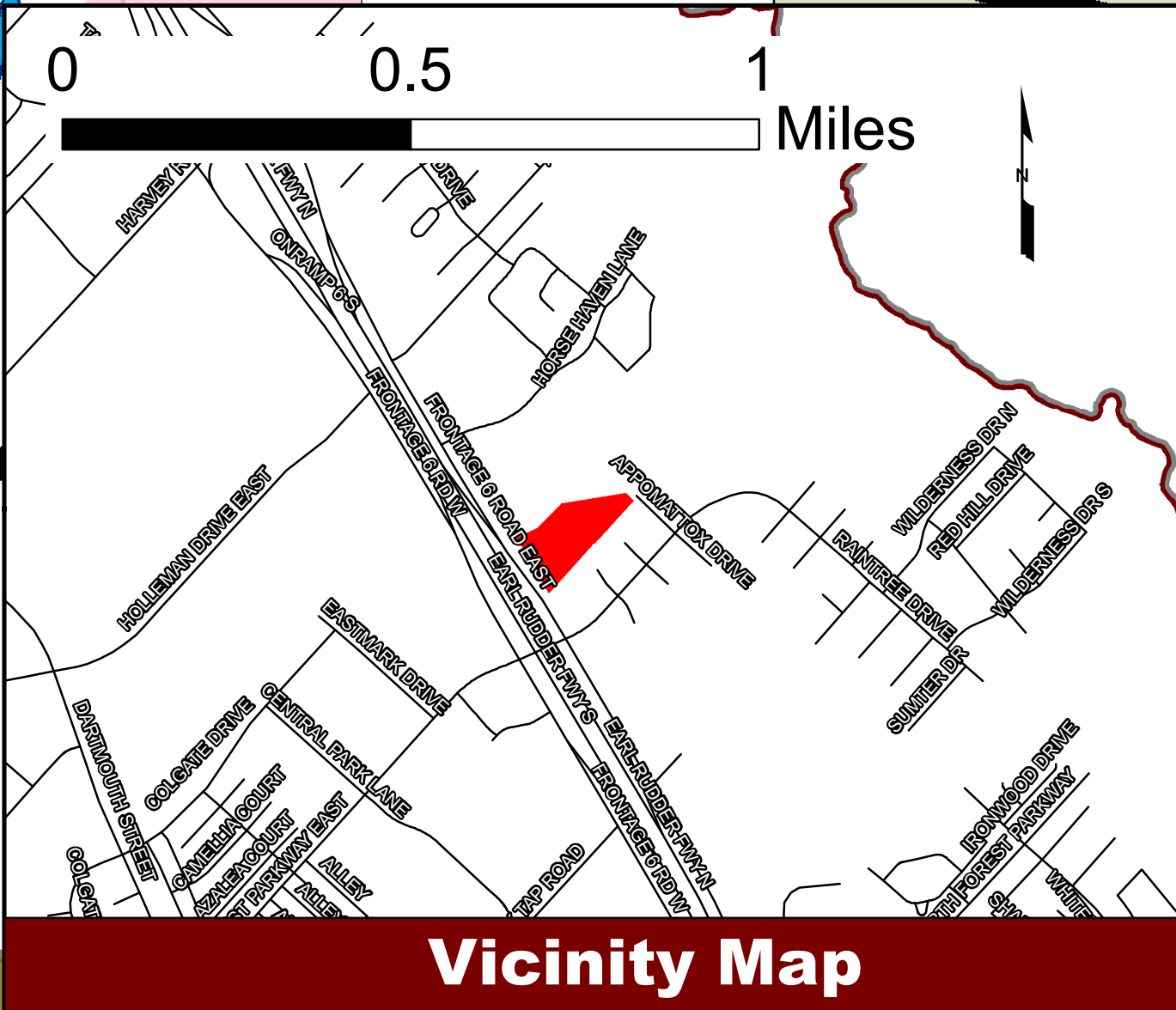
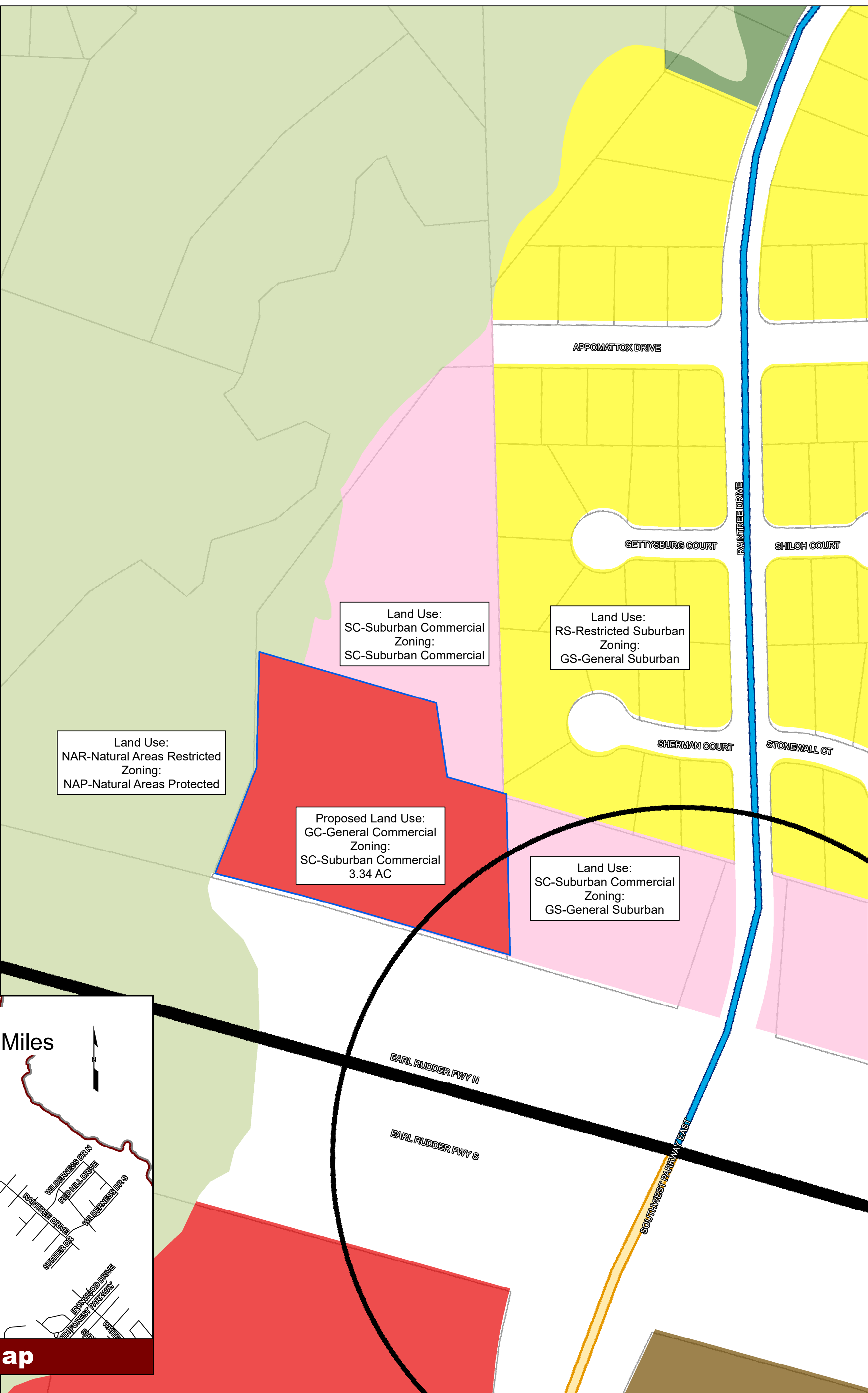
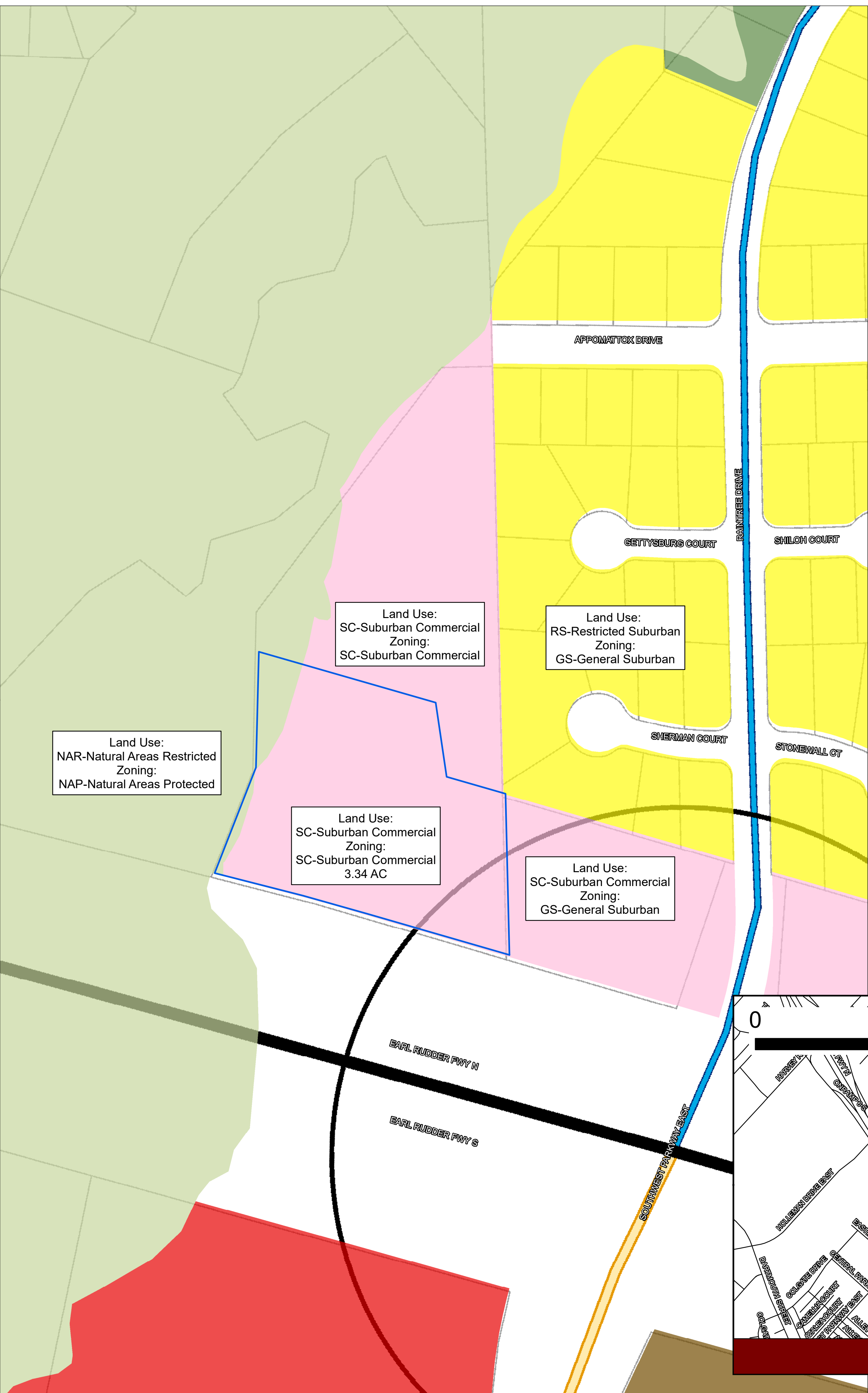
In the Economic Development portion of the Comprehensive Plan, the City of College Station has stated one of its goals, as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such opportunities and that the City remains responsive to an ever-changing market." We believe amending the Land Use Plan is a response to the market that Suburban Commercial is not an appropriate land use for this property and that this amendment will open opportunities for necessary commercial development at this location to fulfill this goal.

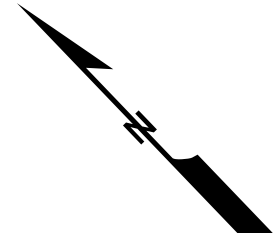
7. What other information are you providing to support the proposed amendment (for example, transportation impact study)?

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.

William J. Le
Signature and title *MEMBER*

3/22/17
Date





1 inch = 100 feet

Note:
There is FEMA floodplain on the property per panel FM48041C0310F dated: 04/02/2014, but it does not affect the area being rezoned.

- 109 - Restricted Suburban
- 120 - 250 - Urban
- 210 - General Commercial
- 200 - Suburban Commercial
- 800 - Natural Areas - Reserved
- 710 - 720 - Natural Areas - Protected
- Grade Separation
- Proposed Grade Separation
- Freeway/Expressway
- 6 Lane Major Arterial
- Proposed 6 Lane Major Arterial
- 4 Lane Major Arterial
- Proposed 4 Lane Major Arterial
- 4 Lane Minor Arterial
- Proposed 4 Lane Minor Arterial
- 2 Lane Major Collector
- Proposed 2 Lane Major Collector
- 2 Lane Minor Collector
- Proposed 2 Lane Minor Collector

MITCHELL
M&M
MORGAN

T. 979.260.6963
F. 979.260.3564

3204 Earl Rudder FWY S
College Station, TX 77845

Plan & Design Specialists in
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Hydrology · Utilities · Streets
Site Plans · Subdivisions

www.mitchellandmorgan.com

**Comp Plan
Amendment Map**

A Portion of Lot 1, Block 1,
McGill Subdivision

March 2017

1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING THE COLLEGE STATION COMPREHENSIVE PLAN BY AMENDING THE COMPREHENSIVE PLAN – FUTURE LAND USE & CHARACTER MAP FROM SUBURBAN COMMERCIAL TO GENERAL COMMERCIAL FOR APPROXIMATELY 3.34 ACRES LOCATED AT 2381 EARL RUDDER FREEWAY SOUTH, GENERALLY LOCATED NORTH OF RAINTREE DRIVE ALONG EARL RUDDER FREEWAY SOUTH, PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

PART 1: That the “Comprehensive Plan of the City of College Station” is hereby amended by adding a new Subsection C.2.cc of Exhibit “A” thereto as set out in Exhibit “A” attached hereto and made a part hereof; and by amending the “Comprehensive Plan Future Land Use and Character Map,” as set out in Exhibit “B” attached hereto for the identified area and made a part hereof for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That this ordinance shall take effect immediately from and after its passage.

PASSED, ADOPTED and APPROVED this 27th day July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That ordinance no. 3186 adopting the “Comprehensive Plan of the City of College Station” as amended, is hereby amended by adding a new subsection C.2.cc to Exhibit “A” of said plan for Exhibit “A” to read in its entirety as follows:

“EXHIBIT ‘A’**A. Comprehensive Plan**

The College Station Comprehensive Plan (Ordinance 3186) is hereby adopted and consists of the following:

1. Existing Conditions;
2. Introduction;
3. Community Character;
4. Neighborhood Integrity;
5. Economic Development;
6. Parks, Greenways & the Arts;
7. Transportation;
8. Municipal Services & Community Facilities;
9. Growth Management and Capacity; and
10. Implementation and Administration.

B. Master Plans

The following Master Plans are hereby adopted and made a part of the College Station Comprehensive Plan:

1. The Northgate Redevelopment Plan dated November 1996;
2. The Revised Wolf Pen Creek Master Plan dated 1998;
3. Northgate Redevelopment Implementation Plan dated July 2003;
4. East College Station Transportation Study dated May 2005;
5. Parks, Recreation and Open Space Master Plan dated May 2005;
6. Park Land Dedication Neighborhood Park Zones Map dated January 2009;
7. Park Land Dedication Community Park Zones map dated April 2009;
8. Bicycle, Pedestrian, and Greenways Master Plan dated January 2010;
9. Central College Station Neighborhood Plan dated June 2010;
10. Eastgate Neighborhood Plan dated June 2011;
11. Recreation, Park and Open Space Master Plan dated July 2011;
12. Southside Area Neighborhood Plan dated August 2012;
13. Medical District Master Plan dated October 2012;
14. Wellborn Community Plan dated April 2013;
15. Economic Development Master Plan dated September 2013;
16. South Knoll Area Neighborhood Plan dated September 2013;
17. The Water System Master Plan dated April 2017; and
18. The Wastewater System Master Plan dated April 2017.

C. Miscellaneous Amendments

The following miscellaneous amendments to the College Station Comprehensive Plan are as follows:

1. Text Amendments:

- a. Chapter 2 “Community Character,” “Growth Areas” by amending the text regarding Growth Area IV and Growth Area V – Ordinance 3376, dated October 2011.
- b. Chapter 6 “Transportation” by amending the text regarding Complete Streets, Context Sensitive Solutions, Minimum Length and Additional Right-of-Way for Turn Lanes at Intersections, and Right-of-Way for Utilities – Ordinance 3729, dated December 10, 2015.
- c. Chapter 2 “Community Character,” Chapter 3 “Neighborhood Integrity,” Chapter 4 “Economic Development,” Chapter 5 “Parks, Greenways, and the Arts,” and Chapter 7 “Municipal Services and Community Facilities” by amending the text based on the recommendation of the Comprehensive Plan Five-Year Evaluation & Appraisal Report – Ordinance 3730 dated December 10, 2015.
- d. Chapter 8 “Growth Management & Capacity” by amending the text based on recommendations from the Annexation Task Force – Ordinance 3766, dated April 28, 2016.

2. Future Land Use and Character Map Amendment:

- a. 301 Southwest Parkway – Ordinance 3255, dated July 2010.
- b. Richards Subdivision – Ordinance 3376, dated October 2011.
- c. Earl Rudder Freeway at University Oaks – Ordinance 3465, dated November 19, 2012
- d. 1600 University Drive East – Ordinance 3535, dated November 14, 2013.
- e. 2560 Earl Rudder Freeway S. – Ordinance 3541, dated December 12, 2013.
- f. 13913 FM 2154. – Ordinance 3546, dated January 9, 2014.
- g. 2021 Harvey Mitchell Parkway – Ordinance 3549, dated January 23, 2014.
- h. 1201 Norton Lane – Ordinance 3555, dated February 27, 2014.
- i. 3715 Rock Prairie Road West – Ordinance 3596, dated August 25, 2014.
- j. 4201 Rock Prairie Road – Ordinance 3670, dated July 9, 2015.
- k. The approximately 40 acres of land generally located east of FM 2154 (aka Wellborn Road), south of the Southern Trace Subdivision, west of State Highway 40 (aka William D. Fitch Parkway), and north of Westminster Subdivision – Ordinance 3731, dated December 10, 2015.
- l. The approximately 120 acres of land generally located south of Barron Cut-Off Road, west of WS Phillips Parkway, north of the Castlegate II Subdivision, and east of the Wellborn Community – Ordinance 3732, dated December 10, 2015.
- m. The approximately 900 acres of land generally located south of Greens Prairie Road West, east of the Sweetwater Subdivision, and north of Arrington Road – Ordinance 3733, dated December 10, 2015.

- n. The approximately 17.788 acres of land generally located at the corner of Turkey Creek Road and Raymond Stotzer Parkway frontage road.– Ordinance 3752, dated March 10, 2016.
- o. The approximately 9 acres of land generally located north of the Crossroad Woods Subdivision near the intersection of Wellborn Road (FM 2154) and Greens Prairie Trail – Ordinance 3779, dated June 9, 2016
- p. The approximately 16 acres located at 8607 Rock Prairie Road, generally located at the north of Rock Prairie Road and west of William D. Fitch Parkway – Ordinance 3794, dated August 11, 2016.
- q. The approximately 14.25 acres of land located at 2501 Earl Rudder Freeway South, generally located north of North Forest Parkway and south of Raintree Drive, along the east side of Earl Rudder Freeway South – Ordinance 3799, dated August 25, 2016.
- r. The approximately 7 acres of land located along the south side of State Highway 30, south of Veterans Memorial Park – Ordinance 3828, dated October 27, 2016.
- s. The approximately 58 acres of land generally located along the east side of State Highway 6 South, north of W.D. Fitch parkway and south of the future Pebble Creek Parkway extension –Ordinance 3830, dated October 27, 2016.
- t. The approximately 2 acres of land generally located on Corsair Circle north of Pavilion Avenue – Ordinance 3846, dated December 8, 2016.
- u. The approximately 18 acres of land generally located at the southeast corner of Sebesta Road and Earl Rudder Freeway frontage road – Ordinance 3848, dated December 8, 2016.
- v. The approximately 6 acres of land being situated in the Pooh’s Park Subdivision, Block 1, Lots 6-14 recorded in Volume 314, Page 618 of the deed records of Brazos County, Texas, located at 204, 206, 208, 210, 212, 214, 216, 218, and 220 Holleman Drive east, more generally southwest of the intersection of Holleman Drive East and Lassie Lane by – Ordinance 3850, dated January 12, 2017.
- w. The approximately 6.3 acres of land generally located northeast intersection of Copperfield Parkway and Crescent Pointe Parkway - Ordinance 3859, dated February 9, 2017.
- x. The approximately 11.3 acres of land generally located at the southeast intersection of Earl Rudder Freeway South and Emerald Parkway – Ordinance 3875, dated April 27, 2017.
- y. The approximately 232 acres of land generally located south of Rock Prairie Road - Ordinance 3877, dated April 27, 2017.
- z. The approximately 5.96 acres of land generally located in the northeast corner of Associates Avenue and Harvey Road intersection. – Ordinance 3879, dated April 27, 2017.
- aa. The approximately 4.74 acres of land generally located at the corner of Harvey Mitchell Parkway South and Raymond Stotzer Parkway – Ordinance 3882, dated May 11, 2017.

- bb. The approximately 3.2 acres of land generally located east of Copperfield Parkway and south of Harvey Road. – Ordinance 3884, dated May 11, 2017.
- cc. The approximately 3.34 acres of land generally located north of Raintree Drive along Earl Rudder Freeway South – by this ordinance dated July 27, 2017.
- 3. Concept Map Amendment:
 - a. Growth Area IV – Ordinance 3376, dated October 2011.
 - b. Growth Area V – Ordinance 3376, dated October 2011.
- 4. Thoroughfare Map Amendment:
 - a. Raintree Drive – Ordinance 3375, dated October 2011.
 - b. Birkdale Drive – Ordinance 3375, dated October 2011.
 - c. Corsair Circle – Ordinance 3375, dated October 2011.
 - d. Deacon Drive – Ordinance 3375, dated October 2011.
 - e. Dartmouth Drive – Ordinance 3375, dated October 2011.
 - f. Farm to Market 60 – Ordinance 3375, dated October 2011.
 - g. Southwest Parkway – Ordinance 3375, dated October 2011.
 - h. Cain Road extension – Ordinance 3639, dated February 26, 2015.
 - i. Update to Chapter 6 Maps- Ordinance 3729, dated December 10, 2015.
 - j. South College Station Mobility Study – Ordinance 3827, dated October 27, 2016.
 - k. Pavilion Avenue extension – by this ordinance dated May 11, 2017.
- 5. Bicycle, Pedestrian and Greenways Master Plan Amendment:
 - a. Cain Road extension – Ordinance 3639, dated February 26, 2015
 - b. Update to Maps 5.4 and 5.5- Ordinance 3729, dated December 10, 2015.
 - c. South College Station Mobility Study – Ordinance 3827, dated October 27, 2016.
 - d. Update to Maps 5.4 and 5.5 – Ordinance 3877, dated April 27, 2017.

D. General

- 1. Conflict. All parts of the College Station Comprehensive Plan and any amendments thereto shall be harmonized where possible to give effect to all. Only in the event of an irreconcilable conflict shall the later adopted ordinance prevail and then only to the extent necessary to avoid such conflict. Ordinances adopted at the same city council meeting without reference to another such ordinance shall be harmonized, if possible, so that effect may be given to each.
- 2. Purpose. The Comprehensive Plan is to be used as a guide for growth and development for the entire City and its extra-territorial jurisdiction (“ETJ”). The College Station Comprehensive Plan depicts generalized locations of proposed future land-uses, including thoroughfares, bikeways, pedestrian ways, parks, greenways, and waterlines that are subject to modification by the City to fit local conditions and budget constraints.
- 3. General nature of Future Land Use and Character. The College Station Comprehensive Plan, in particular the Future Land Use and Character Map found in A.3 above and any adopted amendments thereto, shall not be nor considered a zoning map, shall not constitute zoning regulations or establish zoning boundaries and shall not be site or parcel specific but shall be used to illustrate generalized locations.

4. General nature of College Station Comprehensive Plan. The College Station Comprehensive Plan, including the Thoroughfare Plan, Bicycle, Pedestrian, and Greenways Master Plan, Central College Station Neighborhood Plan, Water System Master Plan and any additions, amendments, master plans and subcategories thereto depict same in generalized terms including future locations; and are subject to modifications by the City to fit local conditions, budget constraints, cost participation, and right-of-way availability that warrant further refinement as development occurs. Linear routes such as bikeways, greenways, thoroughfares, pedestrian ways, waterlines and sewer lines that are a part of the College Station Comprehensive Plan may be relocated by the City 1,000 feet from the locations shown in the Plan without being considered an amendment thereto.
5. Reference. The term College Station Comprehensive Plan includes all of the above in its entirety as if presented in full herein, and as same may from time to time be amended.”

EXHIBIT “B”

That the “Comprehensive Plan of the City of College Station” is hereby amended by amending a portion of the map titled “Map 2.2-Future Land Use & Character” of Chapter 2 –Community Character” from Suburban Commercial to General Commercial shown as follows:

PROPOSED
Future Land Use



EXISTING
Future Land Use





Legislation Details (With Text)

File #:	17-0365	Version:	1	Name:	Rezoning – 2381 Earl Rudder Freeway South (McGill Tract)
Type:	Rezoning	Status:		Status:	Agenda Ready
File created:	7/11/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	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 SC Suburban Commercial to GC General Commercial for approximately 3.34 acres located at 2381 Earl Rudder Freeway South, generally located north of Raintree Drive along Earl Rudder Freeway South. Case #REZ2017-000007.				
Sponsors:	Mark Bombek				
Indexes:					
Code sections:					
Attachments:	Background Information Aerial and Small Area Map Application Zoning Map Ordinance				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

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 SC Suburban Commercial to GC General Commercial for approximately 3.34 acres located at 2381 Earl Rudder Freeway South, generally located north of Raintree Drive along Earl Rudder Freeway South. Case #REZ2017-000007.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning and Zoning Commission heard this item at their July 6th regular meeting. The Commission unanimously voted to recommend approval of the request.

Summary: This request is amending the zoning district boundaries on the property to rezone approximately 3.34 acres of land of the larger 6.9 acre lot from SC Suburban Commercial to GC General Commercial. This request is in conjunction with a request to amend the Comprehensive Plan from Suburban Commercial to General Commercial as a future land use.

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject property is designated as Suburban Commercial and Natural Areas Reserved on the Comprehensive Plan Future Land Use and Character Map. The Suburban Commercial designation is intended for commercial activities that cater primarily to nearby residents and are areas that tend to be small in size and located adjacent to major roadways. The design of structures in this land use are intended to be compatible in size, roof type and pitch, architecture, and lot coverage with the surrounding single-family residential uses. The Natural Areas - Reserved designation is intended for areas that should be preserved for their natural function or open space qualities. As a part of the zoning request the applicant is also requesting an amendment to the Comprehensive Plan to change the future land use for the front portion of the property designation to General Commercial. Should the land use designation amendment be approved the applicant's request to rezone the property to GC General Commercial would be consistent with the Comprehensive Plan. Should the request to amend the Comprehensive Plan be denied the rezoning is no longer consistent with the future land use designation and staff would not be supporting the request to rezone.
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The property was previously zoned as SC Suburban Commercial in 2013 to allow for the development of businesses that are contextually appropriate given the subject property's proximity to the Raintree Subdivision. In 2016, the applicant requested a change to zoning through a request for a PDD with a base zoning district of SC Suburban Commercial that was modified to allow uses allowed in a General Commercial zoning district due to its access and visibility to Texas State Highway 6. The request was ultimately denied by City Council due to incompatibility with the adjacent Raintree Neighborhood. The current request is seeking to limit the General Commercial zoning to the front 3 acres of the property immediately adjacent to the frontage road. In the previous rezoning, City Council made comments in regards to a General Commercial zoning being more appropriate for the front portion and leaving the remainder of the lot as Suburban Commercial in order to maintain a higher development standard adjacent to the existing single family homes. This request is a result of those comments and is more appropriate as it expands the development opportunities of this property with consideration to its adjacency to Earl Rudder Freeway South and filling a need for regionally serving commercial businesses along the bypass. Maintaining a Suburban Commercial zoning adjacent to the existing residential keeps additional restrictions on development to mitigate the impact posed on the adjacent neighborhood, making the request more compatible with uses surrounding the property.
- 3. Suitability of the property affected by the amendment for uses permitted by the districts that would be made applicable by the proposed amendment:** The proposed rezoning is appropriate for this area due to its location on the frontage road of Earl Rudder Freeway South.
- 4. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** It has been understood that this property is suitable for commercial uses though the intensity of commercial has been the discussion on this property for some time. Due to the subject property's location and visibility along Earl Rudder Freeway it would traditionally be appropriate to have more regionally serving general commercial uses. However, with the tract's adjacency to the Raintree Neighborhood, it would be appropriate to have uses that were more in line with our Suburban Commercial District. Rezoning only the front portion of the property for General Commercial would open up opportunities to market the property for more regionally serving commercial development as typically seen along the Freeway, and preserve the existing Suburban Commercial zoning at the

back portion of the lot to provide development restrictions to aid in protecting the existing homes that are located within the Raintree Neighborhood.

- 5. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property can be marketed under the current zoning which allows for commercial uses appropriate for land adjacent to a single-family neighborhood. The owner claims that the proposed rezoning that not only allows uses permitted under SC Suburban Commercial but also additional uses allowed under GC General Commercial will help increase the marketability and development of the property.
- 6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** There is an existing 12-inch water main adjacent to the tract along Earl Rudder Freeway South. There is also a 15-inch sanitary sewer main running through the northern portion of the property. Drainage is generally to the north within the Wolf Pen Creek Drainage Basin. The property is currently not encumbered by FEMA Special Flood Hazard Area. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. Existing infrastructure appears to be adequate for the proposed use.

The subject tract will take access from Earl Rudder Freeway South (Freeway/Expressway), pending TxDOT approval. A Traffic Impact Analysis (TIA) was completed for the previous PDD request in 2009. Due to the intensity of uses not increasing when factoring the base zoning district, a new TIA may be required with the Site Plan once uses for the property have been further established.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Background Information
2. Aerial & Small Area Map
3. Application
4. Rezoning Map
5. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: July 6, 2017

Advertised Council Hearing Dates: July 27, 2017

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:

Raintree Neighborhood Association

Property owner notices mailed: 17

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: One

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural Areas Reserved	NAP Natural Areas Protected	Floodplain
South	Restricted Suburban, Suburban Commercial	R-1 Single- Family Residential	Single-Family, Vacant
East	Suburban Commercial	Suburban Commercial	Vacant
West (Across Earl Rudder Freeway S)	Natural Areas Reserved, General Commercial	GC General Commercial, WPC Wolf Pen Creek	Allen Honda, Grand Station Entertainment

DEVELOPMENT HISTORY

Annexation: February 1971 and September 1977

Zoning: A-O Agricultural Open and R-1 Single-Family Residential Upon Annexation

PDD Planned Development District in 2009

SC Suburban Commercial in 2013

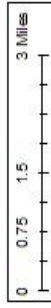
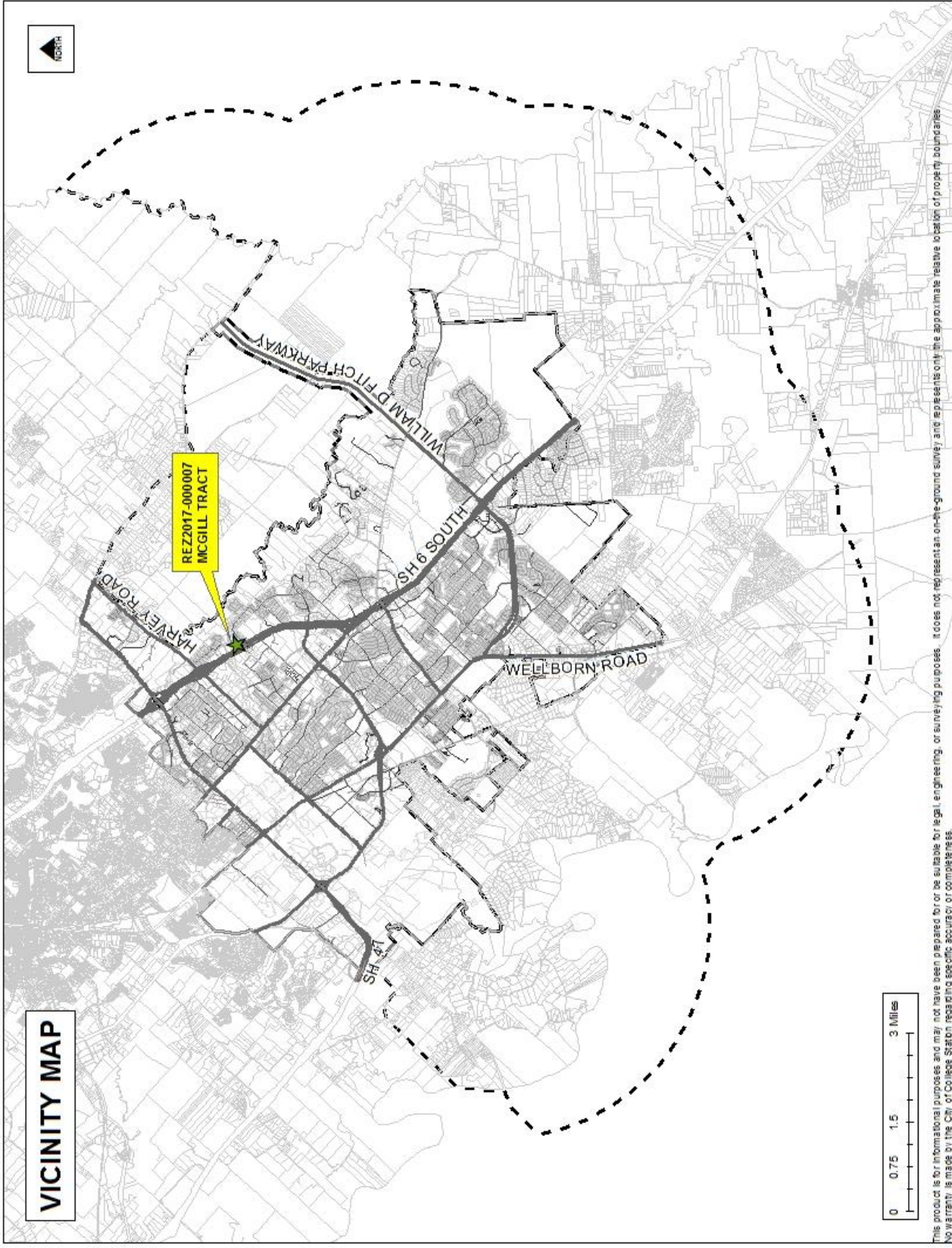
Final Plat: Platted as Lot 1, Block 1 of the McGill Subdivision (2013)

Site development: Vacant

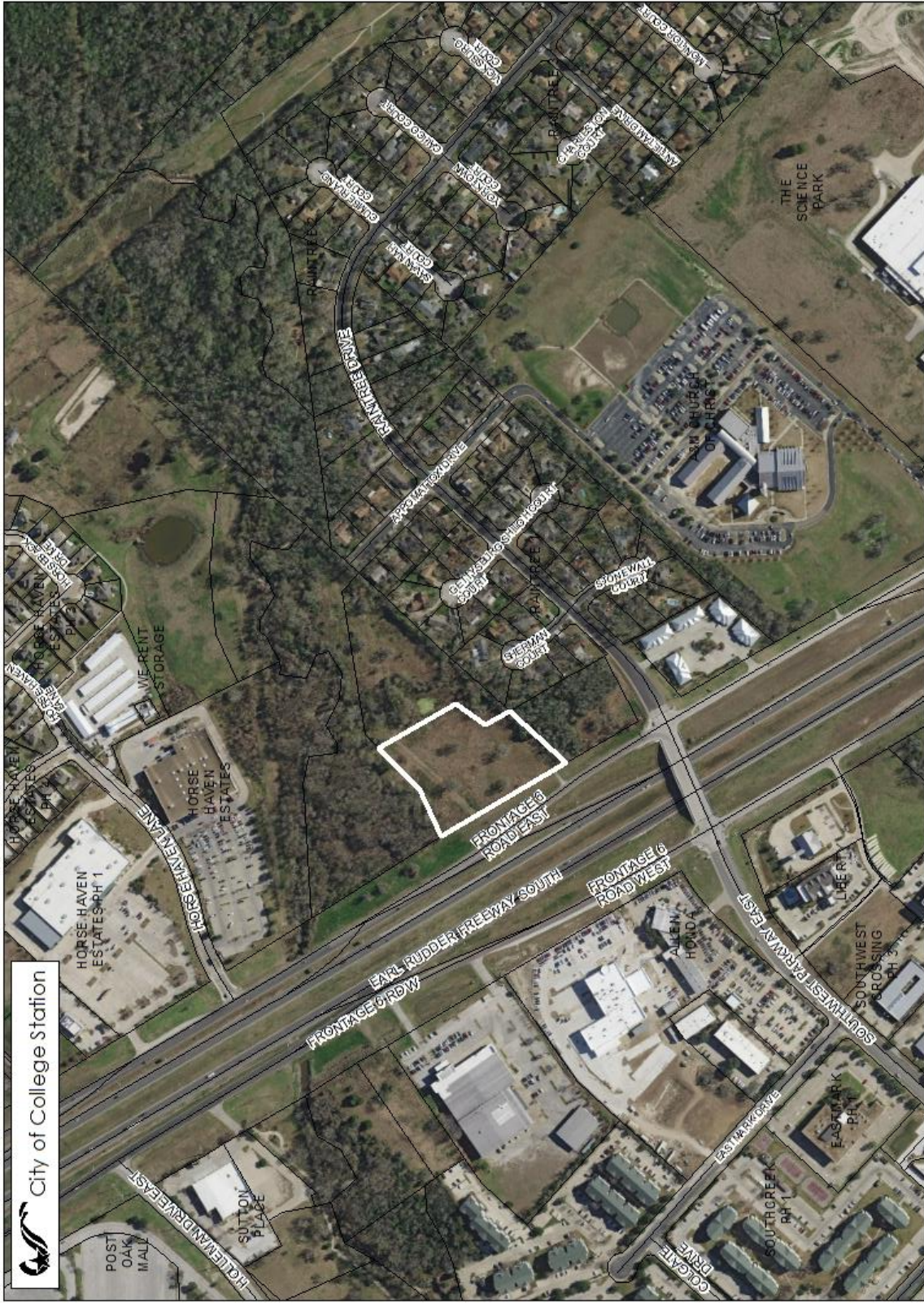
VICINITY MAP



REZ2017-000007
MCGILL TRACT



This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. No warranty is made by the City of College Station regarding specific accuracy or completeness.



City of College Station

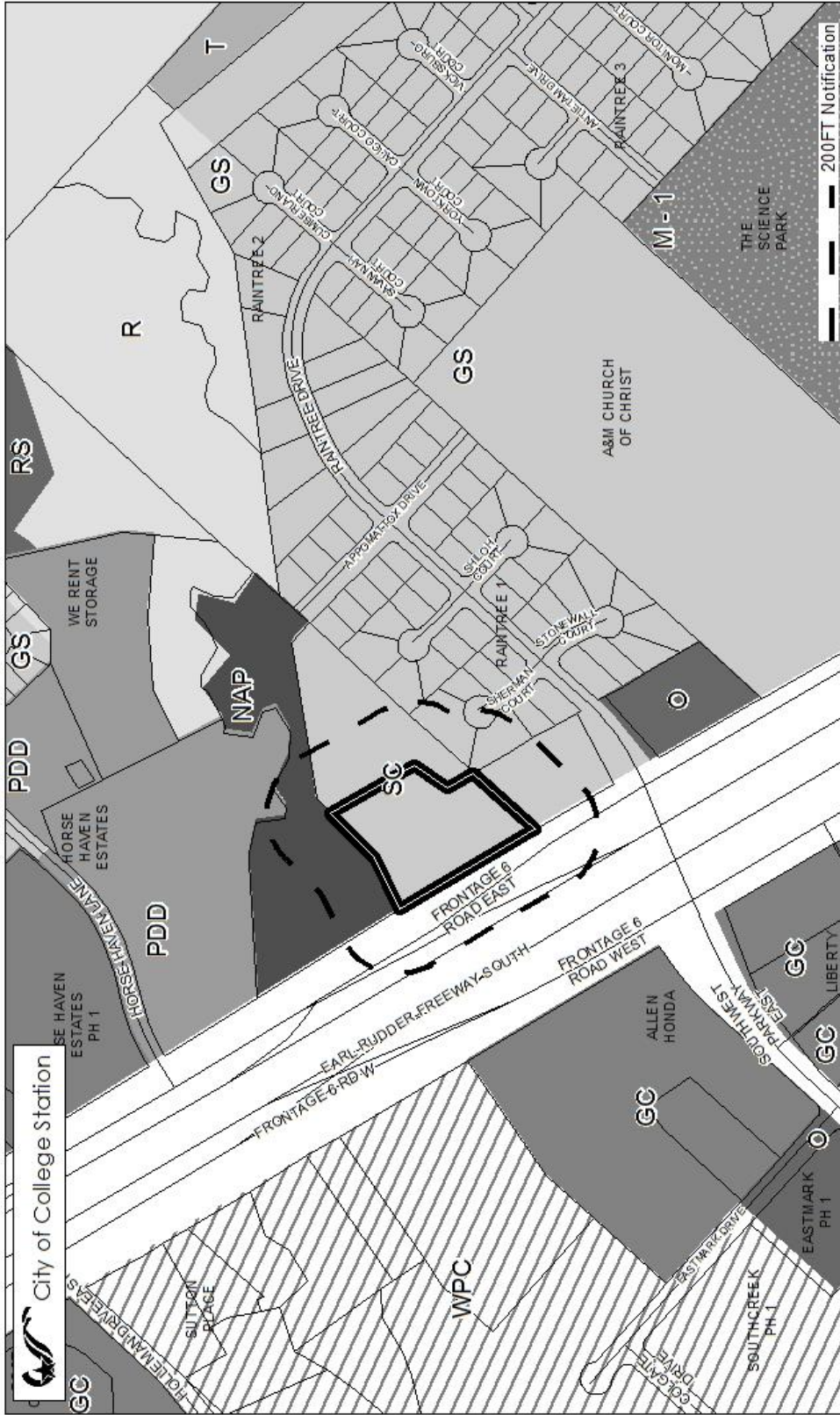


0 425 850 Feet

MC GILL TRACT

Case: REZ2017-000007

REZONING



City of College Station

ZONING DISTRICTS (in Grayscale)			
Residential	MU	Mixed-Use	CI
R	MHP	Manufactured Home P.k.	BP
E	Estate	Non-Residential	BP1
RS	Restricted Suburban	NAP	C-U
GS	General Suburban	Natural Area Protected	Planned Districts
D	Duplex	Office	P-MUD
T	Townhome	Suburban Commercial	PDD
MF	Multi-Family	General Commercial	Planned Develop. Dist.
Design Districts			
WPC			
NG-1			
NG-2			
NG-3			
Commercial Industrial			
Business Park			
Business Park Industrial			
College and University			
Planned Districts			
P-MUD			
Planned Mixed-Use Dist.			
Planned Develop. Dist.			
Design Districts			
WPC			
NG-1			
NG-2			
NG-3			
Core Northgate			
Transitional Northgate			
Residential Northgate			
Wolf Pen Creek Dev. Cor.			
Corridor Ovr.			
Overlay Districts			
OV			
Retired Districts			
R-1B			
Single Family Residential			
R-4			
Multi-Family			
R-6			
High Density Multi-Family			
RD			
Research and Dev.			
M-1			
Light Industrial			
M-2			
Heavy Industrial			

0 425 850 Feet

MCGILL TRACT

Case: REZ2017-000007

REZONING

**FOR OFFICE USE ONLY**

CASE NO.: _____
DATE SUBMITTED: _____
TIME: _____
STAFF: _____

ZONING MAP AMENDMENT (REZONING) APPLICATION GENERAL

MINIMUM SUBMITTAL REQUIREMENTS:

- ☒ \$1,240 Rezoning Application Fee.
- ☒ 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.
- ☒ Traffic Impact Analysis or calculations of projected vehicle trips showing that a TIA is not necessary for the proposed request.
- ☒ Copy of a fully dimensioned map
 - a. Land affected
 - b. Legal description of area of proposed change;
 - c. Present zoning
 - d. Zoning classification of all abutting land
 - e. All public and private rights-of-way and easements bounding and intersecting subject land.
- ☒ Written legal description of subject property (metes & bounds or lot & block of subdivision, whichever is applicable).

NOTE: If a petition for rezoning is denied by the City Council, another application for rezoning shall not be filed within a period of 180 days from the date of denial, except with permission of the Planning & Zoning Commission.

Date of Optional Preapplication Conference _____

NAME OF PROJECT McGill Tract Rezoning

ADDRESS 2381 Earl Rudder Freeway S

LEGAL DESCRIPTION (Lot, Block, Subdivision) Lot 1, Block 1, McGill Subdivision

GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:

TOTAL ACREAGE 3.34 acres / 6.89 acres

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

Name Mitchell & Morgan c/o Crissy Hartl E-mail crissy@mitchellandmorgan.com

Street Address 3204 Earl Rudder Freeway S

City College Station State TX Zip Code 77845

Phone Number 979.260.6963 Fax Number 979.260.3564

PROPERTY OWNER'S INFORMATION:

Name D&B, LLC c/o Bill Lero E-mail blero@verizon.net

Street Address P.O. Box 3462

City Bryan State TX Zip Code 77805

Phone Number 979.776.1646 Fax Number _____

OTHER CONTACTS (Please specify type of contact, i.e. project manager, potential buyer, local contact, etc.):

Name _____ E-mail _____

Street Address _____

City _____ State _____ Zip Code _____

Phone Number _____ Fax Number _____

This property was conveyed to owner by deed dated 9/13/2013 and recorded in Volume 11610, Page 121 of the Brazos County Official Records.

Existing Zoning SC Suburban Commercial Proposed Zoning GC General Commercial

Present Use of Property Undeveloped

Proposed Use of Property Commercial uses

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which make this zone change necessary.

This property has had difficulty developing under Suburban Commercial land use designation and zoning standards. The market does not see this property as developable under Suburban Commercial standards. Further, it has recently been brought to the City Council's attention that the plethora of Suburban Commercial designated property has made it more difficult for many properties to develop. We believe that this property along State Highway 6 is one that is inappropriately considered Suburban Commercial. In order to give this property fair development opportunity while also offering protection to the Raintree neighborhood, we are requesting that only the front portion of the property be amended to allow General Commercial land uses.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

The Comprehensive Plan currently designates this property as Suburban Commercial. We have requested an amendment for General Commercial. If the amendment is approved, this zoning request will be in compliance with the Comprehensive Plan.

3. How will this zone change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?

The portion of the property that is being requested for the zoning change is closest to State Highway 6 and adjacent to property that is zoned SC Suburban Commercial. The boundary of the zoning request was driven by the single-family residences that abut the subject tract. We've limited the amount of General Commercial that can be developed on the tract and left a buffer of SC Suburban Commercial to offer protection between the GC and residences. This zoning configuration is most compatible with the adjacent SC Suburban Commercial properties and preserves the character of the neighborhood.

4. Explain the suitability of the property for uses permitted by the rezoning district requested.

According to the Unified Development Ordinance, the GC General Commercial zoning district "is designed to provide locations for general commercial purposes, that is, retail sales and service uses that function to serve the entire community and its visitors." Given the property's location along State Highway 6 and visibility to the community residents and visitors that travel on the highway, this property is most suitable to offer commercial uses for the larger community.

5. Explain the suitability of the property for uses permitted by the current zoning district.

This property has held an SC Suburban Commercial based zoning since 2009 and it has not been successful. A majority of the interest in the property is for General Commercial uses due to its location and visibility on State Highway 6. Suburban Commercial is not suitable for the front portion of the property.

6. Explain the marketability of the property for uses permitted by the current zoning district.

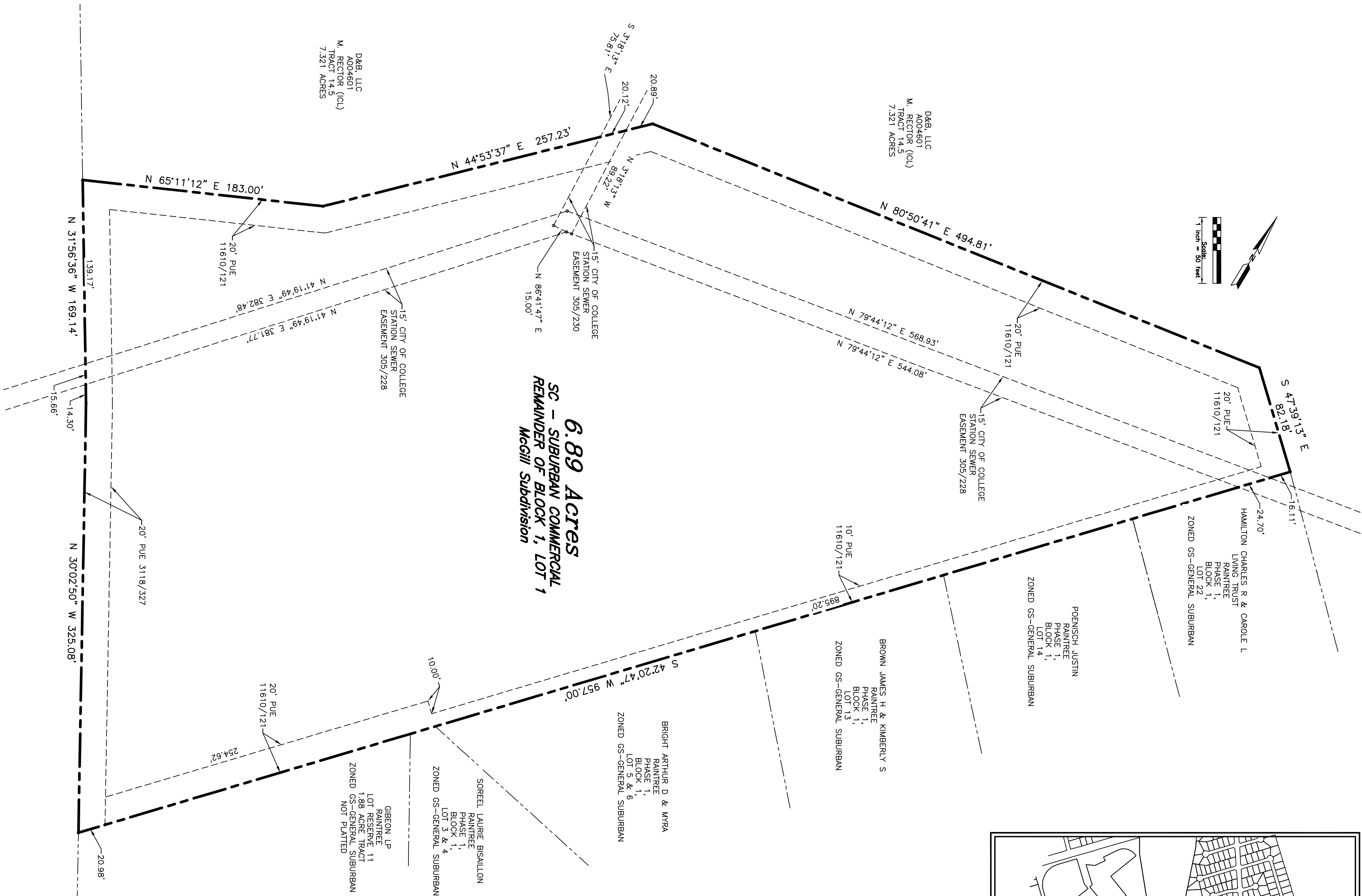
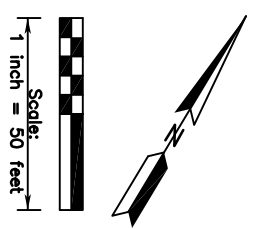
As an actively marketed property, the existing SC Suburban Commercial zoning district on the property has proven not to be marketable over the last 8 years. We are seeking a compromise to only zone the front portion of the property GC General Commercial while leaving SC Suburban Commercial for the remainder of the property abutting the residences in Raintree.

7. List any other reasons to support this zone change.

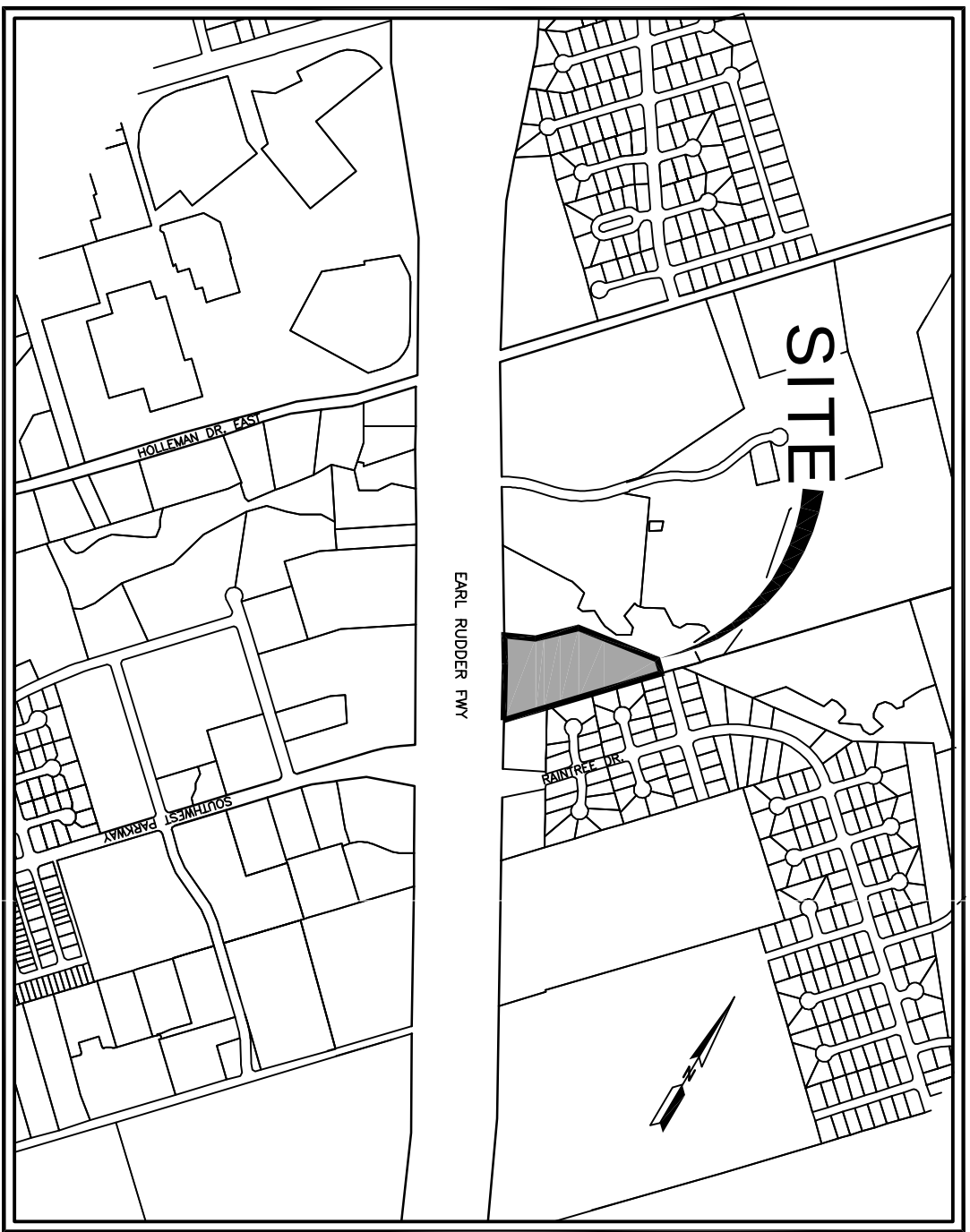
The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from 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.

William J. Lew
Signature and title
MEMBER

3/22/17
Date



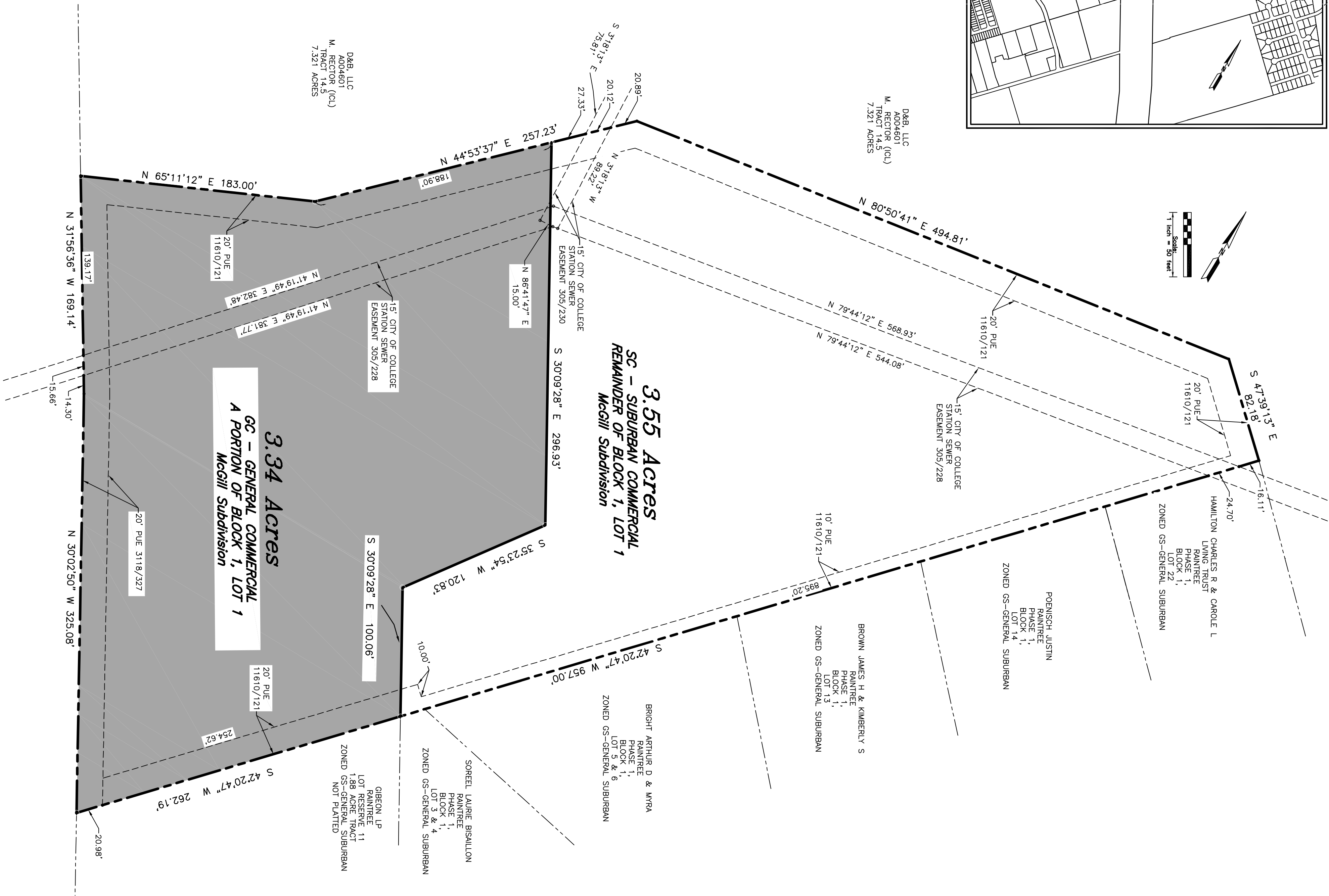
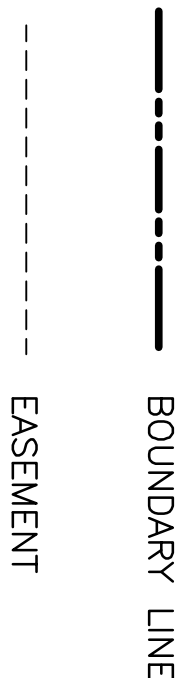
EXISTING ZONING



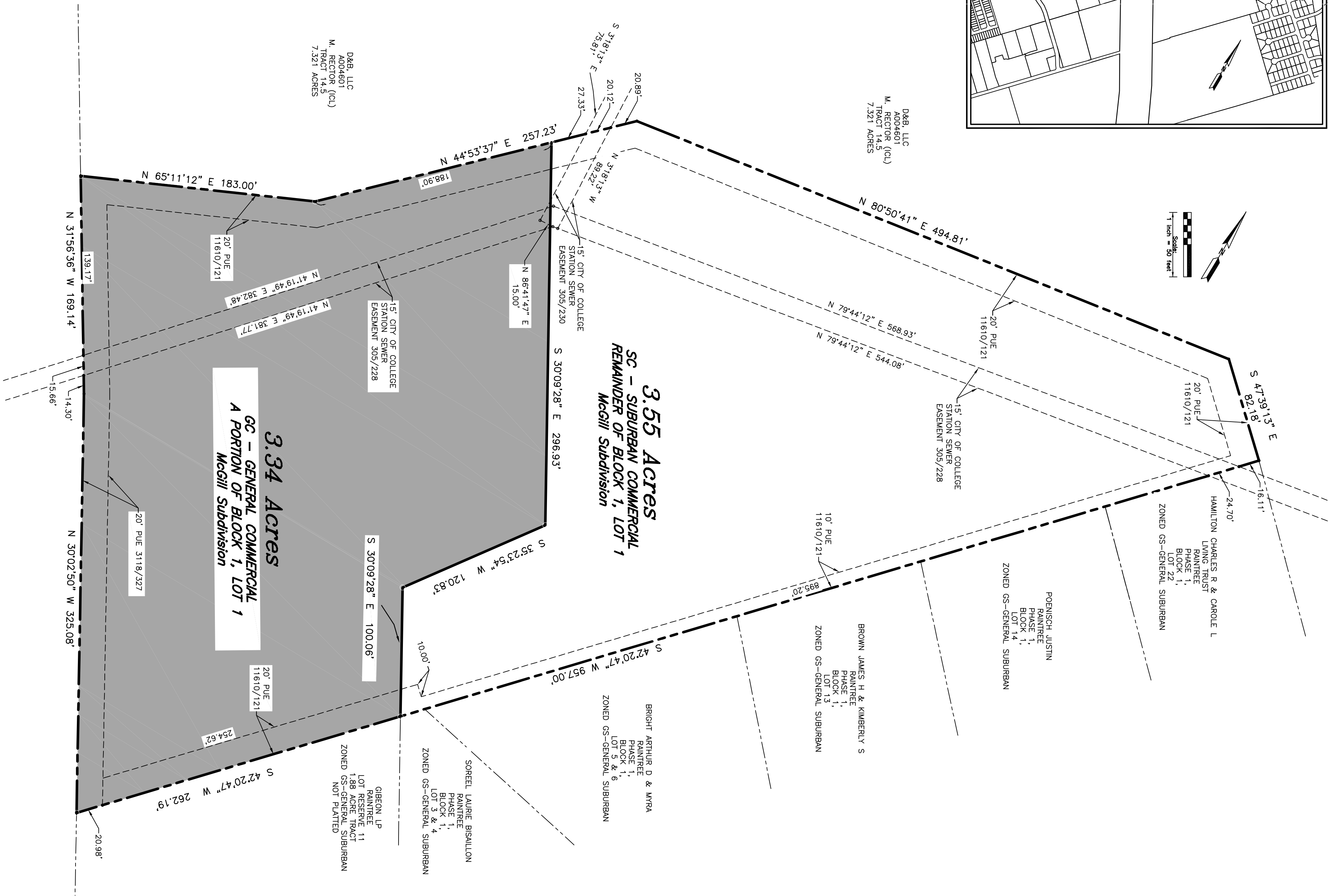
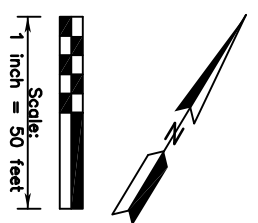
VICINITY MAP
(N.T.S.)

NOTE:
THIS IS FEMA FLOODPLAIN ON
THE PROPERTY DATED 04/02/2014,
BUT IT DOES NOT AFFECT THE
AREA BEING REZONED

LEGEND



PROPOSED ZONING



MITCHELL
M&M
MORGAN

1.979.260.6963
F.979.260.3564
TX. FRM # F-1443
3204 Earl Rudder Fwy S
COLLEGE STATION, TX 77845

PLAN & DESIGN SPECIALISTS IN
CIVIL, ENGINEERING & HYDRAULICS
WATER RESOURCES & ENVIRONMENTAL
SITE PLANS • SUBDIVISIONS

www.mitchellmorgan.com

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These documents are not
to be used for construction
or planning purposes.
Version 1.0, 10/2023
No. 17622

MAY 2017
Designed By: WBM
Drawn By: TRR
Checked By: CH

Prepared For:

Revisions

REZONING MAP
A PORTION OF BLOCK 1,
LOT 1 McGill Subdivision
College Station, Texas

RZ

ORDINANCE NO. _____

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 SC SUBURBAN COMMERCIAL TO GC GENERAL COMMERCIAL FOR APPROXIMATELY 3.34 ACRES FOR THE PROPERTY LOCATED AT 2381 EARL RUDDER FREEWAY SOUTH, GENERALLY LOCATED NORTH OF RAINTREE DRIVE ALONG EARL RUDDER FREEWAY SOUTH; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", and as shown graphically in Exhibit "B" and Exhibit "C", attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July, 2017

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 12, “Unified Development Ordinance,” Section 12-4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from SC Suburban Commercial to GC General Commercial:

**METES AND BOUNDS DESCRIPTION
OF A
3.344 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF LOT 1, BLOCK 1, MCGILL SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 11610, PAGE 121 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF STATE HIGHWAY NO. 6 (EARL RUDDER FREEWAY – VARIABLE WIDTH R.O.W.) MARKING THE SOUTH CORNER OF SAID LOT 1 AND THE WEST CORNER OF A CALLED 1.883 ACRE TRACT AS DESCRIBED BY A DEED TO GIBBON LP RECORDED IN VOLUME 10299, PAGE 85 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 30° 02' 50" W ALONG THE NORTHEAST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 325.08 FEET TO A CONCRETE RIGHT-OF-WAY MARKER FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE: N 31° 56' 36" W CONTINUING ALONG THE NORTHEAST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 169.14 FEET TO A 1/2 INCH IRON ROD MARKING THE NORTHWEST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF A CALLED 7.321 ACRE TRACT AS DESCRIBED BY A DEED TO D&B, LLC RECORDED IN VOLUME 11357, PAGE 245 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 65° 11' 12" E ALONG THE COMMON LINE OF SAID LOT 1 AND SAID 7.321 ACRE TRACT FOR A DISTANCE OF 183.00 FEET TO A 1/2 INCH IRON ROD MARKING AN ANGLE POINT IN SAID LINE;

THENCE: N 44° 53' 37" E CONTINUING ALONG THE COMMON LINE OF SAID LOT 1 AND SAID 7.321 ACRE TRACT FOR A DISTANCE OF 188.90 FEET TO THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: THROUGH SAID LOT 1 FOR THE FOLLOWING CALLS:

S 30° 09' 28" E FOR A DISTANCE OF 296.93 FEET;

S 35° 23' 54" W FOR A DISTANCE OF 120.83 FEET;

S 30° 09' 28" E FOR A DISTANCE OF 100.06 FEET TO THE SOUTHEAST LINE OF SAID LOT 1;

THENCE: S 42° 20' 47" W ALONG THE SOUTHEAST LINE OF SAID LOT 1, SAME BEING CALLED THE NORTHWEST LINE OF THE AFOREMENTIONED 1.883 ACRE TRACT, FOR A DISTANCE OF 262.19 FEET TO THE **POINT OF BEGINNING** CONTAINING 3.344 ACRES OF LAND AS SURVEYED ON THE GROUND 2013. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

\\JOBS\17-158\17-158.docx

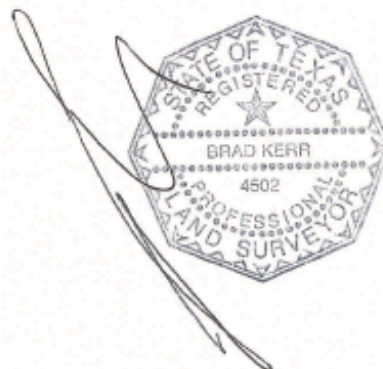


EXHIBIT “B”

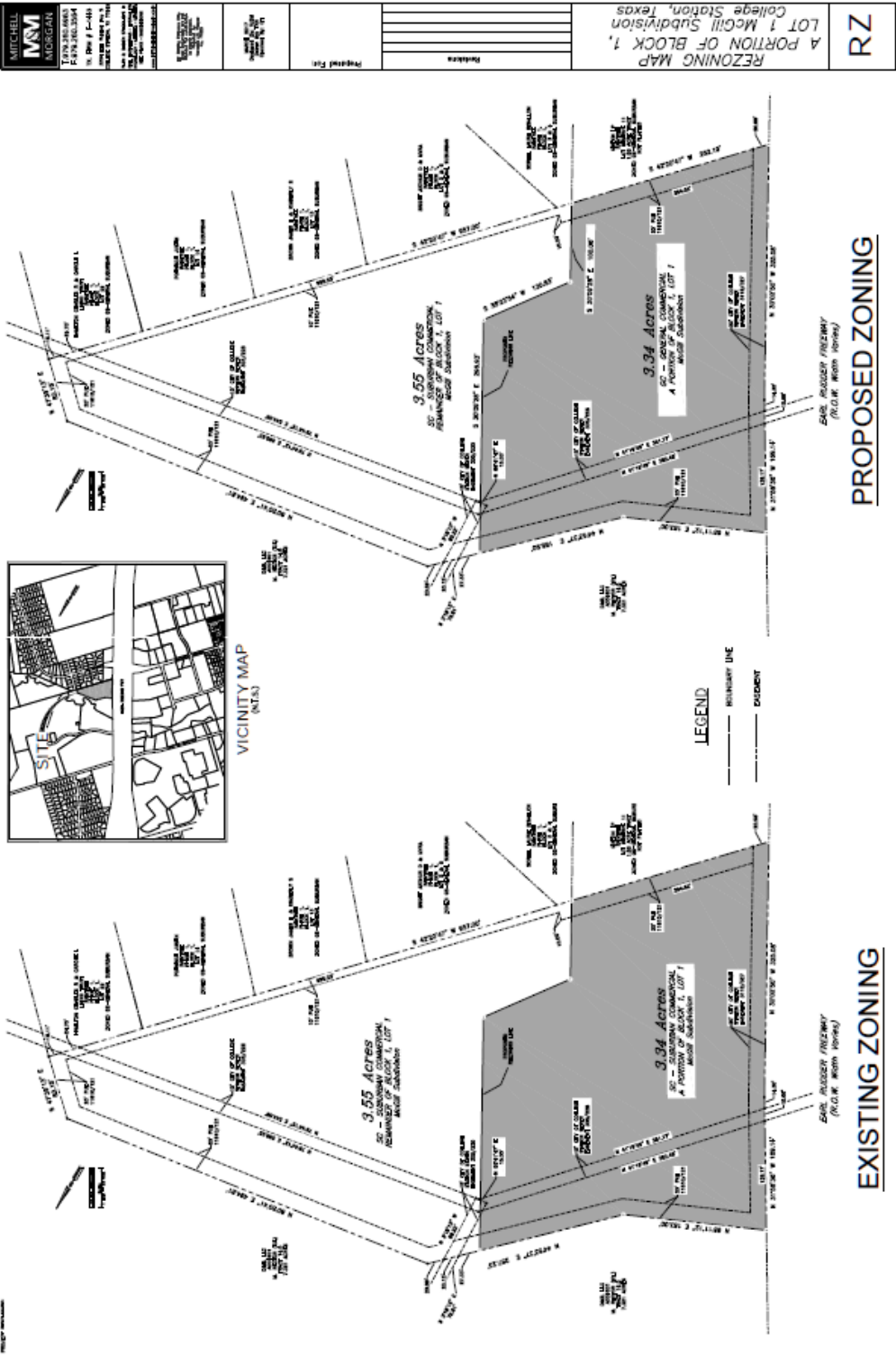
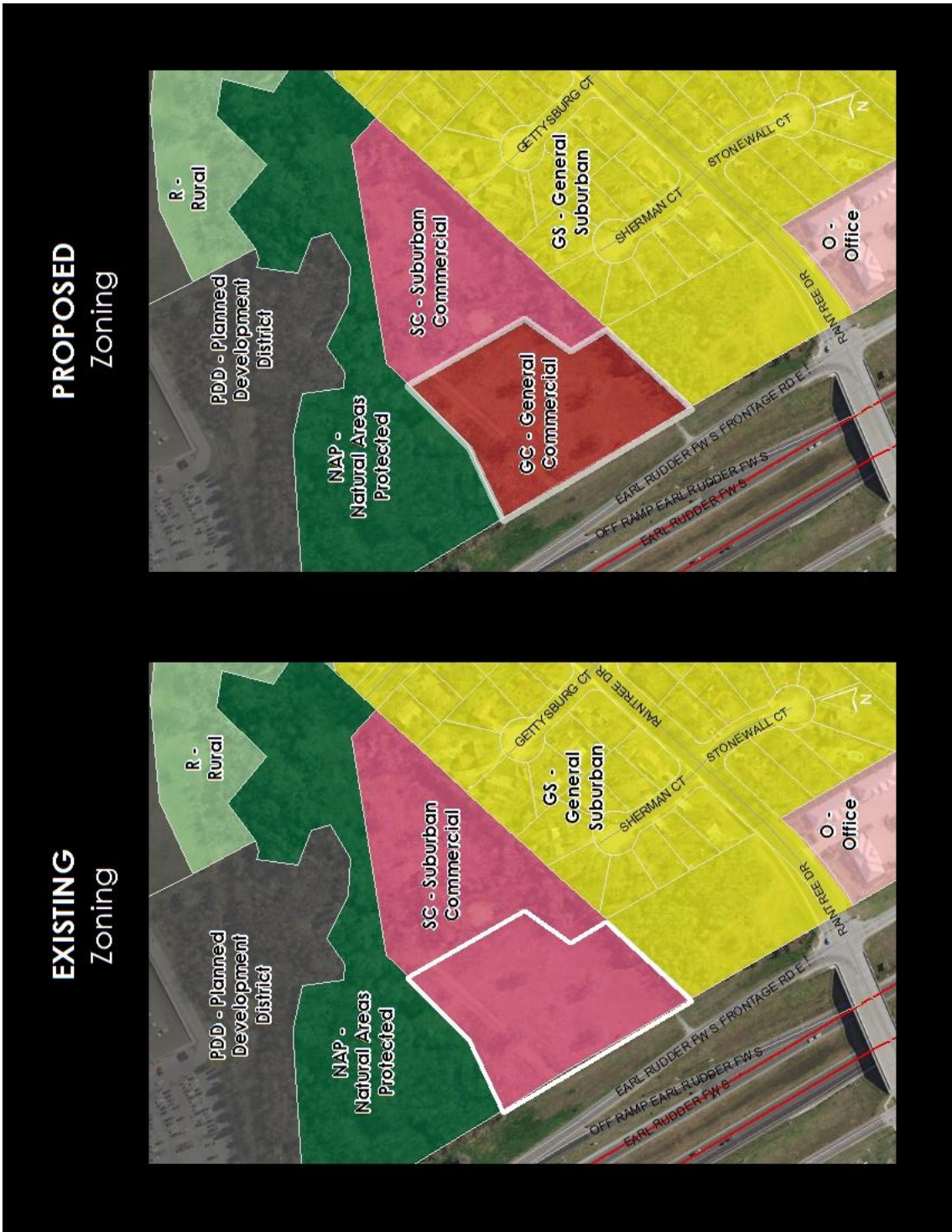


EXHIBIT “C”



Legislation Details (With Text)

File #:	17-0366	Version:	1	Name:	Comprehensive Plan Amendment – Stylecraft Development
Type:	Comprehensive Plan	Status:			Agenda Ready
File created:	7/11/2017	In control:			City Council Regular
On agenda:	7/27/2017	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Urban and Natural Areas Reserved to General Commercial and Natural Areas Reserved for approximately 12.5 acres located at 2338 Harvey Mitchell Parkway South. Case #CPA2017-000006.				
Sponsors:	Mark Bombek				
Indexes:					
Code sections:					
Attachments:	Background Aerial and Amendment Boundary Application Comp Plan Exhibit Ordinance				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Urban and Natural Areas Reserved to General Commercial and Natural Areas Reserved for approximately 12.5 acres located at 2338 Harvey Mitchell Parkway South. Case #CPA2017-000006.

Relationship to Strategic Goals:

- Diverse Growing Economy
- Sustainable City

Recommendation(s): The Planning and Zoning Commission heard this item at their July 6th regular meeting. The Commission unanimously voted to recommend approval of the request.

Summary: The applicant has requested the proposed Comprehensive Plan Future Land Use and Character Map amendment to General Commercial and Natural Areas Reserved as a step toward requesting a rezoning to allow for the tract to develop with a mix of residential and non-residential uses.

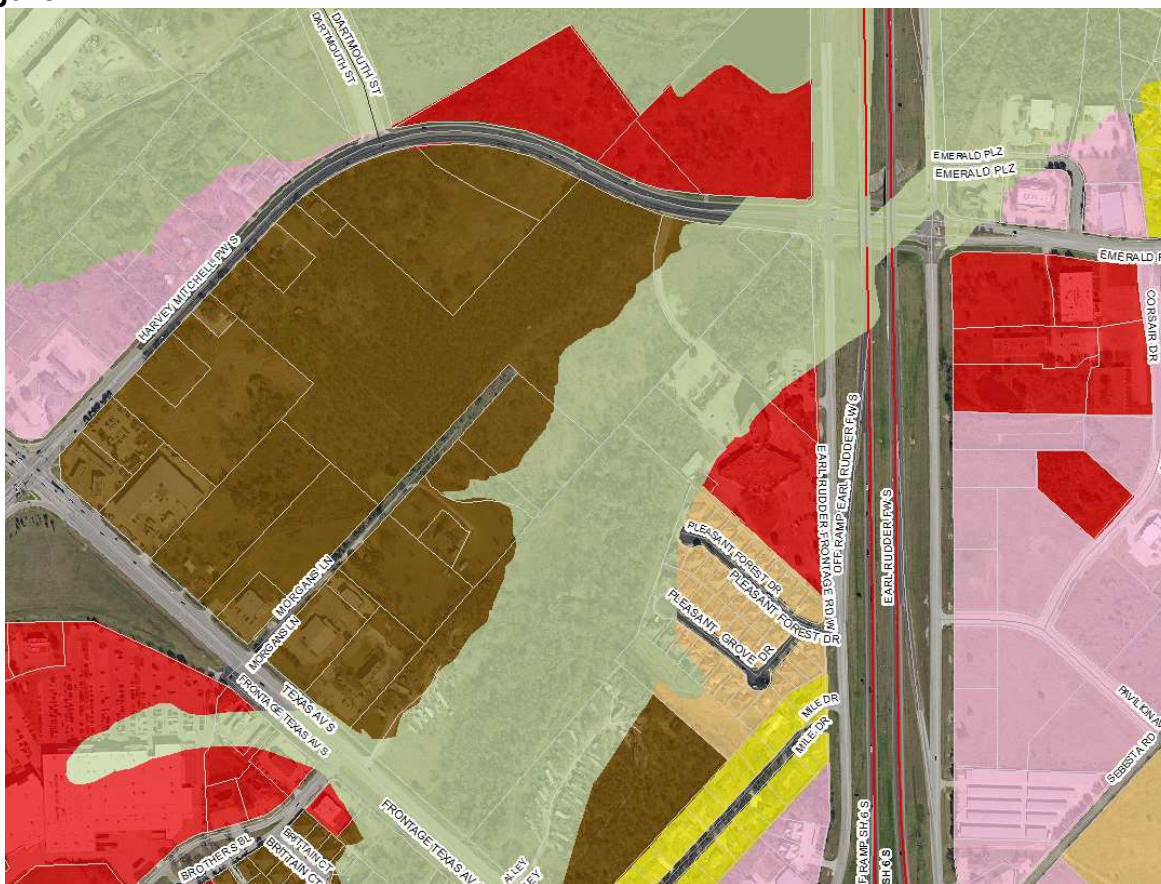
REVIEW CRITERIA

- 1. Changed or changing conditions in the subject area or the City:** As can be seen in Figure 1 below, the majority of the area spanning from Texas Avenue to Texas State Highway 6, along Harvey Mitchell Parkway is designated as Urban and Natural Areas Reserved on the Comprehensive Plan Future Land Use and Character Map. There are additional areas to the

north and west that are called out to anticipate Suburban Commercial and General Commercial uses along Harvey Mitchell Parkway.

This tract was given an urban designation due to its adjacency to existing commercial uses and other properties that were entitled for other non-residential uses. This area was also identified on the Comprehensive Plan as the Harvey Mitchell District which identifies this area as being a primary gateway into the core of College Station. The plan promotes urban development and emphasizes preservation of natural features to enhance this gateway. The property is already entitled for commercial uses under its current zoning designation, as P-MUD Planned Mixed Use Development, but due to the applicant's desire to not require residential on this particular tract, an amendment to the Comprehensive Plan was requested. In addition to the change in the applicant's plans for the property, an economic development agreement was recently approved by City Council that is furthering progress in extending Dartmouth Street through this tract. This connection will ultimately tie into Texas Avenue providing additional frontage and access through this area. The additional roadway frontage promotes development of general commercial uses by providing more access that is desired by commercial uses.

Figure 1



2. Scope of the request: The request is to amend the Comprehensive Plan Future Land Use and Character Map designation for approximately 12.5 acres from Urban and Natural Areas Reserved to General Commercial and Natural Areas Reserved. If approved by City Council, the applicant intends to pursue a rezoning of this portion of the property from P-MUD Planned Mixed Use Development to GC General Commercial and NAP Natural Areas Protected. The area of Natural Areas Reserved is essentially remaining the same with this request-a rezoning will

provide more accurate information to the floodplain line. A request for rezoning was submitted for consideration and will be heard following this item.

3. Availability of adequate information: General Commercial land use designation plans for the future development of the tract to be commercial activities, including retail sales and service uses, which serve the nearby residents and larger community or region. The Natural Areas Reserved designation is intended to protect environmentally sensitive or flood prone areas for their natural function or open space quality.

Properties in this area are served by College Station Utilities (CSU). Domestic water and sanitary sewer service are available to serve the future development in this area, but additional infrastructure improvements may be needed with site development. A new TIA may be required with the Site Plan once uses for the property have been further established. No additional traffic information was needed for consideration of this amendment or the proposed zoning amendment.

4. Consistency with the goals and strategies set forth in the Plan: The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. A relevant strategy identified to achieve this goal is to develop and maintain, through regular review, a land use plan that identifies, establishes, and enhances community character. The subject area is near property zoned GC General Commercial. This land use will also be consistent with the General Commercial land use that exists to the northeast across Harvey Mitchell Parkway South. The amendment is also consistent with the properties that are already entitled for commercial zoning along the frontage road for Earl Rudder Freeway and Texas Avenue.

Additionally, the goals of economic development in College Station are to provide a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. A relevant strategy identified to achieve this goal is to promote and support new investments that serve regional market opportunities. City staff has identified areas throughout the city to provide opportunity for businesses that need highway access. While there will not be a City initiated Comprehensive Plan Amendment for this area, staff recognizes the value of having General Commercial on the Future Land Use and Character Map at this entryway into the core of College Station. This amendment will allow for the subject property to be rezoned keeping in character with the planned and entitled uses in the surrounding area.

The current designation of Urban is suitable for the area; however, a zoning to commercial is only allowed if the Urban designation is within a growth area, which this property is not. Since surrounding properties are currently entitled for a broader range of uses than would be allowed with Urban, an amendment to the Future Land Use and Character Map will be more in line with existing entitled uses.

5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans: The subject property is currently designated as Urban and Natural Areas Reserved on the Comprehensive Plan Future Land Use and Character Map. The proposed amendment is to General Commercial and Natural Areas Reserved.

The current land use of Urban is intended for areas that should have a very intense level of

development activity typically consisting of high density residential (i.e. Townhomes, Duplexes, or high-density apartments). The Natural Areas - Reserved designation is intended for areas that should be preserved for their natural function or open space qualities.

The proposed land use of General Commercial is intended for concentrations of commercial activities that cater both to nearby residents and to the larger community or region. Generally, these areas tend to be large in size and located near the intersection of two regionally significant roads (arterials and freeways).

The subject property has frontage to Harvey Mitchell Parkway (FM 2818) and TxDOT permits will be required for future driveway and street access to it. On May 25, 2017, Council approved a Development Agreement with the applicant regarding the extension of Dartmouth Street south of Harvey Mitchell Parkway across an adjacent tract and through the subject property. A traffic impact analysis (TIA) was provided with the request. It found that the intersection with Harvey Mitchell Parkway (proposed 6-lane Major Arterial) and Dartmouth Street (proposed 2-lane Major Collector) should be considered for a traffic signal that would be designed and constructed by the City and other potential access along Harvey Mitchell will need consideration as right-in/right-out driveways.

6. Compatibility with the surrounding area: The proposed amendment to Urban, General Commercial and Natural Areas Reserved would allow for the property to be zoned for commercial uses that serve the general community and region. Properties to the north and southwest, are currently zoned GC General Commercial or developed as commercial retail sales and service uses. Given the entitled status of the surrounding properties it is unlikely that they would rezone to residential uses that would conform to the Comprehensive Plan land use designation. This request is more compatible given its direct frontage to Harvey Mitchell Parkway South and its close proximity to Earl Rudder Freeway South.

7. Impacts on infrastructure including water, wastewater, drainage, and the transportation network: Water service will be served by City of College Station. There is an existing 24-inch waterline along Harvey Mitchell Parkway that the development may utilize to extend and serve the property. Sanitary Sewer service is available via existing 18-inch sewer main running along Bee Creek Tributary that is planned to be upsized to a 30-inch sewer main.

Subject tracts are in the Bee Creek Drainage Basin. Sites are draining to Bee Creek Tributary. Detention will be required with each site development. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the B/CS Unified Design Guidelines. Infrastructure will have capacity to adequately serve the proposed land use change at this time.

8. Impact on the City's ability to provide, fund, and maintain services: The proposed amendment for the subject property does not negatively impact the City's ability to provide, fund, and maintain services.

9. Impact on environmentally sensitive and natural areas: The proposed amendment for the subject property does not negatively impact environmentally sensitive and natural areas and does not prevent the preservation of such areas. The Natural Areas Reserved covering the floodplain is proposed to remain on the property.

10. Contribution to the overall direction and character of the community as captured in the Plan's vision and goals: The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. The proposed amendment from Urban and Natural Areas Reserved to General Commercial and Natural Areas Reserved on approximately 12.5 acres is in line with the Comprehensive Plan.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Background Information
2. Aerial and Amendment Exhibit
3. Application
4. Comprehensive Plan Map
5. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: July 6, 2017

Advertised Council Hearing Dates: July 27, 2017

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:

None

Property owner notices mailed: 27

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: One

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Urban and General Commercial (across Harvey Mitchell Parkway South	GC General Commercial and T Townhome and GC General Commercial (across Harvey Mitchell Parkway South)	Vacant
South	Urban	O Office and GC General Commercial	vacant
East	Urban and Natural Areas Reserved	GC General Commercial	Office building and undeveloped land
West (Across Harvey Mitchell Parkway S)	Suburban Commercial	General Suburban	Existing single-family homes

DEVELOPMENT HISTORY

Annexation: October 1969

Zoning: R-1 Single-Family Residential Upon Annexation

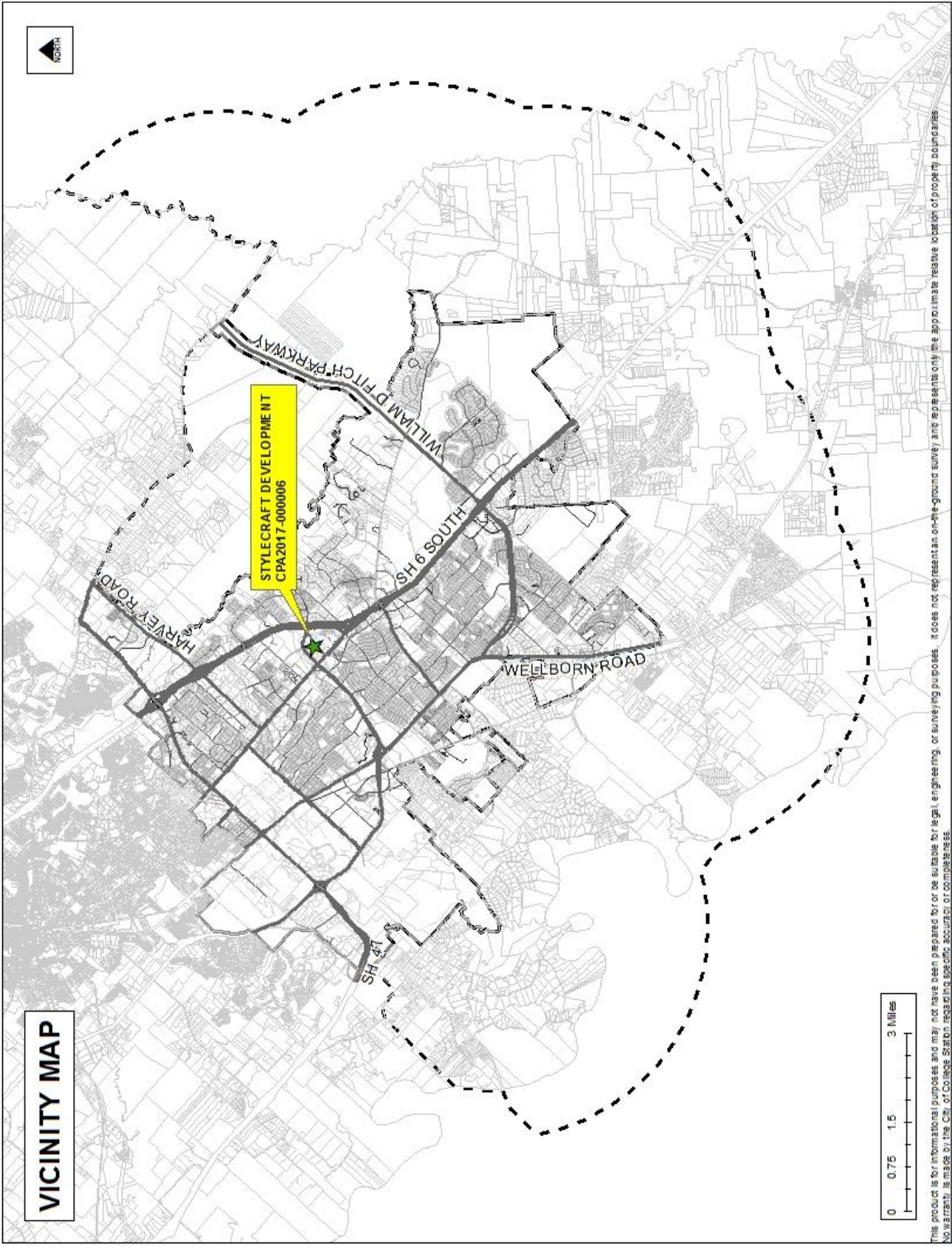
O Office 1981

P-MUD Planned Mixed Use Development and OV Corridor Overlay 2004

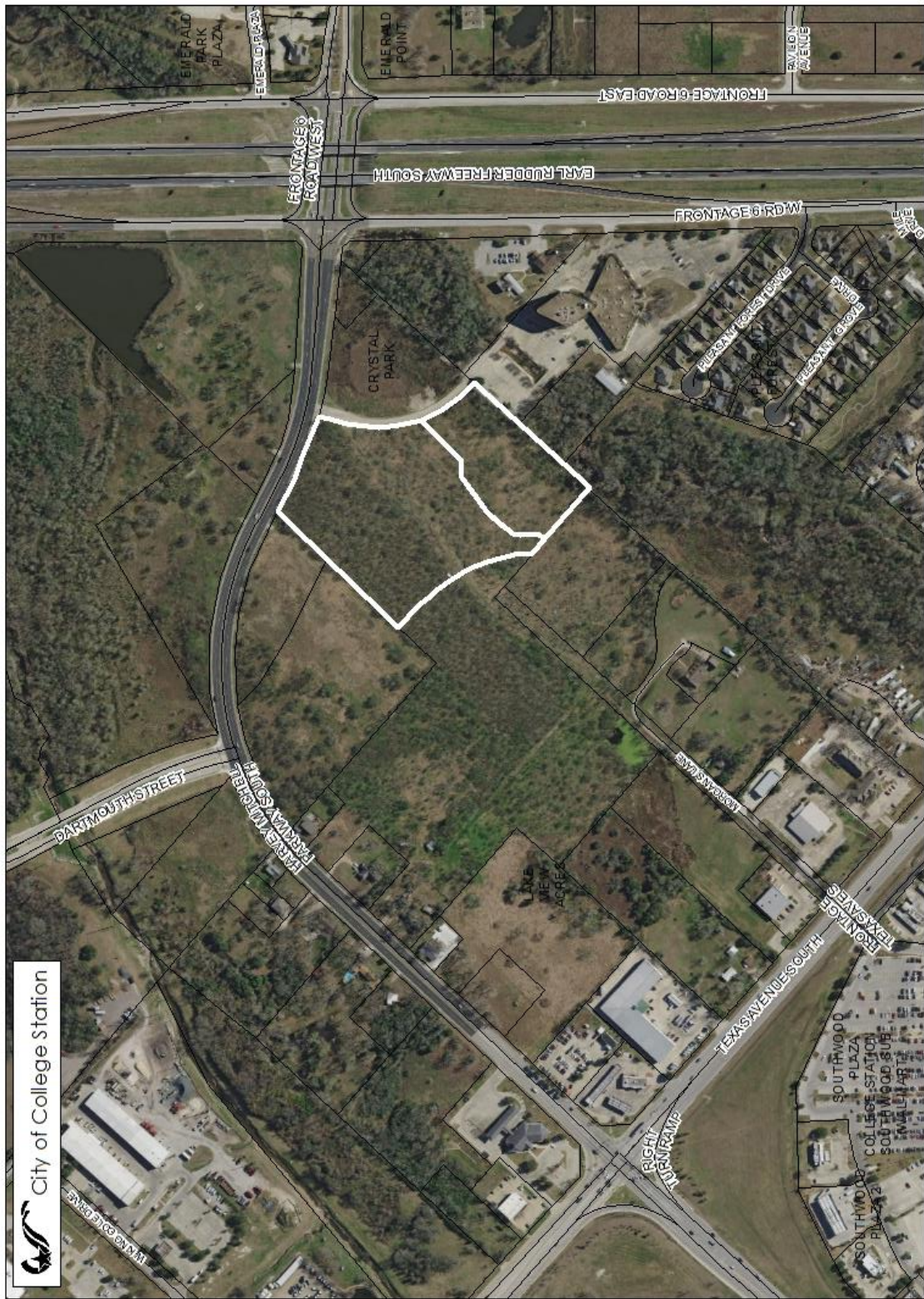
Final Plat: Lake View Acres, Lots 5B-5C-6A-11A-12 and 12.489 acres in A004601 M Rector.

Site development: Vacant

VICINITY MAP



This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. No warranty is made by the City of College Station regarding specific accuracy or completeness.



City of College Station

Case: COMP PLAN AMENDMENT
CPA2017-000006

STYLECRAFT DEVELOPMENT

EXISTING Future Land Use



PROPOSED Future Land Use



FOR OFFICE USE ONLY

CASE NO.: _____
DATE SUBMITTED: _____
TIME: _____
STAFF: _____

COMPREHENSIVE PLAN AMENDMENT APPLICATION

(Check all applicable)

☒ Related to Community Character ☐ Related to Transportation ☐ Related to Other _____

MINIMUM SUBMITTAL REQUIREMENTS:

- ☒ \$1,240 Comprehensive Plan Amendment Application Fee.
- ☒ 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.
- ☒ Fully dimensioned map on 24" X 36" paper showing (if applicable):
- Land affected;
 - Present zoning of property and zoning classification of all abutting property;
 - Current Concept Map and Future Land Use and Character Map classifications and proposed classifications;
 - Current Concept Map and Future Land Use and Character Map classifications of all abutting property;
 - Current and proposed thoroughfare alignments;
 - Currently planned utility infrastructure and proposed utility infrastructure;
 - General location and address of property; and
 - Total acres of property.

Date of Optional Preapplication Conference 11/04/2015

NAME OF PROJECT Stylecraft 2818 Development

ADDRESS 2338 Harvey Mitchell Parkway S, College Station, TX

LEGAL DESCRIPTION (Lot, Block, Subdivision) LAKE VIEW ACRES, LOTS 5B-5C-6A-11A-12,
& 12.489 ACRES IN A004601 M RECTOR, 27.868 ACRES

GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:

TOTAL ACREAGE 27.868

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

Name Doug French - Stylecraft Builders, Inc. E-mail dfrench@stylecraftbuilders.com

Street Address 4090 State HWY 6 South

City College Station State TEXAS Zip Code 77845

Phone Number 979690-1222 Fax Number 979-260-3849

PROPERTY OWNER'S INFORMATION:

Name CTX Land Investments, LLC E-mail dfrench@stylecraftbuilders.com
Street Address 4090 State HWY 6 South
City College Station State Texas Zip Code 77845
Phone Number 979-690-1222 Fax Number 979-260-3849

ANSWER ALL OF THE FOLLOWING:

1. What specific element of the Comprehensive Plan (for example, Land Use and Character designation, Thoroughfare Plan Context Class, or thoroughfare alignment) and at what specific location (if applicable) is requested to be amended?

Land Use and Character Designation

2. What is the amendment request?

Change the land use and character designation from Natural Area Reserved & Urban to General Commercial.

3. Explain the reason for this amendment.

The area encompassed by Texas Ave, FM 2818 (Harvey Mitchell Pkwy) and Bee Creek Tributary is classified as Urban, however the majority of parcels with frontage on either Texas or FM 2818, including a parcel adjacent to the subject property are zoned General Commercial with commercial development in place. The subject property is currently zoned P-MUD allowing for a mixture of residential and commercial uses, however, since the zoning was applied in 2004 the property has been vacant. The applicant believes that given the frontage available to the property and the general size and character that a general commercial zoning will lead to the property being developed. As General Commercial zoning is not allowed in Urban Land Use, we are requesting a change in the land use of this parcel to be consistent with the current zoning and development patterns of parcels in this area with arterial frontage. The boundary in the 2014 Comprehensive plan as provided in the City GIS shape files varies significantly from the interpolation of the BFE elevations shown on the 2014 Flood Insurance Map when interpolated onto the 2015 aerial contours, also from the City GIS shape files. The developer is having McClure and Brown survey the area in question to provide a definitive boundary between the flood plain area to be protected and the commercial area to be developed.

4. Identify the conditions that have changed to warrant this change to the existing Comprehensive Plan.

The 2014 Comprehensive Plan designated this area as urban with a strip of Natural Area Reserved along the creek at the back of the property. However, there has been no development under this designation. As explained above the majority of parcels with arterial frontage in this area were already zoned commercial prior to the Land Use designation in 2014. This property was zoned P-MUD, Planned Mixed Use Development in 2004 which would allow commercial development, however the extension of Dartmouth into the property requires rezoning a portion of the property to Multi-Family in accordance with the Land Use Urban and the developer feels that the General Commercial zoning will lead to quicker development of the property than the old P-MUD zoning.

5. Explain why the existing element of the Comprehensive Plan in question is no longer appropriate.

The existing Urban designation does not allow for commercial uses even though as previously stated, nearly all of the tracts in this area with the Urban designation and arterial frontage are zoned General Commercial. The Boundary in the 2014 Comprehensive Plan as provided in the City GIS shape files varies significantly from the interpolation of the BFE elevations shown on the 2014 Flood Insurance Map when interpolated onto the 2015 aerial contours, also from the City GIS shape files. The developer is having McClure and Brown survey the area in question to provide a definitive boundary between the flood plain area to be protected and the commercial area to be developed.

6. How does the requested amendment further the goals and objectives of the Comprehensive Plan?

The objective of the Comprehensive Plan is to allow for orderly, sustainable development of compatible land uses throughout the City. The proposed amendment is compatible with the existing zoning and land use of General Commercial for tracts with arterial frontage in the immediate vicinity. The extension of Dartmouth into the property will allow for ease of access, and form the basis of future extensions of Dartmouth to Texas Ave as part of the City's long term traffic plan to create a parallel alternate route for Texas Ave. As stated in the Comprehensive Plan's description of urban character, it is marked by higher density residential development, as is being proposed on the west side of Dartmouth in close proximity to commercial uses, as proposed on the east side of Dartmouth, promoting alternate transportation modes such as walking and biking.

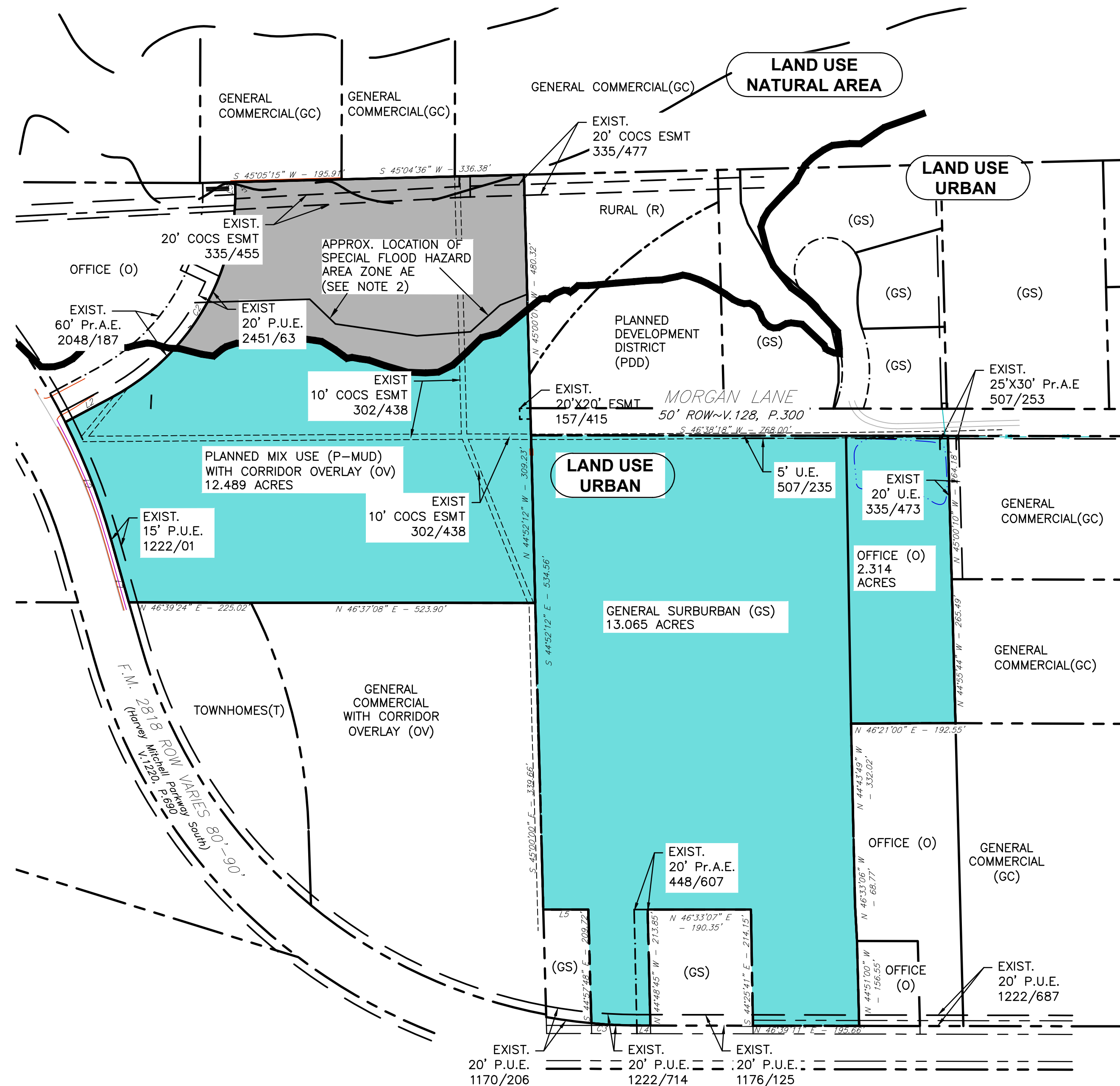
7. What other information are you providing to support the proposed amendment (for example, transportation impact study)?

This request is being accompanied by REZ2017-000009, which includes a TIA for the proposed multifamily and commercial development as well as the extension of Dartmouth into the property.

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.

Signature and title

Date



EXISTING LAND USE AND ZONING

ZONING AREAS

EXISTING	AREA	PROPOSED	AREA
GS	13.065	MF	16.903
O	2.314	GC	7.736
P-MUD	12.489	NAP	3.229
TOTAL	27.868	TOTAL	27.868

CURVE TABLE

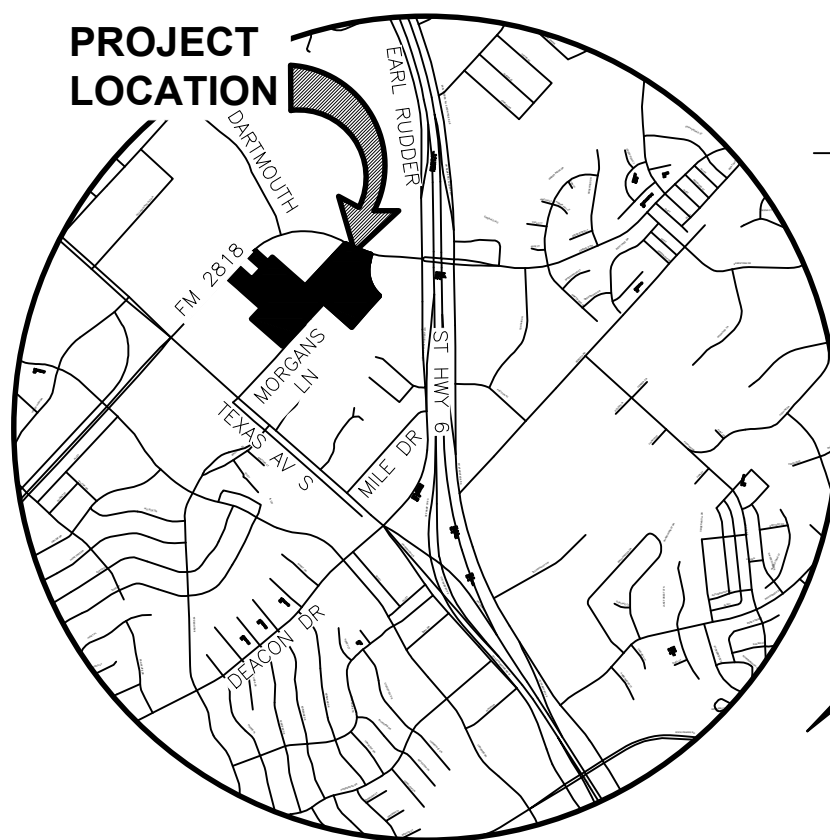
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	10°57'09"	1221.24'	233.45'	117.08'	S 64°42'32" E	233.09'
C2	64°01'02"	430.00'	480.44'	268.78'	S 13°30'30" E	455.84'
C3	5°13'18"	960.00'	87.49'	43.78'	N 49°15'50" E	87.46'
C4	33°34'14"	430.00'	251.94'	129.70'	S 01°42'54" W	248.36'
C5	46°11'05"	575'	463.49'	245.17'	N 21°44'17" W	451.05'
C6	30°26'48"	430'	228.50'	117.02'	S 30°17'37" E	225.82'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 59°13'58" E	119.61'
L2	S 18°30'01" W	97.15'
L3	S 45°31'01" E	1.57'
L4	N 46°39'11" E	21.51'
L5	N 46°33'07" E	83.00'
L6	S 44°52'54" W	188.81'
L7	N 89°32'14" W	65.55'
L8	S 54°54'08" W	151.48'
L9	S 42°13'50" W	99.33'
L10	S 04°23'08" W	73.41'
L11	S 24°46'13" W	53.99'
L12	N 45°00'01" W	64.95'
L13	N 44°08'55" W	84.81'
L14	N 45°00'01" W	195.00'

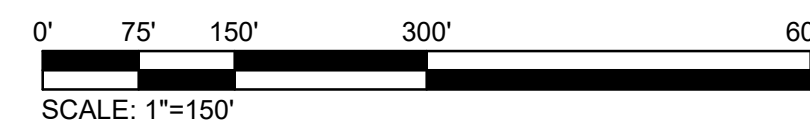
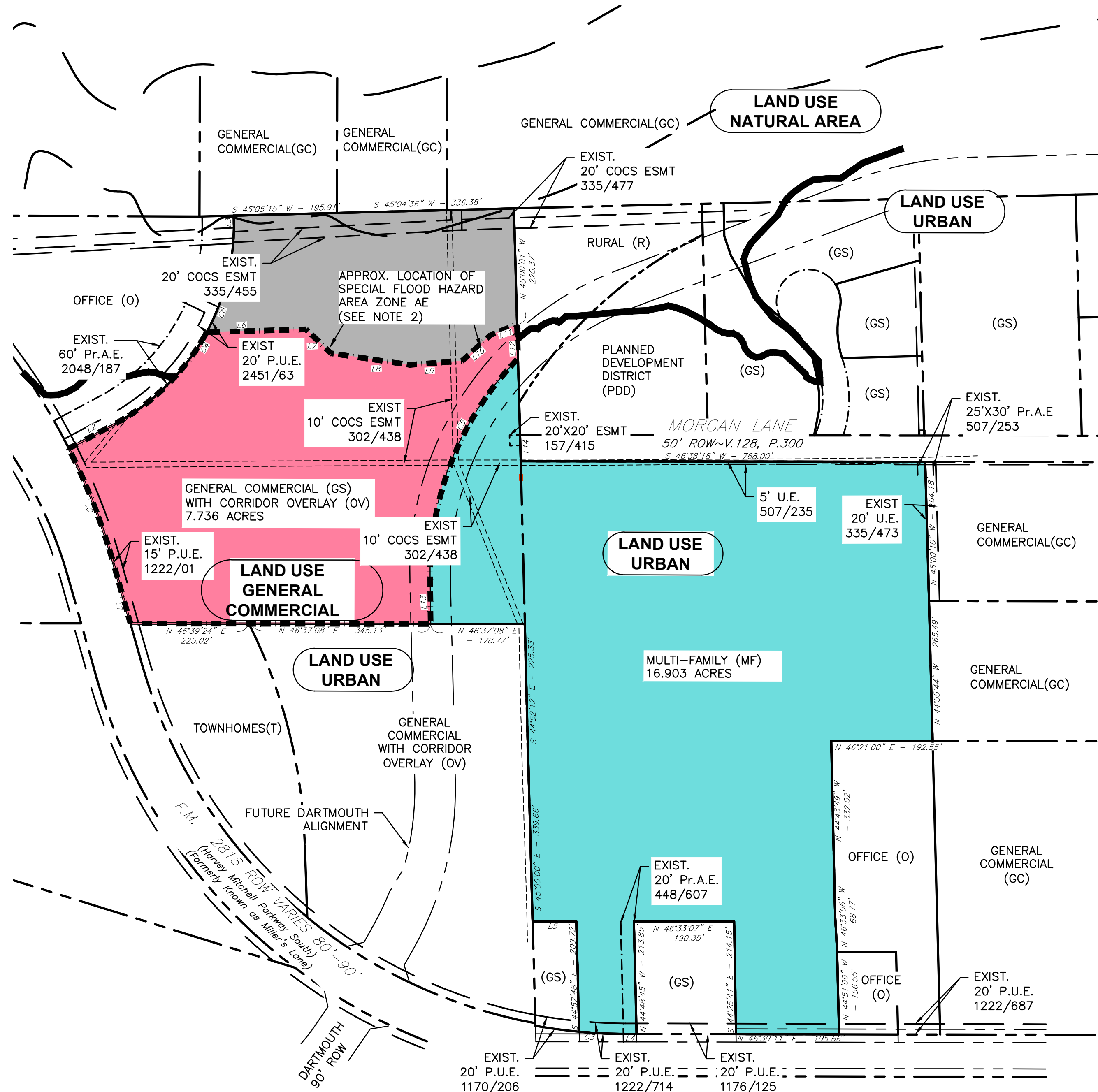
LEGEND

COLOR	LAND USE TYPE
Blue	URBAN
Pink	GENERAL COMMERCIAL
Grey	NATURAL AREA



VICINITY MAP

PROPOSED LAND USE AND ZONING



NOTES:

- 1) BEARING AND DISTANCES ARE SHOWN FOR REFERENCE PURPOSES AND WERE TAKEN FROM THE EXISTING SURVEY OF THE PARCELS. EXACT MEETS AND BOUNDS OF THE EACH REZONED PARCEL SHALL BE DETERMINED BY A LICENSED SURVEYOR.
- 2) ACCORDING TO THE FLOOD INSURANCE RATE MAPS FOR BRAZOS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48041C0310F MAP REVISED APRIL 2, 2014, A PORTION OF THIS PROPERTY IS LOCATED IN THE SPECIAL FLOOD HAZARD AREA ZONE AE. THE LIMITS OF ZONE AE AS SHOWN ON THIS SURVEY ARE APPROXIMATE AND WERE SCALED FROM THE BFE'S ON THE MAP USING 2015 AERIAL CONTOURS. EXACT METES AND BOUNDS OF THIS BOUNDARY IS BEING PREPARED BY MCCLURE AND BROWN SURVEYORS. EXACT ACREAGE OF NAP AND GENERAL COMMERCIAL ARE SUBJECT TO CHANGE BASED ON FINAL SURVEYED BOUNDARY.

REV	DATE	BY	APP	COMMENT
1				
2				
3				
4				

BLEYL ENGINEERING
PLANNING • DESIGN • MANAGEMENT

TEXAS FIRM REGISTRATION NO. 678
WWW.BLEYENGINEERING.COM

AUSTIN OFFICE
1715 CAPITAL TOWER
500 N. BRUNNEN
AUSTIN, TEXAS 78701
(512) 338-7898 FAX
(512) 338-7898

HOUSTON OFFICE
1722 BROADWAY, STE. 210
HOUSTON, TEXAS 77002
(713) 362-1003 PHONE
(713) 362-1003 FAX

PREPARED FOR:
STYLECRAFT BUILDERS
4000 STATE HWY 6 SOUTH
COLLEGE STATION, TEXAS, 77845

SCALE: AS SHOWN
DATE: MAY 25, 2017
DRAWN BY: -
PROJECT MANAGER: CHRIS K. SURFACE, P.E.

LAND USE MAP

BERTRAND ZONING TIA

COLLEGE STATION, TEXAS

PROJECT NUMBER
12022

FILE NAME:
LANDUSE APPLICATION EXHIBIT-2-2017.DWG
SHEET:

01 OF: XX

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING THE COLLEGE STATION COMPREHENSIVE PLAN BY AMENDING THE COMPREHENSIVE PLAN – FUTURE LAND USE & CHARACTER MAP FROM URBAN AND NATURAL AREAS RESERVED TO GENERAL COMMERCIAL AND NATURAL AREAS RESERVED FOR APPROXIMATELY 12.5 ACRES LOCATED AT 2338 HARVEY MITCHELL PARKWAY, GENERALLY LOCATED WEST OF EARL RUDDER FREEWAY SOUTH ALONG HARVEY MITHCELL PARKWAY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

- PART 1: That the “Comprehensive Plan of the City of College Station” is hereby amended by adding a new Subsection C.2.dd of Exhibit “A” thereto as set out in Exhibit “A” attached hereto and made a part hereof; and by amending the “Comprehensive Plan Future Land Use and Character Map,” as set out in Exhibit “B” attached hereto for the identified area and made a part hereof for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That this ordinance shall take effect immediately from and after its passage.

PASSED, ADOPTED and APPROVED this 27th day July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That ordinance no. 3186 adopting the “Comprehensive Plan of the City of College Station” as amended, is hereby amended by adding a new subsection C.2.dd to Exhibit “A” of said plan for Exhibit “A” to read in its entirety as follows:

“EXHIBIT ‘A’**A. Comprehensive Plan**

The College Station Comprehensive Plan (Ordinance 3186) is hereby adopted and consists of the following:

1. Existing Conditions;
2. Introduction;
3. Community Character;
4. Neighborhood Integrity;
5. Economic Development;
6. Parks, Greenways & the Arts;
7. Transportation;
8. Municipal Services & Community Facilities;
9. Growth Management and Capacity; and
10. Implementation and Administration.

B. Master Plans

The following Master Plans are hereby adopted and made a part of the College Station Comprehensive Plan:

1. The Northgate Redevelopment Plan dated November 1996;
2. The Revised Wolf Pen Creek Master Plan dated 1998;
3. Northgate Redevelopment Implementation Plan dated July 2003;
4. East College Station Transportation Study dated May 2005;
5. Parks, Recreation and Open Space Master Plan dated May 2005;
6. Park Land Dedication Neighborhood Park Zones Map dated January 2009;
7. Park Land Dedication Community Park Zones map dated April 2009;
8. Bicycle, Pedestrian, and Greenways Master Plan dated January 2010;
9. Central College Station Neighborhood Plan dated June 2010;
10. Eastgate Neighborhood Plan dated June 2011;
11. Recreation, Park and Open Space Master Plan dated July 2011;
12. Southside Area Neighborhood Plan dated August 2012;
13. Medical District Master Plan dated October 2012;
14. Wellborn Community Plan dated April 2013;
15. Economic Development Master Plan dated September 2013;
16. South Knoll Area Neighborhood Plan dated September 2013;
17. The Water System Master Plan dated April 2017; and
18. The Wastewater System Master Plan dated April 2017.

C. Miscellaneous Amendments

The following miscellaneous amendments to the College Station Comprehensive Plan are as follows:

1. Text Amendments:

- a. Chapter 2 “Community Character,” “Growth Areas” by amending the text regarding Growth Area IV and Growth Area V – Ordinance 3376, dated October 2011.
- b. Chapter 6 “Transportation” by amending the text regarding Complete Streets, Context Sensitive Solutions, Minimum Length and Additional Right-of-Way for Turn Lanes at Intersections, and Right-of-Way for Utilities – Ordinance 3729, dated December 10, 2015.
- c. Chapter 2 “Community Character,” Chapter 3 “Neighborhood Integrity,” Chapter 4 “Economic Development,” Chapter 5 “Parks, Greenways, and the Arts,” and Chapter 7 “Municipal Services and Community Facilities” by amending the text based on the recommendation of the Comprehensive Plan Five-Year Evaluation & Appraisal Report – Ordinance 3730 dated December 10, 2015.
- d. Chapter 8 “Growth Management & Capacity” by amending the text based on recommendations from the Annexation Task Force – Ordinance 3766, dated April 28, 2016.

2. Future Land Use and Character Map Amendment:

- a. 301 Southwest Parkway – Ordinance 3255, dated July 2010.
- b. Richards Subdivision – Ordinance 3376, dated October 2011.
- c. Earl Rudder Freeway at University Oaks – Ordinance 3465, dated November 19, 2012
- d. 1600 University Drive East – Ordinance 3535, dated November 14, 2013.
- e. 2560 Earl Rudder Freeway S. – Ordinance 3541, dated December 12, 2013.
- f. 13913 FM 2154. – Ordinance 3546, dated January 9, 2014.
- g. 2021 Harvey Mitchell Parkway – Ordinance 3549, dated January 23, 2014.
- h. 1201 Norton Lane – Ordinance 3555, dated February 27, 2014.
- i. 3715 Rock Prairie Road West – Ordinance 3596, dated August 25, 2014.
- j. 4201 Rock Prairie Road – Ordinance 3670, dated July 9, 2015.
- k. The approximately 40 acres of land generally located east of FM 2154 (aka Wellborn Road), south of the Southern Trace Subdivision, west of State Highway 40 (aka William D. Fitch Parkway), and north of Westminster Subdivision – Ordinance 3731, dated December 10, 2015.
- l. The approximately 120 acres of land generally located south of Barron Cut-Off Road, west of WS Phillips Parkway, north of the Castlegate II Subdivision, and east of the Wellborn Community – Ordinance 3732, dated December 10, 2015.
- m. The approximately 900 acres of land generally located south of Greens Prairie Road West, east of the Sweetwater Subdivision, and north of Arrington Road – Ordinance 3733, dated December 10, 2015.

- n. The approximately 17.788 acres of land generally located at the corner of Turkey Creek Road and Raymond Stotzer Parkway frontage road.– Ordinance 3752, dated March 10, 2016.
- o. The approximately 9 acres of land generally located north of the Crossroad Woods Subdivision near the intersection of Wellborn Road (FM 2154) and Greens Prairie Trail – Ordinance 3779, dated June 9, 2016
- p. The approximately 16 acres located at 8607 Rock Prairie Road, generally located at the north of Rock Prairie Road and west of William D. Fitch Parkway – Ordinance 3794, dated August 11, 2016.
- q. The approximately 14.25 acres of land located at 2501 Earl Rudder Freeway South, generally located north of North Forest Parkway and south of Raintree Drive, along the east side of Earl Rudder Freeway South – Ordinance 3799, dated August 25, 2016.
- r. The approximately 7 acres of land located along the south side of State Highway 30, south of Veterans Memorial Park – Ordinance 3828, dated October 27, 2016.
- s. The approximately 58 acres of land generally located along the east side of State Highway 6 South, north of W.D. Fitch parkway and south of the future Pebble Creek Parkway extension –Ordinance 3830, dated October 27, 2016.
- t. The approximately 2 acres of land generally located on Corsair Circle north of Pavilion Avenue – Ordinance 3846, dated December 8, 2016.
- u. The approximately 18 acres of land generally located at the southeast corner of Sebesta Road and Earl Rudder Freeway frontage road – Ordinance 3848, dated December 8, 2016.
- v. The approximately 6 acres of land being situated in the Pooh’s Park Subdivision, Block 1, Lots 6-14 recorded in Volume 314, Page 618 of the deed records of Brazos County, Texas, located at 204, 206, 208, 210, 212, 214, 216, 218, and 220 Holleman Drive east, more generally southwest of the intersection of Holleman Drive East and Lassie Lane by – Ordinance 3850, dated January 12, 2017.
- w. The approximately 6.3 acres of land generally located northeast intersection of Copperfield Parkway and Crescent Pointe Parkway - Ordinance 3859, dated February 9, 2017.
- x. The approximately 11.3 acres of land generally located at the southeast intersection of Earl Rudder Freeway South and Emerald Parkway – Ordinance 3875, dated April 27, 2017.
- y. The approximately 232 acres of land generally located south of Rock Prairie Road - Ordinance 3877, dated April 27, 2017.
- z. The approximately 5.96 acres of land generally located in the northeast corner of Associates Avenue and Harvey Road intersection. – Ordinance 3879, dated April 27, 2017.
- aa. The approximately 4.74 acres of land generally located at the corner of Harvey Mitchell Parkway South and Raymond Stotzer Parkway – Ordinance 3882, dated May 11, 2017.

- bb. The approximately 3.2 acres of land generally located east of Copperfield Parkway and south of Harvey Road. – Ordinance 3884, dated May 11, 2017.
 - cc. The approximately 3.34 acres of land generally located north of Raintree Drive along Earl Rudder Freeway South – by an ordinance dated July 27, 2017.
 - dd. The approximately 12.5 acres generally located west of Earl Rudder Freeway South along Harvey Mitchell Parkway – by this ordinance dated July 27, 2017.
- 3. Concept Map Amendment:
 - a. Growth Area IV – Ordinance 3376, dated October 2011.
 - b. Growth Area V – Ordinance 3376, dated October 2011.
 - 4. Thoroughfare Map Amendment:
 - a. Raintree Drive – Ordinance 3375, dated October 2011.
 - b. Birkdale Drive – Ordinance 3375, dated October 2011.
 - c. Corsair Circle – Ordinance 3375, dated October 2011.
 - d. Deacon Drive – Ordinance 3375, dated October 2011.
 - e. Dartmouth Drive – Ordinance 3375, dated October 2011.
 - f. Farm to Market 60 – Ordinance 3375, dated October 2011.
 - g. Southwest Parkway – Ordinance 3375, dated October 2011.
 - h. Cain Road extension – Ordinance 3639, dated February 26, 2015.
 - i. Update to Chapter 6 Maps- Ordinance 3729, dated December 10, 2015.
 - j. South College Station Mobility Study – Ordinance 3827, dated October 27, 2016.
 - k. Pavilion Avenue extension – by this ordinance dated May 11, 2017.
 - 5. Bicycle, Pedestrian and Greenways Master Plan Amendment:
 - a. Cain Road extension – Ordinance 3639, dated February 26, 2015
 - b. Update to Maps 5.4 and 5.5- Ordinance 3729, dated December 10, 2015.
 - c. South College Station Mobility Study – Ordinance 3827, dated October 27, 2016.
 - d. Update to Maps 5.4 and 5.5 – Ordinance 3877, dated April 27, 2017.

D. General

- 1. Conflict. All parts of the College Station Comprehensive Plan and any amendments thereto shall be harmonized where possible to give effect to all. Only in the event of an irreconcilable conflict shall the later adopted ordinance prevail and then only to the extent necessary to avoid such conflict. Ordinances adopted at the same city council meeting without reference to another such ordinance shall be harmonized, if possible, so that effect may be given to each.
- 2. Purpose. The Comprehensive Plan is to be used as a guide for growth and development for the entire City and its extra-territorial jurisdiction (“ETJ”). The College Station Comprehensive Plan depicts generalized locations of proposed future land-uses, including thoroughfares, bikeways, pedestrian ways, parks, greenways, and waterlines that are subject to modification by the City to fit local conditions and budget constraints.
- 3. General nature of Future Land Use and Character. The College Station Comprehensive Plan, in particular the Future Land Use and Character Map found in A.3 above and any adopted amendments thereto, shall not be nor considered a zoning map, shall not constitute zoning

regulations or establish zoning boundaries and shall not be site or parcel specific but shall be used to illustrate generalized locations.

4. General nature of College Station Comprehensive Plan. The College Station Comprehensive Plan, including the Thoroughfare Plan, Bicycle, Pedestrian, and Greenways Master Plan, Central College Station Neighborhood Plan, Water System Master Plan and any additions, amendments, master plans and subcategories thereto depict same in generalized terms including future locations; and are subject to modifications by the City to fit local conditions, budget constraints, cost participation, and right-of-way availability that warrant further refinement as development occurs. Linear routes such as bikeways, greenways, thoroughfares, pedestrian ways, waterlines and sewer lines that are a part of the College Station Comprehensive Plan may be relocated by the City 1,000 feet from the locations shown in the Plan without being considered an amendment thereto.
5. Reference. The term College Station Comprehensive Plan includes all of the above in its entirety as if presented in full herein, and as same may from time to time be amended.”

EXHIBIT “B”

That the “Comprehensive Plan of the City of College Station” is hereby amended by amending a portion of the map titled “Map 2.2-Future Land Use & Character” of Chapter 2 –Community Character” from Urban and Natural Areas Reserved to General Commercial and Natural Areas Reserved shown as follows:

PROPOSED
Future Land Use



EXISTING
Future Land Use



Legislation Details (With Text)

File #:	17-0367	Version:	1	Name:	Rezoning – 2338 Harvey Mitchell Pkwy (Stylecraft Development)
Type:	Rezoning	Status:			Agenda Ready
File created:	7/11/2017	In control:			City Council Regular
On agenda:	7/27/2017	Final action:			
Title:	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 GS General Suburban, P-MUD Planned Mix-Use District with OV Corridor Overlay and O Office to GC General Commercial with OV Corridor Overlay, MF Multi-Family and NAP Natural Areas Protected on approximately 27.868 acres of land, located at 2338 Harvey Mitchell Parkway South which is generally located west of Earl Rudder Freeway South along Harvey Mitchell Parkway South. Case #REZ2017-000009.				
Sponsors:	Mark Bombek				
Indexes:					
Code sections:					
Attachments:	Background Aerial and Small Area Map Application Zoning Map Ordinance				

Date	Ver.	Action By	Action	Result
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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 GS General Suburban, P-MUD Planned Mix-Use District with OV Corridor Overlay and O Office to GC General Commercial with OV Corridor Overlay, MF Multi-Family and NAP Natural Areas Protected on approximately 27.868 acres of land, located at 2338 Harvey Mitchell Parkway South which is generally located west of Earl Rudder Freeway South along Harvey Mitchell Parkway South. Case #REZ2017-000009.

Relationship to Strategic Goals:

- Diverse Growing Economy
- Sustainable City

Recommendation(s): The Planning and Zoning Commission heard this item at their July 6th regular meeting. The Commission unanimously voted to recommend approval of the request.

Summary: This request is amending the zoning district boundaries on the property to rezone approximately 28 acres of land to Multi-Family, GC General Commercial with OV Corridor Overlay, and Natural Areas Protected. This zoning request is in conjunction with a request to amend the Comprehensive Plan from Urban and Natural Areas Reserved to General Commercial and Natural

Areas Reserved as a future land use for a portion of the tract. Both applications are being requested as the initial steps to creating a development with a mix of residential and non-residential uses.

REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The subject property is designated as Urban and Natural Areas Reserved on the Comprehensive Plan Future Land Use and Character Map. In addition to the Future Land Use designations, the tract is also included under the Harvey Mitchell District which is a district that should emphasize the preservation of existing natural features and the promotion of urban development at a major entryway into the core of the City.

The Urban designation is intended for areas that should have a very intense level of development activity typically consisting of high density residential (i.e. Townhomes, Duplexes, or high-density apartments). The Natural Areas - Reserved designation is intended for areas that should be preserved for their natural function or open space qualities.

As a part of the zoning request the applicant is also requesting an amendment to the Comprehensive Plan to change the future land use designation for a portion of the property to General Commercial. The current land use designation does not support a general commercial zoning, thus resulting in the request to amend the Comprehensive Plan. Staff is in support of this amendment as the existing P-MUD Planned Mixed Use Development zoning allows for commercial uses when incorporated with residential. There are also a number of surrounding tracts that are zoned for commercial or office uses, making a rezoning for commercial consistent with the overall land use pattern of the area. Should the land use designation amendment be approved the applicant's request to rezone the property to GC General Commercial with OV Corridor Overlay, MF Multi-Family, and NAP Natural Areas Protected would be consistent with the Comprehensive Plan. Should the request to amend the Comprehensive Plan be denied, the rezoning for the General Commercial portion is no longer consistent with the future land use designation and staff would not be supporting the request to rezone that portion.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** A major portion of the property is zoned GS General Suburban, the remainder as O Office and P-MUD Planned Mixed Use Development with OV Corridor Overlay. The overlay was placed on the property with the previous rezoning with the intention to provide additional enhancements with this area being deemed a primary entry into College Station under the Harvey Mitchell District Plan. In order to provide these enhancements, the overlay gives additional restrictions to signage, building and parking setbacks, use of colors, and additional specific use standards.

The area bound between Texas State Highway 6, Texas Avenue, and Harvey Mitchell Parkway is largely undeveloped with some existing commercial uses bordering Highway 6 and Texas Avenue. South of the greenway is a small residential neighborhood with limited access to the Highway frontage road and an existing mobile home park accessible by Texas Avenue. The present zoning of GS General Suburban, while compatible with the existing character, is not significantly compatible with the zoning entitled on the land surrounding the tract. Due to the more intense nature of commercial zoning, General Suburban is not a land use of equal scale or density. Amending the zoning to a higher density Multi-Family zoning would not only be consistent with the anticipated land uses for this area, but would also more compatible with the existing land that is entitled to develop with more intense commercial land uses such as the recently approved 4-story hotel taking access from Texas Avenue and Morgan's Lane. Natural Areas Protected will

help to buffer the existing single family uses from the urban and commercial uses closer to Harvey Mitchell Parkway.

3. **Suitability of the property affected by the amendment for uses permitted by the districts that would be made applicable by the proposed amendment:** The proposed rezoning is appropriate for this area due to its location along Harvey Mitchell Parkway South. Additionally, looking at the longer range plan for this area, this property will also be involved in the effort to extend Dartmouth Street (future 2-lane Major Collector) across Harvey Mitchell Parkway which will ultimately extend to Texas Avenue aligning with Brothers Boulevard. The addition of this road eliminates the overall suitability of a lower density single-family zoning and is more appropriate for growth of more intense residential and non-residential land uses. The preservation of the greenway with Natural Areas Protected will preserve the floodplain and floodway.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** Due to the subject property's location and access to Harvey Mitchell Parkway, Earl Rudder Freeway and Texas Avenue, it would traditionally be appropriate to have more regionally serving general commercial uses and compatible residential uses that are higher in density. The proposed rezoning is more compatible with the entitled land surrounding the tract and is consistent with the long range vision for this area.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property can be marketed under the current zoning which allows for commercial and residential uses. However, due to the long range plans and the efforts of many individuals and property owners in the area, an amendment to allow land uses that are more urban in nature would increase the marketability of property in a very underutilized area of the city that is considered to be a primary entry into the core of College Station.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** Water service will be served by City of College Station. There's an existing 24-inch waterline along Harvey Mitchell Parkway that the development may utilize to extend and serve the properties.

Sanitary Sewer service is available via existing 18-inch sewer main running along Bee Creek Tributary that is planned to be upsized to a 30-inch sewer main. Development is currently limited on the amount of units that can connect to the existing 18-inch sewer main until the existing 18-inch sewer main is upsized to the master plan's 30-inch sewer main. The upsized 30-inch sewer main is planned to be completed before the completion of subject tracts' full development. All other infrastructure appear to have adequate capacity to serve the proposed rezoning. Please note that completion of the 30-inch sewer main is subject to approval of the engineering design contract by City Council on July 13th, and City Council approval of the subsequent construction contract.

Subject tracts are in the Bee Creek Drainage Basin. Sites are draining to Bee Creek Tributary. Detention will be required with each site development. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the B/CS Unified Design Guidelines.

The subject property has frontage to Harvey Mitchell Parkway (FM 2818) and TxDOT permits will be required for future driveway and street access to it. On May 25, 2017, Council approved a Development Agreement with the applicant regarding the extension of Dartmouth Street south of Harvey Mitchell Parkway across an adjacent tract and through the subject property. A traffic impact analysis (TIA) was provided with the request. It found that the intersection with Harvey Mitchell Parkway and Dartmouth Street should be considered for a traffic signal that would be designed and constructed by the City and other potential access along Harvey Mitchell will need consideration as right-in/right-out driveways.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Background Information
2. Aerial & Small Area Map
3. Application
4. Rezoning Map
5. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: July 6, 2017

Advertised Council Hearing Dates: July 27, 2017

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:

None

Property owner notices mailed: 27

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: One

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Urban and General Commercial (across Harvey Mitchell Parkway South	GC General Commercial and T Townhome and GC General Commercial (across Harvey Mitchell Parkway South)	Vacant
South	Urban	O Office and GC General Commercial	vacant
East	Urban and Natural Areas Reserved	GC General Commercial	Office building and undeveloped land
West (Across Harvey Mitchell Parkway S)	Suburban Commercial	General Suburban	Existing single-family homes

DEVELOPMENT HISTORY

Annexation: October 1969

Zoning: R-1 Single-Family Residential Upon Annexation

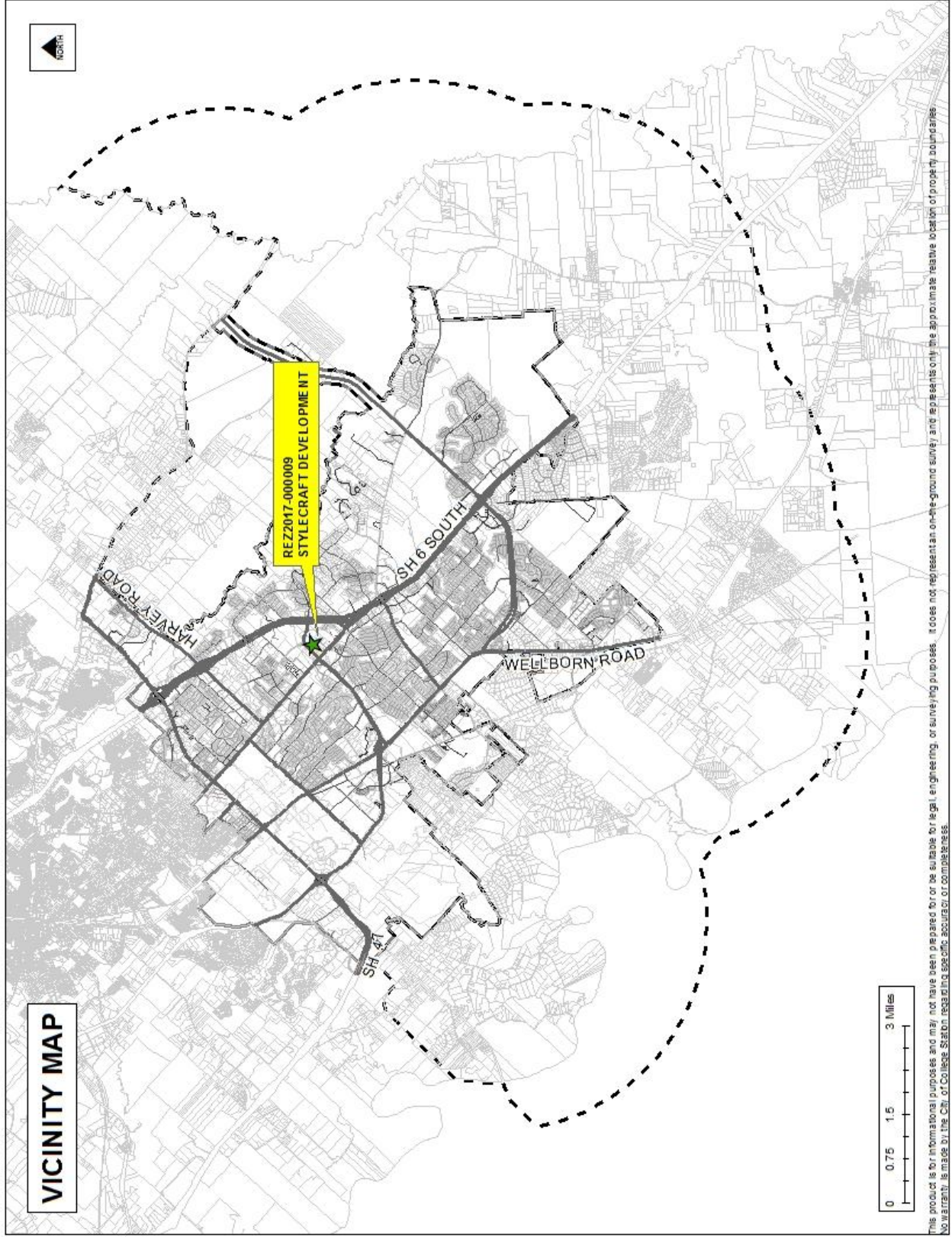
O Office 1981

P-MUD Planned Mixed Use Development and OV Corridor Overlay 2004

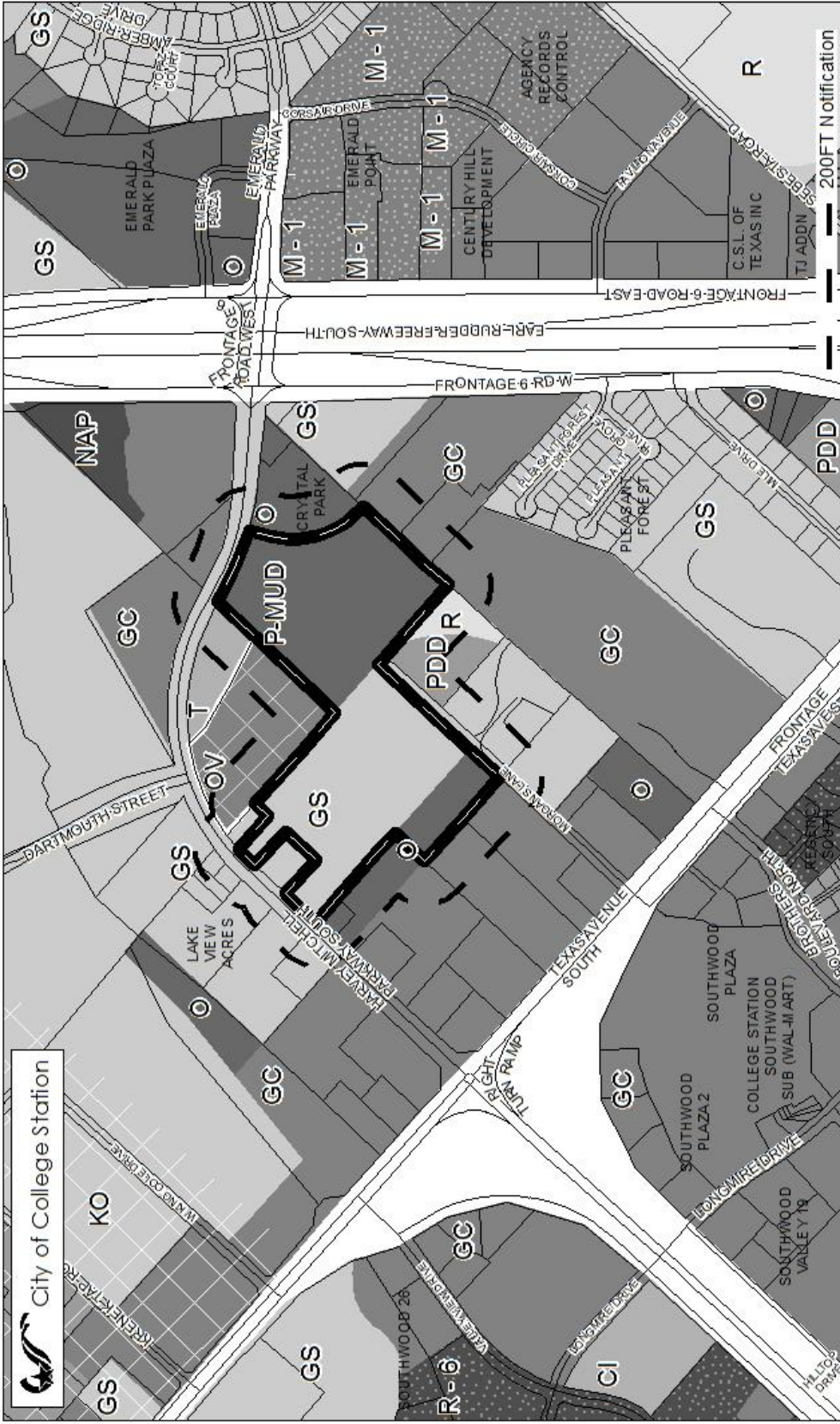
Final Plat: Lake View Acres, Lots 5B-5C-6A-11A-12 and 12.489 acres in A004601 M Rector.

Site development: Vacant

VICINITY MAP



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. No warranty is made by the City of College Station regarding specific accuracy or completeness.



City of College Station

ZONING DISTRICTS (In Gray Scale)									
Residential	Mixed-Use	CI	Commercial Industrial	Design Districts	Overlay Districts	Retired Districts			
R Rural	MHP Manufactured Home Pk.	BP	Business Park	WPC Wolf Pen Creek Dev. Cor.	OV Corridor Ovr.	R-1B Single Family Residential			
E Estate		BPI	Business Park Industrial	NG-1 Core Northgate	RDD Redevelopment District	R-4 Multi-Family			
RS Restrictd Suburban	Non-Residential	C-U	College and University	NG-2 Transitional Northgate	KO Krenk Tap Ovr.	R-6 High Density Multi-Family			
GS General Suburban	NAP Natural Area Protected			NG-3 Residential Northgate	NPO Nbrhd. Prevailing Ovr.	RD Research and Dev.			
D Duplex	O Office				NCO Nbrhd. Conservation Ovr.	M-1 Light Industrial			
T Townhome	SC Suburban Commercial				HP Historic Preservation Ovr.	M-2 Heavy Industrial			
MF Multi-Family	GC General Commercial								

0 625 1,250 Feet

STYLECRAFT DEVELOPMENT

Case: REZ2017-000009

REZONING

CASE NO.: _____
DATE SUBMITTED: _____
TIME: _____
STAFF: _____

ZONING MAP AMENDMENT (REZONING) APPLICATION GENERAL

MINIMUM SUBMITTAL REQUIREMENTS:

- ☒ \$1,240 Rezoning Application Fee.
- ☒ 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.
- ☒ Traffic Impact Analysis or calculations of projected vehicle trips showing that a TIA is not necessary for the proposed request.
- ☒ Copy of a fully dimensioned map
 - a. Land affected
 - b. Legal description of area of proposed change;
 - c. Present zoning
 - d. Zoning classification of all abutting land
 - e. All public and private rights-of-way and easements bounding and intersecting subject land.
- ☒ Written legal description of subject property (metes & bounds or lot & block of subdivision, whichever is applicable).

NOTE: If a petition for rezoning is denied by the City Council, another application for rezoning shall not be filed within a period of 180 days from the date of denial, except with permission of the Planning & Zoning Commission.

Date of Optional Preapplication Conference 11/04/2015

NAME OF PROJECT Stylecraft 2818 Development

ADDRESS 2338 Harvey Mitchell Pkwy S TX

LEGAL DESCRIPTION (Lot, Block, Subdivision) LAKE VIEW ACRES, LOTS 5B-5C-6A-11A-12,
& 12.489 ACRES IN A004601 M RECTOR 27.868 ACRES
GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:

TOTAL ACREAGE 27.868

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

Name Doug French-Stylecraft Builders, Inc. E-mail dfrench@stylecraftbuilders.com
Street Address 4090 State HWY 6 South
City College Station State Texas Zip Code 77845
Phone Number 979-690-1222 Fax Number 979-260-3849

PROPERTY OWNER'S INFORMATION:

Name Stylecraft Builders, Inc. E-mail mchilders@stylecraftbuilders.com
Street Address 4090 State HWY 6 South
City College Station State Texas Zip Code 77845
Phone Number 979-690-1222 Fax Number _____

OTHER CONTACTS (Please specify type of contact, i.e. project manager, potential buyer, local contact, etc.):

Name Chris Surface-Engineer E-mail csurface@bleylengineering.com
Street Address 1722 Broadmoor Suite 210
City Bryan State Texas Zip Code 77802
Phone Number 936-494-3693 Fax Number 979-260-3849

This property was conveyed to owner by deed dated 07/31/2015 and recorded in Volume 12863, Page 225 of the Brazos County Official Records.

Existing Zoning GS, P-MUD, O Proposed Zoning NAP, GC, and MF

Present Use of Property Undeveloped

Proposed Use of Property Residential and commercial developments

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which make this zone change necessary.

The current zoning, which was implemented in September 2004 has not led to any developments. Changing needs in the marketplace indicate that multi family and commercial is more appropriate for this property, given its easy access to several arterials. Additionally, a portion of the P-MUD is in the flood plain of Bee Creek and in accordance with current city policy should be zoned NAP.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

Yes, this zone change is in accordance with the comprehensive plan which lists this area as "urban."

3. How will this zone change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?

This zone change would blend in perfectly with the zoning and future land uses of nearby properties. The property directly abuts FM 2818. Additionally, Texas Avenue and SH 6 are adjacent to the property. Dartmouth is being proposed to be extended. All these access roadways allows the property to be appropriate for the proposed zoning change to multi-family and general commercial.

4. Explain the suitability of the property for uses permitted by the rezoning district requested.

The property currently abuts FM 2818, which is a major arterial. Additionally, Texas Avenue and SH 6 are near the property. Dartmouth Road is currently being proposed to be extended into the property. All the major roadways and access points allows this property to thrive with the proposed multi family and general commercial zoning. Additionally, a portion of the P-MUD is in the flood plain of Bee Creek and in accordance with current city policy should be zoned NAP.

5. Explain the suitability of the property for uses permitted by the current zoning district.

The property currently abuts FM 2818, which is a major arterial. Additionally, Texas Avenue and SH 6 are near the property. Dartmouth Road is currently being proposed to be extended into the property. The access to these roadways is better suited for high intensity developments like multi-family and general commercial than general suburban and planned mix use. The portion of the property zoned office is too small for its intended use. Office space is inappropriate for this urban area. A portion of the P-MUD is in the flood plain and would not be able to be developed in any case.

6. Explain the marketability of the property for uses permitted by the current zoning district.

After speaking with local businessmen and real estate brokers all have agreed that what we are proposing will in fact be the highest and best use.

7. List any other reasons to support this zone change.

The City thoroughfare plan calls for Dartmouth to be extended from FM 2818 to Texas Avenue, providing a parallel north-south route to Texas Avenue and alleviating some of the congestion on Texas Avenue. A TIRZ is in place to assist the City in funding this extension, but without development in the TIRZ boundaries, the TIRZ is not currently collecting enough revenue to provide meaningful revenue for this project.

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.



Signature and title

3/24/17

Date



ZONING AREAS

CURVE TABLE

LINE TABLE

LEGEND



0' 75' 150' 300' 600'

SCALE: 1"=150'



STYLECRAFT
BUILDERS, INC.

- NOTES:

BLEYL ENGINEERING
PLANNING • DESIGN • MANAGEMENT

EXHIBIT 2
ZONING MAP

BERTRAND ZONING TIA

COLLEGE STATION, TEXAS

NUMBER
22

FILE NAME:
ZONING APPLICATION EXHIBIT-2-2017.DWG

SHEET:

ORDINANCE NO. _____

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 P-MUD PLANNED MIXED USE DISTRICT WITH OV CORRIDOR OVERLAY, GS GENERAL SUBURBAN AND O OFFICE TO GC GENERAL COMMERCIAL WITH OV CORRIDOR OVERLAY, MF MULTI-FAMILY AND NAP NATURAL AREAS PROTECTED FOR APPROXIMATELY 27.868 ACRES LOCATED AT 2338 HARVEY MITCHELL PARKWAY SOUTH, GENERALLY LOCATED WEST OF EARL RUDDER FREEWAY SOUTH ALONG HARVEY MITCHELL PARKWAY SOUTH; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" from P-MUD Planned Mixed Use District with OV Corridor Overlay, GS General Suburban and O Office to GC General Commercial with OV Corridor Overlay, MF Multi-Family and NAP Natural Areas Protected for approximately 27.868 acres of land located at 2338 Harvey Mitchell Parkway South, generally located west of Earl Rudder Freeway South Along Harvey Mitchell Parkway South; and as shown graphically in Exhibit "B" and Exhibit "C", attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July, 2017

APPROVED:

MAYOR

ATTEST:

City Secretary

ORDINANCE NO. _____

Page 2

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 12, “Unified Development Ordinance,” Section 12-4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from P-MUD Planned Mixed Use District with OV Corridor Overlay, GS General Suburban and O Office to GC General Commercial with OV Corridor Overlay, MF Multi-Family, and NAP Natural Areas Protected:

FIELD NOTES
PROPOSED GENERAL COMMERCIAL ZONING
8.56 ACRES

Being all that certain tract or parcel of land lying and being situated in the MORGAN RECTOR LEAGUE, Abstract No. 46 in College Station, Brazos County, Texas and being a part of the 12.489 acre tract described in the deed from Ruth Maria Porter Bertrand, a/k/a Ruth M. Bertrand, a single woman, and as trustee of the Clint Albert Bertrand and Ruth Marie Porter Bertrand Revocable Living Trust to CTX Land Investments, LLC recorded in Volume 12863, Page 225 of the Official Records of Brazos County, Texas (O.R.B.C.) and more particularly described by metes and bounds as follows:

BEGINNING: at a found 1/2-inch iron rod marking the north corner of the said 12.489 acre CTX Land Investments, LLC tract, the west corner of a called 1.22 acre City of College Station right-of-way tract described in Volume 1220, Page 690 (O.R.B.C.), the east corner of the called 2.29 acre Miles Construction & Development tract recorded in Volume 12420, Page 255 (O.R.B.C.);

THENCE: S 59° 13' 58" E along the southwest line of the called 1.22 acre City of College Station right-of-way tract (now F.M. 2818 and commonly known as Harvey Mitchell Parkway South) for a distance of 119.61 feet to a found concrete right-of-way monument marking the Point of Curvature of a curve to the left;

THENCE: 233.45 feet continuing along the southwest right-of-way line of said Harvey Mitchell Parkway South along the arc of said curve having a central angle of 10° 57' 09", a radius of 1221.24 feet, a tangent of 117.08 feet and a long chord bearing S 64° 42' 32" E at a distance of 233.09 feet to a found 5/8-inch iron rod marking the northeast corner of the said 12.489 acre CTX Land Investments, LLC tract, said iron rod also marking the north corner of a 60-foot wide Private Access Easement recorded in Volume 2048, Page 187 (O.R.B.C.), and the north corner of Lot 1, Block 1, CRYSTAL PARK SUBDIVISION, PHASE ONE as recorded in Volume 2451, Page 63 (O.R.B.C.);

THENCE: along the west line of said Lot 1, Block 1, CRYSTAL PARK SUBDIVISION, said line being common with the westerly line of the before-mentioned 60-foot wide Private Access Easement for the following two (2) calls:

- 1) S 18° 30' 01" W for a distance of 97.15 feet to a found 5/8-inch iron rod marking the Point of Curvature of a curve to the left, and
- 2) 314.87 feet along the arc of said curve having a central angle of 41° 57' 19", a radius of 430.00 feet, a tangent of 164.87 feet and a long chord bearing S 02° 28' 39" E at a distance of 307.88 feet for corner;

THENCE: through the interior of the said 12.489 acre CTX Land Investments, LLC tract for the following four (4) calls:

- 1) 182.75 feet in a clockwise direction along the arc of a curve having a central angle of 13° 11' 41", a radius of 793.56 feet, a tangent of 91.78 feet and a long chord bearing S 52° 25' 13" W at a distance of 182.35 feet for corner,
- 2) S 56° 38' 46" W for a distance of 118.73 feet for corner,

- 3) 181.80 feet in a counter-clockwise direction along the arc of a curve having a central angle of $11^{\circ} 10' 35''$, a radius of 931.99 feet, a tangent of 91.19 feet and a long chord bearing $S 43^{\circ} 56' 56'' W$ at a distance of 181.51 feet for corner, and
- 4) 93.91 feet in a clockwise direction along the arc of a curve having a central angle of $13^{\circ} 37' 19''$, a radius of 395.02 feet, a tangent of 47.18 feet and a long chord bearing $S 18^{\circ} 18' 55'' W$ at a distance of 93.69 feet for corner in the southwest line of the said 12.489 acre CTX Land Investments, LLC tract and the northeast line of Lot 13, LAKE VIEW ACRES (128/300);

THENCE: $N 45^{\circ} 00' 01'' W$ along the southwest line of the said 12.489 acre CTX Land Investments, LLC tract and the northeast line of said Lot 13, LAKE VIEW ACRES (128/300) for a distance of 120.60 feet for corner;

THENCE: through the interior of the said 12.489 acre CTX Land Investments, LLC tract for the following two (2) calls:

- 1) 463.49 feet in a counter-clockwise direction along the arc of a curve having a central angle of $46^{\circ} 11' 05''$, a radius of 575.00 feet, a tangent of 245.17 feet and a long chord bearing $N 21^{\circ} 44' 17'' W$ at a distance of 451.05 feet for corner;
- 2) $N 44^{\circ} 08' 55'' W$ for a distance of 84.81 feet for corner in the northwest line of the said 12.489 acre CTX Land Investments, LLC tract and the southeast line of the called 6.99 acre Texas Timberjack, Inc. tract recorded in Volume 9898, Page 275 (O.R.B.C.);

THENCE: $N 46^{\circ} 37' 08'' E$ along the northwest line of the said 12.489 acre CTX Land Investments, LLC tract and southeast line of the called 6.99 acre Texas Timberjack, Inc. tract for a distance of 345.13 feet to a found 1/2-inch iron rod marking the east corner of called 6.99 acre tract and the south corner of the before-mentioned 2.29 acre Miles Construction & Development tract (12420/255);

THENCE: $N 46^{\circ} 39' 24'' E$ continuing along the northwest line of the said 12.489 acre CTX Land Investments, LLC tract and along the southeast line of the called 2.29 acre Miles Construction & Development tract for a distance of 225.02 feet to the POINT OF BEGINNING and containing 8.56 acres of land, more or less.

The record bearings and the monuments found are consistent with the deed recorded in Volume 12863, Page 225, Official Records of Brazos County, Texas and was used as the BASIS OF BEARINGS for this description.

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision in April, 2015.



FIELD NOTES
PROPOSED MULTI-FAMILY ZONING
16.90 ACRES

Being all that certain tract or parcel of land lying and being situated in the MORGAN RECTOR LEAGUE, Abstract No. 46 in College Station, Brazos County, Texas and being all of Lot 12, LAKE VIEW ACRES as recorded in Volume 128, Page 300 of the Brazos County Deed Records (B.C.D.R.), all of Lots 11A and 11B, plus part of Lot 6A according to the Vacating and Resubdivision Plat of Lots 6-11, LAKE VIEW ACRES recorded in Volume 507, Page 253 (B.C.D.R.) and part of Lot 5B, plus all of Lot 5C according to the Vacating and Resubdivision Plat of Lot 5, LAKE VIEW ACRES recorded in Volume 448, Page 607 (B.C.D.R.); same being all of the 15.379 acre Tract One and a portion of the 12.489 acre Tract Two conveyed to CTX Land Investments, LLC recorded in Volume 12863, Page 225 of the Official Records of Brazos County, Texas (O.R.B.C.) and more particularly described by metes and bounds as follows:

BEGINNING: at a found 1/2-inch iron rod marking the south corner of the said 15.379 acre CTX Land Investments, LLC tract, same being the south corner of said Lot 11A, LAKE VIEW ACRES (507/253), said iron rod also marking the east corner of Lot 10A1 according to the Vacating and Resubdivision Plat of Lots 10A1 and 10A2, LAKE VIEW ACRES recorded in Volume 3697, Page 191 (O.R.B.C.) and being in the northwest right-of-way line of Morgan's Lane (based on a 50-foot width as recorded in Volume 128, Page 300 [B.C.D.R.]);

THENCE: N 45° 00' 10" W along the common line of said Lots 10A1, LAKE VIEW ACRES (3697/191) and 11A, LAKE VIEW ACRES (507/253) for a distance of 264.18 feet to a found 1/2-inch iron rod marking the north corner of said Lot 10A1, LAKE VIEW ACRES (3697/191) and the east corner of Lot 9A, LAKE VIEW ACRES (507/253);

THENCE: N 44° 55' 44" W along the common line of said Lots 10A1 and 11A (507/253) for a distance of 265.49 feet to a 1/2-inch iron rod set for the north corner of said Lot 9, LAKE VIEW ACRES (507/253), the west corner of said Lot 11A, LAKE VIEW ACRES (507/253) and being in the southwest line of Lot 7A, LAKE VIEW ACRES (507/253);

THENCE: N 46° 21' 00" E along the common line of said Lot 11A, LAKE VIEW ACRES (507/253) and Lot 7A, LAKE VIEW ACRES (507/253) for a distance of 192.55 feet to a found 1/2-inch iron rod for the common corner of Lots 11B, 11A, 7A, and 6A, LAKE VIEW ACRES (507/253);

THENCE: along the common line of said Lots 6A and 7A for the following two (2) calls:

- 1) N 44° 43' 49" W for a distance of 332.02 feet to a 1/2-inch iron rod found for an angle point, and
- 2) N 46° 33' 06" W for a distance of 68.77 feet to a 1/2-inch iron rod found marking the east corner of Lot 6B, LAKE VIEW ACRES (507/253);

THENCE: N 44° 51' 00" W along the common line of said Lots 6A and 6B, LAKE VIEW ACRES (507/253) for a distance of 156.55 feet to a found 1/2-inch iron rod marking the northwest corner of the said 15.379 acre CTX Land Investments, LLC tract, said iron rod also being in the southeast line of a 4,750 square foot City of College Station tract recorded in Volume 794, Page 494 (O.R.B.C.);

THENCE: N 46° 39' 11" E along the southeast line of the said 4,750 square foot City of College Station tract (794/494) for a distance of 195.66 feet to a found 1/2-inch iron rod marking the east corner of the said 4,750 square foot City of College Station tract (794/494) and the south corner of the 2,891 square foot City of College Station tract recorded in Volume 795, Page 445 (O.R.B.C.), said iron rod also being in the common line of said Lot 6A, LAKE VIEW ACRES (507/253) and the before-said Lot 5, LAKE VIEW ACRES (128/300);

THENCE: S 44° 25' 41" E along the common line of said Lot 6A, LAKE VIEW ACRES (507/253) and Lot 5, LAKE VIEW ACRES (128/300) for a distance of 214.15 feet to a found 1/2-inch iron rod marking the west corner of Lot 5C, LAKE VIEW ACRES (448/607);

THENCE: N 46° 33' 07" E along the northwest line of said Lot 5C, LAKE VIEW ACRES (448/607) for a distance of 190.35 feet to a 1/2-inch iron rod found marking the south corner of Lot 5B, LAKE VIEW ACRES (448/607);

THENCE: N 44° 48' 45" W (called N 44° 52' 15" W) along the southwest line of said Lot 5B, LAKE VIEW ACRES (448/607) for a distance of 213.85 feet to a 1/2-inch iron rod set for the common most southerly corner of the 2,891 square foot City of College Station tract recorded in Volume 795, Page 445 and the 1,642 square foot City of College Station tract recorded in Volume 794, Page 494 (O.R.B.C.);

THENCE: N 46° 39' 11" E along the southeasterly line of the said 1,642 square feet City of College Station tract (794/494) for a distance of 21.51 feet to a found TxDOT concrete monument marking the Point of Curvature of a curve to the right;

THENCE: 87.49 feet along the arc of said curve in the southeasterly line of the 116 square feet City of College Station tract recorded in Volume 1222, Page 712 (O.R.B.C.), said curve having a central angle of 05° 13' 18", a radius of 960.00 feet, a tangent of 43.78 feet and a long chord bearing N 49° 15' 50" E at a distance of 87.46 feet to a found 1/2-inch iron rod marking the most northerly corner of said 15.379 acre CTX Land Investments, LLC tract, said iron rod also being in the common line of Lot 5A and Lot 5B, LAKE VIEW ACRES (488/607);

THENCE: S 44° 57' 48" E along said common line for a distance of 209.72 feet to a 1/2-inch iron rod found marking the common most southerly corner of said Lots 5A and 5B, LAKE VIEW ACRES (488/607);

THENCE: N 46° 33' 07" E along the southeast line of said Lot 5A, LAKE VIEW ACRES (488/607), said line also being common with the northwest line of Lot 5C, LAKE VIEW ACRES (488/607) for a distance of 83.00 feet to a found 1/2-inch iron rod marking the northeast corner of the said 15.379 acre CTX Land Investments, LLC tract, the north corner of said Lot 5C, LAKE VIEW ACRES (488/607) and being in the southwest line of the called 6.99 acre Texas Timberjack, Inc. tract recorded in Volume 9898, Page 275 (O.R.B.C.);

THENCE: S 45° 00' 00" E along the northeast line of the said Lot 5C, LAKE VIEW ACRES (448/607) and the southwest line of the called 6.99 acre Texas Timberjack, Inc. tract (9898/275) for a distance of

339.66 feet to a found 1/2-inch iron rod marking the east corner of said Lot 5C, LAKE VIEW ACRES (448/607) and the north corner of the before-said Lot 12, LAKE VIEW ACRES (128/300);

THENCE: S 44° 52' 12" E along the northeast line of said Lot 12, LAKE VIEW ACRES (128/300) and the southwest line of the called 6.99 acre Texas Timberjack, Inc. tract (9898/275) for a distance of 225.33 feet to a found 1/2-inch iron rod marking the east corner of the said 12.489 acre CTX Land Investments, LLC tract and the south corner of the called 6.99 acre Texas Timberjack, Inc. tract (9898/275);

THENCE: N 46° 37' 08" E along the northwest line of the said 12.489 acre CTX Land Investments, LLC tract and the southeast line of the called 6.99 acre Texas Timberjack, Inc. tract for a distance of 178.77 feet for corner;

THENCE: through the interior of the said 12.489 acre CTX Land Investments, LLC tract for the following two (2) calls:

- 1) S 44° 08' 55" E for a distance of 84.81 feet for the Point of Curvature of a curve to the right, and
- 2) 463.49 feet along the arc of said curve having a central angle of 46° 11' 05", a radius of 575.00 feet, a tangent of 245.17 feet and a long chord bearing S 21° 44' 17" E at a distance of 451.05 feet for corner in the southwest line of the said 12.489 acre CTX Land Investments, LLC tract and the northeast line of Lot 13, LAKE VIEW ACRES (128/300);

THENCE: N 45° 00' 01" W along the southwest line of the said 12.489 acre CTX Land Investments, LLC tract and the northeast line of said Lot 13, LAKE VIEW ACRES (128/300) for a distance of 195.00 feet to a found 1/2-inch iron rod marking the east corner of the said 15.379 acre CTX Land Investments, LLC, the east corner of said Lot 12, said iron rod also marking the north corner of the before-mentioned Morgan's Lane (not constructed in this area);

THENCE: S 46° 38' 18" W along the northwest line of said Morgan's Lane for a distance of 768.00 feet to the POINT OF BEGINNING and containing 16.90 acres of land, more or less.

The record bearings and the monuments found are consistent with the deed recorded in Volume 12863, Page 225, Official Records of Brazos County, Texas and was used as the BASIS OF BEARINGS for this description.

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision in April, 2015.



FIELD NOTES
PROPOSED NATURAL AREAS PROTECTED ZONING
2.40 ACRES

Being all that certain tract or parcel of land lying and being situated in the MORGAN RECTOR LEAGUE, Abstract No. 46 in College Station, Brazos County, Texas and being a part of the 12.489 acre tract described in the deed from Ruth Maria Porter Bertrand, a/k/a Ruth M. Bertrand, a single woman, and as trustee of the Clint Albert Bertrand and Ruth Marie Porter Bertrand Revocable Living Trust to CTX Land Investments, LLC recorded in Volume 12863, Page 225 of the Official Records of Brazos County, Texas (O.R.B.C.) and more particularly described by metes and bounds as follows:

BEGINNING: at a found 1/2-inch iron rod marking the south corner of the said 12.489 acre CTX Land Investments, LLC tract, the east corner of Lot 13, LAKE VIEW ACRES as recorded in Volume 128, Page 300 of the Brazos County Deed Records (B.C.D.R.) and being in the northwest line of the called 23.21 acre Joe C. Fazzino tract recorded in Volume 455, Page 507 (B.C.D.R.);

THENCE: N 45° 00' 01" W along the southwest line of the said 12.489 acre CTX Land Investments, LLC tract and the northeast line of said Lot 13, LAKE VIEW ACRES (128/300) for a distance of 164.72 feet for corner;

THENCE: through the interior of the said 12.489 acre CTX Land Investments, LLC tract for the following four (4) calls:

- 1) 93.91 feet in a counter-clockwise direction along the arc of a curve having a central angle of 13° 37' 19", a radius of 395.02 feet, a tangent of 47.18 feet and a long chord bearing N 18° 18' 55" E at a distance of 93.69 feet for corner,
- 2) 181.80 feet in a clockwise direction along the arc of a curve having a central angle of 11° 10' 35", a radius of 931.99 feet, a tangent of 91.19 feet and a long chord bearing N 43° 56' 56" E at a distance of 181.51 feet for corner,
- 3) N 56° 38' 46" E for a distance of 118.73 feet for corner, and
- 4) 182.75 feet in a counter-clockwise direction along the arc of a curve having a central angle of 13° 11' 41", a radius of 793.56 feet, a tangent of 91.78 feet and a long chord bearing N 52° 25' 13" E at a distance of 182.35 feet for corner in the west line of a 60-foot wide Private Access Easement recorded in Volume 2048, Page 187 (O.R.B.C.), same being the west line of Lot 1, Block 1, CRYSTAL PARK SUBDIVISION, PHASE ONE as recorded in Volume 2451, Page 63 (O.R.B.C.);

THENCE: along the west line of said Lot 1, Block 1, CRYSTAL PARK SUBDIVISION (2451/63), said line being common with the westerly line of the before-mentioned 60-foot wide Private Access Easement (2048/187) for the following two (2) calls:

- 1) 165.57 feet in a counter-clockwise direction along the arc of a curve having a central angle of 22° 03' 43", a radius of 430.00 feet, a tangent of 83.82 feet and a long chord bearing S 34° 29' 10" E at a distance of 164.55 feet for corner, and
- 2) S 45° 31' 01" E for a distance of 1.57 feet to a found 8-inch diameter treated fence post for the southeast corner of this tract and the south corner of said Lot 1, CRYSTAL PARK

SUBDIVISION, said post also being in the northwest line of the called 7.1615 acre Crystal Park Plaza, LLC and RGA Real Estate Holdings, LLC tract recorded in 11788, Page 93 (O.R.B.C.);

THENCE: S 45° 05' 15" W along the northwest west line of the called 7.1615 acre Crystal Park Plaza, LLC and RGA Real Estate Holdings, LLC tract for a distance of 195.91 feet to a found 1/2-inch iron rod marking the west corner of the called 7.1615 acre tract and the north corner of the called 1.92 acre James H. Woods tract recorded in Volume 11935, Page 207 (O.R.B.C.);

THENCE: S 45° 04' 36" W along the northwest line of the called 1.92 acre Woods tract (11935/207) and the called 23.21 acre Joe C. Fazzino tract (455/507) for a distance of 336.38 feet to the POINT OF BEGINNING and containing 2.400 acres of land, more or less.

The record bearings and the monuments found are consistent with the deed recorded in Volume 12863, Page 225, Official Records of Brazos County, Texas and was used as the BASIS OF BEARINGS for this description.

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision in April, 2015.

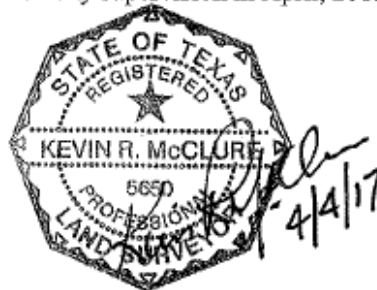


EXHIBIT “B”

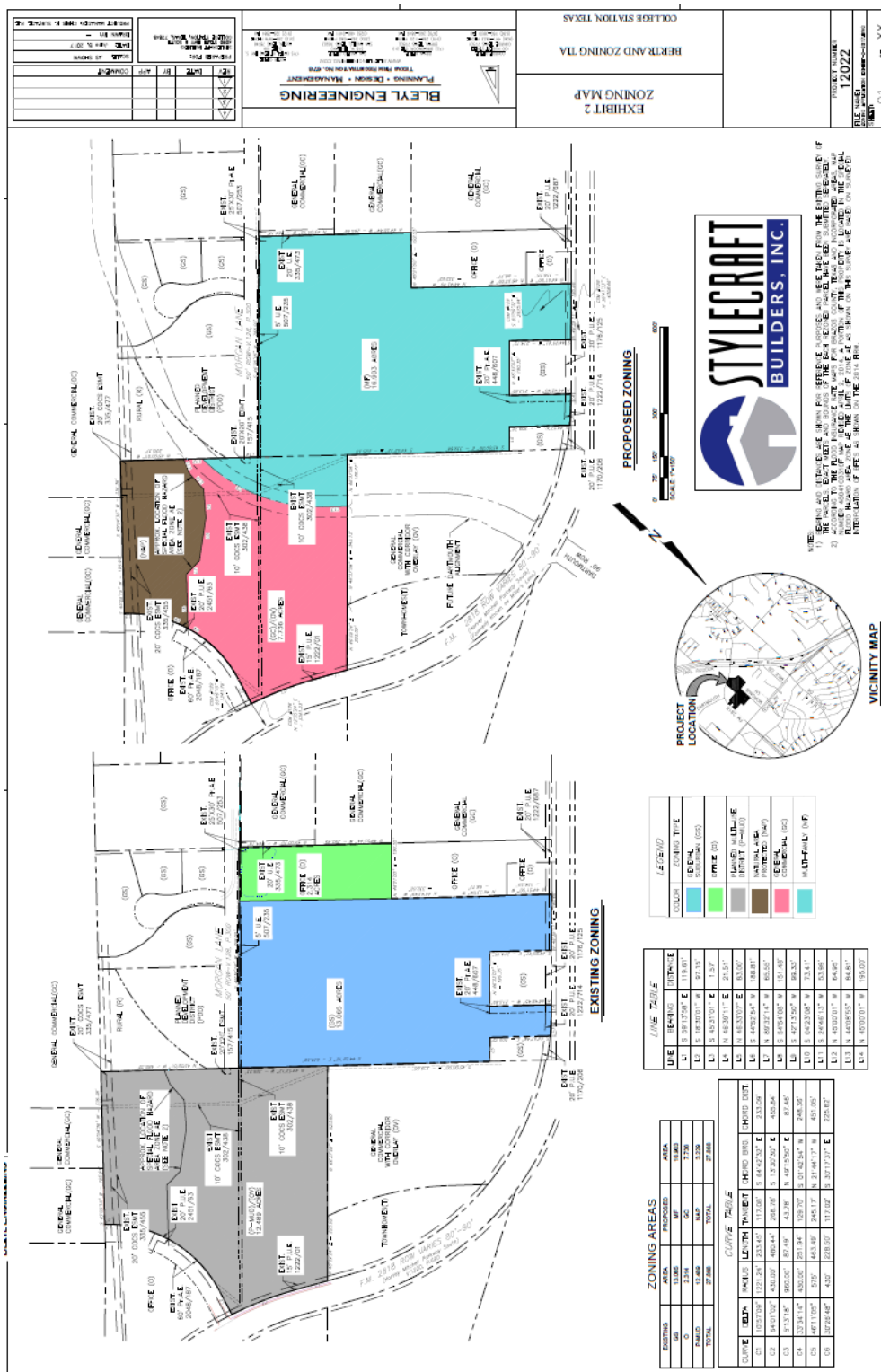
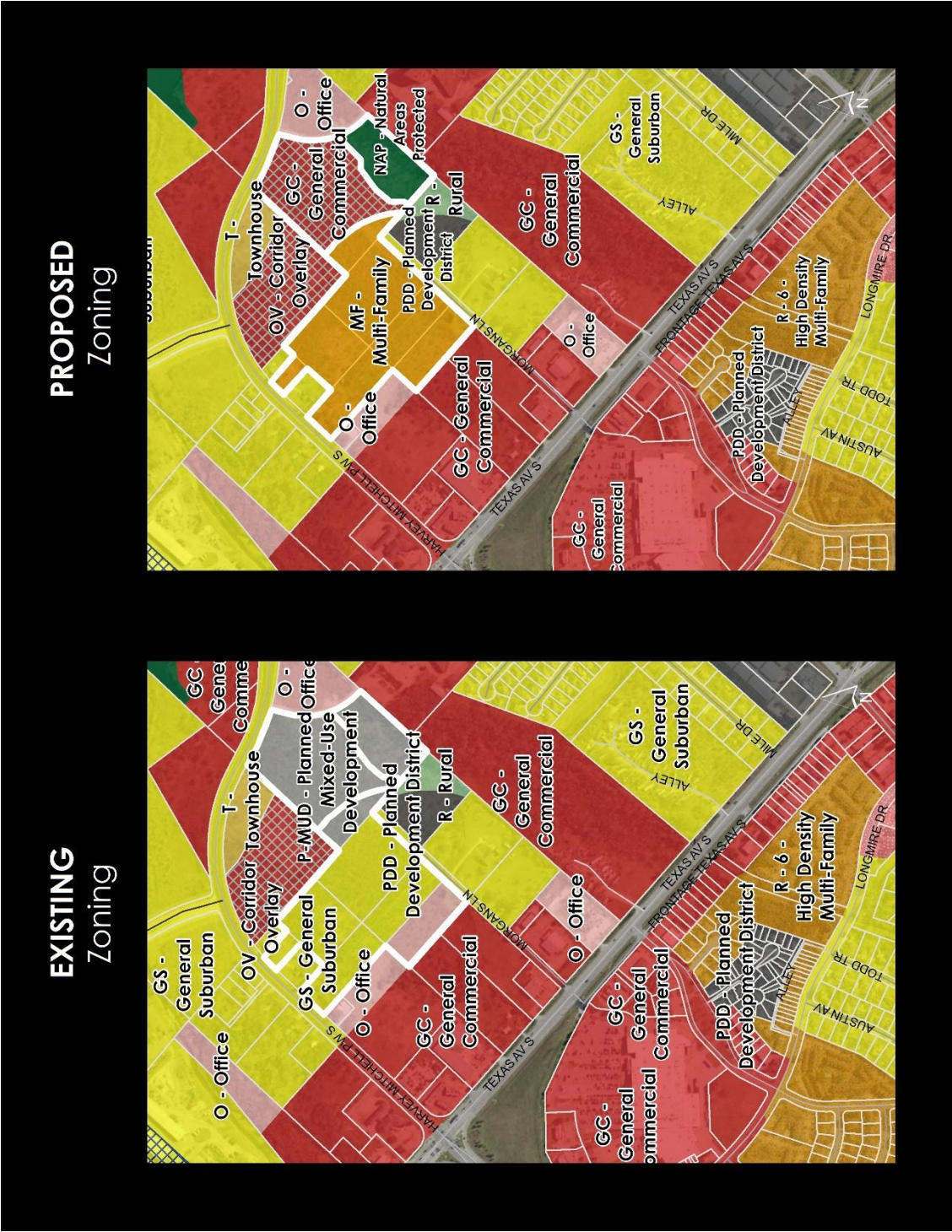


EXHIBIT “C”





Legislation Details (With Text)

File #:	17-0373	Version:	1	Name:	Lock N Roll Rezoning - City Initiated
Type:	Rezoning	Status:		Status:	Agenda Ready
File created:	7/12/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	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 CI Commercial Industrial to GC General Commercial on approximately 8.158 acres of land located at 1501 Earl Rudder Freeway South, and more generally located on the east side of Earl Rudder Freeway, north of Harvey Road. Case #REZ2017-000018.				
Sponsors:	Jennifer Prochazka				
Indexes:					
Code sections:					
Attachments:	Background Aerial and Small Area Map Lock N Roll zoning Ordinance				

Date	Ver.	Action By	Action	Result
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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 CI Commercial Industrial to GC General Commercial on approximately 8.158 acres of land located at 1501 Earl Rudder Freeway South, and more generally located on the east side of Earl Rudder Freeway, north of Harvey Road. Case #REZ2017-000018.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this request at their July 20, 2017 meeting and their recommendation will be presented during the presentation of this item. Staff recommends approval of the rezoning.

Summary: The proposed City-initiated rezoning from CI Commercial Industrial to GC General Commercial is to allow for infill commercial redevelopment opportunities along Earl Rudder Freeway. The intent of pursuing rezoning at this time is to fully entitle the property for general commercial uses encouraging redevelopment of the site. The property is located on the east side of Earl Rudder Freeway, a location appropriate for general commercial development.

REZONING REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The subject area is designated on the

Comprehensive Plan Future Land Use and Character Map as General Commercial.

The General Commercial designation is described in the Comprehensive Plan as areas intended for concentrations of commercial activities that cater to both nearby residents and to the larger community or region. Generally these areas tend to be large in size, located near the intersection of two regionally significant roads, and concentrated in nodes within the community. The proposed rezoning is in compliance with the Comprehensive Plan.

The City adopted the Economic Development Master Plan in 2012, with an over-arching goal of a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. One of the strategic initiatives for continued economic success is to support retail development by ensuring that there are opportunities to locate and expand businesses that make College Station a regional destination for retail services. The stated Master Plan goal for retail is as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such opportunities and that the City remains responsive to an ever-changing market."

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The surrounding properties are zoned GC General Commercial and developed as such.
3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The property has approximately 300 feet of frontage on Earl Rudder Freeway South Frontage Road. Earl Rudder Freeway South is College Station's most regionally significant road and properties in this area are generally suitable for General Commercial uses such as retail and restaurant.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** Because of its size, location, and access to Earl Rudder Freeway Frontage Road, the property is suitable for GC uses.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property is currently zoned CI Commercial Industrial and is currently used as self-storage, a permitted use in both CI and GC. When the property was zoned CI and developed, College Station's zoning was cumulative within the non-residential districts, allowing both CI and GC uses in the CI district. The property is suitable for CI uses, but because of its location, is more appropriate for GC uses.

Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use: An 18-inch water line exists along Earl Rudder Freeway and an 8-inch exists within the site. An 8-inch sewer line exists through the property. Existing infrastructure appears to be adequate for the proposed general commercial use at this time, however, water and sewer may need to be upgraded depending on demands of future redevelopment on the site.

Drainage and other public infrastructure required with site redevelopment shall be designed and constructed in accordance with the BCS Unified Design Guidelines.

The subject property has approximately 300 feet of frontage on Earl Rudder Freeway South, a Freeway/Expressway on the City's Thoroughfare Plan. A Traffic Impact Analysis (TIA) is not required for the rezoning of this property from CI Commercial Industrial to GC General Commercial. A TIA may be required at the time of site redevelopment depending upon the intensity of the proposed redeveloped use.

Budget & Financial Summary: N/A
Legal Review: Yes

Attachments:

1. Background Information
2. Aerial & Small Area Map
3. Rezoning Map
4. Ordinance

Background

NOTIFICATIONS

Advertised Commission Hearing Date: July 20, 2017

Advertised Council Hearing Date: July 27, 2017

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: 6
Contacts in support: None at the time of staff report.
Contacts in opposition: None at the time of staff report.
Inquiry contacts: None at the time of staff report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	General Commercial, Urban and Natural Areas	GC General Commercial	Undeveloped
South (Across SH6)	Urban Mixed-Use	GC General Commercial	Post Oak Mall and Plantation Oaks Apartments
East	General Commercial	GC General Commercial	Hotel, fueling station
West	General Commercial	GC General Commercial	Sam's Club

DEVELOPMENT HISTORY

Annexation: 1958

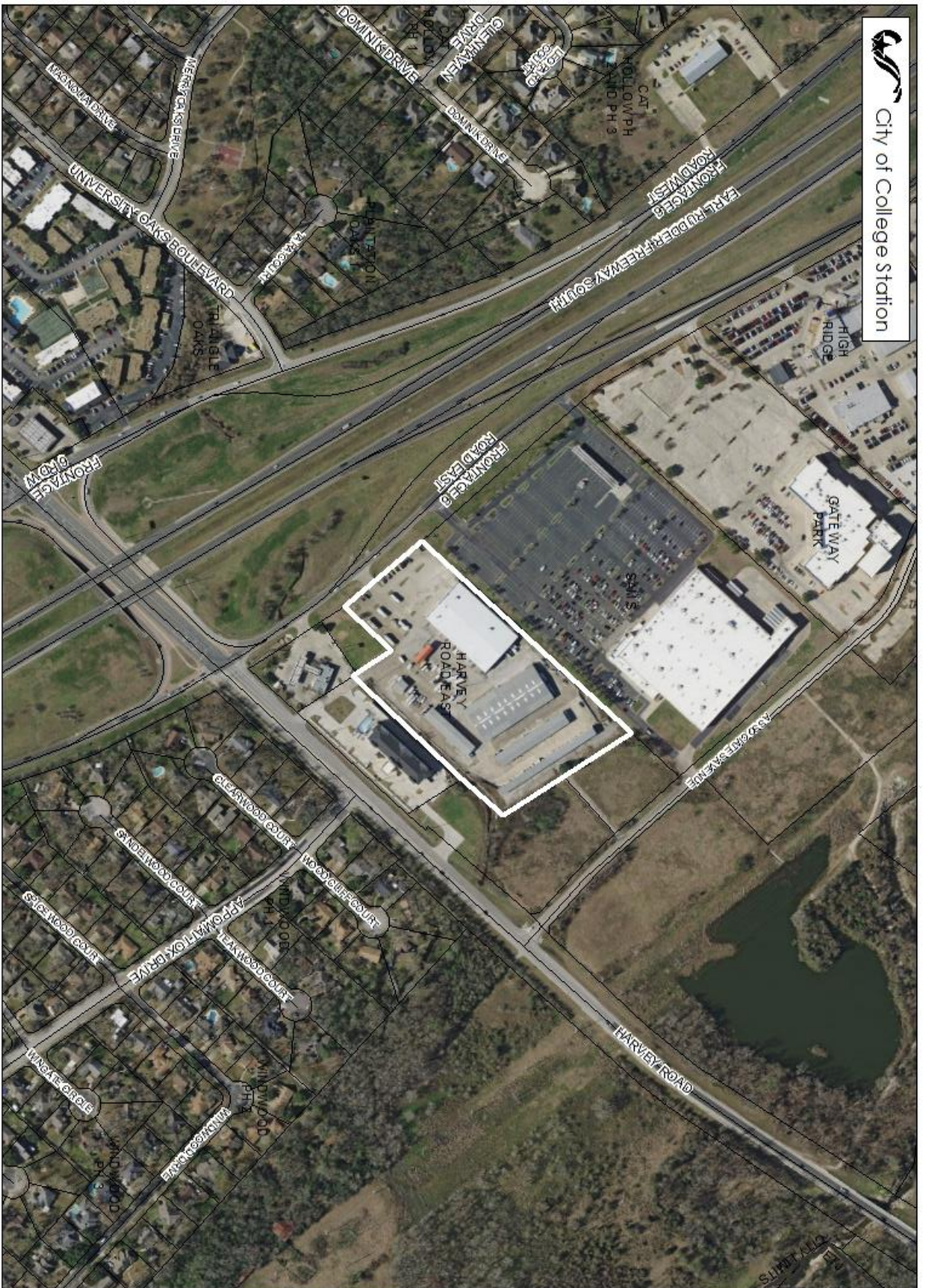
Zoning: 1980 - Zoned A-O Agricultural-Open at the time of annexation.
1983 – Rezoned to CI Commercial Industrial

Final Plat: 1984 - Harvey Road East
1989 – Harvey Road East Amending Plat
1996 - Harvey Road East Replat

Site development: Primary structure built in 1983. Currently used as Lock 'n' Roll, a self-storage company.



City of College Station

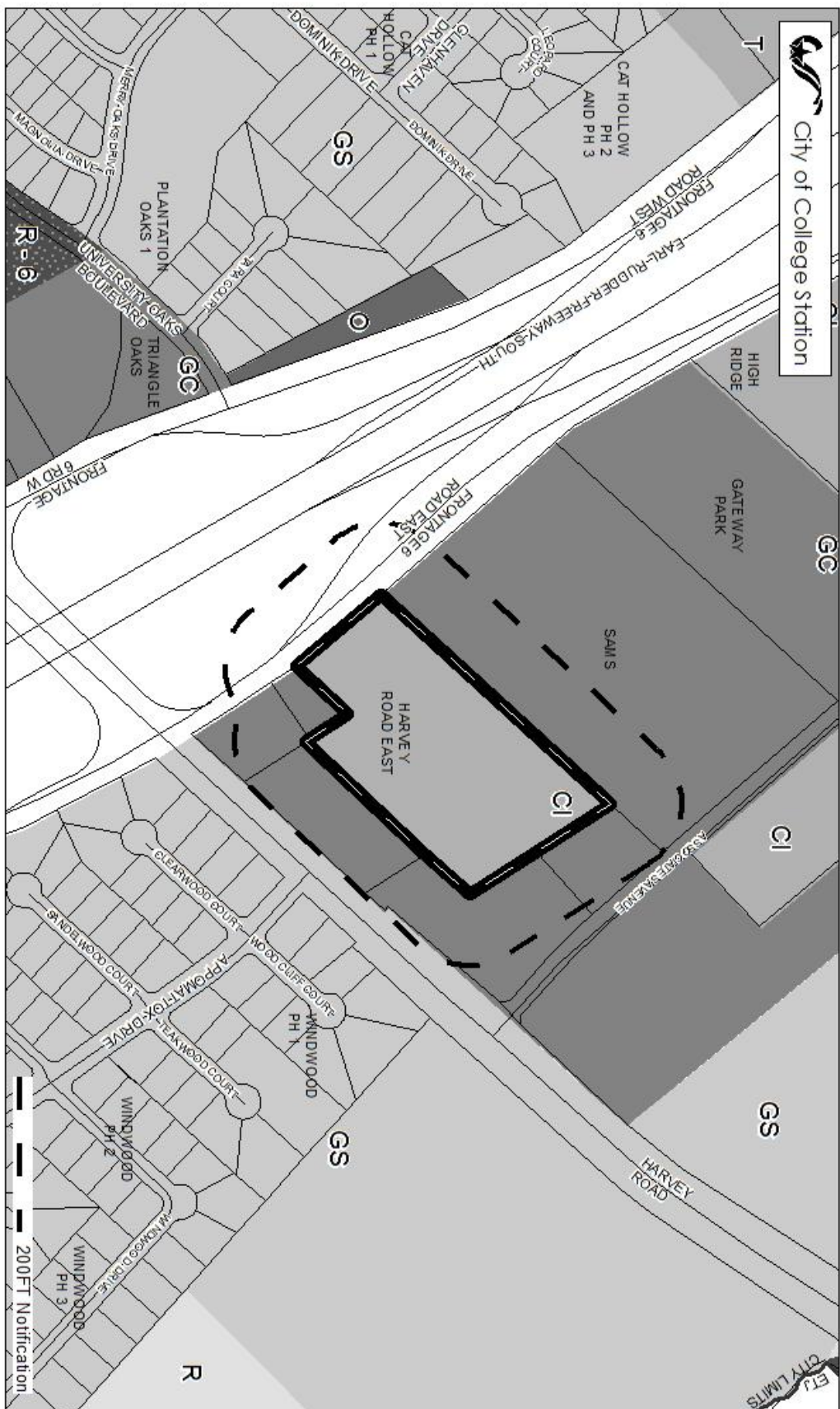


0 385 770 Feet

1501 EARL RUDDER FWY S

Case:
REZ2017-000018

REZONING



ZONING DISTRICTS (In Grayscale)

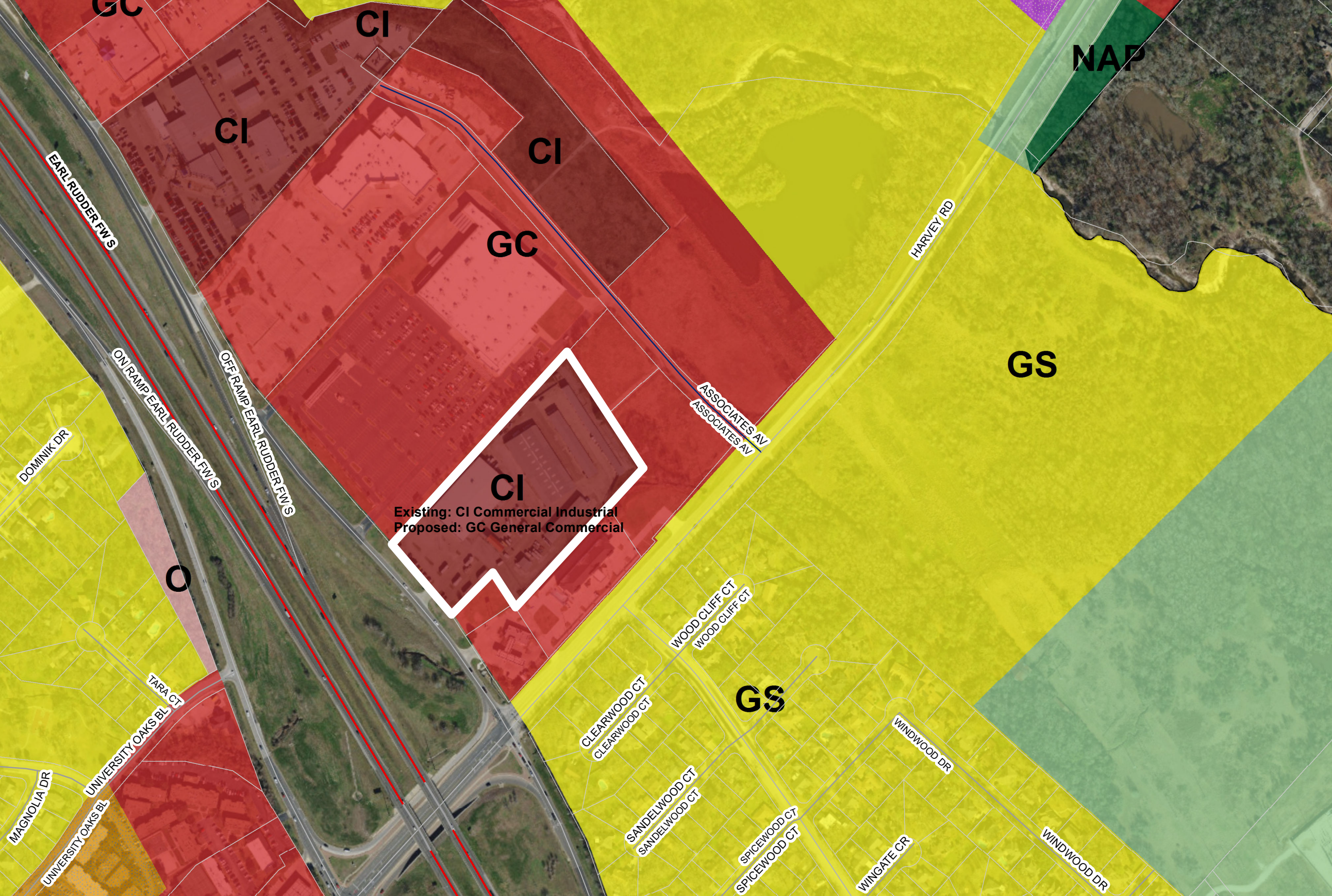
Residential	Commercial	Industrial	Design Districts	Overlays	Retired Districts
R Rural	MU Mixed-Use BP	C1 Commercial Industrial	WPC Wolfpen Creek Dev. Cor.	OV1 Corridor Ovr.	R-1B Single Family Residential
E Estate	MHP Manufactured Home Pk.	BPI Business Park Industrial	NG-1 Core Northgate	R4 Redevelopment District	R-4 Multi-Family
RS Restricted Suburban	Non-Residential	C-U College and University	NG-2 Transitional Northgate	KPO Krenkel Tap Ovr.	R6 High Density Multi-Family
GS General Suburban	NAP Natural Area Protected	NG-3 Residential Northgate		Nbrd. Prevailing Ovr.	RD Research and Dev.
D Duplex	O Office	Planned Districts		NCO Nbrd. Conservation Ovr.	M-1 Light Industrial
T Townhome	SC Suburban Commercial	P-MUD Planned Mixed-Use Dist.		HP Historic Preservation Ovr.	M-2 Heavy Industrial
MF Multi-Family	GC General Commercial	PDD Planned Develop. Dist.			



1501 EARL RUDDER FWY S

Case:
REZ2017-000018

REZONING



ORDINANCE NO. _____

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 CI COMMERCIAL INDUSTRIAL TO GC GENERAL COMMERCIAL ON APPROXIMATELY 8.158 ACRES OF LAND, BEING LOT 1R, BLOCK 1 OF HARVEY ROAD EAST SUBDIVISION, LOCATED AT 1501 EARL RUDDER FREEWAY SOUTH, AND MORE GENERALLY LOCATED ON THE EAST SIDE OF EARL RUDDER FREEWAY, NORTH OF HARVEY ROAD; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" and as shown graphically in Exhibit "B" and Exhibit "C," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 12, “Unified Development Ordinance,” Section 12-4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from CI Commercial Industrial to GC General Commercial:

Lot 1R, Block 1 of Harvey Road East Subdivision located at 1501 Earl Rudder Freeway South and more generally located on the east side of Earl Rudder Freeway north of Harvey Road.

EXHIBIT “B”

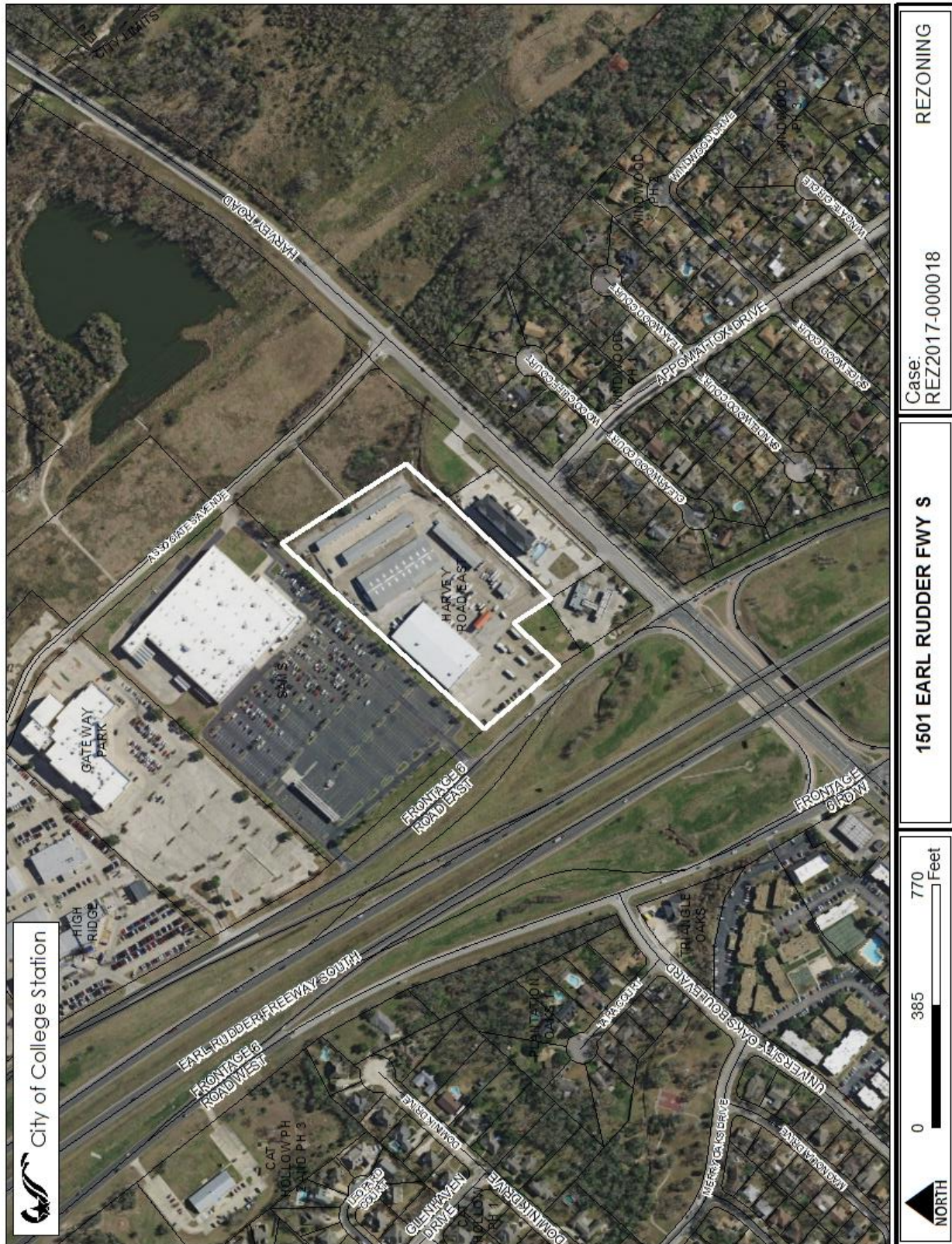


EXHIBIT "C"

PROPOSED Zoning



EXISTING Zoning





Legislation Details (With Text)

File #:	17-0374	Version:	1	Name:	Comprehensive Plan - Future Land Use & Character Map from General Suburban and Business Park to General Commercial
Type:	Comprehensive Plan	Status:			Agenda Ready
File created:	7/12/2017	In control:			City Council Regular
On agenda:	7/27/2017	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from General Suburban and Business Park to General Commercial for approximately 100 acres located along the east side of State Highway 6, south of The Business Park at College Station and north of the Texas World Speedway property. Case #CPA2017-000008 and Case #CPA2017-000009.				
Sponsors:	Jennifer Prochazka				
Indexes:					
Code sections:					
Attachments:	Background Aerial Amendment Ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from General Suburban and Business Park to General Commercial for approximately 100 acres located along the east side of State Highway 6, south of The Business Park at College Station and north of the Texas World Speedway property. Case #CPA2017-000008 and Case #CPA2017-000009.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this request at their July 20, 2017 meeting and their recommendation will be presented during the presentation of this item. Staff recommends approval of the amendment to the Future Land Use and Character Map.

Summary: The proposed City-initiated Comprehensive Plan Future Land Use and Character Map amendment from General Suburban to General Commercial is for approximately 100 acres located along the east side of State Highway 6 South. As growth and development moves further south, single-family homes are not appropriate adjacent to a freeway. The Natural Areas in the area of the floodplain will remain designated as it is today.

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:** The City of College Station's Comprehensive Plan was adopted in 2009. This site was designated as General Suburban

on the Future Land Use and Character Map.

A portion of the area is identified on the Comprehensive Plan Concept Map as a part of "Growth Area I." According to the Comprehensive Plan, "Growth areas exhibit opportunities for new development. In general, these areas are greenfields, located beyond the influence area of existing neighborhoods and not intended to be within a district or corridor. These areas will be the most market responsive areas; that is, they will offer the greatest level of land use flexibility. This flexibility will be accompanied by prescriptive land use and design guidance that will ensure the resulting development furthers the City's overall goals and objectives."

The Comprehensive Plan states that this area "consists of land adjacent to State Highway 6 bounded by the Speedway District to the south, the Pebble Creek area to the north and the Lick Creek Corridor to the east. This area should exhibit a suburban character overall. The streams, related riparian areas and floodplains shall be left intact and undisturbed except where utility placements, recreation facilities, or street crossings are necessary."

City Staff has recently begun to identify and actively market developable commercial properties along key corridors in an effort to attract businesses to the community. Limited developable commercial properties of significant scale exist along Earl Rudder Freeway, the City's primary commercial corridor. The subject property is one of the areas that City staff identified as an opportunity for future commercial development along the Freeway.

2. **Scope of the request:** Staff proposes to amend the Comprehensive Plan Future Land Use and Character Map for an area that is approximately 100 acres from General Suburban to General Commercial. The Natural Areas designation shown in the middle of the property will remain. The intent of the amendment is to permit and encourage future general commercial development along State Highway 6 South.
3. **Availability of adequate information:** The General Commercial designation allows for future development of general commercial uses such as retail and restaurant uses. The property has over 5,500 feet of frontage along Earl Rudder Freeway.
4. **Consistency with the goals and strategies set forth in the Plan:** The proposal is consistent with the goals and strategies of the Comprehensive Plan. The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

City staff has identified the undeveloped frontage as a future commercial development opportunity along Earl Rudder Freeway, the City's primary commercial corridor. The portion of the property proposed for General Commercial use is located furthest from the existing residential uses.

The City adopted the Economic Development Master Plan in 2012, with an over-arching goal of a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. One of the strategic initiatives for continued economic success is to support retail development by ensuring that there are opportunities to locate and expand businesses that make College Station a regional destination for retail services. The stated Master Plan goal for retail is as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such opportunities and that the City remains responsive to an ever-changing market."

5. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:** The subject property is currently designated as General Suburban on the Comprehensive Plan Future Land Use and Character Map. The proposed amendment is to General Commercial.

The current land use of General Suburban is intended for high density single-family use. The proposed land use of General Commercial is intended for concentrations of commercial activities that cater both to nearby residents and to the larger community or region. Generally, these areas tend to be large in size and located near the intersection of two regionally significant roads (arterials and freeways).

Earl Rudder Freeway South is designated as a Highway/Freeway on the City's Thoroughfare Plan. Given its location, the subject property is suitable for a General Commercial land use designation.

A portion of the area is identified on the Comprehensive Plan Concept Map as a part of "Growth Area I." Growth areas exhibit opportunities for new development. In general, these areas are greenfields, located beyond the influence area of existing neighborhoods and not intended to be within a district or corridor. These areas will be the most market responsive areas; that is, they will offer the greatest level of land use flexibility. This flexibility will be accompanied by proscriptive land use and design guidance that will ensure the resulting development furthers the City's overall goals and objectives.

6. **Compatibility with the surrounding area:** The proposed amendment to General Commercial would allow for the property to be zoned in the future for commercial uses that serve the general community and region. The surrounding area is largely undeveloped.
7. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service is available to this area from existing 8-inch and 18-inch waterlines along State Highway 6 South and Lakeway Drive, respectively. There is an existing 15-inch sewer main through the area that may serve this property. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. Existing infrastructure appears to be adequate for the proposed future general commercial use at this time.
- The subject property has frontage on Earl Rudder Freeway South, a Freeway/Expressway and the extension of Lakeway Drive, a two-lane Major Collector on the City's Thoroughfare Plan. An unnamed Minor Arterial is projected to cross this area at the overpass at State Highway 6 South and an additional unnamed minor collector is shown on the City's Thoroughfare Plan. Access to the area will be from Earl Rudder Freeway South, Lakeway Drive, and future thoroughfares.
8. **Impact on the City's ability to provide, fund, and maintain services:** The proposed amendment for the subject property does not negatively impact the City's ability to provide, fund, and maintain services.
9. **Impact on environmentally sensitive and natural areas:** The proposed amendment for the area does not negatively impact natural areas nor prevent the preservation of such areas.
10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. The proposed amendment to General Commercial does not limit the goals of the Comprehensive Plan. The amendment proposes future

uses consistent with properties fronting a regionally significant freeway.

Budget & Financial Summary: N/A

Legal Review: Yes

Supporting Materials

1. Background Information
2. Aerial
3. Land Use Comparison
4. Ordinance

Background

NOTIFICATIONS

Advertised Commission Hearing Date: July 20, 2017

Advertised Council Hearing Date: July 27, 2017

Contacts in support: None at the time of staff report.

Contacts in opposition: None at the time of staff report.

Inquiry contacts: None at the time of staff report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Business Park	M-1 Planned Industrial	College Station Business Center
South	General Suburban	R Rural	Texas World Speedway, auto sales, distribution
East	General Suburban	R Rural	Undeveloped
West (Across Earl Rudder Freeway)	Restricted Suburban and Rural	GS General Suburban, R Rural, PDD Planned Development District for housing	Single-family housing

DEVELOPMENT HISTORY

Annexation: 1994 & 1996

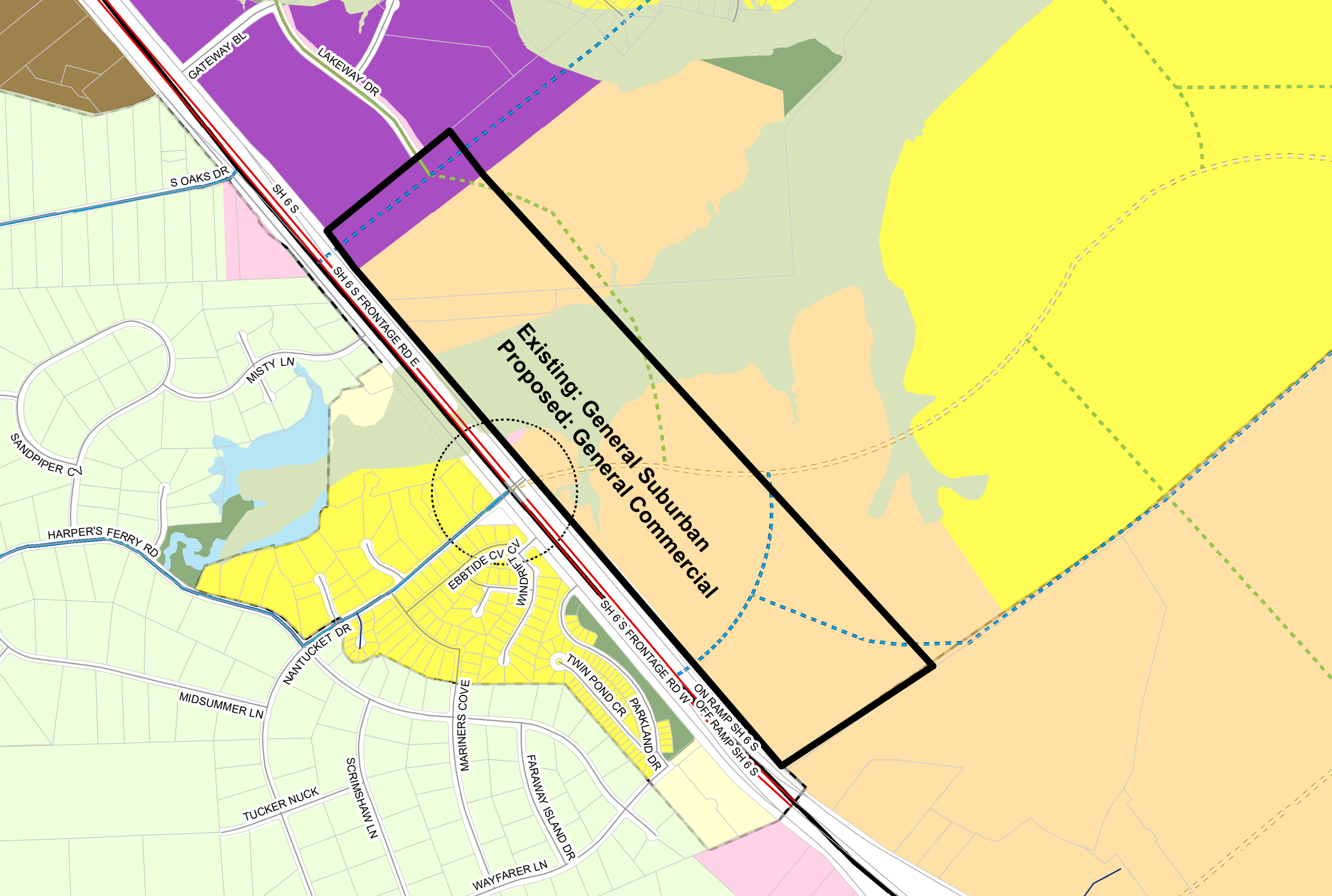
Zoning: 1994 & 1996 – A-O Agricultural-Open upon annexation
2007 – Approximately 16 acres rezoned to CI Commercial Industrial
2013 – A-O renamed R Rural

Final Plat: The majority of the properties are currently unplatted, with the exception of Animate Habitat Phase 1, platted in 2007 for the development of A&M Super Storage.

Site development: The majority of the subject properties, as well as the surrounding area, are currently undeveloped, with the exception of A&M Super Storage on approximately five acres.



Case: COMP PLAN AMENDMENT
CPA2017-000009



Existing: General Suburban
Proposed: General Commercial

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING THE COLLEGE STATION COMPREHENSIVE PLAN BY AMENDING THE COMPREHENSIVE PLAN – FUTURE LAND USE & CHARACTER MAP FROM GENERAL SUBURBAN AND BUSINESS PARK TO GENERAL COMMERCIAL FOR APPROXIMATELY 100 ACRES LOCATED ALONG THE EAST SIDE OF STATE HIGHWAY 6, SOUTH OF THE BUSINESS PARK AT COLLEGE STATION AND NORTH OF THE TEXAS WORLD SPEEDWAY PROPERTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

PART 1: That the “Comprehensive Plan of the City of College Station” is hereby amended by adding a new Subsection C.2.ee of Exhibit “A” thereto as set out in Exhibit “A” attached hereto and made a part hereof; and by amending the “Comprehensive Plan Future Land Use and Character Map,” as set out in Exhibit “B” attached hereto for the identified area and made a part hereof for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That this ordinance shall take effect immediately from and after its passage.

PASSED, ADOPTED and APPROVED this 27th day July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That ordinance no. 3186 adopting the “Comprehensive Plan of the City of College Station” as amended, is hereby amended by adding a new subsection C.2.ee to Exhibit “A” of said plan for Exhibit “A” to read in its entirety as follows:

“EXHIBIT ‘A’**A. Comprehensive Plan**

The College Station Comprehensive Plan (Ordinance 3186) is hereby adopted and consists of the following:

1. Existing Conditions;
2. Introduction;
3. Community Character;
4. Neighborhood Integrity;
5. Economic Development;
6. Parks, Greenways & the Arts;
7. Transportation;
8. Municipal Services & Community Facilities;
9. Growth Management and Capacity; and
10. Implementation and Administration.

B. Master Plans

The following Master Plans are hereby adopted and made a part of the College Station Comprehensive Plan:

1. The Northgate Redevelopment Plan dated November 1996;
2. The Revised Wolf Pen Creek Master Plan dated 1998;
3. Northgate Redevelopment Implementation Plan dated July 2003;
4. East College Station Transportation Study dated May 2005;
5. Parks, Recreation and Open Space Master Plan dated May 2005;
6. Park Land Dedication Neighborhood Park Zones Map dated January 2009;
7. Park Land Dedication Community Park Zones map dated April 2009;
8. Bicycle, Pedestrian, and Greenways Master Plan dated January 2010;
9. Central College Station Neighborhood Plan dated June 2010;
10. Eastgate Neighborhood Plan dated June 2011;
11. Recreation, Park and Open Space Master Plan dated July 2011;
12. Southside Area Neighborhood Plan dated August 2012;
13. Medical District Master Plan dated October 2012;
14. Wellborn Community Plan dated April 2013;
15. Economic Development Master Plan dated September 2013;
16. South Knoll Area Neighborhood Plan dated September 2013;
17. The Water System Master Plan dated April 2017; and
18. The Wastewater System Master Plan dated April 2017.

C. Miscellaneous Amendments

The following miscellaneous amendments to the College Station Comprehensive Plan are as follows:

1. Text Amendments:

- a. Chapter 2 “Community Character,” “Growth Areas” by amending the text regarding Growth Area IV and Growth Area V – Ordinance 3376, dated October 2011.
- b. Chapter 6 “Transportation” by amending the text regarding Complete Streets, Context Sensitive Solutions, Minimum Length and Additional Right-of-Way for Turn Lanes at Intersections, and Right-of-Way for Utilities – Ordinance 3729, dated December 10, 2015.
- c. Chapter 2 “Community Character,” Chapter 3 “Neighborhood Integrity,” Chapter 4 “Economic Development,” Chapter 5 “Parks, Greenways, and the Arts,” and Chapter 7 “Municipal Services and Community Facilities” by amending the text based on the recommendation of the Comprehensive Plan Five-Year Evaluation & Appraisal Report – Ordinance 3730 dated December 10, 2015.
- d. Chapter 8 “Growth Management & Capacity” by amending the text based on recommendations from the Annexation Task Force – Ordinance 3766, dated April 28, 2016.

2. Future Land Use and Character Map Amendment:

- a. 301 Southwest Parkway – Ordinance 3255, dated July 2010.
- b. Richards Subdivision – Ordinance 3376, dated October 2011.
- c. Earl Rudder Freeway at University Oaks – Ordinance 3465, dated November 19, 2012
- d. 1600 University Drive East – Ordinance 3535, dated November 14, 2013.
- e. 2560 Earl Rudder Freeway S. – Ordinance 3541, dated December 12, 2013.
- f. 13913 FM 2154. – Ordinance 3546, dated January 9, 2014.
- g. 2021 Harvey Mitchell Parkway – Ordinance 3549, dated January 23, 2014.
- h. 1201 Norton Lane – Ordinance 3555, dated February 27, 2014.
- i. 3715 Rock Prairie Road West – Ordinance 3596, dated August 25, 2014.
- j. 4201 Rock Prairie Road – Ordinance 3670, dated July 9, 2015.
- k. The approximately 40 acres of land generally located east of FM 2154 (aka Wellborn Road), south of the Southern Trace Subdivision, west of State Highway 40 (aka William D. Fitch Parkway), and north of Westminster Subdivision – Ordinance 3731, dated December 10, 2015.
- l. The approximately 120 acres of land generally located south of Barron Cut-Off Road, west of WS Phillips Parkway, north of the Castlegate II Subdivision, and east of the Wellborn Community – Ordinance 3732, dated December 10, 2015.
- m. The approximately 900 acres of land generally located south of Greens Prairie Road West, east of the Sweetwater Subdivision, and north of Arrington Road – Ordinance 3733, dated December 10, 2015.

- n. The approximately 17.788 acres of land generally located at the corner of Turkey Creek Road and Raymond Stotzer Parkway frontage road.– Ordinance 3752, dated March 10, 2016.
- o. The approximately 9 acres of land generally located north of the Crossroad Woods Subdivision near the intersection of Wellborn Road (FM 2154) and Greens Prairie Trail – Ordinance 3779, dated June 9, 2016
- p. The approximately 16 acres located at 8607 Rock Prairie Road, generally located at the north of Rock Prairie Road and west of William D. Fitch Parkway – Ordinance 3794, dated August 11, 2016.
- q. The approximately 14.25 acres of land located at 2501 Earl Rudder Freeway South, generally located north of North Forest Parkway and south of Raintree Drive, along the east side of Earl Rudder Freeway South – Ordinance 3799, dated August 25, 2016.
- r. The approximately 7 acres of land located along the south side of State Highway 30, south of Veterans Memorial Park – Ordinance 3828, dated October 27, 2016.
- s. The approximately 58 acres of land generally located along the east side of State Highway 6 South, north of W.D. Fitch parkway and south of the future Pebble Creek Parkway extension –Ordinance 3830, dated October 27, 2016.
- t. The approximately 2 acres of land generally located on Corsair Circle north of Pavilion Avenue – Ordinance 3846, dated December 8, 2016.
- u. The approximately 18 acres of land generally located at the southeast corner of Sebesta Road and Earl Rudder Freeway frontage road – Ordinance 3848, dated December 8, 2016.
- v. The approximately 6 acres of land being situated in the Pooh’s Park Subdivision, Block 1, Lots 6-14 recorded in Volume 314, Page 618 of the deed records of Brazos County, Texas, located at 204, 206, 208, 210, 212, 214, 216, 218, and 220 Holleman Drive east, more generally southwest of the intersection of Holleman Drive East and Lassie Lane by – Ordinance 3850, dated January 12, 2017.
- w. The approximately 6.3 acres of land generally located northeast intersection of Copperfield Parkway and Crescent Pointe Parkway - Ordinance 3859, dated February 9, 2017.
- x. The approximately 11.3 acres of land generally located at the southeast intersection of Earl Rudder Freeway South and Emerald Parkway – Ordinance 3875, dated April 27, 2017.
- y. The approximately 232 acres of land generally located south of Rock Prairie Road - Ordinance 3877, dated April 27, 2017.
- z. The approximately 5.96 acres of land generally located in the northeast corner of Associates Avenue and Harvey Road intersection. – Ordinance 3879, dated April 27, 2017.
- aa. The approximately 4.74 acres of land generally located at the corner of Harvey Mitchell Parkway South and Raymond Stotzer Parkway – Ordinance 3882, dated May 11, 2017.

- bb. The approximately 3.2 acres of land generally located east of Copperfield Parkway and south of Harvey Road. – Ordinance 3884, dated May 11, 2017.
 - cc. The approximately 3.34 acres of land generally located north of Raintree Drive along Earl Rudder Freeway South – by an ordinance dated July 27, 2017.
 - dd. The approximately 12.5 acres generally located west of Earl Rudder Freeway South along Harvey Mitchell Parkway – by an ordinance dated July 27, 2017.
 - ee. Approximately 100 acres located along the east side of State Highway 6, south of The Business Park at College Station and north of the Texas World Speedway property- by this ordinance, dated July 27, 2017.
3. Concept Map Amendment:
- a. Growth Area IV – Ordinance 3376, dated October 2011.
 - b. Growth Area V – Ordinance 3376, dated October 2011.
4. Thoroughfare Map Amendment:
- a. Raintree Drive – Ordinance 3375, dated October 2011.
 - b. Birkdale Drive – Ordinance 3375, dated October 2011.
 - c. Corsair Circle – Ordinance 3375, dated October 2011.
 - d. Deacon Drive – Ordinance 3375, dated October 2011.
 - e. Dartmouth Drive – Ordinance 3375, dated October 2011.
 - f. Farm to Market 60 – Ordinance 3375, dated October 2011.
 - g. Southwest Parkway – Ordinance 3375, dated October 2011.
 - h. Cain Road extension – Ordinance 3639, dated February 26, 2015.
 - i. Update to Chapter 6 Maps- Ordinance 3729, dated December 10, 2015.
 - j. South College Station Mobility Study – Ordinance 3827, dated October 27, 2016.
 - k. Pavilion Avenue extension – by this ordinance dated May 11, 2017.
5. Bicycle, Pedestrian and Greenways Master Plan Amendment:
- a. Cain Road extension – Ordinance 3639, dated February 26, 2015
 - b. Update to Maps 5.4 and 5.5- Ordinance 3729, dated December 10, 2015.
 - c. South College Station Mobility Study – Ordinance 3827, dated October 27, 2016.
 - d. Update to Maps 5.4 and 5.5 – Ordinance 3877, dated April 27, 2017.

D. General

1. Conflict. All parts of the College Station Comprehensive Plan and any amendments thereto shall be harmonized where possible to give effect to all. Only in the event of an irreconcilable conflict shall the later adopted ordinance prevail and then only to the extent necessary to avoid such conflict. Ordinances adopted at the same city council meeting without reference to another such ordinance shall be harmonized, if possible, so that effect may be given to each.
2. Purpose. The Comprehensive Plan is to be used as a guide for growth and development for the entire City and its extra-territorial jurisdiction (“ETJ”). The College Station Comprehensive Plan depicts generalized locations of proposed future land-uses, including thoroughfares, bikeways, pedestrian ways, parks, greenways, and waterlines that are subject to modification by the City to fit local conditions and budget constraints.

3. General nature of Future Land Use and Character. The College Station Comprehensive Plan, in particular the Future Land Use and Character Map found in A.3 above and any adopted amendments thereto, shall not be nor considered a zoning map, shall not constitute zoning regulations or establish zoning boundaries and shall not be site or parcel specific but shall be used to illustrate generalized locations.
4. General nature of College Station Comprehensive Plan. The College Station Comprehensive Plan, including the Thoroughfare Plan, Bicycle, Pedestrian, and Greenways Master Plan, Central College Station Neighborhood Plan, Water System Master Plan and any additions, amendments, master plans and subcategories thereto depict same in generalized terms including future locations; and are subject to modifications by the City to fit local conditions, budget constraints, cost participation, and right-of-way availability that warrant further refinement as development occurs. Linear routes such as bikeways, greenways, thoroughfares, pedestrian ways, waterlines and sewer lines that are a part of the College Station Comprehensive Plan may be relocated by the City 1,000 feet from the locations shown in the Plan without being considered an amendment thereto.
5. Reference. The term College Station Comprehensive Plan includes all of the above in its entirety as if presented in full herein, and as same may from time to time be amended.”

EXHIBIT “B”

That the “Comprehensive Plan of the City of College Station” is hereby amended by amending a portion of the map titled “Map 2.2-Future Land Use & Character” of Chapter 2 –Community Character” from General Suburban and Business Park to General Commercial shown as follows:



Legislation Details (With Text)

File #:	17-0371	Version:	1	Name:	Conaway Rezoning - City Initiated
Type:	Rezoning	Status:		Status:	Agenda Ready
File created:	7/12/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	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 GC General Commercial on approximately 35.91 acres of land located at 4000 and 4002 University Drive East, and more generally located south of the intersection of University Drive East and FM158 at the College Station city limit line. Case #REZ2017-000016.				
Sponsors:	Jennifer Prochazka				
Indexes:					
Code sections:					
Attachments:	Background Small Area Map and Aerial Zoning Map Ordinance				

Date	Ver.	Action By	Action	Result
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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 GC General Commercial on approximately 35.91 acres of land located at 4000 and 4002 University Drive East, and more generally located south of the intersection of University Drive East and FM158 at the College Station city limit line. Case #REZ2017-000016.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this request at their July 20, 2017 meeting and their recommendation will be presented during the presentation of this item. Staff recommends approval of the rezoning.

Summary: The proposed City-initiated rezoning from R Rural to GC General Commercial is to allow for infill commercial development opportunities in north College Station. The intent of pursuing this entitlement at this time is to preserve potential commercial sites for future development. The property is located at the intersection of two regionally significant roadways, a location appropriate for general commercial development.

REZONING REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject area is designated on the Comprehensive Plan Future Land Use and Character Map as General Commercial.

The General Commercial designation is described in the Comprehensive Plan as areas intended for concentrations of commercial activities that cater to both nearby residents and to the larger community or region. Generally these areas tend to be large in size, located near the intersection of two regionally significant roads, and concentrated in nodes within the community. The proposed rezoning is in compliance with the Comprehensive Plan.

The City adopted the Economic Development Master Plan in 2012, with an over-arching goal of a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. One of the strategic initiatives for continued economic success is to support retail development by ensuring that there are opportunities to locate and expand businesses that make College Station a regional destination for retail services. The stated Master Plan goal for retail is as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such opportunities and that the City remains responsive to an ever-changing market."

- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The properties located immediately to the north and west are located in the City of Bryan and are zoned and used as A-O Agricultural-Open and Planned Development (multi-family), respectively. To the east is a lawnmower repair business and a home, both zoned CI Commercial Industrial. To the south is vacant land planned for future phases of Summit Crossing, a townhome and duplex development.
- 3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The property has approximately 1,200 feet of frontage on Boonville Road (FM 158), and approximately 900 feet of frontage on University Drive East. The intersection of these regionally significant roadways is suitable for General Commercial uses such as retail and restaurant.
- 4. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property is currently zoned R Rural and is used for single-family and for agricultural uses. The property is suitable for rural uses.
- 5. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject property may be marketable with its current zoning of R Rural, however, the requested rezoning provides an opportunity for regionally significant commercial development and the intersection of two regionally significant roadways, where general commercial land uses are most appropriate.
- 6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** Water and sewer service is not currently available to this property. Off-site sewer extensions from the southeast will be required for service to this tract. The City's Water Master Plan requires 18-inch and 12-inch lines be extended with development of this property, and a future 12-inch waterline will need to be extended with the future extension of Summit Crossing Lane.

Detention will be required with development of this property. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. Future master planned infrastructure, appear to be adequate for the proposed general commercial use at this time.

The subject property has approximately 1,200 feet of frontage on Boonville Road (FM 158), designated a 6-lane Major Arterial and approximately 900 feet of frontage on University Drive East, designated a 4-

lane Major Arterial on the City's Thoroughfare Plan. Summit Crossing Lane, a future 2-lane Minor Collector, is proposed to be located near the southwest property edge. Access to the site will likely be from University Drive, Boonville Road and Summit Crossing Lane.

A Traffic Impact Analysis (TIA) is not required with the proposed rezoning as the adjacent thoroughfares have been widened with medians and traffic signal installed at the intersection of University Drive East and Boonville Road (FM 158). A TIA will be required with the platting of the tracts which is closer to the time of development and will identify traffic impact and site access needs at that time.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Background Information
2. Aerial & Small Area Map
3. Rezoning Map
4. Ordinance

Background

NOTIFICATIONS

Advertised Commission Hearing Date: July 20, 2017

Advertised Council Hearing Date: July 27, 2017

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: 9

Contacts in support: None at the time of staff report.

Contacts in opposition: None at the time of staff report.

Inquiry contacts: None at the time of staff report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North (Across FM 158 in Bryan)	N/A	City of Bryan - C-2 Retail District and A-O Agricultural-Open District	Vacant and single- family homes
South	Urban	GC General Commercial and R Rural	Vacant
East	Urban and General Commercial	PDD Planned Development District for Multi-family housing and CI Commercial Industrial	Vacant and lawn mower repair
West (Across University Drive East in Bryan)	N/A	City of Bryan-PD for Multi-family housing	Multi-family

DEVELOPMENT HISTORY

Annexation: 1980

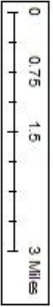
Zoning: 1980 - Zoned A-O Agricultural-Open at the time of annexation.

2013 – A-O renamed R Rural

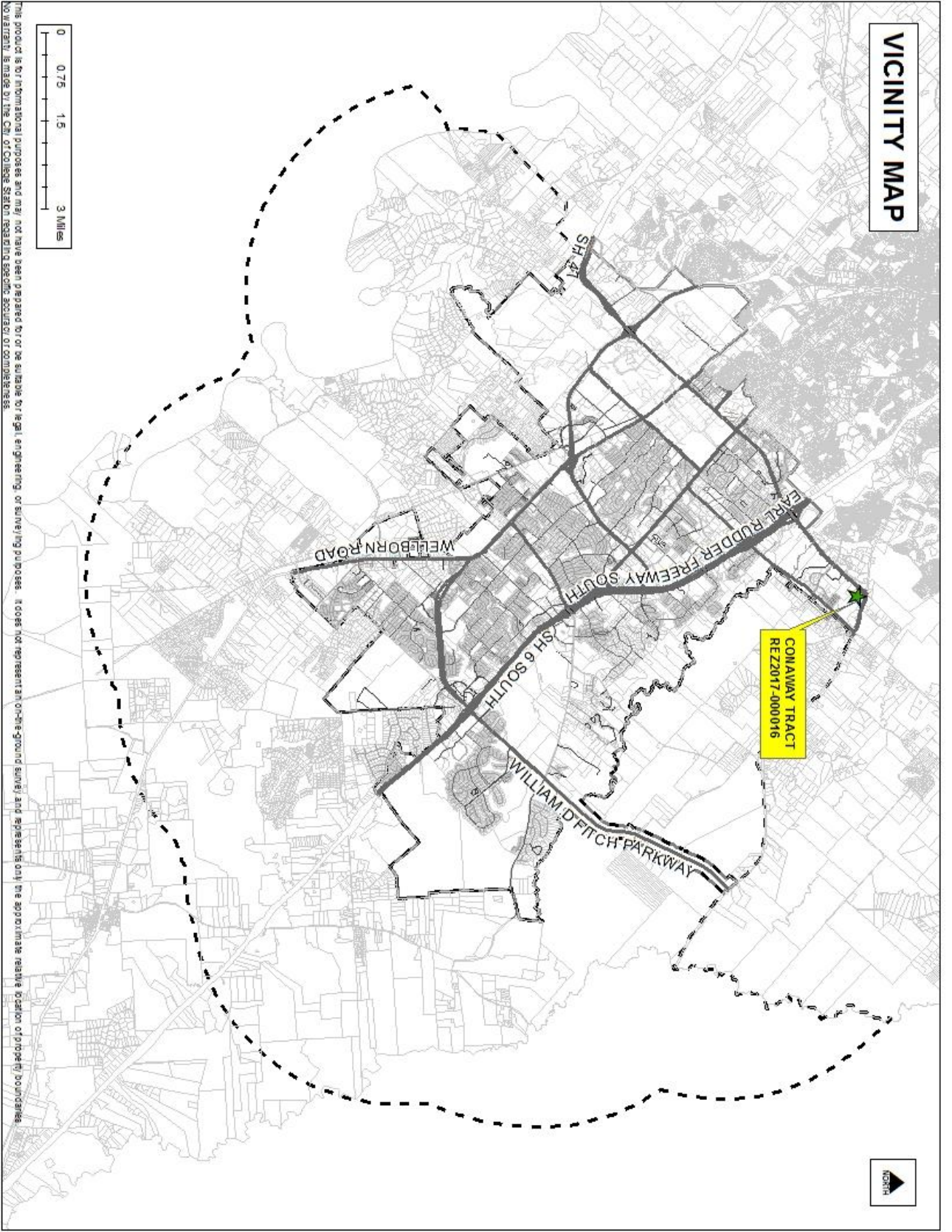
Final Plat: Unplatted

Site development: Undeveloped

VICINITY MAP

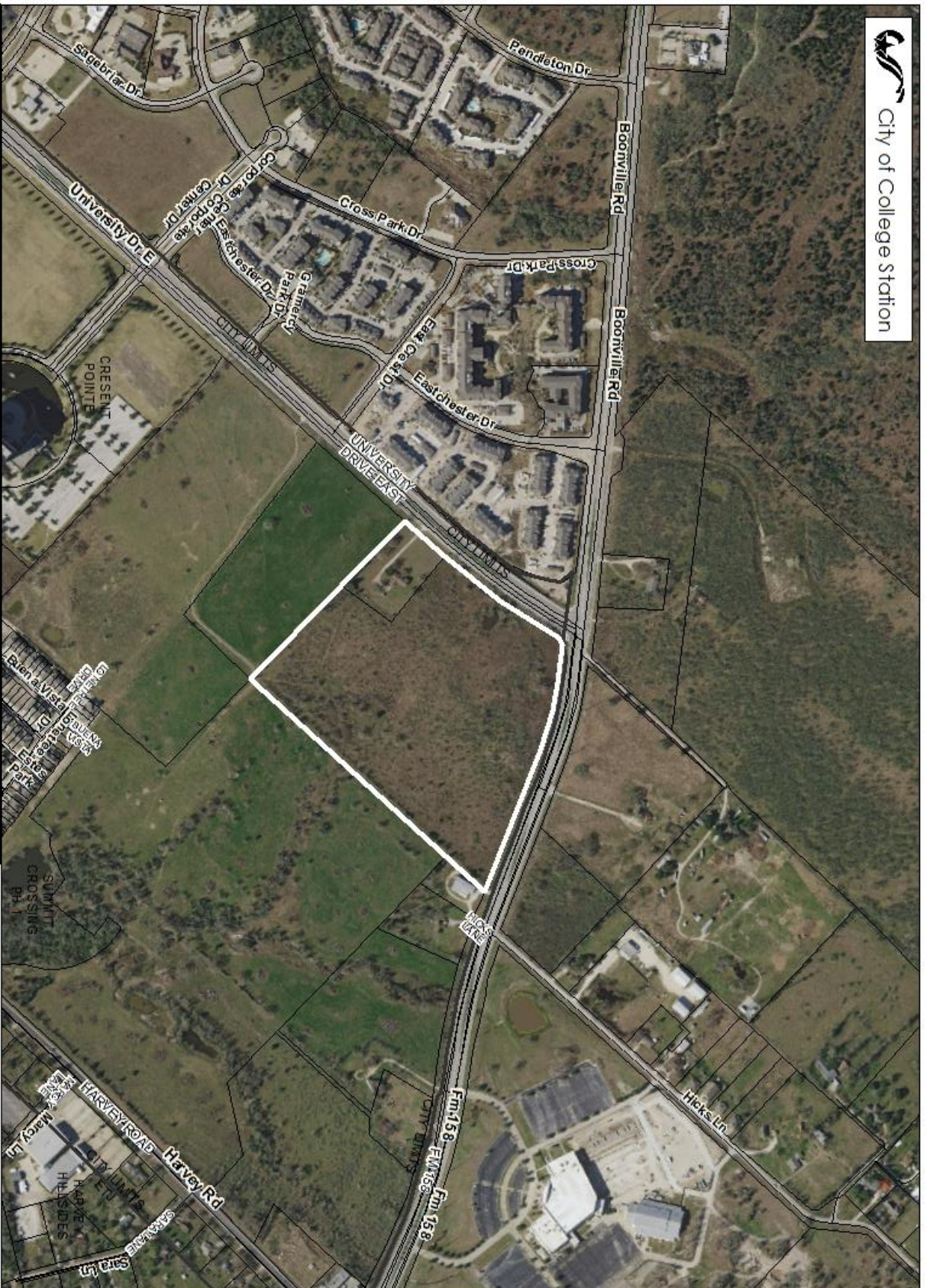


This product is for informational purposes and may not have been prepared for or be suitable for legal engineering or surveying purposes. It does not represent an on-the-ground survey, and represents only the approximate relative location of property boundaries. No warranty is made by the City of College Station regarding specific accuracy or completeness.





City of College Station

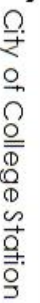


0 600 1,200
Feet

CONAWAY TRACT

Case:
REZ2017-000016

REZONING



ZONING DISTRICTS (In Grayscale)

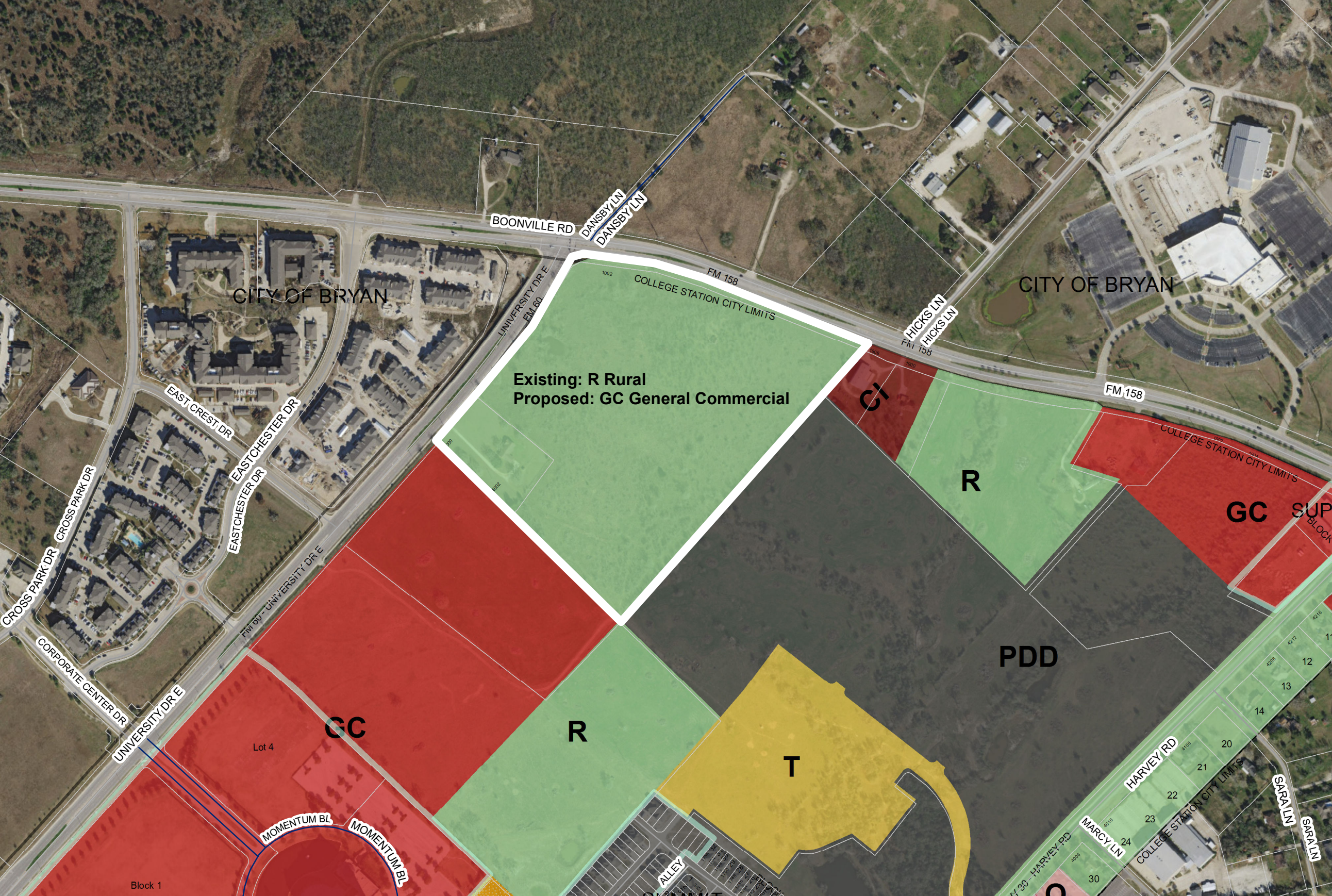
Residential	Commercial	Industrial	Design Districts	Overlay Districts	Single Districts
R Rural	MU Mixed-Use	CI Commercial Industrial	WPC Wolfpen Creek Dev. Cor.	OV Corridor Ovr.	R-1B Single-Family Residential
E Estate	MHP Manufactured Home Pk.	BP Business Park	NG-1 Core Northgate	RDD Redevelopment District	R-4 Multi-Family
RS Restricted Suburban	Non-Residential	BP1 Business Park Industrial	NG-2 Transitional Northgate	KO Krenk Park Ovr.	R6 High Density Multi-Family
GS General Suburban	NAP Natural Area Protected	C-U College and University	NG-3 Residential Northgate	NPO Nbrhd. Paraling Ovr.	R8 Research and Dev.
D Duplex	O Office			NCO Nbrhd. Conservation Ovr.	M-1 Light Industrial
T Townhome	SC Suburban Commercial	<u>Planned Districts</u>		H Historic Preservation Ovr.	M-2 Heavy Industrial
MF Multi-Family	GC General Commercial	P-1/UD Planned Mixed-Use Dist.			
		PDD Planned Develop. Dist.			



CONAWAY TRACT

Case:
REZ2017-000016

REZONING



CITY OF BRYAN

CITY OF BRYAN

BOONVILLE RD

DANSBY LN
DANSBY LN

HICKS LN
HICKS LN

FM 158

Existing: R Rural
Proposed: GC General Commercial

R

GC

SUP
BLOCK

PDD

GC

R

T

Lot 4

MOMENTUM BL

MOMENTUM BL

HARVEY RD

MARCY LN

SARAL LN
SARAL LN

COLLEGE STATION CITY LIMITS

ALLEY

Block 1

ORDINANCE NO. _____

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 GC GENERAL COMMERCIAL ON APPROXIMATELY 35.91 ACRES OF LAND LOCATED AT 4000 AND 4002 UNIVERSITY DRIVE EAST AND MORE GENERALLY LOCATED SOUTH OF THE INTERSECTION OF UNIVERSITY DRIVE EAST AND FM158 AT THE COLLEGE STATION CITY LIMIT LINE; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" and as shown graphically in Exhibit "B" and Exhibit "C," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from R Rural to GC General Commercial:

**METES AND BOUNDS DESCRIPTION
OF A
35.91 ACRE TRACT
J.W. SCOTT SURVEY, ABSTRACT NO. 49
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

Metes and bounds description of all that certain tract or parcel of land lying and being situated in the J.W. Scott Survey, Abstract No. 49 in Brazos County, Texas, and being more particularly described as follows: all that certain

tract or parcel of land lying and being situated in the J. W. Scott Survey, Abstract No. 49 in Brazos County, Texas, and being more particularly described as follows:
BEGINNING at the intersection of the centerline of Farm to Market Road No. 158 with center line of a Public Road on the Northwesterly line of a 70 acre tract now or formerly owned by E. U. Peters, this point being at or near the most Northerly corner of said 70 acre tract;
THENCE, along the centerline of said Farm to Market Road No. 158 with the following meanders; S. 79° 59' E. 191.8 ft.; S 73° 08' E. 392.9 ft.; S. 66° 25' E. 586.0 ft.; S. 68° 59' E. 159.3 ft. to a point for corner;
THENCE, S. 44° 52' W. for a distance of 1617.3 ft. to an ironrod for corner in the Northeasterly line of a 46.19 acre tract, called "Tract No. 2";
THENCE, N. 43° 05' W. for a distance of 1140 ft. to a point for corner in the center of a Public Road, this being a common corner with a 46.19 acre tract called Tract No. 2;
THENCE, N. 44° 22' E. along the center line of said public road for a distance of 468.3 ft. to an angle point;
THENCE N. 39° 16' E. continuing along the center line of said road for a distance of 540 ft. to the place of beginning, containing 35.91 acres, more or less, all as per actual survey made on the ground in June, 1959, by B. J. Kling, Registered Public Surveyor.

And being the same land conveyed by Icy M. Peters to M. C. Peters by deed dated July 1, 1959, recorded in Vol. 198, pg. 509, Deed Records of Brazos County, Texas.

EXHIBIT "B"

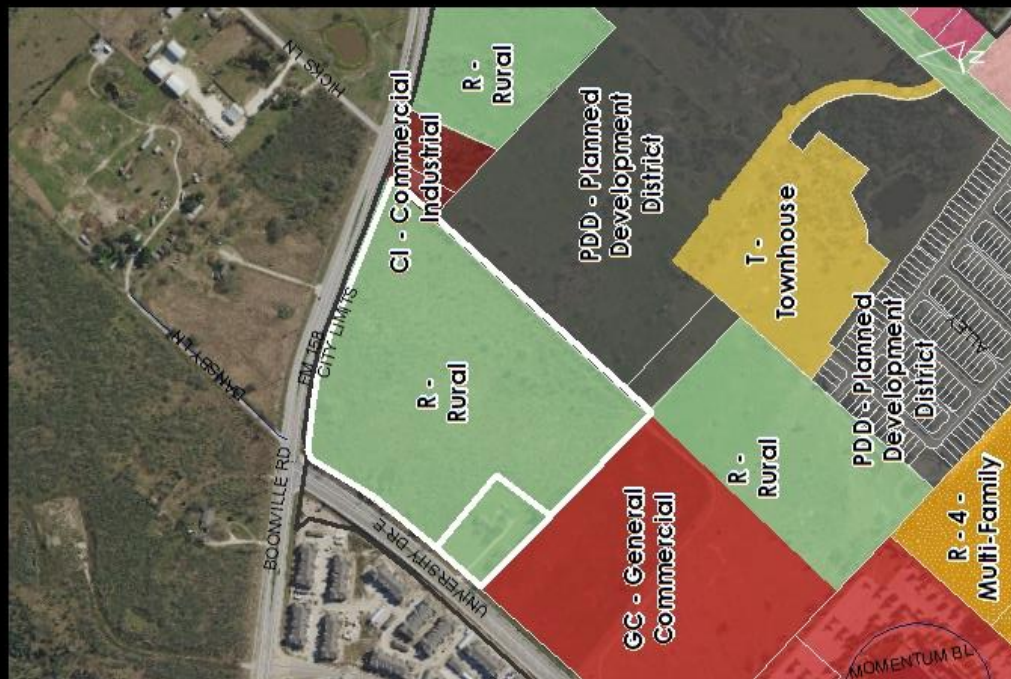


EXHIBIT “C”

PROPOSED Zoning



EXISTING Zoning





Legislation Details (With Text)

File #:	17-0372	Version:	1	Name:	Geroge Bush East Lots- City Initiated
Type:	Rezoning	Status:		Status:	Agenda Ready
File created:	7/12/2017	In control:		In control:	City Council Regular
On agenda:	7/27/2017	Final action:		Final action:	
Title:	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 GS General Suburban to GC General Commercial for approximately one acre of land being College Hills Estates Block 18, Lots 5, 6, 9 and 11, more generally located at 108, 110, 200 & 206 George Bush Drive East. Case #REZ2017-000017.				
Sponsors:	Jennifer Prochazka				
Indexes:					
Code sections:					
Attachments:	Background Aerial and Small Area Map Rezoning Map Ordinance				

Date	Ver.	Action By	Action	Result
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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 GS General Suburban to GC General Commercial for approximately one acre of land being College Hills Estates Block 18, Lots 5, 6, 9 and 11, more generally located at 108, 110, 200 & 206 George Bush Drive East. Case #REZ2017-000017.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this request at their July 20, 2017 meeting and their recommendation will be presented during the presentation of this item. Staff recommends approval of the rezoning.

Summary: The proposed City-initiated rezoning from GS General Suburban to GC General Commercial is to allow for infill commercial redevelopment opportunities in proximity to Texas A&M University. The subject properties are located along the south side of George Bush Drive East, just north of existing commercial development. The lots are currently developed as single-family residential homes. While the properties are likely too small to redevelop for commercial uses on their own, there is opportunity for consolidation of lots for a larger redevelopment effort. As currently zoned, the properties could redevelop as single-family homes on a lot-by-lot basis, potentially precluding future commercial redevelopment in the area. This area was identified by Staff as a prime location for needed general commercial redevelopment and as a targeted area for commercial preservation.

100, 102, 104, 106, 112, and 204 George Bush Drive East were recently rezoned to GC General Commercial at the request of the property owners. Since that time, staff hosted a property owner meeting to discuss the potential of City-initiated rezoning on the remainder of the block. Two property owners in attendance preferred to retain the single-family zoning designation on the property until the time that they sold their properties. Those properties are located at the north end of the block and have not been included in this rezoning request.

REZONING REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject area is currently designated on the Comprehensive Plan Future Land Use and Character Map as Urban and Redevelopment. This area is included in Redevelopment Area II in the Comprehensive Plan, stating the following: includes a number of underperforming land uses that, due to their proximity to two of the busiest corridors in the City, are poised for redevelopment. Much of the area is currently subdivided into small lots, making it difficult to assemble land for redevelopment. A portion of this area includes the current City Hall, which offers the opportunity to redevelop a larger parcel if City Hall is relocated to the Municipal Center District. The proximity of existing neighborhoods and the Texas A&M University campus requires careful site planning and appropriate building design. These efforts should be complimentary to the Area V: Hospitality corridor plan, the neighborhood plan for the Eastgate area, and the Texas A&M University Campus Master Plan and should focus on bringing vertical mixed-use and other aspects of urban character to this portion of the City.

The Eastgate Neighborhood Plan includes discussion of this area and specifically states the following: The block bounded by George Bush Drive East, Texas Avenue South and Dominik Drive is split with two character designations. The lots on the north side of the block that front George Bush Drive East are designated as Urban and Redevelopment in the Comprehensive Plan and are developed as single-family residential. The lots on the block face fronting Dominik Drive are designated as Urban Mixed Use and Redevelopment and are developed with commercial uses. With aging commercial properties and single-family rental dwellings, the area is poised for redevelopment and consolidation of property on both sides of the block. In addition, given the block's location in the City and proximity to major thoroughfares, Texas Avenue South (six-lane major arterial) and George Bush Drive East (four-lane major collector), more intense development is anticipated. To create more consistency in the future development pattern, both block faces should be designated Urban with an emphasis on creating mixed-use opportunities.

Additionally, the City adopted the Economic Development Master Plan in 2012, with an over-arching goal of a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. One of the strategic initiatives for continued economic success is to support retail development by ensuring that there are opportunities to locate and expand businesses that make College Station a regional destination for retail services. The stated Master Plan goal for retail is as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such opportunities and that the City remains responsive to an ever-changing market."

The proposed rezoning is in compliance with the Comprehensive Plan and related master plans.

- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** Discrepancies currently exist in zoning and future land use and character in the area that could lead to unintended development scenarios that are contrary to the character desired by area residents. Lots along the south side of George Bush Drive East are currently zoned GS General Suburban and developed as single-family homes. Properties to the south are zoned GC General Commercial and are developed as such. As the block is rezoned, consolidated, and redeveloped, the proposed GC General Commercial zoning will be consistent and compatible. The

subject area is located at the periphery of the Eastgate neighborhood in a redevelopment area.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The block is surrounded by major thoroughfares. The proposed rezoning is for seven lots along the south side of George Bush Drive East. The south side of the block (facing Dominik Drive) is already zoned GC General Commercial. As properties continue to rezone for redevelopment in this area and properties consolidate, the area becomes most suitable for General Commercial uses such as retail and restaurant.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject properties along George Bush Drive East are currently zoned GS General Suburban. The property is suitable for single-family residential uses, as they are currently developed as such. The lots currently abut commercially zoned and developed properties and are generally separated from the larger Eastgate neighborhood by George Bush East Drive.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject properties are marketable with their current zoning of GS General Suburban; however, the requested rezoning provides an opportunity for additional commercial redevelopment near Texas A&M University. The existing zoning allows for the existing single-family homes to be redeveloped for new single-family housing on a lot-by-lot basis, potentially precluding redevelopment envisioned by the Comprehensive Plan.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** Water service is available to the properties from existing 8-inch waterline along the south side of George Bush Drive East. A 6-inch sewer main is located at the rear of the lots closest to Texas Avenue and an 8-inch sewer main is located in front of the properties that are located further from Texas Avenue. Drainage is mainly to the southwest toward Texas Avenue. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. Existing and proposed infrastructure appear to be adequate for the proposed general commercial use at this time.

The subject properties have individual residential driveways along George Bush Drive East, designated a Major Collector on the City's Thoroughfare Plan. As properties consolidate and redevelop, driveway access points will be consolidated and reduced.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Background Information
2. Aerial & Small Area Map
3. Rezoning Map
4. Ordinance

Background

NOTIFICATIONS

Advertised Commission Hearing Date: July 20, 2017

Advertised Council Hearing Date: July 27, 2017

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:

College Hills Estates

Property owner notices mailed: 24

Contacts in support: None at the time of staff report.

Contacts in opposition: None at the time of staff report.

Inquiry contacts: One (1) at the time of staff report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North (Across George Bush Drive East)	Natural Areas, Urban & Redevelopment	GS General Suburban	City-owned, undeveloped
South	Urban & Redevelopment	GC General Commercial	Retail and Restaurant
East (Across Texas Avenue)	Urban & Redevelopment	GS General Suburban	Retail and Restaurant
West	General Commercial & Redevelopment	GC General Commercial	Single-Family Residential

DEVELOPMENT HISTORY

Annexation: 1939

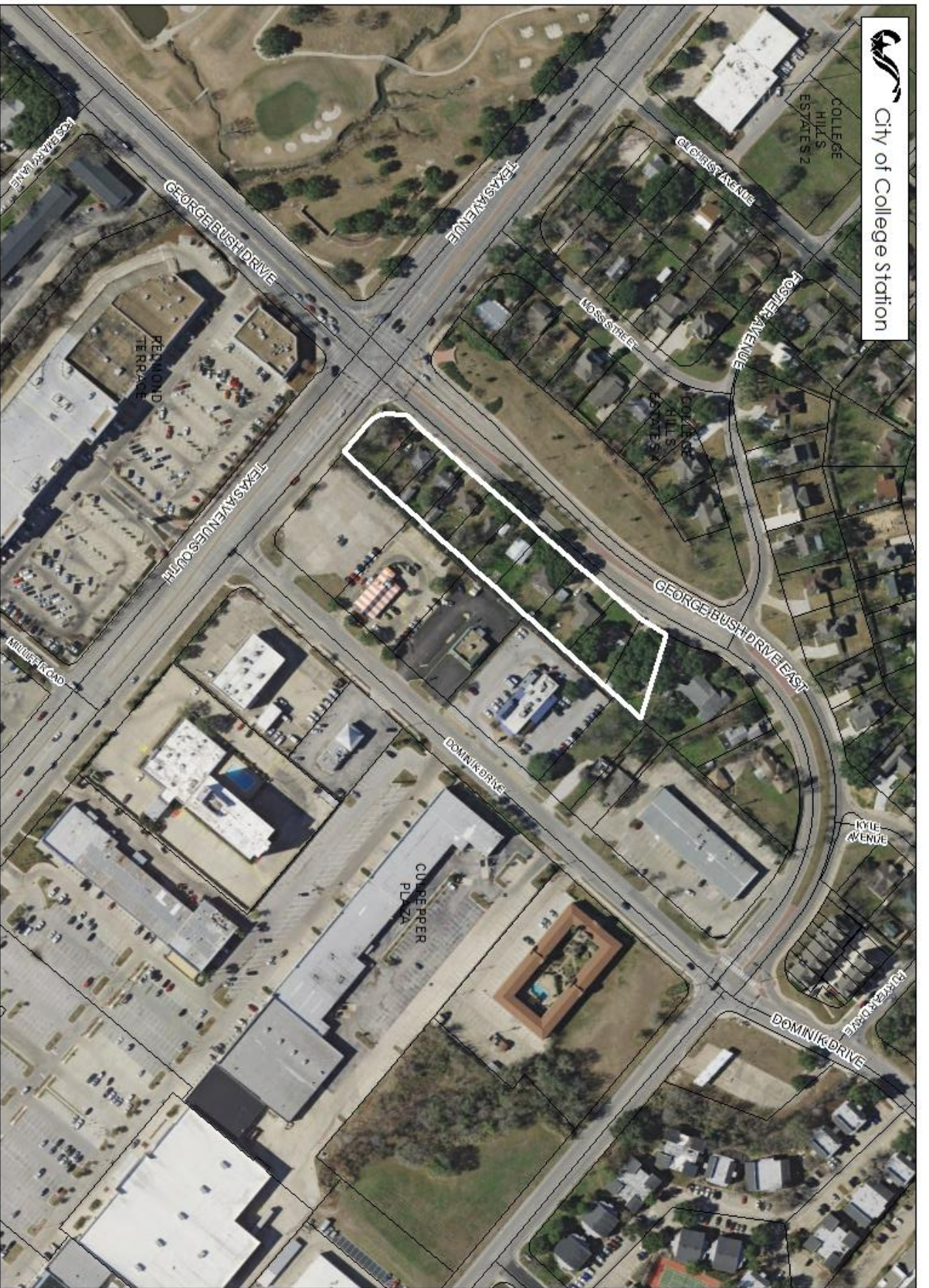
Zoning: 1939 - Zoned for single-family use upon annexation.
2013 – R-1 Single-Family Residential renamed GS General Suburban

Final Plat: 1940- College Hills Estates, Fourth Installment

Site development: Existing single-family homes



City of College Station



0 212.5 425 Feet

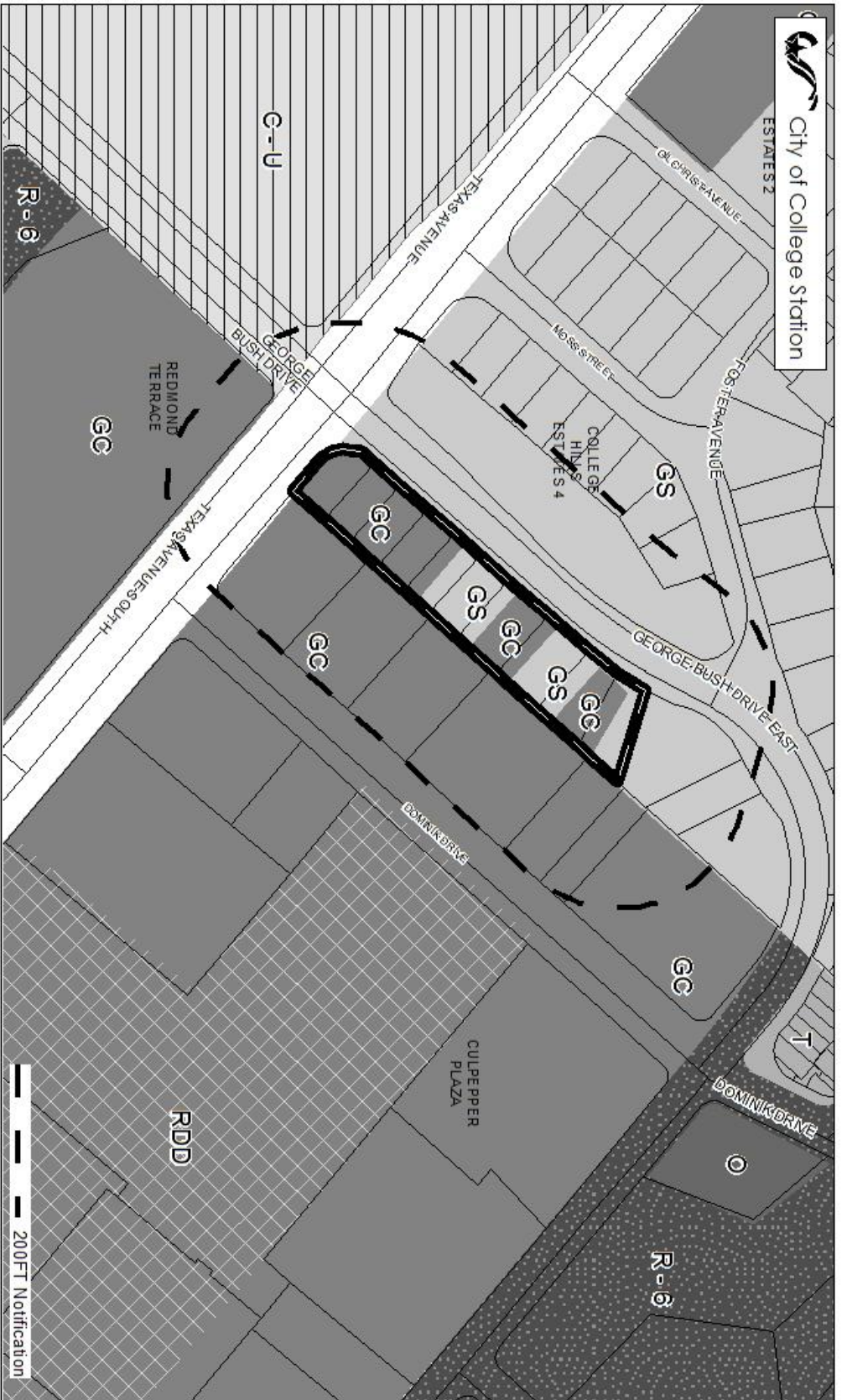
COLLEGE HILLS ESTATES
BLOCK 18 LOTS 6 - 11

Case:
REZ2017-000017

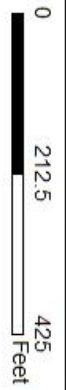
REZONING



City of College Station



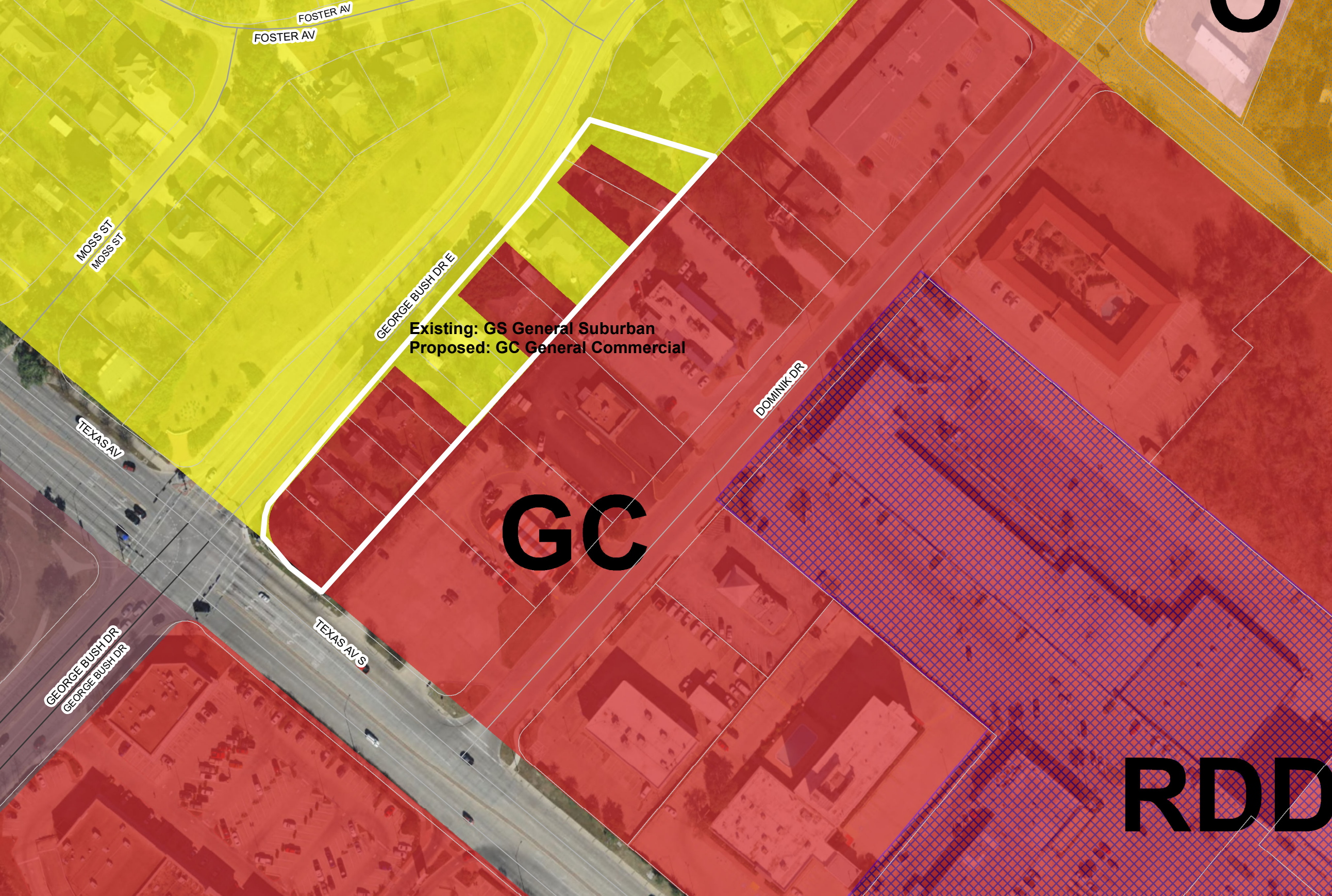
ZONING DISTRICTS (in Gray/scale)			
Residential	MU	Mixed-Use	CI
R Rural	MHP	Manufactured Home Pk.	BP
E Estate			BPI Business Park Industrial
RS Restricted Suburban			C-U College and University
GS General Suburban	Non-Residential		
D Duplex	NAP Natural Area Protected		
T Townhome	O Office		
MF Multi-Family	SC Suburban Commercial		
	GC General Commercial		
		P-MUD Planned Mixed-Use Dist.	
		PDD Planned Develop. Dist.	
Design Districts			
WPC Wolfpen Creek Dev. Cor.			
NG-1 Core Northgate			
NG-2 Transitional Northgate			
NG-3 Residential Northgate			
Overlay Districts			
OV Corridor Ovr.			
RDD Redevelopment District			
KO Krenek Tap Ovr.			
NPO Nbrhd. Prevailing Ovr.			
NCO Nbrhd. Conservation Ovr.			
HP Historic Preservation Ovr.			
Retired Districts			
R-1B Single Family Residential			
R-4 Multi-Family			
R-6 High Density Multi-Family			
RD Research and Dev.			
M-1 Light Industrial			
M-2 Heavy Industrial			



COLLEGE HILLS ESTATES BLOCK 18 LOTS 6 - 11

Case:
REZ2017-000017

REZONING



FOSTER AV
FOSTER AV

MOSS ST
MOSS ST

GEORGE BUSH DR E

Existing: GS General Suburban
Proposed: GC General Commercial

DOMINIK DR

GC

RDD

TEXAS AV

GEORGE BUSH DR
GEORGE BUSH DR

TEXAS AV'S

ORDINANCE NO. _____

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 GS GENERAL SUBURBAN TO GC GENERAL COMMERCIAL ON APPROXIMATELY 1 ACRE BEING LOTS 5, 6, 9, AND 11, BLOCK 18, FOURTH INSTALLMENT OF COLLEGE HILLS ESTATES 4TH INSTALLMENT, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 104, PAGE 243 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND LOCATED AT 108, 110, 200, AND 206 GEORGE BUSH DRIVE EAST, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" and as shown graphically in Exhibit "B" and Exhibit "C", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July 2017

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 12, “Unified Development Ordinance,” Section 12-4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following properties are rezoned from GS General Suburban to GC General Commercial:

approximately 1 acre being Lots 5, 6, 9, and 11, Block 18, Fourth Installment of College Hills Estates 4th Installment, according to the plat thereof recorded in Volume 104, Page 243 of the Deed Records of Brazos County, Texas, and located at 108, 110, 200, and 206 George Bush Drive East.

EXHIBIT "B"



EXHIBIT "C"

**PROPOSED
Zoning**



**EXISTING
Zoning**



Legislation Details (With Text)

File #:	17-0350	Version:	1	Name:	UDO Amendments – Single-Family Landscape Requirements and Screening or Treatment of Exposed Concrete
Type:	Unified Development Ordinance	Status:			Agenda Ready
File created:	7/7/2017	In control:			City Council Regular
On agenda:	7/27/2017	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, “Unified Development Ordinance”, Section 7.6.B, Section 7.6.D.4, and Section 7.9.B of the Code of Ordinances of the City of College Station, Texas regarding landscaping for single-family developments, screening of retaining walls, and visual treatment of drainage features such as concrete weirs, outlets, and spillways.				
Sponsors:	Lance Simms				
Indexes:					
Code sections:					
Attachments:	Red Lined Version Ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, “Unified Development Ordinance”, Section 7.6.B, Section 7.6.D.4, and Section 7.9.B of the Code of Ordinances of the City of College Station, Texas regarding landscaping for single-family developments, screening of retaining walls, and visual treatment of drainage features such as concrete weirs, outlets, and spillways.

Relationship to Strategic Goals:

- Good Governance
- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this item at their July 6, 2017 meeting and voted of 6-0 to recommend approval.

Summary: The amendment to the Unified Development Ordinance (UDO) Section 12-7.6.B provides flexibility regarding the application of the landscaping provisions for single-family development. More specifically, it provides the ability to disperse the required trees throughout a townhouse development and clarifies that trees are required with each new single-family home.

The amendment to UDO Section 12-7.6.D.4 eliminates language that requires screening of concrete retaining walls, off-street loading areas, and utility connections.

The amendment to UDO Section 12-7.9.B eliminates the requirement to provide visual treatment for concrete weirs, drainage outlets, spillways, etc.

These proposed amendments to the UDO were identified as part of the Planning & Zoning Commission's Plan of Work. The single-family landscape item was identified in the 2016 P&Z Plan of Work. The remaining items regarding screening or visual treatment of exposed concrete retaining walls and concrete drainage features were identified in the 2017 P&Z Plan of Work.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Red-Lined Version
2. Ordinance

Landscaping
UDO Section 12-7.6.B

B. Application of Section.

The landscaping requirements of this Section apply to all land located in the City of College Station proposed for site development with the exception of those zoned NG-1, NG-2, and NG-3. The requirements also do not apply to single-family, duplex, townhouse, or mixed use developments in the MU district, except as follows:

1. The requirements of this Section have limited application to properties developed for duplexes, as follows:
 - a. A minimum of two hundred (200) points of landscaping as calculated in this Section shall be provided for each new duplex unit;
 - b. Where parking is provided in the front yard, an eight-foot landscaped setback shall be required between the property line and the nearest side of the parking pad. This eight-foot setback area must be landscaped and contain a three-foot high screen consisting of a continuous berm, hedge, or wall. In addition, an eight-foot landscaped setback shall be required between the dwelling unit and the nearest side of the parking pad; and
 - c. The maintenance and completion requirements of this Section also apply to duplex uses. Every development must employ an irrigation system. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.
2. The requirements of this Section have limited application to properties developed for single-family and townhouse uses, as follows:
 - a. A minimum of two (2) trees of at least two (2) inches in caliper or one (1) tree of four-inch caliper shall be planted on each lot with every new single-family home, and townhouse lot.
 - b. For townhouse developments, the Administrator may allow the required trees to be dispersed throughout the development, including common areas.
 - ~~b.c.~~ The landscaping requirements of this Section shall apply to manufactured home parks, but not to individual manufactured homes on separate lots.
3. The requirements of this Section have limited application to properties developed in the MU Mixed-Use district, as follows:

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- a. Within fifty (50) feet of the property line along the street, and located between the structure and the public right-of-way, street, or public way, one (1) canopy tree for every twenty-five (25) linear feet of frontage shall be installed. One (1) existing tree (minimum four-inch caliper) may be substituted for a new tree.
- b. Canopy trees must be selected from the College Station Streetscape Plant List and may be grouped as desired so long as the canopy trees are reasonable dispersed across each public right-of-way, street, or public way frontage.
- c. Parking areas adjacent to a right-of-way shall be screened from the right-of-way. Screening is required along one hundred (100) percent of the street frontage (such as ten (10) shrubs for every thirty (30) linear feet of frontage), with the exception of areas within the visibility triangle. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof, and must be a minimum of three (3) feet above the parking lot pavement elevation. Walls and planting strips shall be located at least two (2) feet from any parking area. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening. Fifty (50) percent of all shrubs used for screening shall be evergreen.
- ~~d. Dumpsters, concrete retaining walls where more than six (6) vertical inches of untreated concrete are visible, off-street loading areas, utility connections, and any other site characteristics that could be considered visually offensive must be adequately screened.~~
- ed. One hundred (100) percent coverage of groundcover, decorative paving, decorative rock, or a perennial grass is required in parking lot islands, swales and drainage areas, and the parking lot setback unless otherwise landscaped or existing plants are preserved. One hundred (100) percent coverage of groundcover or perennial grass is also required in all unpaved portions of street or highway right-of-way or on adjacent property that has been disturbed during construction. If grass is to be used for groundcover, one hundred (100) percent live grass groundcover is required whether by solid sod overlay or pre-planting and successful takeover of grasses. No point value shall be awarded for ground cover.
- ~~fe.~~ All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.
4. All landscaping/streetscaping requirements under this Section shall run with the land once the development has begun and shall apply against any owner or subsequent owner.
5. The landscaping requirements of this Section apply to all unsubdivided property, improved subdivided lots and to other improved lands where buildings or structures are being added or replaced within the City.
6. Each phase of a multi-phase project shall comply with this Section.

7. All plantings must be in accordance with the College Station Plant List, or as deemed appropriate by the USDA for Zone 8 in their Hardiness Zone Map. The plant list is approved and amended as needed by the Administrator.

Parking Lot Screening
UDO Section 12-7.6.D.4

4. Parking Screening.

- a. Parking areas adjacent to a right-of-way or public way shall be screened from the right of-way or public way.
- b. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof as described below, and must be a minimum of three (3) feet above the parking lot pavement elevation.
- c. Walls and planting strips shall be located at least two (2) feet from any parking area.
- d. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening.
- e. A minimum fifty (50) percent of all shrubs used for screening shall be evergreen.
- f. The following options are allowed as parking lot screening methods:
 - i. A solid hedgerow (such as ten (10) shrubs for every thirty (30) linear feet of frontage) to screen the parking to a height of three (3) feet. The screening must be a minimum of twenty-four (24) inches at planting and reach thirty-six (36) inches within one (1) calendar year of planting, and such method is certified to meet these requirements by a registered Landscape Architect, landscape designer, or landscape contractor;
 - ii. Berms with a minimum height of three (3) feet as measured from the parking lot pavement, and a maximum slope of 1:3. Berms may be designed around trees that are barricaded for tree preservation. Where there will be gaps in berm screening for the preservation of existing trees, other screening methods shall be used to meet the minimum three-foot screening requirement; or
 - iii. Half-berms with a minimum height of three (3) feet as measured from the parking lot pavement, and a maximum allowable slope of 1:3. Retaining walls shall be designed to face the parking lot and sidewalks located between the retaining wall and right-of-way or public way may not be closer than three (3) feet to the top of a retaining wall.
- g. For redeveloping sites maintaining existing parking lot perimeters, the Administrator may authorize the use of masonry walls, or lower the minimum berm height to a height that may be safely maintained in the existing parking setback when additional parking lot screening is provided. The cumulative height of plant material and berm shall be a minimum of three (3) feet.

h. Variations to the requirements of this section may be approved if the landscape/streetscape plan is sealed by a registered Landscape Architect and approved by the Administrator. Such plans must show reasonable evidence that the requirements, as set forth in this section were used as a guide.

~~5. Dumpsters, concrete retaining walls where more than six (6) vertical inches of untreated concrete are visible, off-street loading areas, utility connections, and any other site characteristics that could be considered visually offensive must be adequately screened.~~

~~65.~~ Detention ponds shall be integrated into the overall landscaping theme and design of the site as described in Section 12-7.9.B, Detention pond Aesthetic Design.

Detention Pond Aesthetic Design

UDO Section 12-7.9.B

Section 12-7.9.B

B. Detention Pond Aesthetic Design.

Detention ponds should be treated as aesthetic site amenities, adding quality and depth to the visual environment of the site. Therefore, the detention pond area shall be integrated into the overall landscaping design of the site by reasonably dispersing the required landscaping points.

1. Unless the landscape plan is sealed by a landscape architect and approved by the Administrator, only plantings found in the College Station Plant List for Detention Pond Areas may be used in a detention area.

~~2. If visible from any right of way or abutting property, concrete structures (such as weirs, outlets, and spillways) and retaining walls over six (6) inches in height shall be treated so as to replicate stone, wood, or other alternatives approved by the Administrator. The treatment shall be complementary to the structures on the site.~~

- ~~3~~2. Variations to the requirements of this Section may be approved if the development project is employing Leadership in Energy and Environmental Design (LEED) development standards, using stormwater management to acquire LEED points. The project must be LEED certifiable (it does not have to be registered as a LEED project but must be eligible for certification), be sealed by a Landscape Architect, and show reasonable evidence that the requirements as set forth in this Section were used as a guide.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 7.6.B "APPLICATION OF SECTION", SECTION 7.6.D "PLANTING AND SCREENING REQUIREMENTS", AND SECTION 7.9.B "DETENTION POND AESTHETIC DESIGN" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 7.6.B, "Application of Section," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", that Chapter 12, "Unified Development Ordinance," Section 7.6.D, "Planting and Screening Requirements," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "B", and that Chapter 12, "Unified Development Ordinance," Section 7.9.B, "Detention Pond Aesthetic Design," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "C" attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 12, “Unified Development Ordinance,” Section 7.6.B, “Application of Section,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“B. Application of Section.

The landscaping requirements of this Section apply to all land located in the City of College Station proposed for site development with the exception of those zoned NG-1, NG-2, and NG-3. The requirements also do not apply to single-family, duplex, townhouse, or mixed use developments in the MU district, except as follows:

1. The requirements of this Section have limited application to properties developed for duplexes, as follows:
 - a. A minimum of two hundred (200) points of landscaping as calculated in this Section shall be provided for each new duplex unit;
 - b. Where parking is provided in the front yard, an eight-foot landscaped setback shall be required between the property line and the nearest side of the parking pad. This eight-foot setback area must be landscaped and contain a three-foot high screen consisting of a continuous berm, hedge, or wall. In addition, an eight-foot landscaped setback shall be required between the dwelling unit and the nearest side of the parking pad; and
 - c. The maintenance and completion requirements of this Section also apply to duplex uses. Every development must employ an irrigation system. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.
2. The requirements of this Section have limited application to properties developed for single-family and townhouse uses, as follows:
 - a. A minimum of two (2) trees of at least two (2) inches in caliper or one (1) tree of four-inch caliper shall be planted on each lot with every new single-family home.
 - b. For townhouse developments, the Administrator may allow the required trees to be dispersed throughout the development, including common areas.
 - c. The landscaping requirements of this Section shall apply to manufactured home parks, but not to individual manufactured homes on separate lots.

3. The requirements of this Section have limited application to properties developed in the MU Mixed-Use district, as follows:
 - a. Within fifty (50) feet of the property line along the street, and located between the structure and the public right-of-way, street, or public way, one (1) canopy tree for every twenty-five (25) linear feet of frontage shall be installed. One (1) existing tree (minimum four-inch caliper) may be substituted for a new tree.
 - b. Canopy trees must be selected from the College Station Streetscape Plant List and may be grouped as desired so long as the canopy trees are reasonable dispersed across each public right-of-way, street, or public way frontage.
 - c. Parking areas adjacent to a right-of-way shall be screened from the right-of-way. Screening is required along one hundred (100) percent of the street frontage (such as ten (10) shrubs for every thirty (30) linear feet of frontage), with the exception of areas within the visibility triangle. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof, and must be a minimum of three (3) feet above the parking lot pavement elevation. Walls and planting strips shall be located at least two (2) feet from any parking area. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening. Fifty (50) percent of all shrubs used for screening shall be evergreen.
 - d. One hundred (100) percent coverage of groundcover, decorative paving, decorative rock, or a perennial grass is required in parking lot islands, swales and drainage areas, and the parking lot setback unless otherwise landscaped or existing plants are preserved. One hundred (100) percent coverage of groundcover or perennial grass is also required in all unpaved portions of street or highway right-of-way or on adjacent property that has been disturbed during construction. If grass is to be used for groundcover, one hundred (100) percent live grass groundcover is required whether by solid sod overlay or pre-planting and successful takeover of grasses. No point value shall be awarded for ground cover.
 - e. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.
4. All landscaping/streetscaping requirements under this Section shall run with the land once the development has begun and shall apply against any owner or subsequent owner.
5. The landscaping requirements of this Section apply to all unsubdivided property, improved subdivided lots and to other improved lands where buildings or structures are being added or replaced within the City.
6. Each phase of a multi-phase project shall comply with this Section.

7. All plantings must be in accordance with the College Station Plant List, or as deemed appropriate by the USDA for Zone 8 in their Hardiness Zone Map. The plant list is approved and amended as needed by the Administrator.”

EXHIBIT “B”

That Chapter 12, “Unified Development Ordinance,” Section 7.6.D, “Planting and Screening Requirements,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“D. Planting and Screening Requirements.**1. General Requirements.**

- a. Every project must expend a minimum of fifty (50) percent of its point total on canopy trees.
- b. For sites subject to the Non-Residential Architectural Standards of this UDO, canopy trees in a site or as part of a building plot in excess of ten (10) acres shall have a minimum allowable tree caliper of at least two (2) inches. Canopy trees in a site or as part of a building plot in excess of fifteen (15) acres shall have an increased minimum allowable tree caliper of at least two and one-half (2.5) inches.
- c. Landscaping must be reasonably dispersed throughout all visible areas of the site.
- d. One hundred (100) percent coverage of groundcover, decorative paving, decorative rock, or a perennial grass is required in parking lot islands, swales and drainage areas, and the parking lot setback unless otherwise landscaped or existing plants are preserved. When decorative rock is used, it shall be designed such that it will not migrate into sidewalks or other paved areas. One hundred (100) percent coverage of groundcover or perennial grass is also required in all unpaved portions of street or highway right-of-way or on adjacent property that has been disturbed during construction. If grass is to be used for groundcover, one hundred (100) percent live grass groundcover is required whether by solid sod overlay or pre-planting and successful takeover of grasses.
- e. All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of The American Standard for Nursery Stock, as published by the American Association of Nurserymen.
- f. For existing plantings, the Administrator may require a health appraisal.
- g. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.

2. Streetscape .

- a. Within fifty (50) feet of the property line along all major arterials, freeways, and expressways as designated on the Thoroughfare Plan, one (1) canopy tree for every twenty-five (25) linear feet of frontage shall be installed;
- b. Within fifty (50) feet of the property line along all other roadways including public ways, one (1) canopy tree for every thirty-two (32) feet of frontage shall be installed;
- c. Fractional amounts shall be increased to the nearest whole number;
- d. Two (2) non-canopy trees may be substituted for one (1) canopy tree;

- e. Trees used to meet the requirement along one (1) streetscape frontage shall not be counted toward another frontage;
- f. Canopy and non-canopy trees must be selected from the Administrator's Streetscape Plant List and may be grouped as desired so long as the trees are reasonably dispersed across each frontage; and
- g. One (1) existing tree (minimum four-inch caliper) may be substituted for a new tree. Existing trees must be of acceptable health, as determined by the Administrator.

3. Additional Landscaping along Large Building Façades.

This subsection applies to sites subject to the Non-Residential Architectural Standards of this UDO:

- a. Sites with building façades that face a public right-of-way or public way and that exceed two hundred (200) feet in length shall place landscaping between the façade and roadway;
- b. One (1) canopy tree is required for every forty (40) feet of façade length. Fractional amounts shall be increased to the nearest whole number;
- c. The trees shall be placed within fifty (50) feet of the building facade;
- d. Two (2) non-canopy trees may be substituted for one (1) canopy tree; and
- e. Trees counting toward Streetscape planting requirements may also count toward the Additional Landscaping along Large Building Façades requirement.

4. Parking Screening.

- a. Parking areas adjacent to a right-of-way or public way shall be screened from the right-of-way or public way.
- b. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof as described below, and must be a minimum of three (3) feet above the parking lot pavement elevation.
- c. Walls and planting strips shall be located at least two (2) feet from any parking area.
- d. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening.
- e. A minimum fifty (50) percent of all shrubs used for screening shall be evergreen.
- f. The following options are allowed as parking lot screening methods:
 - i. A solid hedgerow (such as ten (10) shrubs for every thirty (30) linear feet of frontage) to screen the parking to a height of three (3) feet. The screening must be a minimum of twenty-four (24) inches at planting and reach thirty-six (36) inches within one (1) calendar year of planting, and such method is certified to meet these requirements by a registered Landscape Architect, landscape designer, or landscape contractor;
 - ii. Berms with a minimum height of three (3) feet as measured from the parking lot pavement, and a maximum slope of 1:3. Berms may be designed around trees that are barricaded for tree preservation. Where there will be gaps in berm screening

for the preservation of existing trees, other screening methods shall be used to meet the minimum three-foot screening requirement; or

iii. Half-berms with a minimum height of three (3) feet as measured from the parking lot pavement, and a maximum allowable slope of 1:3. Retaining walls shall be designed to face the parking lot and sidewalks located between the retaining wall and right-of-way or public way may not be closer than three (3) feet to the top of a retaining wall.

g. For redeveloping sites maintaining existing parking lot perimeters, the Administrator may authorize the use of masonry walls, or lower the minimum berm height to a height that may be safely maintained in the existing parking setback when additional parking lot screening is provided. The cumulative height of plant material and berm shall be a minimum of three (3) feet.

h. Variations to the requirements of this section may be approved if the landscape/streetscape plan is sealed by a registered Landscape Architect and approved by the Administrator. Such plans must show reasonable evidence that the requirements, as set forth in this section were used as a guide.

5. Detention Ponds.

Detention ponds shall be integrated into the overall landscaping theme and design of the site as described in Section 12-7.9.B. Detention Pond Aesthetic Design.”

EXHIBIT “C”

That Chapter 12, “Unified Development Ordinance,” Section 7.9.B, “Detention Pond Aesthetic Design,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“B. Detention Pond Aesthetic Design.

Detention ponds should be treated as aesthetic site amenities, adding quality and depth to the visual environment of the site. Therefore, the detention pond area shall be integrated into the overall landscaping design of the site by reasonably dispersing the required landscaping points.

1. Unless the landscape plan is sealed by a landscape architect and approved by the Administrator, only plantings found in the College Station Plant List for Detention Pond Areas may be used in a detention area.
2. Variations to the requirements of this Section may be approved if the development project is employing Leadership in Energy and Environmental Design (LEED) development standards, using stormwater management to acquire LEED points. The project must be LEED certifiable (it does not have to be registered as a LEED project but must be eligible for certification), be sealed by a Landscape Architect, and show reasonable evidence that the requirements as set forth in this Section were used as a guide.”

ORDINANCE NO. _____

Page **9** of **9**

Legislation Details (With Text)

File #:	17-0351	Version:	1	Name:	PUE Abandonment - CSISD Willow Branch and Oakwood School Sites
Type:	Ordinance	Status:			Agenda Ready
File created:	7/7/2017	In control:			City Council Regular
On agenda:	7/27/2017	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.0397 acre Public Utility Easement lying within Lot 1, Block 2, of College Station ISD Willow Branch and Oakwood School Sites, according to the plat recorded in Volume 3588, Page 51, of the Deed Records of Brazos County, Texas.				
Sponsors:	Carol Cotter				
Indexes:					
Code sections:					
Attachments:	Vicinity Map Location Map Ordinance Exhibit A				
Date	Ver.	Action By	Action		Result

Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.0397 acre Public Utility Easement lying within Lot 1, Block 2, of College Station ISD Willow Branch and Oakwood School Sites, according to the plat recorded in Volume 3588, Page 51, of the Deed Records of Brazos County, Texas.

Relationship to Strategic Goals:

- Good Governance
- Core Services and Infrastructure
- Diverse Growing Economy

Recommendation(s): Staff recommends approval of the ordinance.

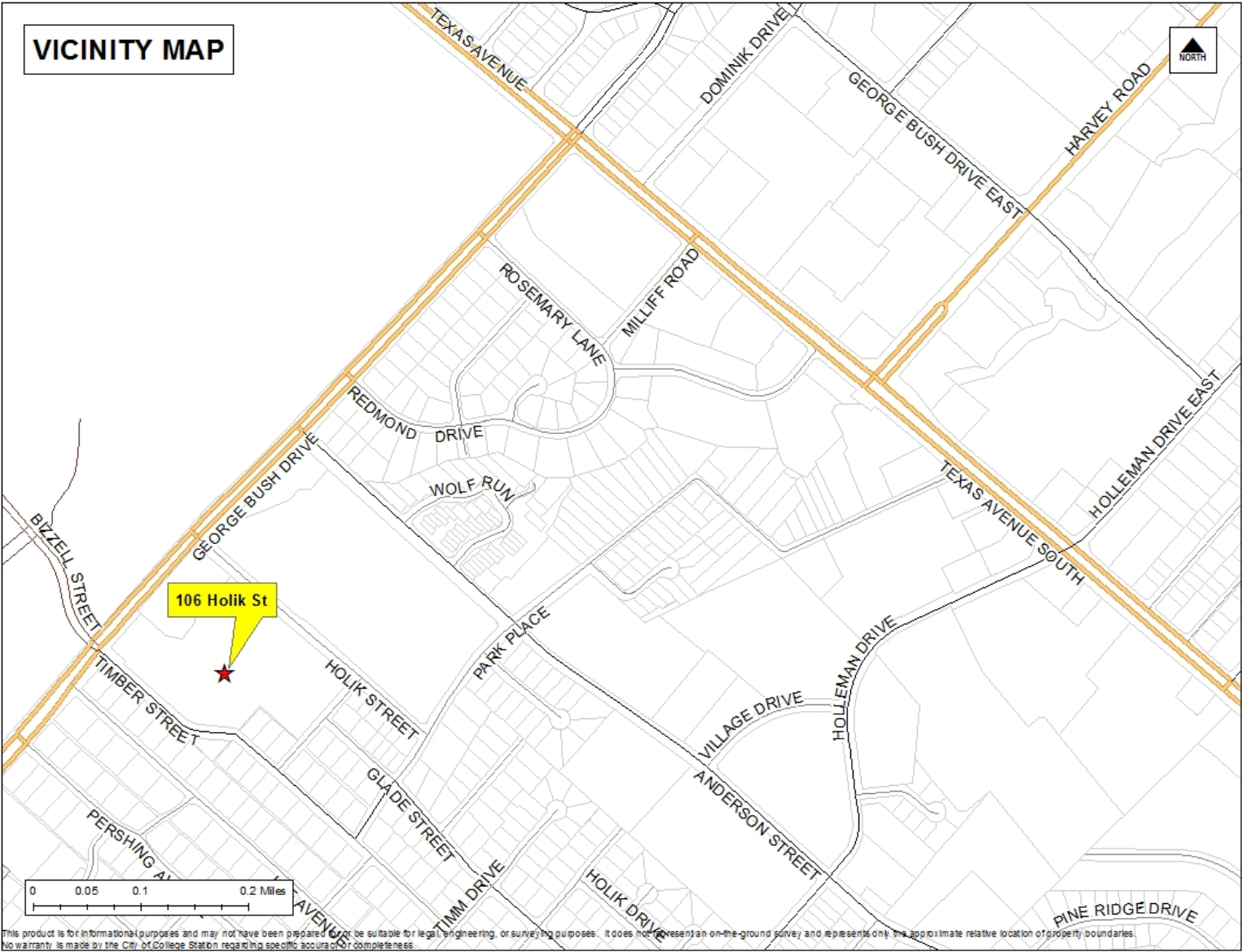
Summary: This public utility easement abandonment will accommodate a building expansion on the CSISD property. It appears the PUE was once used to provide primary electric service to the building; however, recent improvements to the site have changed the limits of the public-to-private portion of the electrical service and the easement is no longer necessary.

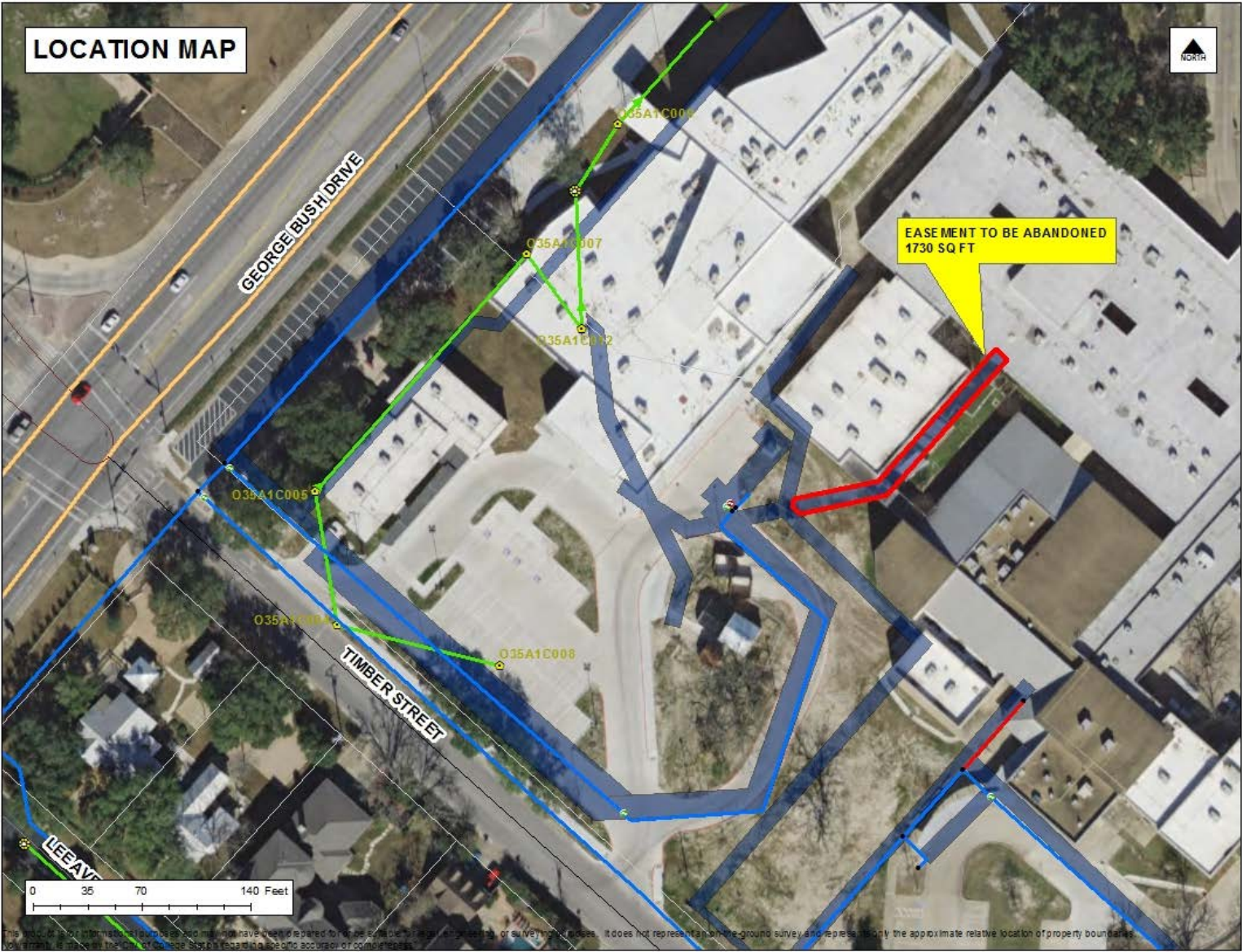
The 0.0397 acre public utility easement is located on Lot 1, Block 2, of College Station ISD Willow Branch and Oakwood School Sites, according to the plat recorded in Volume 3588, Page 51, of the Deed Records of Brazos County.

Budget & Financial Summary: N/A

Attachments:

1. Vicinity Map
2. Location Map
3. Ordinance
4. Exhibit "A"





ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 0.0397 ACRE PUBLIC UTILITY EASEMENT LYING WITHIN LOT 1, BLOCK 2, OF COLLEGE STATION ISD WILLOW BRANCH AND OAKWOOD SCHOOL SITES, ACCORDING TO THE PLAT RECORDED IN VOLUME 3588, PAGE 51 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 0.0397 acre Public Utility Easement lying within Lot 1, Block 2, of College Station ISD Willow Branch and Oakwood School Sites, according to the plat recorded in Volume 3588, Page 51, of the Deed Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Public Utility Easement"); and

WHEREAS, in order for the Public Utility Easement to be vacated and abandoned by the City Council of the City of College Station, Texas, the City Council must make certain affirmative findings; now therefore,

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

PART 1: That after opening and closing a public hearing, the City Council finds the following pertaining to the vacating and abandoning of the Public Utility Easement described in Exhibit "A" attached hereto and made a part of this ordinance for all purposes.

1. Abandonment of the Public Utility Easement will not result in property that does not have access to public roadways or utilities.
2. There is no public need or use for the Public Utility Easement.
3. There is no anticipated future public need or use for the Public Utility Easement.
4. Abandonment of the Public Utility Easement will not impact access for all public utilities to serve current and future customers.

PART 2: That the Public Utility Easement as described in Exhibit "A" be abandoned and vacated by the City.

ORDINANCE NO. _____

Page 2

PASSED, ADOPTED and APPROVED this _____ day of _____, 2017

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

GESSNER ENGINEERING, LLC

16-0103AE

2501 Ashford Drive
College Station, Texas 77840
(979) 680-8840 - Fax (979) 680-8841

PARTIAL 10' PUBLIC UTILITY EASEMENT ABANDONMENT
COLLEGE STATION INDEPENDENT SCHOOL DISTRICT
BRAZOS COUNTY, TEXAS;

Being a description of 0.0397 of an acre tract of land, situated in the J. E. Scott League, Abstract No. 50, Brazos County, Texas, said tract being over, across and upon a part of a called 11.212 acre tract of land, being part of Lot 1, Block 2, College Station I.S.D., Willow Branch and Oakwood School Sites, an addition to the City of College Station, Texas according to the plat recorded in Volume 3588, Page 51, Official Records of Brazos County, Texas, (O.R.B.C.T.) said tract also being a portion of a 10' Public Utility Easement as shown on said plat of College Station I.S.D. Willow Branch and Oakwood School Sites, an addition to the City of College Station, Texas, according to the plat recorded in Volume 3588, Page 51, (O.R.B.C.T.) and to which reference is hereby made to for any and all purposes. Said tract described as follows, to wit:

BEGINNING at the most southerly point of this tract of land, for reference, a 1/2-inch iron rod found, capped "KLING", an angle point in the southwest right-of-way line of Timber Street (a variable width right-of-way);

THENCE, across said 12.4271 acre tract for the following calls:

North 45 Degrees 34 Minutes 34 Seconds West, 6.48 feet;
North 13 Degrees 29 Minutes 22 Seconds East, 5.10 feet;
North 77 Degrees 57 Minutes 01 Seconds East, 55.20 feet;
North 41 Degrees 42 Minutes 56 Seconds East, 113.78 feet;
South 48 Degrees 17 Minutes 04 Seconds East, 10.00 feet;
South 41 Degrees 42 Minutes 56 Seconds West, 117.06 feet;
South 77 Degrees 57 Minutes 01 Seconds West, 57.10 feet, to the PLACE OF BEGINNING and occupying 0.0397 of an acre of land, more or less, as shown on the accompanying plat of even date herewith

Bearings are based on the northeast right-of-way line of Holik Street, using a bearing of North 48°03'41" West, as monumented on the ground, according to the replat recorded in Volume 6857, Page 25 (O.R.B.C.T.).

Reference is hereby made to a separate survey plat bearing even date herewith.

Dated this the 21st day of June, 2017

Michael Konetski 6/21/17
Michael Konetski, R.P.L.S. No. 6531
Gessner Engineering, LLC

16-0103AE





LEGEND

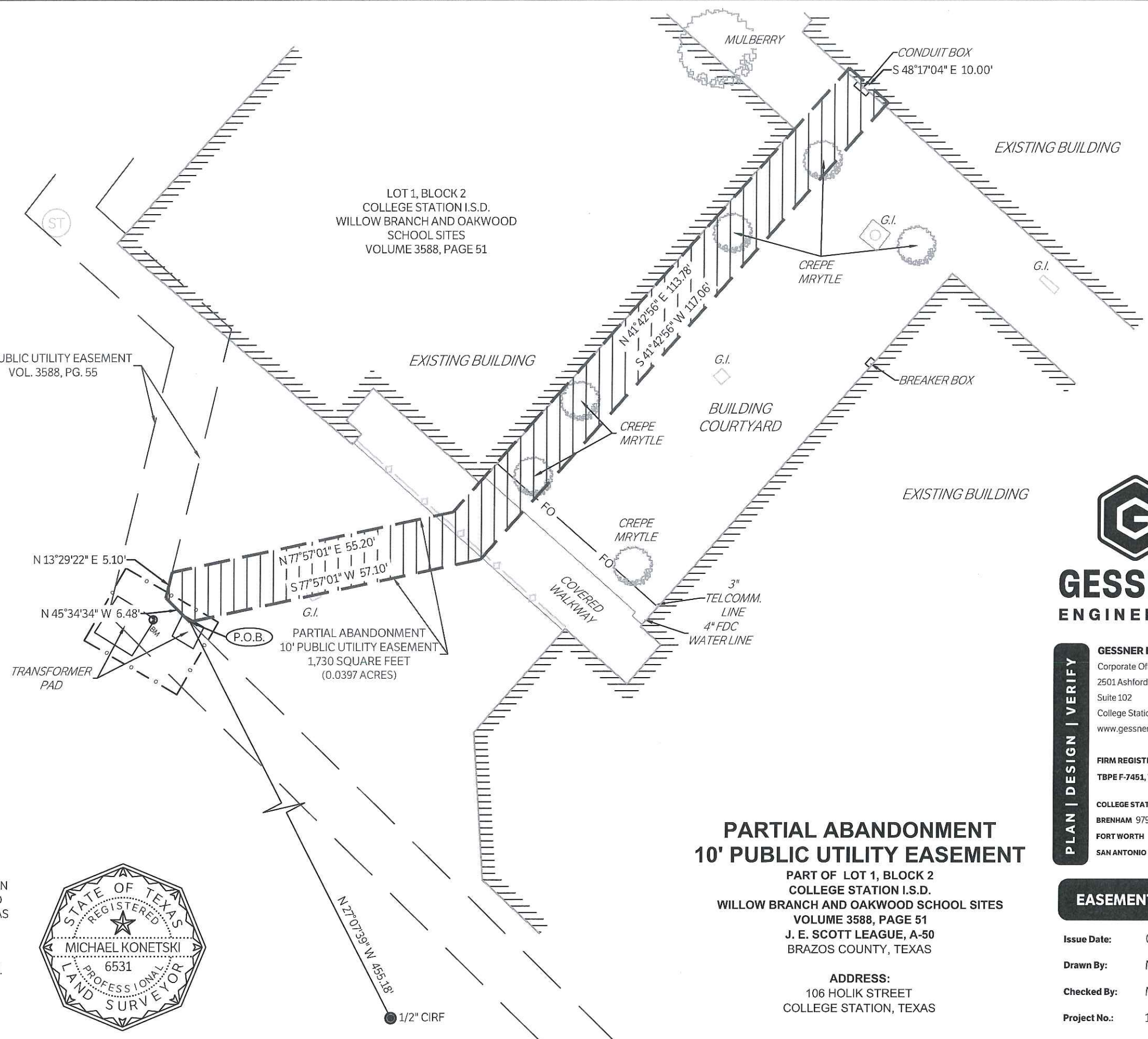
- IRF = IRON ROD FOUND
IRS = IRON ROD SET
POB = POINT OF BEGINNING
POC = POINT OF COMMENCING
• = POINT FOR CORNER
--- = PROPERTY LINE
--- = ADJOINER PROPERTY LINE
--- = SETBACK LINE

SCALE: 1"= 20'

NOTES:

1. BEARINGS ARE BASED ON THE NORTHEAST RIGHT-OF-WAY LINE OF HOLIK STREET, USING A BEARING OF NORTH 48 DEGREES, 03 MINUTES, 41 SECONDS WEST, AS MONUMENTED ON THE GROUND, ACCORDING TO THE REPLAT OF LOT 1, BLOCK 1, COLLEGE STATION I.S.D., WILLOW BRANCH AND OAKWOOD SCHOOL SITES, RECORDED IN VOLUME 6857, PAGE 25, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.
2. EASEMENTS SHOWN PER PLAT RECORDED IN VOLUME 3588, PAGE 51, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.
3. PROPERTY IS CURRENTLY ZONED GS-(GENERAL SUBURBAN).
4. NO TITLE WAS PROVIDED AT TIME OF SURVEY, NOR WAS A TITLE COMMITMENT OR THE RESULTS OF A TITLE SEARCH.

10' PUBLIC UTILITY EASEMENT
VOL. 3588, PG. 55



GESSNER
ENGINEERING

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FIRM REGISTRATION NUMBER:
TBPE F-7451, TBPLS F-10193910

COLLEGE STATION 979.680.8840
BRENNHAM 979.836.6855
FORT WORTH 817.405.0774
SAN ANTONIO 210.556.4124

EASEMENT PLAT

Issue Date: 06/21/17
Drawn By: MN
Checked By: MK
Project No.: 16-0103AE

CERTIFICATE OF SURVEYOR

I, MICHAEL KONETSKI, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6531, IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE, CORRECT, AND ACCURATELY REPRESENTS THE LINES AND DIMENSIONS OF THE PROPERTY, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT IT INDICATES ALL EASEMENTS AND FENCES AS THEY ARE VISIBLE ON THE GROUND, AND THAT THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON.

Michael Konetski 6/21/17
MICHAEL KONETSKI R.P.L.S. NO. 6531
(SEE ATTACHED FIELD NOTES OF EVEN DATE)

