



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Workshop

Thursday, August 9, 2018

4:00 PM

City Hall Council Chambers

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

Consultation with Attorney {Gov't Code Section 551.071};

Possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

Litigation

- a. 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
- b. 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
- c. City of College Station v. Gerry Saum, Individually, and as Independent Executrix of the Estate of Susan M. Wood, Deceased; Cause No. 17-002742-CV-361; In the 361st District Court, Brazos County, Texas
- d. Maura Juarez Garcia v. Andres Garcia and City of College Station; Cause No. 18-000419-CV-85; In the 85th District Court, Brazos County, Texas

Real Estate {Gov't Code Section 551.072};

- a. Property located generally in the vicinity of Highway 50 in South Robertson County, Texas

Personnel {Gov't Code Section 551.074};

Possible action. The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s)

may be discussed:

- a. Council Self Evaluation
- b. City Manager

5:00 p.m.

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

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

5. [18-0481](#) Presentation, possible action, and discussion on the FY 2018-2019 Proposed Budget.

Sponsors:

Leonard

6. [18-0519](#) Presentation, possible action, and discussion regarding the Neighborhood Conservation Overlay process and possible changes to Section 5.11.D.2, Neighborhood Conservation Overlay Districts, of the Unified Development Ordinance.

Sponsors:

Golbabai

Attachments:

[Background Information](#)

[SOP for NCO Process](#)

7. Council Calendar - Council may discuss upcoming events.

8. Discussion, review, and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, Arts Council of Brazos Valley, Architectural Advisory Committee, 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, Brazos Valley Economic Development Corporation, 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, Gulf Coast Strategic Highway Coalition, 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 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, (Notice of Agendas posted on City Hall bulletin board).

9. 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.

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on August 3, 2018 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 #: 18-0481 **Version:** 1 **Name:** FY 2018-2019 Proposed Budget Presentation
Type: Presentation **Status:** Agenda Ready
File created: 7/12/2018 **In control:** City Council Workshop
On agenda: 8/9/2018 **Final action:**
Title: Presentation, possible action, and discussion on the FY 2018-2019 Proposed Budget.
Sponsors: Mary Ellen Leonard
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on the FY 2018-2019 Proposed Budget.

Recommendation(s): Staff recommends the Council receive the FY 2018-2019 Proposed Budget presentation.

Summary: Staff will present an overview of the City of College Station FY 2018-2019 Proposed Budget.

The City's charter says the City Manager will prepare and submit a proposed budget to the City Council no later than 30 days prior to the end of the fiscal year. The budget is being presented on August 9th. The calendar for the budget process includes a public hearing on September 13th. Adoption of the Budget is scheduled for September 27th. According to the charter, final action on the Proposed Budget must take place on or before September 27th.

Budget workshop meetings are scheduled for August 20th, August 21st, and August 22nd to review the proposed budget, and the key budget decision points.

Budget & Financial Summary: The budget is discussed in detail in the Proposed Budget document.

Reviewed and Approved by Legal: N/A

Attachments:

1. The Proposed Budget will be distributed under separate cover.

Legislation Details (With Text)

File #:	18-0519	Version:	1	Name:	Neighborhood Conservation Overlay Districts
Type:	Presentation	Status:		Status:	Agenda Ready
File created:	7/30/2018	In control:		In control:	City Council Workshop
On agenda:	8/9/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding the Neighborhood Conservation Overlay process and possible changes to Section 5.11.D.2, Neighborhood Conservation Overlay Districts, of the Unified Development Ordinance.				
Sponsors:	Justin Golbabai				
Indexes:					
Code sections:					
Attachments:	Background Information SOP for NCO Process				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the Neighborhood Conservation Overlay process and possible changes to Section 5.11.D.2, Neighborhood Conservation Overlay Districts, of the Unified Development Ordinance.

Relationship to Strategic Goals:

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

Recommendation(s): The Planning and Zoning Commission considered possible changes to the Neighborhood Conservation Overlay at their July 5th meeting. Planning and Zoning Commission did not have a consensus on the no more than 2 unrelated option but was generally supportive of all other proposed modifications. Planning and Zoning Commission also recommended that the 50%+1 petition support be raised to a support level in the 58%-67% range.

Summary: At the July 12th City Council Workshop meeting, Staff provided a summary of the survey results and options to change to the requirements contained in Section 5.11.D.2, Neighborhood Conservation Overlay Districts, of the UDO. At the workshop meeting, City Council requested a follow-up presentation that 1) clarifies the process for establishing a Neighborhood Conservation Overlay and 2) summarizes the possible options to change this section of the UDO.

Budget & Financial Summary: N/A

Attachments:

1. NCO Background Information
2. SOP for the Neighborhood Conservation Overlay Process

Neighborhood Conservation Overlay

What is the Neighborhood Conservation Overlay?

The Neighborhood Conservation Overlay District (NCO) allows neighborhoods to self-impose additional development standards on single family properties from a menu of options that are generally more restrictive than the City's standard requirements. Example of the categories that may be selected for inclusion in the overlay are changes to minimum setbacks, maximum height, minimum lot size, tree preservation, and on-site parking.

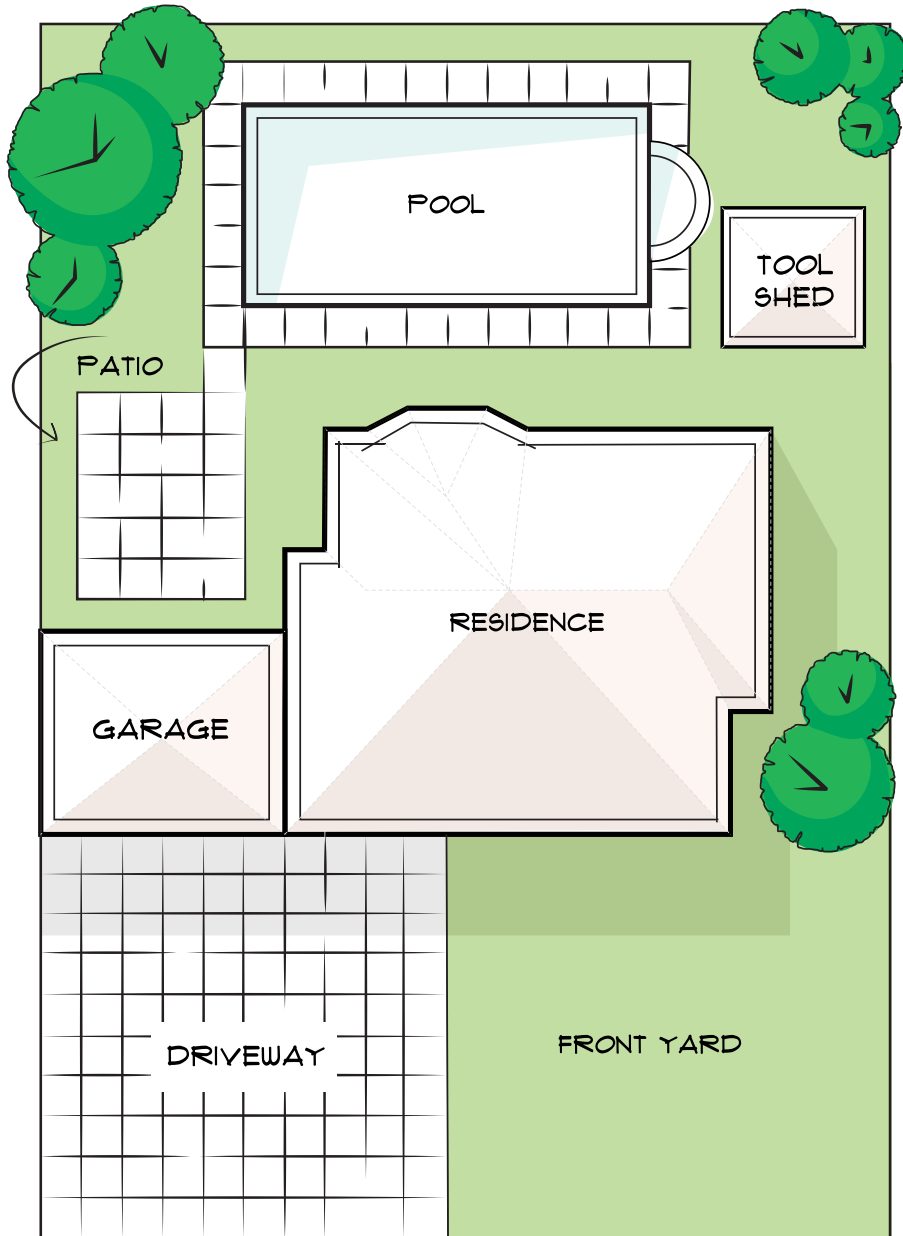
In order for a Neighborhood Conservation Overlay District to be brought before City Council for adoption, a neighborhood stakeholder committee of at least 6 stakeholders must work with City staff to develop the boundary of the district, select options for inclusion, prepare a neighborhood study, and submit a petition showing support from 50%+1 of the subject area's property owners.

Objective

Receive community feedback on providing increased flexibility and options for the Neighborhood Conservation Overlay Districts.

CURRENT NCO LOT COVERAGE CALCULATION

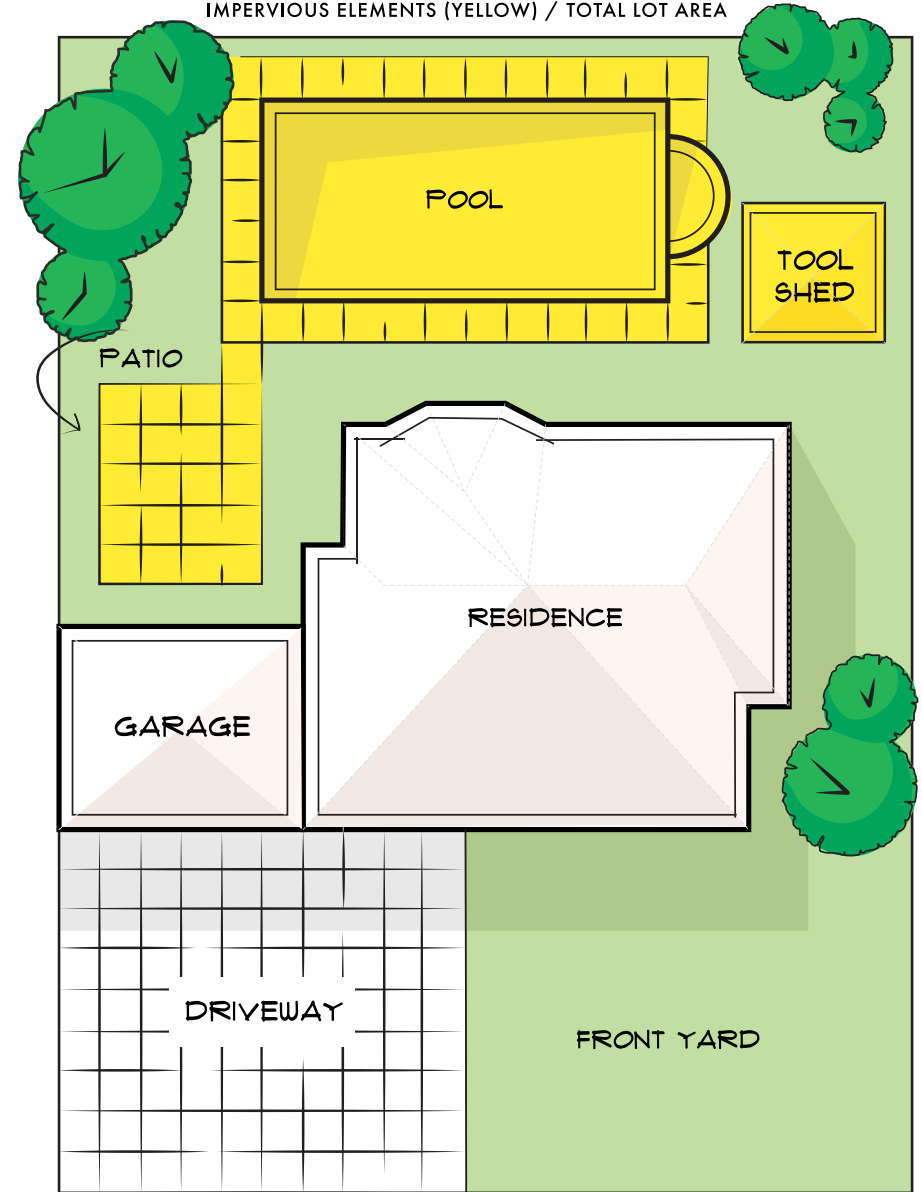
LOT COVERAGE = IMPERVIOUS SURFACES (WHITE) / TOTAL LOT AREA



- WHITE – REQUIRED IMPERVIOUS SURFACE ELEMENTS
- GREEN – PERVIOUS SURFACES

PROPOSED NCO LOT COVERAGE CALCULATION

LOT COVERAGE = REQUIRED IMPERVIOUS SURFACES (WHITE) + SELECTED OPTIONAL IMPERVIOUS ELEMENTS (YELLOW) / TOTAL LOT AREA



- WHITE – REQUIRED IMPERVIOUS SURFACE ELEMENTS
- YELLOW – OPTIONAL IMPERVIOUS SURFACE ELEMENTS
- GREEN – PERVIOUS SURFACES

Maximum Lot Coverage Background Information

Maximum lot coverage refers to the percentage of a property's surface that is allowed to be impervious to water. Examples of impervious surfaces include the building area, driveways and parking areas. College Station generally does not limit the amount of impervious surface on a property but would do so for areas selecting this option in the Neighborhood Conservation Overlay.

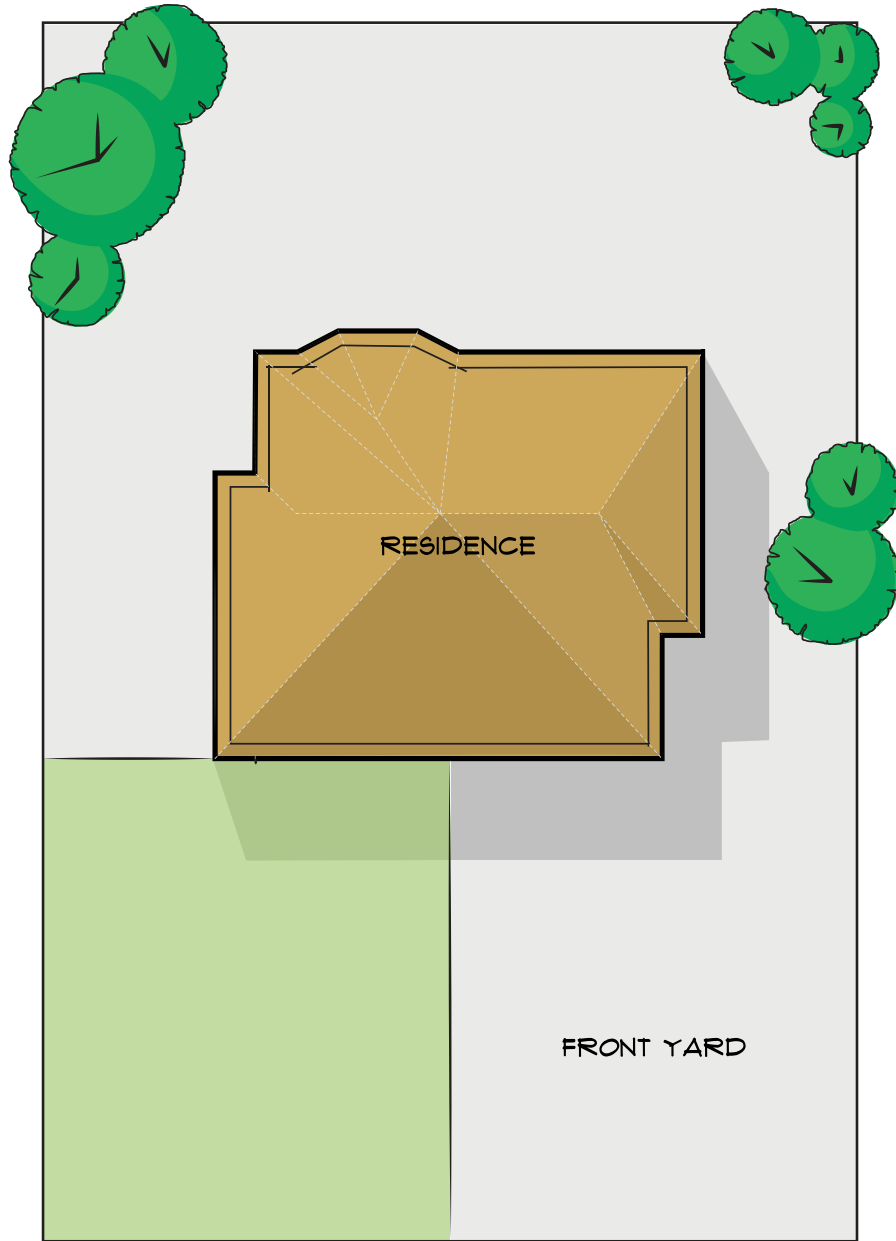
The current maximum lot coverage option in the Unified Development Ordinance allows an impervious surface requirement for new development equal to (but not more or less than) the median of the surrounding area.

Also, per the current ordinance language, the neighborhood must also include elements such as accessory structures, patios, pools, etc. as part of the impervious coverage requirement, which means the additions of these items would be regulated by the Neighborhood Conservation Overlay if maximum lot coverage is selected.

Tree Preservation Background Information

If tree preservation is selected for inclusion as a Neighborhood Conservation Overlay option, any existing tree of 8-inch caliper or greater in good form and condition outside the buildable area (such as the area dedicated for setbacks) are required to be barricaded and preserved. Outside this Neighborhood Conservation Overlay option, College Station does not require trees to be barricaded or preserved with new development.

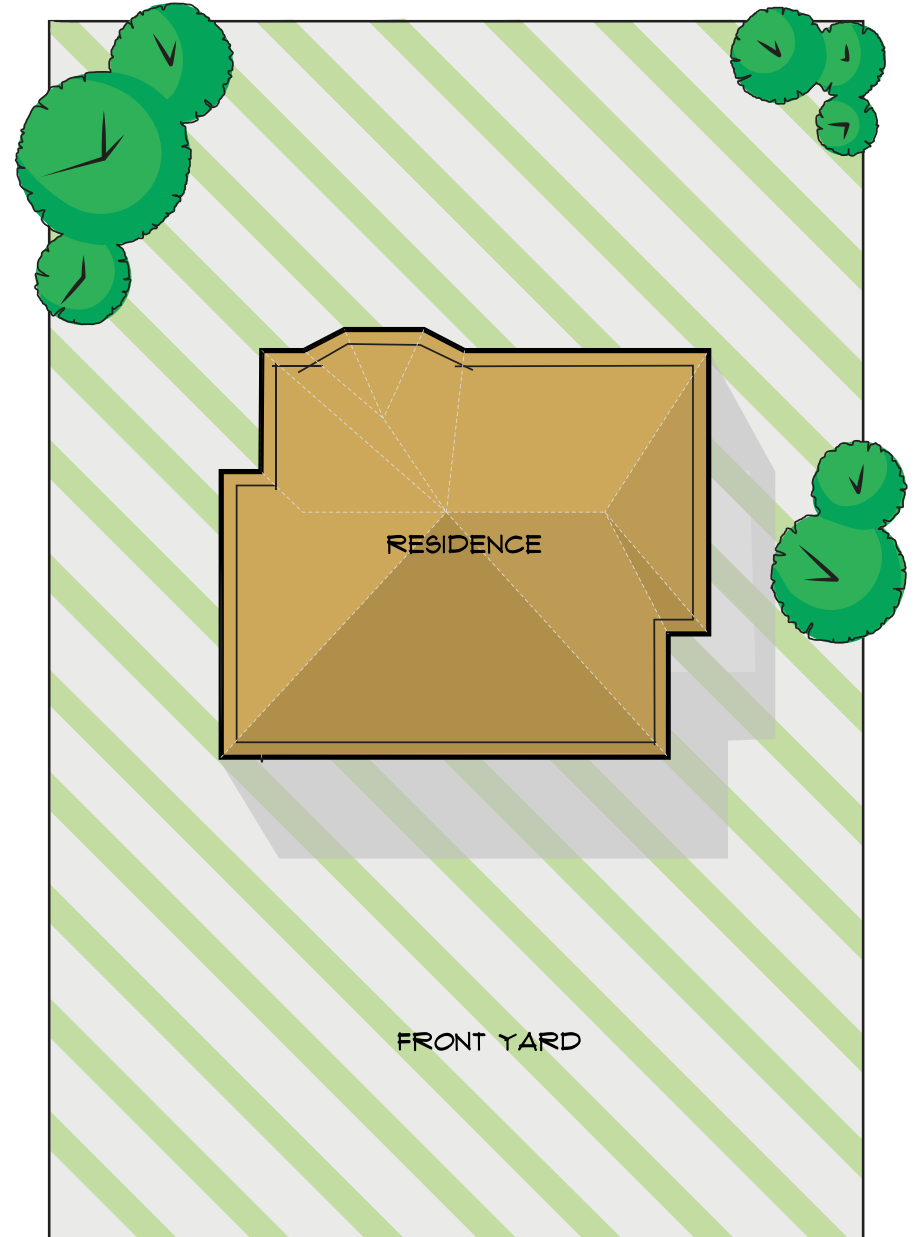
CURRENT ON-SITE PARKING REQUIREMENTS *



50% OF YARD

- GREEN - PARKING IS NOT ALLOWED
- GREY - PARKING IS ALLOWED ON HARD SURFACES
- * - FOR MOST AREAS OF THE CITY

PROPOSED NCO ON-SITE PARKING OPTION



CONCRETE

- GREEN/GREY - NCO OPTION TO DESIGNATE PARKING AND NON-PARKING AREAS AND PERCENTAGES

On-Site Parking Background Information

In most areas, College Station currently requires that parking can only take place on 50% of a detached single family property's front area and there are no limits on other parts of the property such as the back area or the sides. The City also requires residential driveways to be a width of between 12 and 25 feet at the property line.

Minimum Lot Size Background Information

Generally, College Station requires lots in residential resubdivisions to be a minimum of 8,500 square feet in the City's older areas but this does not apply if a Neighborhood Conservation Overlay is adopted. Including a minimum lot size option in the Neighborhood Conservation Overlay would provide similar protections but also would inadvertently make smaller properties non-conforming which limits their ability to develop. Allowing the minimum lot size option to only apply to subdividing properties would enforce minimum lot size in a way that does not make existing properties non-conforming.

Garage Requirement Background Information

Currently there is not a general requirement or a Neighborhood Conservation Overlay option that requires a new single family development to build a garage.

Neighborhood Study Background Information

The Unified Development Ordinance currently requires that a Neighborhood Conservation Overlay must be based on findings of a Conservation Study conducted by the City of College Station in conjunction with a neighborhood stakeholder committee made up of at least 6 property owners in the neighborhood. The ordinance further states that the Conservation Study must include a survey of existing conditions and unique characteristics of the neighborhood and outline the issues that threaten the preservation of those characteristics.

No More Than 2-Unrelated Background Information

Single family properties are intended for the use of a single family. Family is defined by the Unified Development Ordinance as containing no more than 4-unrelated persons and is currently enforceable through the City's Code Enforcement. Several neighborhood groups have developed privately enforced deed restrictions to limit occupancy to no more than 2-unrelated for their neighborhood. If adopted as part of a Neighborhood Conservation Overlay, the City would be responsible for enforcing the no more than 2-unrelated in the adopted neighborhood area.

Guidelines for Neighborhood Conservation Overlay Rezoning Process

1. PAC – meet with the ones initiating the efforts

- Help them understand the Comp Plan and land use designations
- Help them understand zoning
- Overlay zoning
- The differences between the Prevailing and Conservation overlays, and what they can and cannot do

The NCO differs from the NPO in that it allows neighborhoods to choose from a variety of standards to address neighborhood specific issues. The NPO, on the other hand, requires compliance with **all** neighborhood-specific standards based on prevailing standards in the neighborhood.

- The requirements for an NCO application (e.g., boundaries, petition, numbers, HOA or NA not required for application)
- Next steps in the process

2. The neighborhood identifies the stakeholder group

3. Meet with the stakeholder group

- Discuss concerns and why they want the zoning
- Make sure they understand difference between Comp Plan and zoning
- Explain what zoning can and cannot do
- Discuss boundaries—does not need to meet 30-lot requirement if it is a platted subdivision
- Discuss 50% + 1 and will they be able to get it (one vote per property—own 10 lots/building plots, get 10 votes)
- Next steps

4. Neighborhood meeting or stakeholder meeting to discuss the types of things that the neighborhood would like to include in the overlay (such as a limitation on building height or size of structures). City staff would attend to explain the process and what can and cannot be done through zoning. This step may take more than one meeting. After the group has agreed on what to include in the rezoning, can move to next step.

5. Staff will research the specific numbers/facts that will be associated with the regulations to be included in the petition/rezoning request. The final numbers will be communicated to the stakeholder group. The stakeholder group will need to prepare the rezoning request with the specific overlay regulations. That information will need to be shared with neighbors as they circulate the petition and will be submitted to staff with the formal application.

6. Staff will prepare the petition form with a listing of all the properties and property owners in the designated area (as per our most current BCAD data). The petition will outline support for the requested specific restrictions and has to be circulated by the residents to gain the required signatures. The SFO informational letter from staff and a copy of the specific restrictions that will be requested with the NCO has to be given to all signing the petition.

7. The petition is turned in with the formal application. No application fee is charged (as per current policy).

8. Staff verifies the petition.

9. Staff conducts the Conservation Study in conjunction with the designated stakeholder group.

10. Required notifications are made, including a letter to all property owners within the proposed overlay plus property owners within 200 feet.

11. Case is considered by the P&Z (public hearing required). P&Z makes recommendation to the City Council.
12. Case is considered by the City Council (public hearing required). Final decision on overlay is made by the City Council.