



College Station, TX

Meeting Agenda
Planning and Zoning Commission
1101 Texas Ave, College Station, TX 77840
Internet: <https://us06web.zoom.us/j/85070047746>
Phone: 888 475 4499 and Webinar ID: 850 7004 7746

The City Council may or may not attend this meeting.

May 4, 2023

6:00 PM

City Hall Council Chambers

Notice is hereby given that a quorum of the meeting body will be present in the physical location stated above where citizens may also attend in order to view a member(s) participating by videoconference call as allowed by 551.127, Texas Government Code. The City uses a third-party vendor to host the virtual portion of the meeting; if virtual access is unavailable, meeting access and participation will be in-person only.

1. Call to Order, Pledge of Allegiance, Consider Absence Request.

2. Hear Visitors

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

3. Consent Agenda

All matters listed under the Consent Agenda, are considered routine by the Commission and will be enacted by one motion. These items include preliminary plans and final plats, where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. Since there will not be separate discussion of these items, citizens wishing to address the Commission regarding one or more items on the Consent Agenda may address the Commission at this time as well. If any Commissioner desires to discuss an item on the Consent Agenda it may be moved to the Regular Agenda for further consideration.

3.1. Consideration, discussion, and possible action to approve meeting minutes.

Attachments: 1. April 20 2023

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

5. Regular Agenda

5.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay on approximately 27.1 acres of land, being 39 lots within

Southwood Phase 21, Block 3 and 4, generally located along Bee Creek Drive and Southwood Drive. Case #REZ2023-000007 (Note: Final action of this item will be considered at the May 25, 2023 City Council meeting – Subject to change).

Sponsors: Naomi Sing

Attachments:

1. Vicinity, Aerial, and Small Area Map
2. Background Information
3. Rezoning Map
4. Future Land Use Map
5. Original Subdivision Plat
6. Applicant's Supporting Information
7. Petition Committee Members
8. Neighborhood Meeting Materials
9. Petition Signatures

6. Informational Agenda

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

New Development Link: www.cstx.gov/newdev

6.2. Presentation and discussion regarding the P&Z Calendar of Upcoming Meetings:

- Monday, May 15, 2023 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
- Thursday, May 18, 2023 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.
- Thursday, May 25, 2023 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
- Thursday, June 1, 2023 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.

6.3. Presentation and discussion regarding an update on items heard:

- A Rezoning of approximately 8 acres of land located at 3197 Holleman Drive South from R Rural & GS General Suburban to T Townhouse. The Planning & Zoning Commission heard this item on April 6, 2023 and voted (7-0) to recommend approval. The City Council heard this item on April 27, 2023 and voted (7-0) to approve the request.
- A Rezoning of approximately 5 acres of land generally located at the intersection of State Highway 6 Frontage Road East and Venture Drive. The Planning & Zoning Commission heard this item on April 20, 2023 and voted (5-0) to recommend approval. The City Council heard this item on April 27, 2023 and voted (7-0) to approve the request.

6.4. Discussion and review regarding the following meetings: Design Review Board and BioCorridor Board.

- None

7. Discussion and possible action on future agenda items.

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

8. Adjourn.

The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on May 1, 2023 at 10:00 a.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."

**Minutes
Planning and Zoning Commission
Regular Meeting
April 20, 2023**

COMMISSIONERS PRESENT: Chairperson Dennis Christiansen, Commissioners Bobby Mirza, Melissa McIlhaney, David White, and Aron Collins

COMMISSIONERS ABSENT: Commissioners Jason Cornelius and Marcus Chaloupka

COUNCIL MEMBERS PRESENT: Councilmembers Elizabeth Cunha and Dennis Maloney

CITY STAFF PRESENT: Director of Planning & Development Services Michael Ostrowski, Assistant Director of Planning & Development Services Molly Hitchcock, City Engineer Carol Cotter, Transportation Planning Coordinator Jason Schubert, Long Range Planning Administrator Alyssa Halle-Schramm, Land Development Review Administrator Anthony Armstrong, Senior Planner Matthew Ellis, Staff Planners Robin Macias, Naomi Sing, and Gabriel Schrum, Engineer I Lucas Harper, Graduate Engineer Is Lindsey Pressler and Gillian Sitler, Assistant City Attorney II Aaron Longoria, Administrative Support Specialist Kristen Hejny, and Lead Technology Services Specialist Thomas Bauman

1. Call Meeting to Order, Pledge of Allegiance, Consider Absence Request.

Chairperson Christiansen called the meeting to order at 6:00 p.m.

2. **Hear Visitors**

No visitors spoke.

3. **Consent Agenda**

- 3.1 Consideration, discussion, and possible action to approve meeting minutes.

- April 6, 2023

- 3.2 Presentation, discussion, and possible action regarding a Final Plat for Southern Pointe Section 400 on approximately 15.51 acres of land, generally located along Southern Pointe Parkway east of the intersection of Southern Pointe Parkway and Darlington Avenue. Case #FP2022-000016

Commissioner Collins motioned to approve the Consent Agenda, Commissioner Mirza seconded the motion, the motion passed 5-0.

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

No items were removed from the Consent Agenda for discussion.

5. Regular Agenda

- 5.1 Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.2 “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from M-1 Light Industrial to GC General Commercial for approximately 5 acres of land, generally located at State Highway 6 South and Venture Drive. Case #REZ2023-000006 (Note: Final action of this item will be considered at the April 27, 2023 City Council Meeting – Subject to change).

Staff Planner Macias presented the Rezoning to the Commission recommending approval.

Chairperson Christiansen asked for clarification on the M-1 Light Industrial zoning district, asking if it is an active zoning district.

Staff Planner Macias confirmed that the M-1 Light Industrial zoning district is active.

Deven Doyen, Applicant, Schultz Engineering, was available for questions from the Commission.

Chairperson Christiansen opened the public hearing.

Harper Durden, The Meadows Subdivision, College Station, spoke in favor of the Rezoning, stating that the zoning request aligns with the future land use plan.

Chairperson Christiansen closed the public hearing.

Commissioner McIlhaney motioned to recommend approval of the Rezoning, Commissioner Collins seconded the motion, the motion passed 5-0.

- 5.2 Public Hearing, presentation, discussion, and possible action regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Business Center to Neighborhood Commercial for approximately 2.611 acres of land, generally located at 100 – 170 Graham Road. Case #CPA2022-000011 (Note: Final action of this item will be considered at the May 15, 2023 City Council Meeting – Subject to change).
- 5.3 Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.2 “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from C-3 Light Commercial to SC Suburban Commercial for approximately 1.667 acres of land at 100 Graham Road, being, Lot 4A-1, and 140 Graham Road being lot 4-B, Block 1 of the JHW Commercial Addition

Phase 2, generally located at the corner of Wellborn Road and Graham Road. Case #REZ2022-000026 (Note: Final action of this item will be considered at the May 15, 2023 City Council Meeting – Subject to change).

- 5.4 Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.2 “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from M-2 Heavy Commercial to SC Suburban Commercial for approximately 0.472 acres of land at 170 Graham Road, being, Lot 2, Block 1 of the JHW Commercial Addition, generally located at the corner of Wellborn Road and Graham Road. Case #REZ2022-000027 (Note: Final action of this item will be considered at the May 15, 2023 City Council Meeting – Subject to change).

Presentations and public hearings for agenda items #5.2, #5.3, and #5.4 were held together.

Staff Planner Schrum presented agenda items #5.2, #5.3, and #5.4 to the Commission recommending approval of all.

Commissioner Collins requested examples of allowed uses within the C-3 Light Commercial and the M-2 Heavy Industrial zoning districts versus an SC Suburban Commercial zoning district.

Staff Planner Schrum clarified that the SC Suburban Commercial zoning district allows for daycares, dry cleaners, offices, and personal service shops, the C-3 Light Commercial zoning district allows for healthcare, medical clinics, daycares, offices, commercial amusement uses, and personal service shops, while the M-2 Heavy Industrial zoning district allows for offices, bulk storage, light and heavy industrial uses, and recycling facilities.

Commissioner Collins asked if staff felt confident that an SC Suburban Commercial zoning district was an appropriate zoning district to abut the residential neighborhood.

Staff Planner Schrum confirmed staff’s recommendation of approval for an SC Suburban Commercial zoning district in this area.

Commissioner White asked for clarification on the current occupant and use of the property.

Staff Planner Schrum clarified that currently there is Prodigy Learning Center, an existing daycare facility, utilizing the property.

Commissioner Mirza asked if the City has the infrastructure to support the change.

Graduate Engineer Sitler clarified that the applicant is required to submit demand letters to be reviewed by both Planning & Development Services and the Water Department, and that both departments have determined that there is sufficient infrastructure to support this change.

Chairperson Christiansen opened the public hearing for items #5.2, #5.3, and #5.4.

No visitors spoke.

Chairperson Christiansen closed the public hearing.

Commissioner Collins motioned to recommend approval of agenda item #5.2, Commissioner Mirza seconded the motion, the motion passed 5-0.

Commissioner Collins motioned to recommend approval of agenda item #5.3, Commissioner White seconded the motion, the motion passed 5-0.

Commissioner Collins motioned to recommend approval of agenda item #5.4, Commissioner McIlhaney seconded the motion, the motion passed 5-0.

6. **Informational Agenda**

6.1 Discussion of new development applications submitted to the City.

New Development Link: www.cstx.gov/newdev

There was no discussion.

6.2 Discussion of Minor/Amending Plats approved by staff:

- Barrow Heights Subdivision, Block 1, Lot 1 ~ Case #FPCO2023-000003

There was no discussion.

6.3 Presentation, discussion, and possible action on the Wellborn District Plan Update.

Staff Planner Sing presented to the Commission the status of the small area planning process, the plan boundary that has been expanded from that of the original small area plan, and updated goals for the Wellborn District, requesting feedback and direction.

Chairperson Christiansen asked for the population of the Wellborn District Plan boundary.

Staff Planner Sing clarified that the extended boundary contains 1,500 residents, while the smaller boundary contains 400 residents.

Chairperson Christiansen asked if the working group represented the extended boundary or the limited boundary.

Staff Planner Sing stated that there is a mix of residents in the working group.

Chairperson Christiansen asked for the general logic in creating the south boundary line.

Staff Planner Sing clarified that the southern boundary line extends to the City of College Station city limits and allows the boundary to capture the schools in that area as well as including the Creek Meadows Subdivision.

Commissioner White asked for clarification on the mentioned concerns for expanding the boundaries.

Staff Planner Sing stated that general concerns included the smaller residential lot nature of the homes being captured, clarifying that residents expressed concern for smaller lots not having the rural character of the area. Ms. Sing also stated that staff is not looking to redevelop an already developed area.

Commissioner Collins asked if staff has received any feedback from the residents in favor or in opposition of the expanded boundary.

Staff Planner Sing confirmed that staff has received both positive and negative feedback.

Commissioner Collins asked how the 1,500 residents in the planning area were notified.

Staff Planner Sing explained that the residents were notified with postcards and letters, as well as other notifications pushed out by the City.

Commissioner Collins stated that feedback he has received from residents includes transparency of what stage the plan is in. Mr. Collins also asked how the information is being provided and how feedback is being collected from people that do not attend meetings.

Staff Planner Sing stated that the City has an email list, a project website, social media and blog posts, neighborhood news posts, and a survey to provide information and collect feedback from the residents.

Director Ostrowski added that there has been good media coverage on the planning process as well.

Chairperson Christiansen asked how staff will factor in growth.

Staff Planner Sing explained that staff will reevaluate zoning districts and future land use as well as collaborating with the Texas Department of Transportation (TXDOT) in planning efforts.

Chairperson Christiansen asked for the schedule of the Wellborn District Plan update.

Staff Planner Sing stated that staff will hold a working group meeting and an area-wide meeting at the end of May 2023, with additional working group meetings this summer, an open house in late summer or early fall 2023, with an anticipated fall 2023 adoption.

Chairperson Christiansen asked if a draft will be presented to the Commission.

Staff Planner Sing stated that there is not a timeline for a draft presentation, the Commission will be presented the final document when complete.

Commissioner White asked if staff is requesting direction from the Commission.

Staff Planner Sing stated that staff is looking for feedback or direction on the planning boundary, asking if the Commission is in favor of the larger boundary or if the original 2013 boundary should stay.

Commissioner Collins asked for an explanation on how this boundary would be advantageous to residents in this area and to the city as a whole.

Staff Planner Sing stated this update allows staff to view the plan holistically. Ms. Sing also clarified that the 2013 boundary stems from the area annexed in 2011, and since then, more development has occurred with more people occupying the area, and to plan appropriately and fully for this area, staff needs a complete vision of those utilizing the facilities in the area.

Commissioner Mirza asked if staff is working with a working group from the area.

Staff Planner Sing confirmed that the working group has met with staff on three occasions.

Commissioner McIlhaney asked for clarification on the missing section from the boundary map.

Staff Planner Sing stated that these are areas with non-annexation agreements with the City of College Station.

Commissioner White stated that the initial plan was in 2013, and asked if plans are updated or reviewed every ten years, or if this was coincidental.

Staff Planner Sing stated that updates on plans depend on the area. Ms. Sing stated that staff were receiving development requests in the plan area that did not fit with the community plan, so staff was directed that it was in the community's and City's best interest to reengage the community.

Chairperson Christiansen asked if this plan is expiring.

Staff Planner Sing confirmed that the plan is expiring, however, this current planning effort will extend this plan 10 years.

Administrator Halle-Schramm stated that discussion on plans stemmed from the Comprehensive Plan 10-year update discussion on areas facing development pressures and areas needing changes or further engagement efforts.

Commissioner McIlhaney asked if staff had mechanisms in place through the planning process to make sure constituency is reflected.

Staff Planner Sing confirmed that staff does have mechanisms in place.

Commissioner Collins asked for clarification that changing the boundaries does not change the plan as it is currently, but allows the new area to be included for plans for the future and for everyone to look at the larger picture.

Staff Planner Sing confirmed that this is the case.

Commissioner McIlhaney expressed her support for including as many constituents as possible.

Chairperson Christiansen asked if the residential areas in the expanded area meet the size requirements associated with a Wellborn zoning district.

Staff Planner Sing clarified that the areas are currently zoned as PDD Planned Development District.

Chairperson Christiansen asked for confirmation that if the areas were zoned a Wellborn zoning district, they could not have developed the way they have done.

Staff Planner Sing confirmed that this is the case stating that there are Wellborn specific zoning districts created with the Wellborn District Plan in 2013, but that Creek Meadows began development when it was in the extraterritorial jurisdiction, pre-2013.

Commissioner McIlhaney asked for staff's goals with the updated plan.

Staff Planner Sing continued her presentation with goals for planning efforts including community character and mobility.

Commissioner Collins expressed support for preserving the core rural character of Wellborn, however the definition of core rural character may need to be better defined.

Staff Planner Sing stated that from conversations with residents, primarily core rural character means open, undeveloped land, and commercial developments in contextually appropriate areas.

Commissioner White stated that small scale is not synonymous with slow growth and asked if residents still wanted commercial growth, just small-scale.

Staff Planner Sing confirmed small scale development was desired, in strategic locations.

Chairperson Christiansen commended staff for outreach efforts, however feedback was not received from the majority of residents.

Staff Planner Sing stated that this is the balance with community engagement, and that the public cannot be forced to participate, so staff would move forward with the feedback that was received.

Commissioner McIlhaney commented on the two goals, stating that one goal seems applicable to the smaller area, and one seems applicable to the Creek Meadows area. Ms. McIlhaney asked if staff has a breakdown of the participation in the plan by area.

Staff Planner Sing clarified that property owners were not asked to provide addresses when participating.

Director Ostrowski stated that with the mobility aspect, it was purposeful that lower density was put in that goal to recognize that this area is not going to look like an urban style mobility network but be more rural.

Commissioner McIlhaney asked how staff will increase mobility in the older section.

Director Ostrowski stated that as major corridors that are meant to move vehicular or pedestrian traffic are reconstructed, pedestrian elements will be constructed but that the goal is not stating that every street would have pedestrian elements on it because that would not be in the rural character. Mr. Ostrowski also stated that the TXDOT project will look at doing a shared-use path along FM 2154 (Wellborn Road).

Commissioner Collins voiced concerns that the current district character looks very different, asking if it is reasonable to assume that priorities will be different in the new district versus the existing district.

Staff Planner Sing stated that generally speaking, everyone is on same page about the character they want to see in Wellborn.

- 6.4 Presentation and discussion regarding the P&Z Calendar of Upcoming Meetings:
- Thursday, April 27, 2023 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
 - Thursday, May 4, 2023 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.
 - Monday, May 15, 2023 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
 - Thursday, May 18, 2023 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.

There was no discussion.

- 6.5 Presentation and discussion regarding an update on items heard:
- A Rezoning of approximately 0.24 acres of land located at 721 Dominik Drive from D Duplex to MH Middle Housing. The Planning & Zoning Commission heard this

item on March 16, 2023 and voted (7-0) to recommend approval. The City Council heard this item on April 13, 2023 and voted (6-1) to approve the request.

- A Rezoning of approximately 8 acres of land located at 2840 Barron Road from R Rural to SC Suburban Commercial. The Planning & Zoning Commission heard this item on April 6, 2023 and voted (7-0) to recommend approval. The City Council heard this item on April 13, 2023 and voted (7-0) to approve the request.

There was no discussion.

6.6 Discussion and review regarding the following meetings: Design Review Board, BioCorridor Board.

- None

There was no discussion.

7. **Discussion and possible action on future agenda items.**

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

The Commission requested a presentation from Commissioner White on the proposed new park foundation.

8. **Adjourn**

The meeting adjourned at 6:44 p.m.

Approved:

Attest:

Dennis Christiansen, Chairperson
Planning & Zoning Commission

Kristen Hejny, Board Secretary
Planning & Development Services

May 4, 2023

Item No. 5.1.

REZ2023-000007 Southwood Phase 21 Restricted Occupancy Overlay

Sponsor: Naomi Sing

Reviewed By CBC: N/A

Agenda Caption: Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.2 “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay on approximately 27.1 acres of land, being 39 lots within Southwood Phase 21, Block 3 and 4, generally located along Bee Creek Drive and Southwood Drive. Case #REZ2023-000007 (Note: Final action of this item will be considered at the May 25, 2023 City Council meeting – Subject to change).

Relationship to Strategic Goals:

Neighborhood Integrity

Recommendation(s):

Summary:

This request is to rezone approximately 27.1 acres being 39 lots within the Southwood Phase 21 subdivision from GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay. This request is to add the ROO, which is a single-family overlay zoning district, to the existing base zoning within the Southwood Phase 21 subdivision boundaries. The ROO is intended to provide subdivision-specific occupancy regulations – not to exceed two unrelated persons per single-family dwelling or accessory living quarter. The Petition Committee, comprised of Southwood Phase 21 homeowners, has met all requirements of the ROO application process. The Petition Committee submitted the application materials including the ROO petition that contained 25 total signatures. City staff were able to verify all 25 signatures, representing 64.1% of the subdivision in support of the requested ROO.

REZONING REVIEW CRITERIA

1. Whether the proposal is consistent with the Comprehensive Plan:

The subject tract is designated as Neighborhood Conservation on the Comprehensive Plan Future Land Use & Character Map. The surrounding areas to the north are designated as Natural & Open Areas in the areas where Bee Creek runs through, Parks & Greenways where Bee Creek Park is located, and Urban Residential which is developed as multi-family housing. The surrounding properties to the east and south are designated as Natural & Open Areas and are part of Bee Creek Tributary and its floodplain. The subject properties are bounded by Southwest Parkway to the west, which is an existing 4-lane minor arterial and is shown on the Comprehensive Plan’s Thoroughfare Plan.

The Comprehensive Plan discusses single-family overlay zoning districts in both *Chapter 3, Strong Neighborhoods* and *Chapter 9, Collaborative Partnerships*. The plan states that, “various single-family overlay zoning districts have been created to help mitigate the issues associated with tear-downs in established neighborhoods. These include the Neighborhood Conservation Overlay, the Restricted

Occupancy Overlay, and the Historic Preservation Overlay.” The plan goes on to state that collaboration between the City and Texas A&M University is vital to proactively address issues caused by the rapid growth of the university and the stressors and potential changes that places on nearby neighborhoods. Single-family overlay zoning is a tool that a neighborhood can choose for itself to help address and mitigate perceived, anticipated, and actual changes within an established single-family neighborhood. While the NCO Neighborhood Conservation and HP Historic Preservation Overlays address and mitigate changes to physical property characteristics, the intent of a ROO is to address and mitigate issues associated with over-occupancy. As a tool that a neighborhood can pursue for itself to address issues of over-occupancy and preserve neighborhood character, the request is aligned with the Comprehensive Plan.

2. Whether the uses permitted by the proposed zoning district will be appropriate in the context of the surrounding area:

The subject property is surrounded by GS General Suburban zoned single-family homes, except to the north which is zoned R-6 High Density Multi-Family and is currently developed with multi-family housing. The GS General Suburban zoned property located north is Bee Creek Park. The single-family uses allowed by the GS General Suburban zoning district will remain and the addition of the ROO solely restricts the number of unrelated persons per single-family dwelling or accessory living quarters to no more than two unrelated persons.

As stated in the Unified Development Ordinance (UDO):

Single-family overlay districts create an additional zoning district that is superimposed over the underlying zoning district. Single-family overlay districts are intended to provide additional standards for College Station neighborhoods. These standards promote residential development patterns and are intended to protect and enhance desirable neighborhood characteristics, livability, and harmonious, orderly, and efficient growth and development. The underlying zoning district establishes the permitted uses and standards and shall remain in effect. The requirements of the overlay district are to be applied in addition to the underlying zoning district standards.

The ROO overlay standard is as follows:

Occupancy of either, a detached single-family dwelling or accessory living quarter, shall not exceed two unrelated persons per single-family dwelling or accessory living quarter. Related persons are specified in Section 11.2 ‘Defined Terms’ in the definition of ‘Family.’ Accessory living quarter requirements are further specified in Section 6.5 ‘Accessory Uses’ within the standards for ‘Living Quarters.’

UDO sections 3.3 Zoning Map Amendment (Rezoning), 4.1 Establishment of Districts, and 5.11 Single-Family Overlay Districts detail the application process and regulations for single-family overlay districts and the ROO Process Handbook serves as a policy guide for residents. The process requires that a subdivision interested in pursuing a ROO form a Petition Committee. That committee is tasked with leading the effort, organizing their neighbors, hosting a neighborhood-led meeting and notifying all neighbors of the meeting via certified mail, collecting the petition signatures, and submitting the completed application and all required materials.

The Southwood Phase 21 Petition Committee was comprised of four members: Ruth Barbee, Harold Boas, Susan Hartman, and Sherron McKenzie. The Petition Committee hosted their neighborhood meeting on March 7, 2023, discussed pursuing the ROO for their subdivision, answered questions from their neighbors, and collected petition signatures. There were 20 attendees at the meeting, 19

were property owners and one was representing property owners who were not able to attend the meeting. City staff was present as well. Some property owners signed the petition at the meeting.

The Petition Committee finished collecting petition signatures and submitted their ROO application in March 2023. City staff verified that the application was complete, and all requirements were met. The submitted ROO Petition contained 25 total signatures, representing 64.1% of the subdivision in support of the requested ROO. City staff were able to verify all signatures on the petition.

Staff held a required City-hosted neighborhood meeting for the Southwood Phase 21 ROO request on April 19, 2023. There were fifteen residents in attendance, eight from Southwood Phase 21 who signed the petition in support of the ROO, four participating remotely on Zoom, and three from the surrounding properties who were interested in learning about the ROO application and whether it applied to their properties, which it does not.

3. Whether the property to be rezoned is physically suitable for the proposed zoning district:

The ROO zoning does not affect any of the physical characteristics of the underlying GS General Suburban zoning district. The existing subdivision meets the dimensional standards for GS General Suburban zoned properties as set forth in the UDO and is already developed as a single-family residential subdivision.

4. Whether there is available water, wastewater, stormwater, and transportation facilities generally suitable and adequate for uses permitted by the proposed zoning district:

The existing water, wastewater, stormwater, and transportation infrastructure is adequate to support the needs of this existing development. No additional development and subsequent impacts are anticipated from the addition of the ROO zoning designation.

5. The marketability of the property:

The single-family uses allowed by the GS General Suburban zoning district will remain and are marketable as single-family residential homes. The ROO only restricts the number of unrelated persons per single-family dwelling or accessory living quarters to no more than two unrelated persons.

Budget & Financial Summary: N/A

Attachments:

1. Vicinity, Aerial, and Small Area Map
2. Background Information
3. Rezoning Map
4. Future Land Use Map
5. Original Subdivision Plat
6. Applicant's Supporting Information
7. Petition Committee Members
8. Neighborhood Meeting Materials
9. Petition Signatures

VICINITY MAP

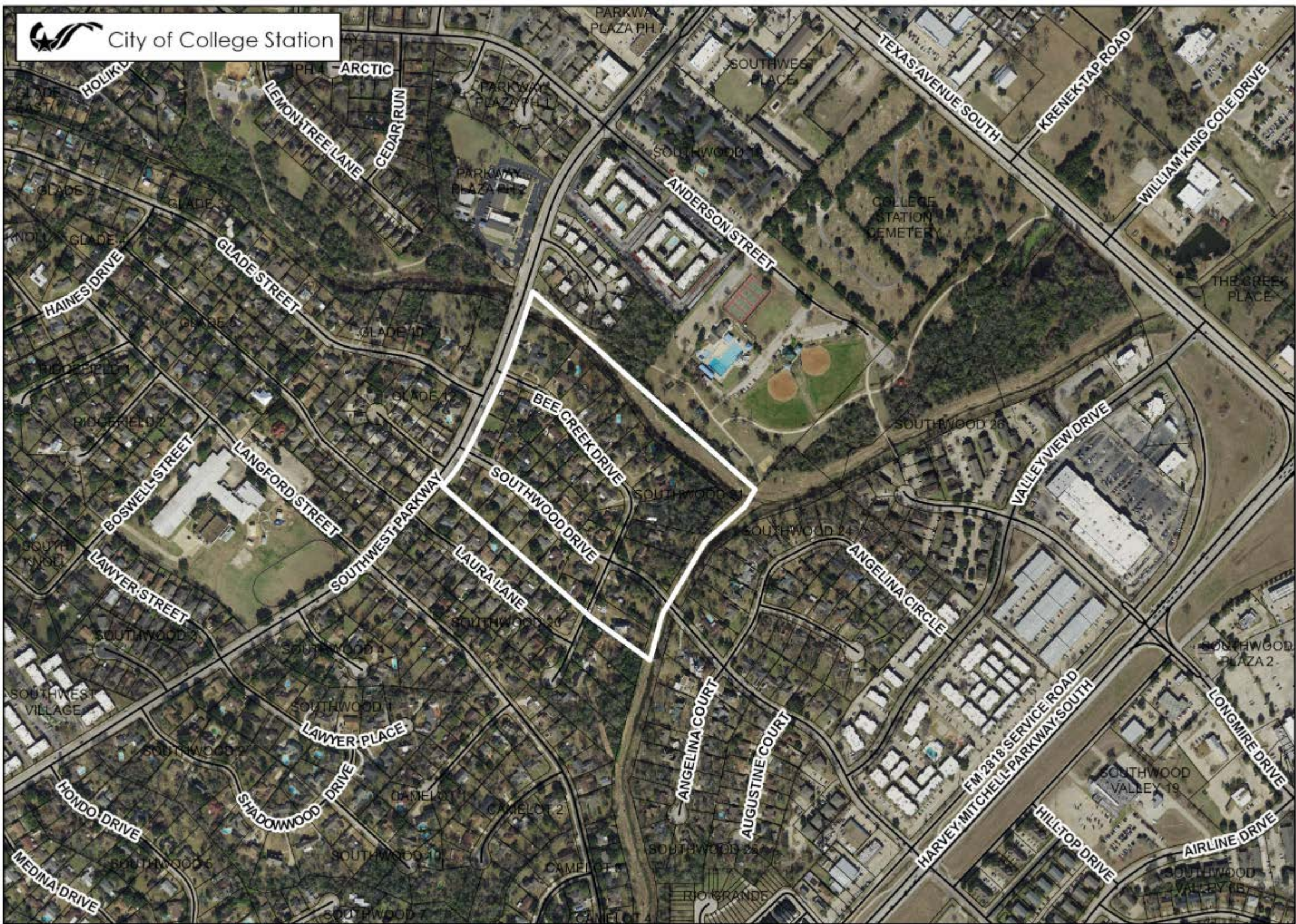
RESTRICTED OCCUPANCY OVERLAY
REZ2023-000007

Legend

- City Limits
- 5 mile Extra Territorial Jurisdiction

0 1.25 2.5 Miles



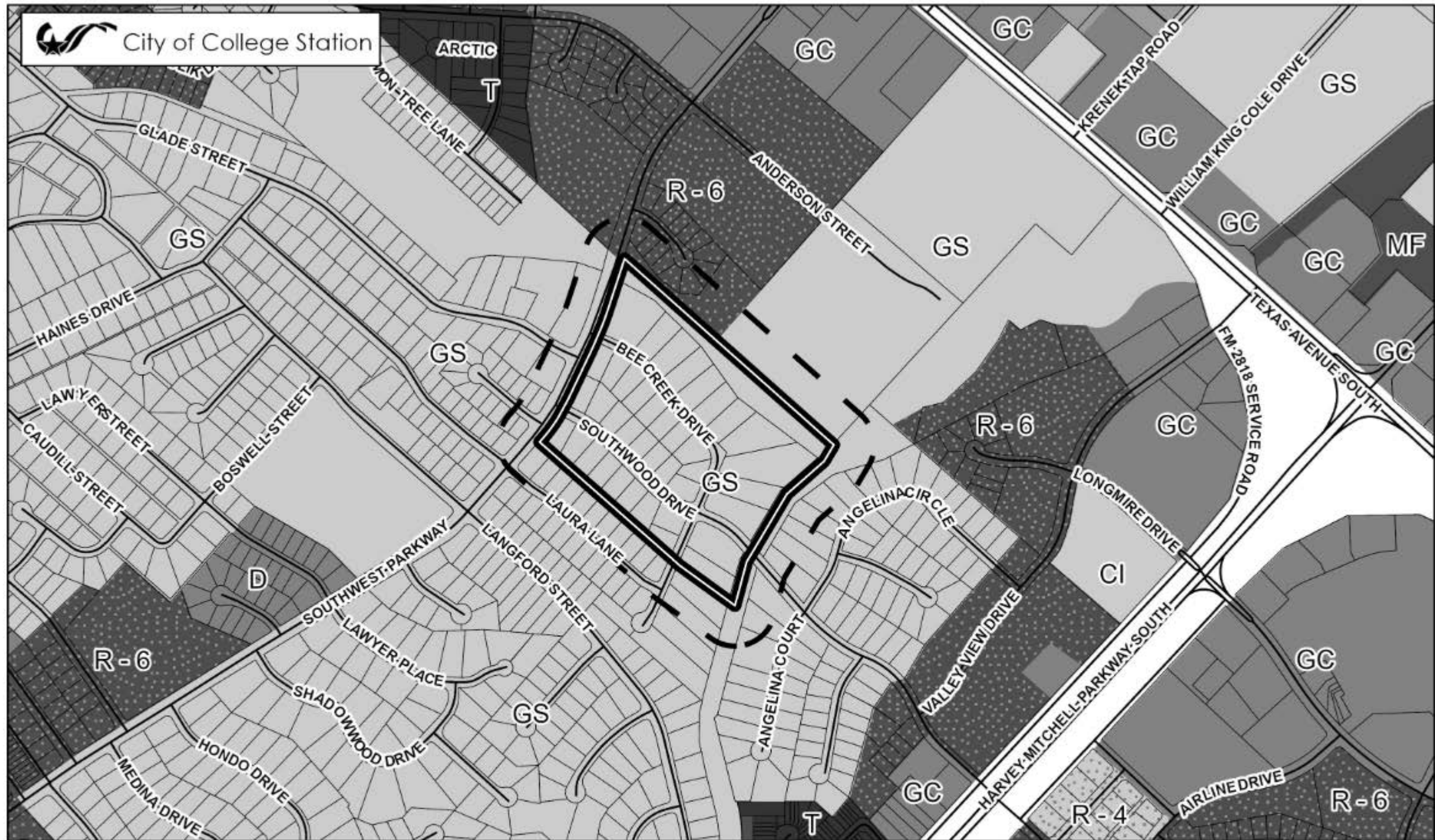


0 500 1,000 Feet

RESTRICTED OCCUPANCY OVERLAY

Case:
REZ2023-000007

REZONING



ZONING DISTRICTS (In Grayscale)

Residential		MH	Middle Housing
R	Rural	MF	Multi-Family
WE	Wellborn Estate	MU	Mixed-Use
E	Estate	MHP	Manufactured Home Pk.
WRS	Wellborn Restricted Suburban		
RS	Restricted Suburban		
GS	General Suburban		
D	Duplex		
T	Townhome		

Non-Residential

NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts

P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts

WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts

OV	Corridor Ovr.
RDD	Redevelopment District
ROO	Restricted Occupancy 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
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



0 500 1,000
Feet

RESTRICTED OCCUPANCY OVERLAY

Case:
REZ2023-000007

REZONING

BACKGROUND INFORMATION

NOTIFICATIONS

Advertised Commission Hearing Date: May 4, 2023
Advertised Council Hearing Date: May 25, 2023

Property owner notices mailed: 79

Contacts in support: None at the time of this report
Contacts in opposition: None at the time of this report
Inquiry contacts: Three at the time of this report

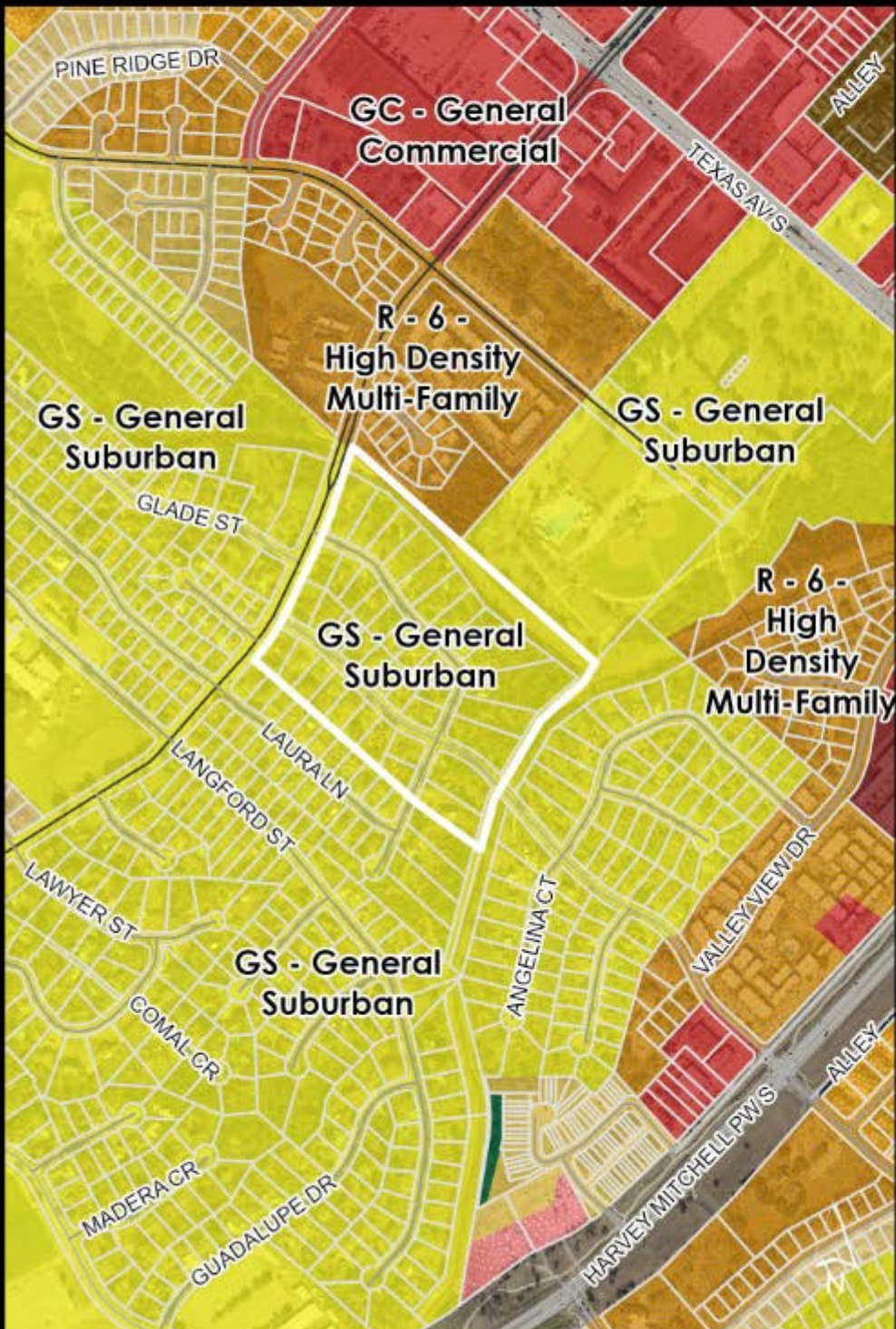
ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural & Open Areas; Parks & Greenways; Urban Residential	GS General Suburban; R-6 High Density Multi-Family	Bee Creek Park; Residential
South	Neighborhood Conservation; Natural & Open Areas	GS General Suburban	Residential
East	Neighborhood Conservation; Natural & Open Areas	GS General Suburban	Residential
West	Right-of-Way 4-Lane Minor Arterial	n/a	Southwest Parkway 4-Lane Minor Arterial

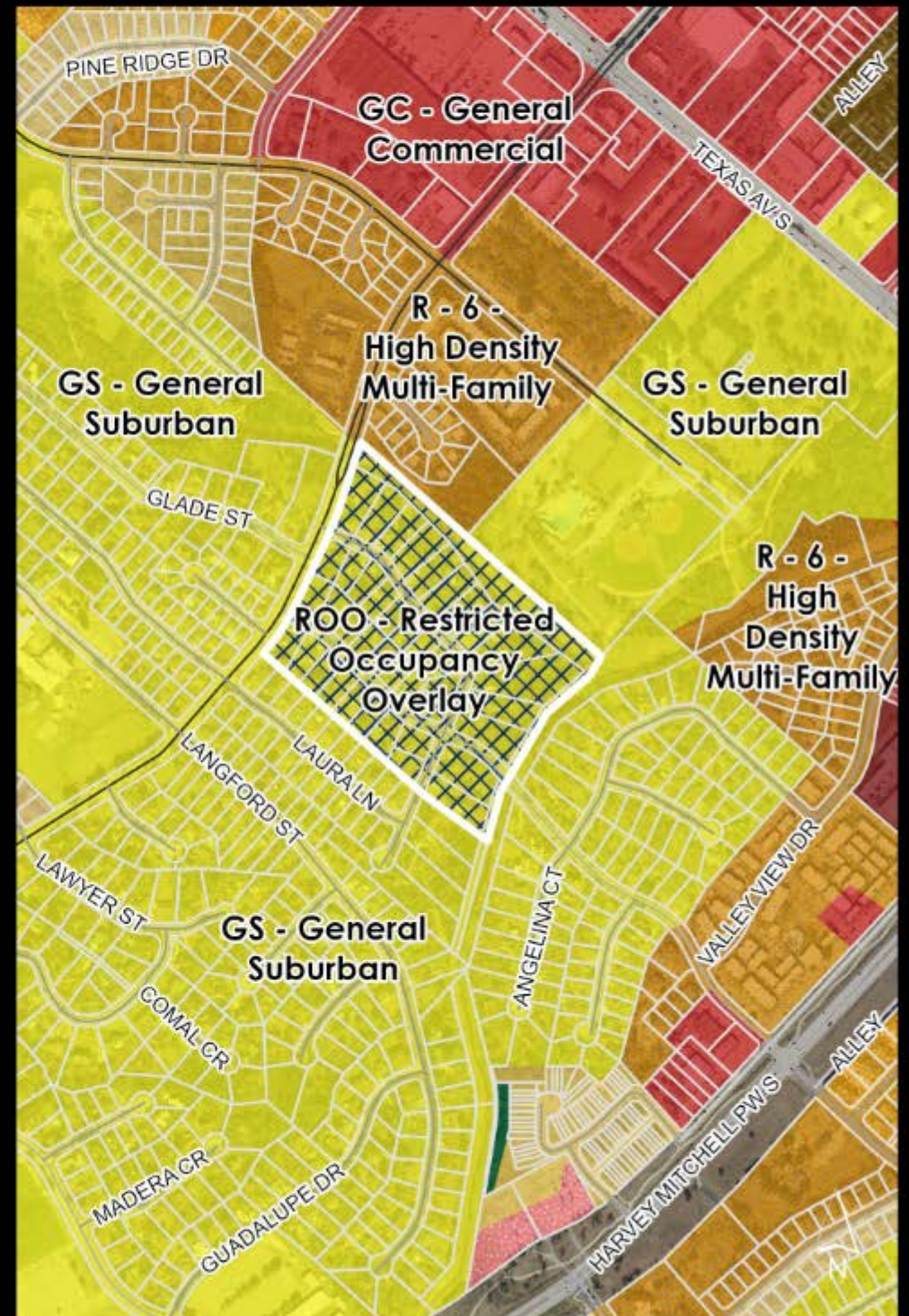
DEVELOPMENT HISTORY

Incorporated: January 1968 and May 1969
Zoning: R-1 Single-Family Residential
R-1 Single-Family Residential renamed to GS General Suburban (2013)
Final Plat: Southwood Phase 21 (1971), amended by The Glade
Site Development: Single-Family Residential

EXISTING Zoning

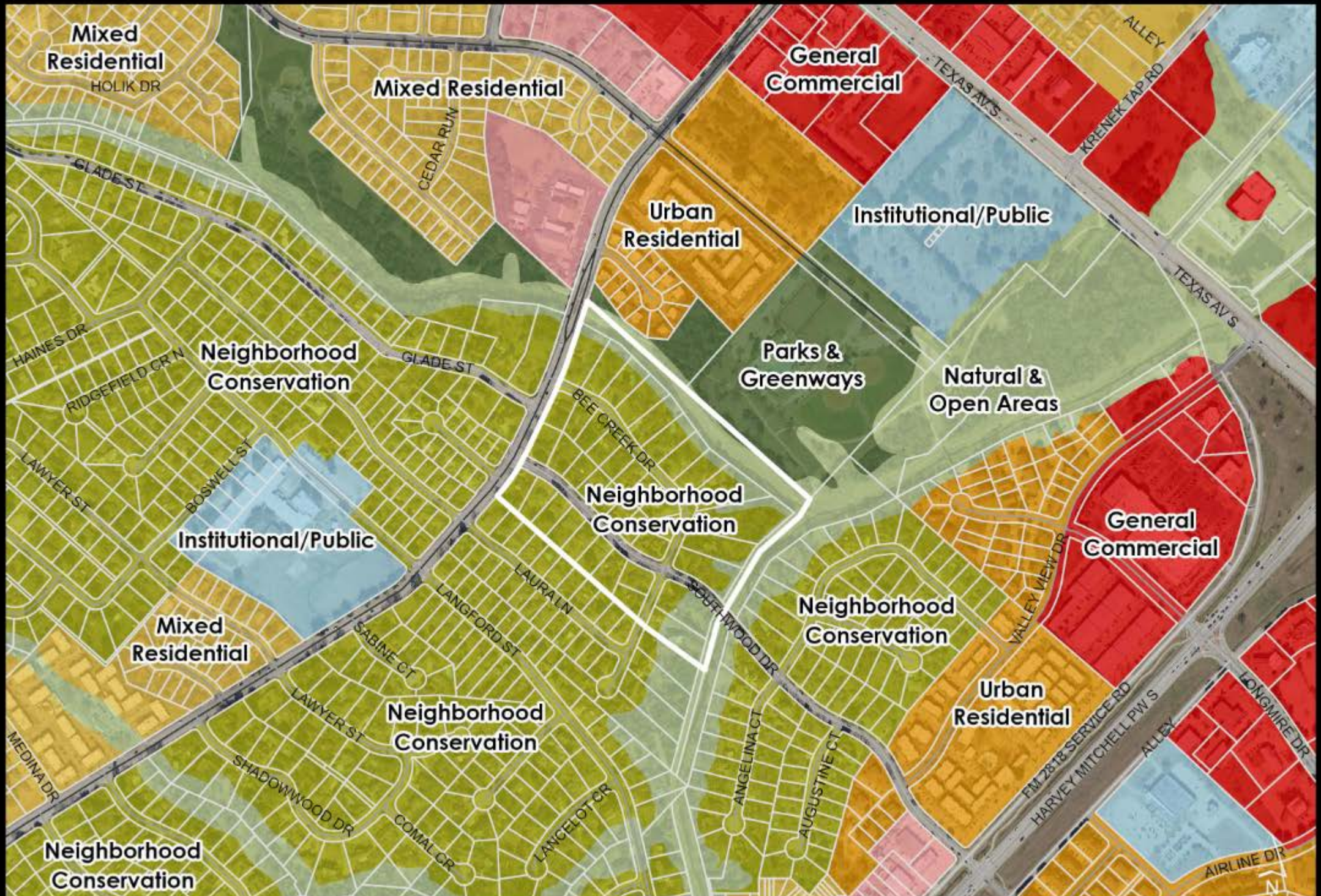


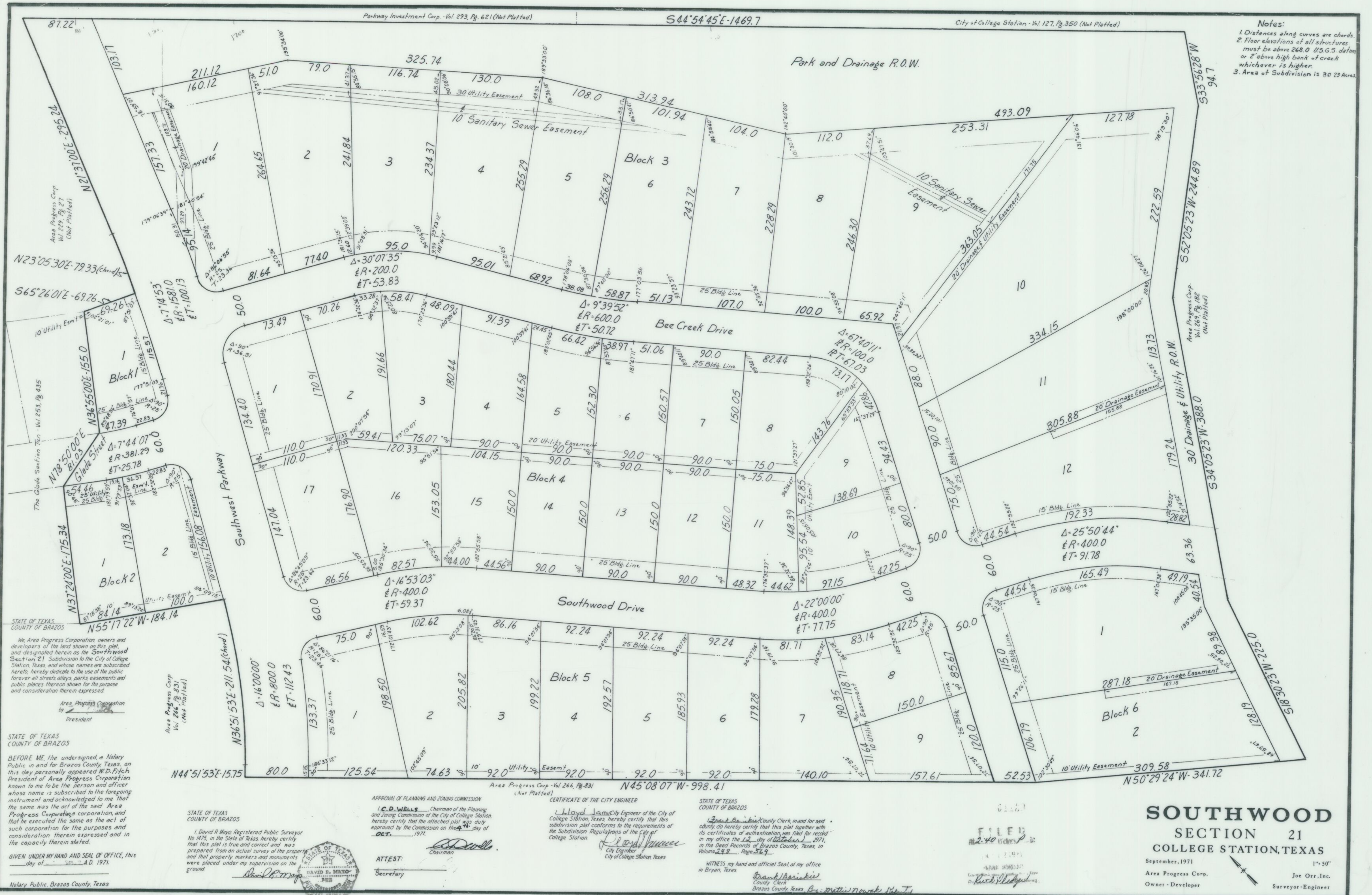
PROPOSED Zoning

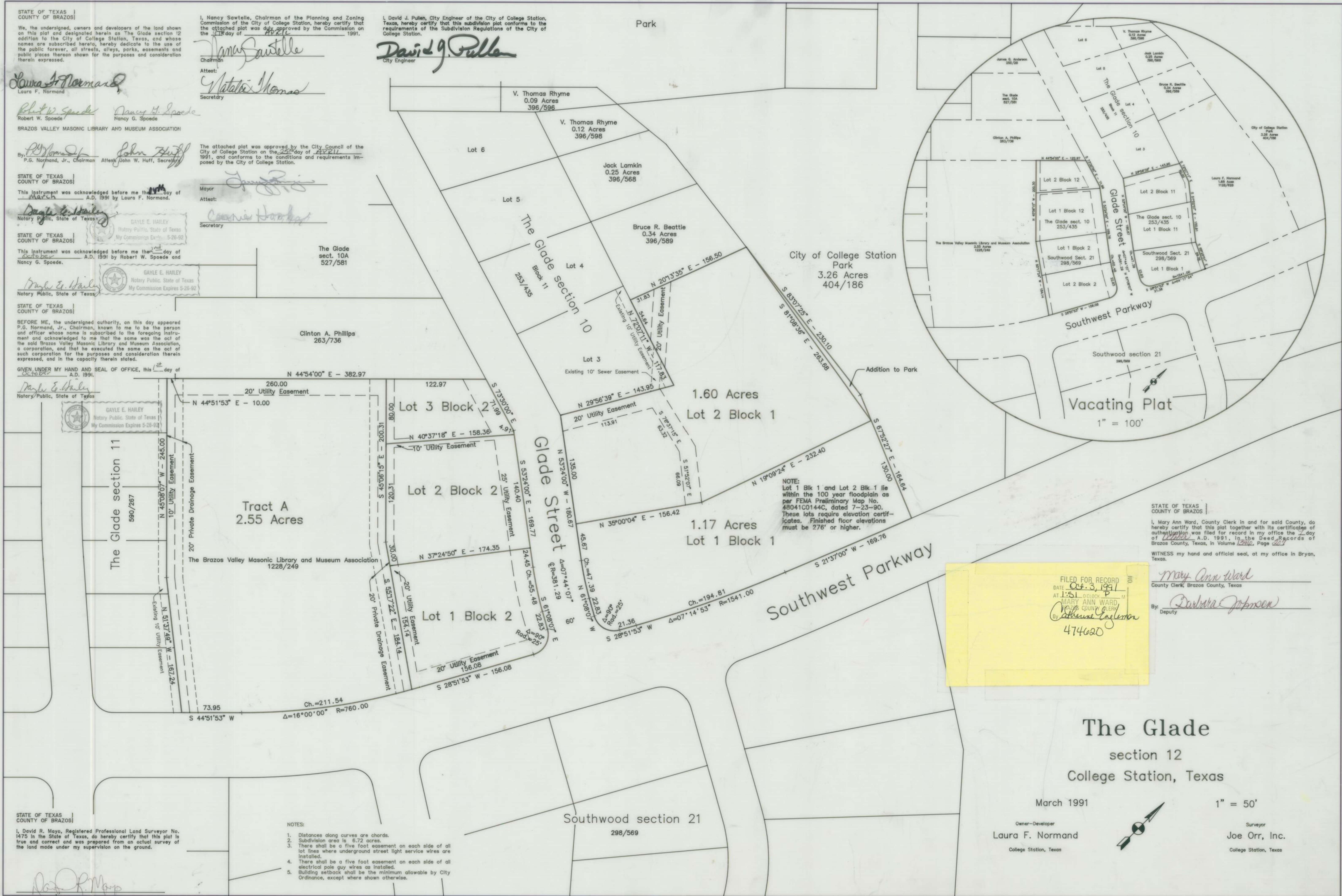


EXISTING

Future Land Use









REZONING APPLICATION SUPPORTING INFORMATION

Name of Project: RESTRICTED OCCUPANCY OVERLAY

Address: 1801 BEE CREEK DR

Legal Description: SOUTHWOOD PH 21, BLOCK 3, LOT 1 & 2

Total Acreage: 0

Applicant:: SHERRON MCKENZIE

Property Owner: MCKENZIE SHERRON KATHRYN (LIFE

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

We are submitting this petition because for many decades we have been a family-oriented neighborhood with most families having lived here for many, many years. Our neighborhood is zoned for single-family homes, but we are starting to see that investors are beginning to turn single-family homes near us into “mini-dorms.” We would like to preserve our area and keep it as a place where families and professionals associated with Texas A&M can live in a quiet, well-maintained neighborhood near the University.

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

SFOD and Neighborhood Conservation land use

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

SFOD

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

SFOD

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

SFOD

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

SFOD

List any other reasons to support this zone change.

65% of neighbors signed a petition in favor of ROO

**NEIGHBORHOOD PROPERTY OWNERS/PETITION COMMITTEE MEMBERS
CONTACT INFORMATION**

Ruth Barbee, Treasurer
1809 Bee Creek Dr.
College Station, TX 77840
211221bambi@suddenlink.net
979.739.8835 (cell)

Harold Boas, Chair
1812 Bee Creek Dr.
College Station, TX 77840
hpboas@gmail.com
936.245.0442 (cell)

Susan (Sue) Hartman, Secretary
1810 Bee Creek Dr.
College Station, TX 77840
roy.hartman@gmail.com
979.220.3725 (cell)

Sherron (Sherry) McKenzie, Chair & eTrakit registered
1801 Bee Creek Dr.
College Station, TX 77840
sherronmckenzie@verizon.net
214.415.9349 (cell)

ROO NEIGHBORHOOD MEETING ONE MINUTES

Subdivision Name: Southwood 21

Date: March 7, 2023

Meeting: Larry J. Ringer Library, Tuesday, March 7, 2023 6:00 P.M. - 7:30 P.M.

Present: *Southwood Phase 21 ROO Petition committee members:

Chair Sherry McKenzie, Chair Harold Boas, Secretary Sue Hartman,
Treasurer Ruth Barbee.

*College Station City Council staff: Alyssa Halle-Schramm, Naomi Sing.

*19 homeowners from Southwood Phase 21. See sign-in sheet.

*1 realtor and his young son. See sign-in sheet.

Purpose: To inform the residents of Southwood 21 about the ROO application and to answer questions regarding the process.

The Petition Committee arrived early at 4:45 P.M. to set up the room.

Attendance sign-in sheet, email contact list, name tags and donation receptacle at the welcome table.

Petition sheets and 2 Petition committee members at the Petition sign-in table.

Speaker table for Alyssa, Naomi and Petition Committee Presenter, Sherry.

Handout table for handbooks, plat, and assorted ROO Handbook pages.

Sherry McKenzie, Presenter, opened the meeting at 6:00 P.M., welcomed the residents, introduced the Petition Committee members and the City of College Station staff.

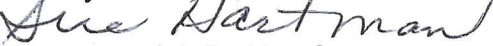
Sherry began by giving an overview of the last 2 months of ROO Committee work. She answered the questions: Why do we need a ROO? What are the requirements for submitting the ROO application?

She then turned the meeting over to the residents for question and answer time. She explained that Alyssa was there to field questions from the group. Some of the questions:

1. How long will the ROO be in place?
2. How is ROO enforced? Alyssa detailed the process for the Code Enforcement and the City Legal Teams.
3. Is there a loss of value to home if sign the petition? No data to support this allegation.
4. City definition of "family and legacy clause" discussed.
5. HOA and ROO: How do they differ?
6. What is the role of apartment associations?
7. What is the % of rentals of our 39 homes?
8. Much discussion centered on the rental registry loophole in the ROO. We had one attendee, a real estate broker (representing the owners of two rental properties), who had called many of the owners of rentals in our Southwood 21 subdivision.
9. Several long-time residents expressed strong support for ROO, stating that they valued the family orientation of the neighborhood, the lasting friendships that have developed among neighbors, and the culture of neighbors helping neighbors. One homeowner commented that family-oriented neighborhoods have the advantage of stability, safety and quietness; moreover, family-occupied properties tend to be more attractive and better maintained.

As no-one had any additional questions or comments, the meeting adjourned at 7:25 P.M.

Respectfully submitted,


Sue Hartman, ROO Petition Secretary

Attest: Print: Sherron McKenzie, chair Sign: Sherron McKenzie, chair
Neighborhood Petition Committee member

Required Sign-In Sheet

RESTRICTED OCCUPANCY OVERLAY MEETING SIGN-IN

DATE 3/7/2023
MEETING # 1

NAME	ADDRESS	EMAIL/PHONE	SIGNATURE
1. Sherron McKenzie	1801 Bee Creek Dr	Sherron McKenzie@Verizon.net	Sherron McKenzie
2. Sue Hartman	1810 Bee Creek Dr	roy.hartman@gmail.com	Sue Hartman
3. Ruth E. Barbee	1809 Bee Creek Dr.	979-696-2983	Ruth Barbee
4. Heidi Marie Boas	1812 Bee Creek Dr. 9/5	979-693-1464	H - Boas
5. Harold Boas	1812 Bee Creek Dr	hpboas@gmail.com	Harold Boas
6. Betty Warhol	1808 Southwood D	979-693-3287	Betty Warhol
7. Fred Warhol	1808 Southwood Dr.	979-324-4478	Fred Warhol
8. Adam Farmer	1818 Bee Creek	979-703-7537	Adam Farmer
9. Benita Williams	1800 Bee Creek Dr	979-219-4986	Benita A. Williams
10. Sally Coble	1805 Bee Creek	979-229-8467	Sally S. Coble
11. Josh Jenkins	1801 Southwood	979-575-7559	Josh Jenkins
12. David Williams	1800 Bee Creek	979-574-9279	David Williams
13. Debbie Walker	1813 Bee Creek	979-220-8709	Debbie Walker
14. Roger Walker	" "	979-324-5948	Roger Walker
15. Bonnie Andersson	1804 Bee Creek	979-693-8595	Bonnie Andersson
16. Harry A. Jensen	" "	" "	Harry A. Jensen
17. Angela P. Hudson	1815 Bee Creek Dr.	678-577-2986	Angela P. Hudson
18. Troy A. Hartman	1810 Bee Creek	979-693-2998	Troy Hartman
19. Carolyn West	1808 Bee Creek Dr.	979-218-3256	Carolyn West
20. Andrea Harvey	1805 Southwood Dr	979-450-6413	Andrea Harvey
21.			
22.			
23.			
24.			
25. Naomi Sang	1101 Texas Ave	nsing@cctx.gov	Naomi Sang
26. Alyssa Hale-Schramm	1101 Texas Ave. (City Hall)	aschramm@cctx.gov	Alyssa Hale-Schramm

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MAR 22 2023

Restricted Occupancy Overlay Petition

By signing below, I agree that the Restricted Occupancy Overlay (ROO) ordinance will limit occupancy to no more than two unrelated persons in a detached single-family dwelling or in an accessory living quarters in (insert subdivision name). I understand that related persons are related by blood, adoption, guardianship, marriage, are an authorized caretaker, or members of a group home for disabled persons, as defined in UDO Section 11.2 Defined Terms in the definition of "Family." I understand that at least 50% + 1 of the total number of single-family zoned or developed building plots in the original subdivision are required to submit the ROO application for consideration. I understand that submitting an application does not guarantee ROO approval.

DATE 3/22/2023
 FULL LEGAL
 SUBDIVISION NAME: SOUTHWOOD PH 21

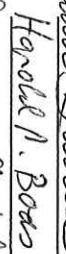
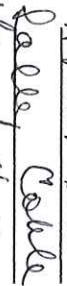
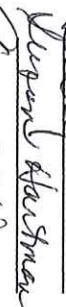
ADDRESS	LEGAL DESCRIPTION	PROPERTY OWNER NAME	SIGNATURE	DATE
1. 1803 Southwood dr	Southwood PH 21, Block 4, Lot 10	Kendra Gilt		03/05/23
2. 1805 Southwood Dr.	Southwood PH 21, Block 4, Lot 15	Samuel Eugene Harvey		3/05/2023
3. 1808 Southwood Dr	Southwood PH 21, Block 5, Lot 5	FRED WARRICK JR		3/05/2023
4. 1813 Southwood Dr	Southwood PH 21, Block 4, Lot 11	SHAWN H REED		3/05/2023
5. 1903 Bee Creek Dr.	Southwood PH 21, Block 6, Lot 2	Jacob Fennell		3/05/23
6. 1901 Bee Creek Dr.	Southwood PH 21, Block 6, Lot 1	Udale SELL		3/05/23
7. 1817 Bee Creek Dr	Southwood PH 21, Block 3, Lot 9	Kimberly Wright		3/5/23
8. 1815 Bee Creek Dr.	Southwood PH 21, Block 3, Lot 8	Angelabudson		3/5/23
9. 1800 Bee Creek Dr	Southwood PH 21, Block 4, Lot 1	Freida Williams		3/5/23
10. 1804 Bee Creek Dr.	Southwood PH 21, Block 4, Lot 3	Bonnie Anderson		3-5-23
11. 1823 Bee Creek Dr.	Southwood PH 21, Block 3, Lot 12	Lana Greenhouse		3-5-2023
12. 1807 Bee Creek Dr	Southwood PH 21, Block 3, Lot 4	WALTER KENNEDY		3-5-2023
13. 1811 Bee Creek Dr	Southwood PH 21, Block 3, Lot 6	Solomon, Mary T (Estate)		3-5-2023
14. 1801 Bee Creek Dr	Southwood PH 21, Block 3, Lot 12	Sherron K. McKenzie (Estate)		3-7-2023
15. 1819 Bee Creek Drive	Southwood PH 21, Block 3, Lot 10	GRAN BYRON YOUNG JR		3/8/2023
16. 1811 Southwood Dr	Southwood PH 21, Block 4, Lot 13	Wisk J McCLendon Trust		3/8/2023
17. 1802 Bee Creek Drive	Southwood PH 21, Block 4, Lot 2	Ronald G Duclenorth		3/8/2023
18. 1800 Southwood Dr.	Southwood PH 21, Block 5, Lot 1	Christophers Carson		3-8-23

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Restricted Occupancy Overlay Petition

By signing below, I agree that the Restricted Occupancy Overlay (ROO) ordinance will limit occupancy to no more than two unrelated persons in a detached single-family dwelling or in an accessory living quarters in (insert subdivision name). I understand that related persons are related by blood, adoption, guardianship, marriage, are an authorized caretaker, or members of a group home for disabled persons, as defined in UDO Section 11.2. Defined Terms in the definition of "Family." I understand that at least 50% + 1 of the total number of single-family zoned or developed building plots in the original subdivision are required to submit the ROO application for consideration. I understand that submitting an application does not guarantee ROO approval.

DATE 3/22/2023
FULL LEGAL
SUBDIVISION NAME: SOUTHWOOD Pk 21

ADDRESS	LEGAL DESCRIPTION	PROPERTY OWNER NAME	SIGNATURE	DATE
1. 1813 Bee Creek Dr	Southwood PH 21 Block 3 Lot 7	Deborah St. Walker		3-7-23
2. 1809 Bee Creek Dr	Southwood PH 21 Block 3 Lot 5	Ruth E. Barbee		3-7-23
3. 1812 Bee Creek Dr	Southwood PH 21 Block 4 Lot 7	Harold P. Boas		3-7-23
4. 1805 Bee Creek Dr	Southwood PH 21 Block 3 Lot 3	Charles & Sally Coble		3/7/23
5. 1810 Bee Creek Dr	Southwood PH 21 Block 4 Lot 6	Susan Hawthorn		3/7/23
6. 1808 Bee Creek Dr	Southwood PH 21 Block 4 Lot 5	Carol Ann Kuy West		3-7-23
7. 1806 Bee Creek Dr	Southwood PH 21 Block 4 Lot 3	Myra Lutz		3-13-23
8. _____	_____	_____	_____	_____
9. _____	_____	_____	_____	_____
10. _____	_____	_____	_____	_____
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15. _____	_____	_____	_____	_____
16. _____	_____	_____	_____	_____
17. _____	_____	_____	_____	_____
18. _____	_____	_____	_____	_____