

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

**Planning & Zoning
Commission**
September 19, 2013
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

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



AGENDA
PLANNING & ZONING COMMISSION
WORKSHOP MEETING
SEPTEMBER 19, 2013, AT 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
1101 TEXAS AVENUE
COLLEGE STATION, TEXAS

1. Call the meeting to order.
2. Discussion of consent and regular agenda items.
3. Discussion of Minor and Amending Plats approved by Staff.
 - Final Pat ~ Minor ~ McGill Subdivison ~ 1 Lot ~ 7713 Appomattox **Case # 13-00900120 (M.Hester)**
4. Discussion of new development applications submitted to the City. [[New Development List](#)]
5. Presentation, possible action, and discussion regarding the status of items within the 2013 P&Z Plan of Work (see attached). (**J.Schubert**)
6. Presentation and discussion regarding the categorization and definition of commercial uses. (**M.Robinson**)
7. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.
 - Thursday, September 26, 2013 ~ City Council Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m. (**Liaison – Warner**)
 - Thursday, October 17, 2013 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
8. Discussion, review and possible action regarding the following meetings: Design Review Board, Joint Parks / Planning & Zoning Subcommittee, South Knoll Area Neighborhood Plan Resource Team, BioCorridor Board, and Zoning District Subcommittee.
9. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
10. Adjourn.



AGENDA
PLANNING & ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 19, 2013, AT 7:00 P.M.
CITY HALL COUNCIL CHAMBERS
1101 TEXAS AVENUE
COLLEGE STATION, TEXAS

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

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

4. **Consent Agenda**
 - 4.1 Consideration, possible action, and discussion to approve Meeting Minutes.
 - September 5, 2013 ~ Workshop
 - September 5, 2013 ~ Regular
 - 4.2 Presentation, possible action, and discussion on a Final Plat for Castlegate II Section 203 consisting of 32 single-family residential lots on approximately 10.5 acres generally located west of the Castlegate Subdivision along Etonbury Avenue. **Case #13-00900163 (M. Robinson)**
 - 4.3 Presentation, possible action, and discussion on a Final Plat for Barracks II Phase 102 consisting of 27 single-family residential lots on approximately 3.8 acres generally located north of the Buena Vida Subdivision along Capps Drive. **Case #12-00900258 (M. Robinson)**

- 4.4 Presentation, possible action, and discussion on a Final Plat for Barracks II Phase 200 consisting of 28 single-family residential lots on approximately 6 acres generally located east of Holleman Drive South along Deacon Drive West. **Case #13-00900073 (M. Robinson)**
- 4.5 Presentation, possible action, and discussion on a Preliminary Plat for Indian Lakes Phase 18 consisting of four residential lots on approximately 17.93 acres generally located south of Anasazi Bluff Drive in the Indian Lakes Subdivision, approximately one mile southwest of State Highway 6 in the City's Extraterritorial Jurisdiction. **Case #13-00900131 (M. Hester)**
- 4.6 Presentation, possible action, and discussion on a Final Plat for Indian Lakes Phase 16 consisting of eight residential lots on approximately 23.3 acres generally located east of Mesa Verde Drive in the Indian Lakes Subdivision, approximately one mile southwest of State Highway 6 in the City's Extraterritorial Jurisdiction. **Case #13-00900124 (M. Hester)**
- 4.7 Presentation, possible action, and discussion on a Final Plat for Great Oaks Phase 13 consisting of five residential lots on approximately 9.2 acres generally located west of Arboleda Drive in the Great Oaks Subdivision. **Case #13-00900174 (M. Hester)**
- 4.8 Presentation, possible action, and discussion on a Final Plat for University Heights Phase 2 & 3 consisting of 66 residential lots on approximately 12.525 acres generally located west of Holleman Drive South in the University Heights Subdivision. **Case #13-00900101 (J. Paz)**

Regular Agenda

5. Consideration, possible action, and discussion on items removed from the Consent Agenda by Commission action.
6. Presentation, possible action, and discussion regarding a waiver request to Section 8.2.K "Sidewalks" of the Unified Development Ordinance, and public hearing, presentation, possible action, and discussion on a Final Plat for Woodland Acres Lots 1R and 2R, being a replat of Woodland Acres Lot 1A and a portion of Lot 2, consisting of two lots on approximately 4.5 acres located at 703 Francis Drive. **Case #13-00900170 (M. Robinson)**
7. Public hearing, presentation, possible action, and discussion on a Final Plat for Greens Prairie Center Phase 2A Lots 1R-14R and Common Area 1-4, Block 5, being a replat of Greens Prairie Center Phase 2A Lot 1, Block 5 consisting of 14 lots on approximately 28 acres located at 1501 Arrington Road. **Case #13-00900071 (M. Robinson)**
8. Presentation, possible action, and discussion regarding waiver requests to Section 8.2.G.2 "Blocks" of the Unified Development Ordinance, and presentation, possible action, and discussion on a Preliminary Plan for Caprock Crossing Phase 5 consisting of one commercial lot on approximately 2.8 acres located at 1780 Greens Prairie Road West. **Case #13-00900157 (M. Robinson)**
9. Presentation, possible action, and discussion on an Impact Fee Update Report for Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02. **(C. Cotter)**

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

2013 Planning & Zoning Commission Plan of Work

Comprehensive Plan Implementation

Implementation of Adopted Plans	
<p>Summary:</p> <p>Implementation of adopted master plans and neighborhood, district, and corridor plans, namely: Central College Station, Eastgate, and Southside Area neighborhood plans, and Bicycle, Pedestrian, and Greenways, Parks and Recreation, Water, Waste Water, and Medical District master plans.</p>	<p>Project Dates:</p> <p>2/14/13: Council discussion regarding board compositions for Medical District MMD #1 & #2.</p> <p>6/20/2013: Discussion regarding CIP development process at P&Z Regular meeting.</p> <p>7/18/13: Recommendation for FY14 CIP proposal at P&Z Regular meeting.</p>
Staff Assigned: P&DS Staff	Anticipated Completion: On-going

Wellborn Community Plan	
<p>Summary:</p> <p>Development of a district plan for the recently annexed Wellborn area that contains elements of a rural historic community with a unique character that residents of the area desire to retain.</p>	<p>Project Dates:</p> <p>4/1/13: Bicycle, Pedestrian, and Greenways Advisory Board recommended approval of the Plan.</p> <p>4/4/13: P&Z recommended approval of proposed plan.</p> <p>4/25/13: Council adopted plan.</p>
Staff Assigned: M. Robinson	Completed: April 2013

Economic Development Master Plan	
<p>Summary:</p> <p>Development of a Master Plan to provide consistent direction on how the City will help ensure its economic health for years to come while providing a positive business development environment.</p>	<p>Project Dates:</p> <p>2/7/13: Master Plan update at P&Z Workshop.</p> <p>7/18/13: P&Z Workshop on draft Master Plan.</p> <p>9/5/13: P&Z recommended approval of plan.</p> <p>9/12/13: Council consideration of plan adoption.</p>
Staff Assigned: R. Heye	Anticipated Completion: Summer 2013

South Knoll Area Neighborhood Plan	
<p>Summary:</p> <p>Development of a neighborhood plan for a number of unique neighborhood areas. The plan area is generally bounded by Holleman Drive, Welsh Avenue, Wellborn Road, Harvey Mitchell Parkway, and Texas Avenue.</p>	<p>Project Dates:</p> <p>5/21/13: Neighborhood Resource Team meeting.</p> <p>7/9/13: Plan Open House in Council Chambers.</p> <p>7/16/13: Neighborhood Resource Team meeting in Council Chambers at 6:30pm.</p> <p>8/1/13: Delivery of draft plan at P&Z Workshop.</p> <p>8/5/13: Bicycle, Pedestrian, and Greenways Advisory Board recommendation on proposed plan.</p> <p>8/15/13: P&Z recommended approval of plan with some conditions.</p> <p>9/26/13: Council consideration of plan adoption.</p>
Staff Assigned: J. Prochazka, M. Hester	Anticipated Completion: Summer 2013

Neighborhood Parking	
<p>Summary:</p> <p>Analyze neighborhood parking issues by engaging stakeholders and working in a Joint Task Force Subcommittee with Council. Implement recommended solutions.</p>	<p>Project Dates:</p> <p>2/21/13: Task Force Final Report presented to P&Z. 2/28/13: Task Force Final Report presented to Council. 7/9/13-8/5/13: Stakeholder comment period. 9/5/13: P&Z recommended approval of ordinance. 9/12/13: Council consideration of proposed ordinance.</p>
Staff Assigned: B. Cowell, T. Rogers	Anticipated Completion: Summer 2013

Residential Zoning Districts	
<p>Summary:</p> <p>Create and adopt new residential zoning districts to implement the future land use and character designations identified in the Comprehensive Plan.</p>	<p>Project Dates:</p> <p>4/9/13: Public meeting regarding single family and duplex zoning concepts. 4/19/13: P&Z Subcommittee meeting. 5/31/13: P&Z Subcommittee meeting. 6/7/13-7/7/13: Stakeholder comment period for draft zoning ordinance changes. 9/5/13: P&Z recommended approval of ordinance. 9/12/13: Council consideration of proposed ordinance.</p>
Staff Assigned: J. Prochazka, T. Rogers	Anticipated Completion: Summer 2013

Medical District Zoning Districts	
<p>Summary:</p> <p>Create and adopt Medical and Urban Village zoning districts to implement the new future land use and character designations established by the Medical District Master Plan.</p>	<p>Project Dates:</p> <p>5/2/13: Presentation regarding Plan implementation at P&Z Workshop. 8/15/13: Presentation of district concepts at P&Z Workshop.</p>
Staff Assigned: J. Prochazka, M. Robinson	Anticipated Completion:

Research and Education

Plan Implementation	
<p>Summary:</p> <p>The linkage between the Comprehensive Plan, Master Plans, and Neighborhood, District, and Corridor Plans. The linkage between regulations, funding, etc and plan implementation.</p> <ul style="list-style-type: none"> - Overview of concept – provide a review of how this system is built in College Station and intended to be used (link between vision, comprehensive plan, strategic plan, etc). 	<p>Project Dates:</p> <p>5/2/13: Discussion at P&Z Regular meeting.</p>

<ul style="list-style-type: none"> - Link between Comprehensive Plan and Master Plans – this would include an overview of each of the adopted Master Plans and a demonstration of how for example we plan wastewater to serve the proposed land use and how for example the BPG Master Plan, if implemented responds to the desired character of the City, etc. - Link between adopted plans and regulations/ standards – this would include examples of how we use regs (for example new zoning districts or block length) to further the objectives/goals contained in the policy documents/plans and to help highlight how the success of those plans is impacted by the regs selected (or not) – for example how a certain type of block length yields a certain development pattern and connectivity whereas a different block length will yield a different pattern. - Link between plans and funding – this would include how the plans have been fiscally constrained and how funding plays a role in their successful implementation and how if not adequately funded they will fall short of expectations. 	<p>5/2/13: Discussion at P&Z Regular meeting.</p> <p>6/6/13: Discussion at P&Z Workshop.</p> <p>6/20/13: Discussion at P&Z Regular meeting.</p>
Staff Assigned: P&DS Staff	Anticipated Completion:

Character and Community Design	
<p>Summary:</p> <p>The purpose and definition of community character, community design, and the role they play in community vitality and success.</p> <ul style="list-style-type: none"> - Overview of community character (versus just a focus on land use/protection from incompatible uses) – this would include an overview of what our plans say about this and again what best practices are in these areas. - Link between community design and livability – this would be an overview of what the principles of good community design are, where these principles have (or have not) been used in College Station and where livability has been improved (or negatively impacted) as a result. - Link between community design and economic vitality – this would be an overview of how community design impacts land values (and thus tax revenues) creates new economic opportunities, etc. 	<p>Project Dates:</p> <p>5/16/13: Discussion at P&Z Workshop.</p> <p>TBD: Discussion at P&Z.</p> <p>TBD: Discussion at P&Z.</p>
Staff Assigned: P&DS Staff	Anticipated Completion:

Affordable Housing and Community Development	
<p>Summary:</p> <p>Receive updates regarding affordable housing and other community development efforts.</p> <ul style="list-style-type: none"> · Overview of the City's current approach to addressing affordable housing needs. · Overview of the Department's revised approach to community development – this would be an overview of a Community Development Master Plan. · On-going updates as needed (annual action plan, Community Development Master Plan, etc). 	<p>Project Dates:</p> <p>7/18/13: Discussion at P&Z Workshop.</p> <p>7/18/13: Discussion at P&Z Workshop.</p> <p>8/8/13: Council adopted Annual Action Plan.</p>
Staff Assigned: P&DS Staff	Anticipated Completion: On-going

Single-Family and Multi-Family Housing Markets	
<p>Summary:</p> <p>Discuss impact of large amount of new multi-family units and single-family dwellings being used for student rental purposes on the local housing market.</p> <ul style="list-style-type: none"> · Overview of the issue/questions – this would be an overview of what the perceived issues/questions are and what others might have looked at in other communities when asking similar questions to devise a methodology. · Overview of the new multi-family market – this would be what is being built, by whom, how are they performing, who is moving into them, etc. may include surveys, focus groups, guest speakers, etc. · Overview of existing multi-family market – this would be what exists, who owns it, what are they doing to maintain and rent it, how are they performing, who is moving into them, etc. may include surveys, focus groups, guest speakers, etc. · Overview of the single-family rental market – what is being built, who is managing what and how, who is renting, what are the implications/benefits of this market, etc. may include surveys, focus groups, guest speakers, etc. · What, if any, response are needed/appropriate by the City to address issues. 	<p>Project Dates:</p> <p>5/16/13: Discussion of methodology and scope at P&Z Regular meeting.</p>
Staff Assigned: P&DS Staff	Anticipated Completion:



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

MEMORANDUM

September 19, 2013

TO: Members of the Planning and Zoning Commission

FROM: Matt Robinson, AICP, Senior Planner

SUBJECT: Categorization and Definition of Commercial Uses

At the request of the Planning & Zoning Commission, staff will provide an overview of permitted commercial uses, how they are defined and provide information on particular uses such as tattoo parlors, smoke shops, pawn shops and payday loan lenders.

Uses are categorized and listed in zoning districts in which the uses are permitted by right (P), permitted subject to specific standards (P*), or by a Conditional Use Permit (C). Uses that have specific use standards include Fuel Sales, Vehicular Sales, and Retail Sales and Service. An example of a specific use standard includes the requirement that all parts, including automobile body parts be stored in area that is completely screened from public view for Vehicular Sales, Rental, Repair and Service uses. Conditional Use Permits allow for City Council discretionary approval of uses with unique or widely-varying operating characteristics or unusual site development features. If a use is not listed for a zoning district then that use is not permitted use within the zoning district.

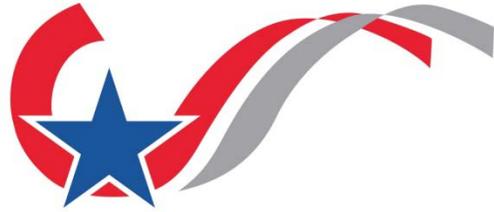
Use categories include both broad and specific terms. Broad use categories include: Retail Sales & Service, Office, Personal Service Shop, Light Industrial and Educational Facility-Indoor. For example, a Personal Service Shop is a broad category that encompasses a variety of uses such as a barber, nail salon, and tattoo parlor. Specific use categories include: car wash, fuel sales, dry cleaner, and day care. Many of the uses that are specifically categorized have specific use standards. For classification purposes, tattoo parlors would be classified as Personal Service Shops and would be permitted in Office (O), Suburban Commercial (SC), General Commercial (GC), Light Commercial (C-3), Wolf Pen Creek (WPC), all Northgate districts (NG-1, NG-2, NG-3), and Planned Mixed-Use District (P-MUD). Payday loan lenders, smoke shops and pawn shops would be classified as Retail Sales and Service and would be permitted in the following zoning districts: Suburban Commercial and General Commercial with specific use standards, Light Commercial, Wolf Pen Creek, all Northgate districts and Planned Mixed-Use District.

In general development standards for uses tattoo parlors, smoke shops, pawn shops and payday loan lenders follow typical commercial development regulations. These regulations include setbacks, parking, landscaping, signage, buffering and non-residential architectural standards. Currently, there are no unique special conditions or development standards for any of these specific commercial land uses.

The Use Table outlines the uses allowed in each zoning district and has been attached for your review and in preparation for the discussion.

Attachment:

1. UDO Section 6.3 "Types of Use"



CITY OF COLLEGE STATION

**FINAL PLAT
for
Castlegate II Sec 203
13-00900163**

SCALE: 32 single-family lots on 10.451 acres

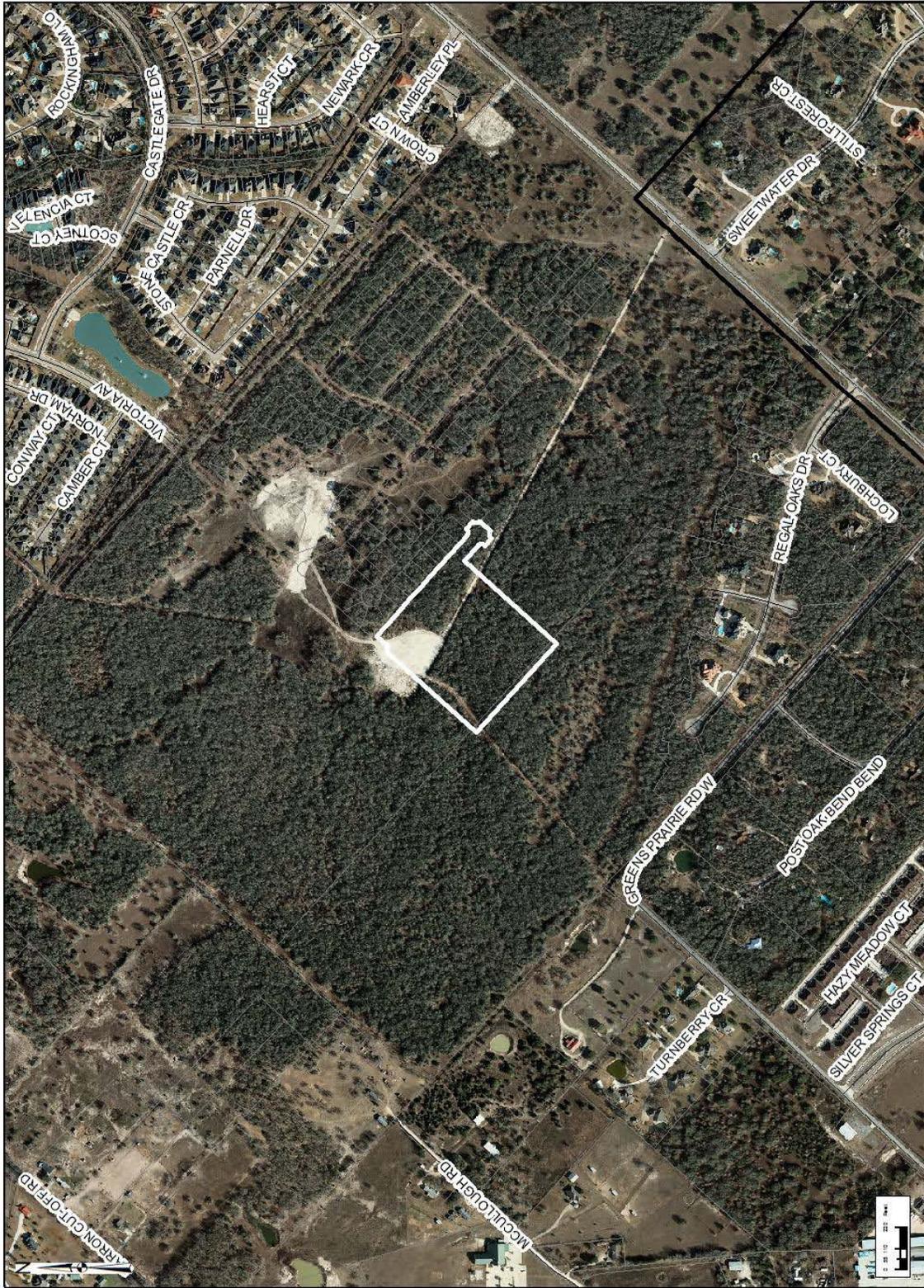
LOCATION: 4200 Etonbury Avenue

ZONING: R-1 Single-Family Residential

APPLICANT: Wallace Phillips IV, 3-D Development LLC

PROJECT MANAGER: Matt Robinson, AICP, Senior Planner
mrobinson@cstx.gov

RECOMMENDATION: Staff recommends approval of the Final Plat



FINAL
PLAT

Case: 13-163

CASTLEGATE II SECTION 203

DEVELOPMENT REVIEW



DEVELOPMENT HISTORY

Annexation: 1995
Zoning: A-O (upon annexation) to A-O and R-1 (2007)
Preliminary Plat: Castlegate II preliminary plat was approved in January 2011 and subsequently revised in March 2012.
Site Development: Sections 101 and 102 infrastructure is currently under construction, and Sections 100 and 200-202 are currently platted with homes under construction.

COMMENTS

Parkland Dedication: Land dedication was provided with the first Final Plat of the Castlegate II Subdivision and the developer is currently constructing neighborhood park improvements. Community Parkland dedication fees of \$20,000 (32 lots X \$625) are due prior to filing of the Final Plat.

Greenways: N/A

Pedestrian Connectivity: Sidewalks are required and will be provided on both sides of Etonbury Avenue.

Bicycle Connectivity: Bike lanes will be provided along Etonbury Avenue.

Impact Fees: The subject tract is located in the Spring Creek Sanitary Sewer Impact Fee Area and will be assessed \$98.39 per Living Unit Equivalent (LUE).

REVIEW CRITERIA

Compliance with Subdivision Regulations: The proposed Final Plat is in compliance with the Subdivision Requirements contained in the Unified Development Ordinance and the approved Preliminary Plat.

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY

CASE NO.: 13-1103

DATE SUBMITTED: 08.00.13

TIME: 11:47

STAFF: SS

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference N/A

NAME OF PROJECT Castlegate II Subdivision - Section 203

ADDRESS Intersection of W. S. Phillips Parkway and Victoria Avenue

SPECIFIED LOCATION OF PROPOSED PLAT:

Southwest of Castlegate II Subdivision, Section 201

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

Name Wallace Phillips IV E-mail dustyphillips52@yahoo.com

Street Address 4490 Castlegate Drive

City College Station State TX Zip Code 77845

Phone Number 979.690.7250 Fax Number 979.690.1041

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

Name 3-D Development, LLC E-mail dustyphillips52@yahoo.com
Street Address 4490 Castlegate Drive
City College Station State TX Zip Code 77845
Phone Number 979.690.7250 Fax Number 979.690.1041

ARCHITECT OR ENGINEER'S INFORMATION:

Name Schultz Engineering, LLC - Joe Schultz E-mail joeschultz84@verizon.net
Street Address 2730 Longmire Drive, Suite A
City College Station State TX Zip Code 77845
Phone Number 979.764.3900 Fax Number 979.764.3910

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

Is there a temporary blanket easement on this property? If so, please provide the Volume 10392 and Page No. 276

Total Acreage 10.451 Total No. of Lots 32 R-O-W Acreage 2.797

Existing Use Agricultural - Vacant Proposed Use Single Family Residential

Number of Lots By Zoning District 32 / R1 / /

Average Acreage Of Each Residential Lot By Zoning District:
0.239 / R1 / /

Floodplain Acreage n/a

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

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

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

Yes
 No

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

Project Name: Castlegate II Preliminary Plat

City Project Number (if known): 12-00500004

Date / Timeframe when submitted: January 2012

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

none

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

none

Regarding the waiver request, explain how:

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

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

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

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

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

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

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

Detailed explanation of condition identified above:

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

Requested Oversize Participation _____

Total Linear Footage of Proposed Public:	
<u>1884</u>	Streets
<u>1558</u>	Sidewalks
<u>1014</u>	Sanitary Sewer Lines
<u>1912</u>	Water Lines
<u>533</u>	Channels
<u>1067</u>	Storm Sewers
<u>-</u>	Bike Lanes / Paths

Parkland Dedication due prior to filing the Final Plat:	
ACREAGE:	
_____ No. of acres to be dedicated + \$ _____	development fee
_____	No. of acres in floodplain
_____	No. of acres in detention
_____	No. of acres in greenways
OR	
FEE IN LIEU OF LAND:	
_____ No. of SF Dwelling Units X \$ _____	= \$ _____
_____ (date) Approved by Parks & Recreation Advisory Board	

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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

Condace Phillips - office manager
 Signature and title
 Condace Phillips - Agent

8/2/13
 Date

LINE TABLE				
LINE #	LENGTH	DIRECTION		
L1	50.00'	S48° 03' 31"E		
L2	50.00'	N48° 03' 31"W		

Curve Table						
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	39.27'	25.00'	090°00'00"	25.00'	35.36'	N86°58'29"E
C2	39.27'	25.00'	090°00'00"	25.00'	35.36'	S03°03'31"E
C3	39.27'	25.00'	090°00'00"	25.00'	35.36'	S86°58'29"W
C4	39.27'	25.00'	090°00'00"	25.00'	35.36'	N03°03'31"W
C5	39.27'	25.00'	089°59'44"	25.00'	35.35'	N86°58'29"W
C6	39.27'	25.00'	090°00'00"	25.00'	35.36'	S86°58'29"W
C7	21.03'	25.00'	048°11'23"	11.18'	20.41'	S17°50'47"W
C8	241.19'	50.00'	278°22'46"	44.72'	66.67'	N48°03'31"W
C9	21.03'	25.00'	048°11'23"	11.18'	20.41'	N66°02'10"E
C10	39.27'	25.00'	090°00'00"	25.00'	35.36'	N03°03'31"W
C11	39.27'	25.00'	090°00'00"	25.00'	35.36'	S86°58'29"W
C12	21.03'	25.00'	048°11'23"	11.18'	20.41'	S17°50'47"W
C13	241.19'	50.00'	278°22'46"	44.72'	66.67'	N48°03'31"W
C14	21.03'	25.00'	048°11'23"	11.18'	20.41'	N66°02'10"E
C15	39.27'	25.00'	090°00'00"	25.00'	35.36'	N03°03'31"W

MITES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 34, COLLEGE STATION, BRAZOS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 30.455 ACRE TRACT AS DESCRIBED BY A DEED TO DOS DORADO DEVELOPMENT, LLC RECORDED IN VOLUME 866, PAGE 211 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A 1/4 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF LOT 1, BLOCK 12, CASTLEGATE II SUBDIVISION, SECTION 203, ACCORDING TO THE PLAT RECORDED IN VOLUME 1090, PAGE 246 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD FOUND MARKING AN EAST-WEST CORNER OF SAID REMAINDER OF 30.455 ACRE TRACT;

THENCE N 44° 02' 31" C ALONG THE COMMON LINE OF SAID REMAINDER OF 30.455 ACRE TRACT AND SAID LOT 1 OF BLOCK 12, FOR A DISTANCE OF 66.43 FEET TO THE POINT OF BEGINNING OF THIS IRON ROD MARKING SAID TRACT;

THENCE THROUGH SAID 30.455 ACRE TRACT FOR THE FOLLOWING CALLS:

S 41° 36' 50" W ACROSS THE FUTURE RIGHT-OF-WAY OF ETONBURY AVENUE FOR A DISTANCE OF 77.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 23.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS S 86° 58' 29" W - 35.36 FEET) TO THE END OF SAID CURVE;

N 48° 03' 31" W ACROSS THE EXTENSION OF THE RIGHT-OF-WAY OF ODELL LANE (P.W. ROW) FOR A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS N 03° 03' 31" W - 35.36 FEET) TO THE END OF SAID CURVE;

N 48° 03' 31" W ALONG THE FUTURE RIGHT-OF-WAY OF ETONBURY AVENUE FOR A DISTANCE OF 103.36 FEET;

S 41° 37' 18" W FOR A DISTANCE OF 63.24 FEET TO THE COMMON LINE OF SAID REMAINDER OF 30.455 ACRE TRACT AND THE REMAINDER OF A CALLED 161.322 ACRE TRACT DESCRIBED AS EXHIBIT B BY A DEED TO ETER JANE GRANT MCDUGAL, RECORDED IN VOLUME 4027, PAGE 29 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE N 48° 03' 31" W ALONG THE COMMON LINE OF SAID REMAINDER OF 30.455 ACRE TRACT AND SAID REMAINDER OF 161.322 ACRE TRACT FOR A DISTANCE OF 614.05 FEET TO THE WEST CORNER OF THIS IRON ROD DESCRIBED TRACT;

THENCE THROUGH SAID REMAINDER OF 30.455 ACRE TRACT FOR THE FOLLOWING CALLS:

N 41° 58' 44" E FOR A DISTANCE OF 612.24 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89° 59' 44" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS N 86° 58' 29" W - 35.36 FEET) TO THE END OF SAID CURVE;

N 41° 58' 29" E ACROSS THE FUTURE RIGHT-OF-WAY OF ETONBURY AVENUE FOR A DISTANCE OF 77.00 FEET TO THE COMMON LINE OF SAID REMAINDER OF 30.455 ACRE TRACT AND BLOCK 13, CASTLEGATE II SUBDIVISION, SECTION 203 (PLAT 10900244);

THENCE ALONG THE COMMON LINE OF SAID REMAINDER OF 30.455 ACRE TRACT AND CASTLEGATE II SUBDIVISION, SECTION 203, FOR THE FOLLOWING CALLS:

S 48° 03' 31" E ACROSS THE END OF ODELL LANE FOR A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS S 86° 58' 29" W - 35.36 FEET) TO THE NORTHWEST CORNER OF ODELL LANE;

S 48° 03' 31" E ACROSS THE END OF ODELL LANE FOR A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS S 86° 58' 29" W - 35.36 FEET) TO THE POINT OF BEGINNING CONTAINING 16.455 ACRES OF LAND, MORE OR LESS, BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

DOS DORADO DEVELOPMENT LLC, REMAINDER OF 202.66 AC. TRACT 9656/213

CERTIFICATE OF OWNERSHIP AND DEDICATION
STATE OF TEXAS
COUNTY OF BRAZOS

I, Wallace Phillips IV, Manager of 3-D Development, owner and developer of the land shown on this plat, and designated herein as the Castlegate II Subdivision, Section 203, to the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, greenways, infrastructure, easements and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

Wallace Phillips IV, Manager

STATE OF TEXAS
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared Wallace Phillips IV, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this _____ day of _____, 20____.

Notary Public, Brazos County, Texas

CERTIFICATE OF CITY ENGINEER
I, _____ City Engineer of the City of College Station, Texas, hereby certify that this Subdivision conforms to the requirements of the Subdivision Regulations of the City of College Station, Texas.

City Engineer

APPROVAL OF PLANNING AND ZONING COMMISSION
I, _____ Chairman of the Planning and Zoning Commission of the City of College Station, Texas, hereby certify that the attached plat was duly approved by the Commission on the _____ day of _____, 20____.

Chairman

CERTIFICATE OF THE SURVEYOR
STATE OF TEXAS
COUNTY OF BRAZOS

I, Brad Kerr, Registered Professional Land Surveyor No. 4502, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that the property markers and monuments were placed under my supervision on the ground.

R.P.L.S. No. 4502

LEGEND

	PLAT BOUNDARY
	LOT LINE
	PROPERTY CORNER
	PUBLIC UTILITY EASEMENT
	EASEMENT LINE
	EXISTING EASEMENT LINE
	ROW LINE



- GENERAL NOTES:**
- THE BEARING SYSTEM SHOWN HEREON IS REFERRED TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM LAMBERT PROJECTION, CENTRAL ZONE, AND AS MONUMENTED ON THE GROUND.
 - ALL LOTS WILL MEET SETBACK AND OTHER REQUIREMENTS AS SPECIFIED IN THE CITY OF COLLEGE STATION UNIFIED DEVELOPMENT ORDINANCE FOR THE ZONING CLASSIFICATION IN WHICH THEY LAY.
 - ALL LOTS ARE ZONED R-1.
 - NO PORTION OF THIS TRACT IS WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE 12-06-1841P LETTER OF MAP REVISION, DATED MAY 16, 2012.
 - COMMON AREAS WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS' ASSOCIATION (HOA).
 - 1/2" IRON RODS WILL BE SET AT ALL LOT CORNERS AND ANGLE POINTS UNLESS NOTED OTHERWISE.
 - EACH LOT WILL PROVIDE A MINIMUM OF 2 TREES OF AT LEAST 2 INCHES IN CALIPER OR ONE 4 INCH CALIPER TREE PER ORDNANCE 3222.
 - DISTANCES SHOWN ON CURVES ARE CHORD LENGTHS.
 - THIS PLAT IS IN THE SPRING CREEK IMPACT FEE AREA.

CERTIFICATE OF THE COUNTY CLERK
STATE OF TEXAS
COUNTY OF BRAZOS

I, _____ County Clerk, in and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the _____ day of _____, 20____ in the Deed Records of Brazos County, Texas, in Volume _____ Page _____.

County Clerk
Brazos County, Texas

FINAL PLAT

CASTLEGATE II SUBDIVISION

SECTION 203

10.451 ACRES
ROBERT STEVENSON LEAGUE, A-54
COLLEGE STATION, BRAZOS COUNTY, TEXAS
32 LOTS
BLOCK 32, LOTS 1 THRU 16
BLOCK 33, LOTS 1 THRU 16

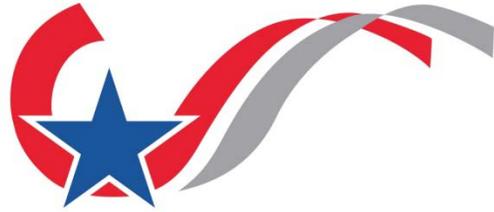
OWNER/DEVELOPER:
3-D Development
4400 Castlegate Drive
College Station, TX 77845
(979) 650-7266

SCALE 1"=40'
AUGUST, 2013

SURVEYOR:
Brad Kerr, R.P.L.S. No. 4502
Kerr Surveying, LLC
499 N. Texas Ave.
Bryan, TX 77803
(979) 268-3195

ENGINEER:
Schultz Engineering, LLC
TYPE NO. 13227
2730 LONGMIRE, SUITE A
College Station, Texas 77845
(979) 764-3900

13-163
8-23-13
3:50
PK



CITY OF COLLEGE STATION

**FINAL PLAT
for
The Barracks II Ph. 102
12-00500258**

SCALE: 27 townhome lots on 3.87 acres

LOCATION: 200 Capps Drive

ZONING: PDD Planned Development District

APPLICANT: Heath Phillips, Heath Phillips Investments, LLC.

PROJECT MANAGER: Matt Robinson, AICP, Senior Planner
mrobinson@cstx.gov

RECOMMENDATION: Staff recommends approval of the Final Plat.



	DEVELOPMENT REVIEW	THE BARRACKS II PH 102	Case: 12-258	FINAL PLAT
---	--------------------	------------------------	--------------	---------------

DEVELOPMENT HISTORY

Annexation:	2002
Zoning:	A-O Agricultural Open upon annexation A-O Agricultural Open to PDD Planned Development District (2011); PDD Planned Development District to PDD Planned Development District to revise layout and add additional use (2012)
Preliminary Plat:	2011, revised in October 2012
Site Development:	Phase 100 of the development has been completed. Townhomes are currently being constructed on Phase 101.

COMMENTS

Parkland Dedication:	Neighborhood park land dedication was provided with previous phases and the developer is constructing neighborhood park improvements for the development. Parkland Dedication fees of \$16,875 (27 lots x \$625) are due prior to filing of the Final Plat.
Greenways:	N/A
Pedestrian Connectivity:	Sidewalks are provided on both sides of all streets within the development.
Bicycle Connectivity:	Bikes lanes will be provided along General Parkway. Bike lanes are currently provided along Deacon Drive West (Major Collector) and Towers Parkway (Minor Collector).
Impact Fees:	The subject tract is located within the Steeplechase Sanitary Sewer Impact Fee Area and will be required to pay \$357.74/LUE at time of building permit.

REVIEW CRITERIA

Compliance with Subdivision Regulations: The proposed Final Plat is in compliance with the Subdivision Requirements contained in the Unified Development Ordinance.

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>18-2158</u>
DATE SUBMITTED:	<u>12-05-12</u>
TIME:	<u>9:05</u>
STAFF:	<u>[Signature]</u>

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference _____

NAME OF PROJECT The Barracks II Subdivision - Phase 102

ADDRESS Capps Drive

SPECIFIED LOCATION OF PROPOSED PLAT:

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

Name John Rusk, P.E. E-mail jrusk@goodwinlasiter.com

Street Address 4077 Cross Park Drive, Suite 100

City Bryan State TX Zip Code 77802

Phone Number 979-776-9700 Fax Number 979-776-3838

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

Name Heath Phillips Investments, LLC E-mail _____
Street Address 3302 General Parkway
City College Station State TX Zip Code 77845
Phone Number 979-690-5000 Fax Number _____

ARCHITECT OR ENGINEER'S INFORMATION:

Name Goodwin-Lasiter, Inc. - Chad Emmel P.E. E-mail _____
Street Address 4077 Cross Park Drive, Suite 100
City Bryan State TX Zip Code 77802
Phone Number 979-776-9700 Fax Number 979-776-3838

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

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

Total Acreage 5.78 Acres Total No. of Lots 27 R-O-W Acreage 1.56 Acres

Existing Use _____ Proposed Use _____

Number of Lots By Zoning District 27 / PDD _____ / _____ / _____

Average Acreage Of Each Residential Lot By Zoning District:

0.08 / PDD _____ / _____ _____ / _____ _____ / _____

Floodplain Acreage N/A

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

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

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

Yes
 No

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

Project Name: _____

City Project Number (if known): _____

Date / Timeframe when submitted: _____

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

N/A

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

N/A

Regarding the waiver request, explain how:

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

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

- 3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

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

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

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

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

Detailed explanation of condition identified above:

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

Requested Oversize Participation _____

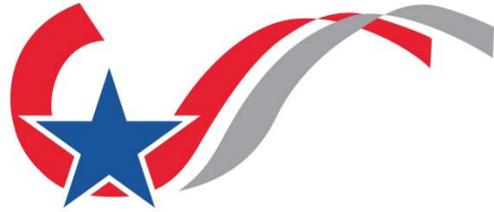
<p style="text-align: center;">Total Linear Footage of Proposed Public:</p> <p><u>1,500</u> Streets</p> <p><u>2,080</u> Sidewalks</p> <p><u>405</u> Sanitary Sewer Lines</p> <p><u>1,213</u> Water Lines</p> <p><u>1,557</u> Channels</p> <p><u>143</u> Storm Sewers</p> <p><u>0</u> Bike Lanes / Paths</p>	<p>Parkland Dedication due prior to filing the Final Plat:</p> <p>ACREAGE:</p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p>OR</p> <p>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks & Recreation Advisory Board</p>
--	---

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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


Signature and title

11/30/12
Date



CITY OF COLLEGE STATION

**FINAL PLAT
for
The Barracks II Ph. 200
13-0090073**

SCALE: 28 single-family lots on 5.928 acres

LOCATION: 415 Deacon Drive West

ZONING: PDD Planned Development District

APPLICANT: Heath Phillips, Heath Phillips Investments, LLC.

PROJECT MANAGER: Matt Robinson, AICP, Senior Planner
mrobinson@cstx.gov

RECOMMENDATION: Staff recommends approval of the Final Plat.



FINAL
PLAT

Case: 13-073

THE BARRACKS II
SECTION 200

DEVELOPMENT REVIEW



DEVELOPMENT HISTORY

Annexation: 2002
Zoning: A-O Agricultural Open upon annexation
A-O Agricultural Open to PDD Planned Development District (2011); PDD Planned Development District to PDD Planned Development District to revise layout and add additional use (2012)
Preliminary Plat: 2011, revised in October 2012
Site Development: Phase 100 of the development has been completed. Townhomes are currently being constructed on Phase 101.

COMMENTS

Parkland Dedication: Neighborhood park land dedication was provided with previous phases and the developer is constructing neighborhood park improvements for the development. Parkland Dedication fees of \$17,500 (28 lots x \$625) are due prior to filing of the Final Plat.

Greenways: N/A

Pedestrian Connectivity: Sidewalks are provided on both sides of all streets within the development.

Bicycle Connectivity: Bikes lanes will be provided along Towers Parkway. Bike lanes are currently provided along Deacon Drive West (Major Collector) and Towers Parkway (Minor Collector).

Impact Fees: The subject tract is located within the Steeplechase Sanitary Sewer Impact Fee Area and will be required to pay \$357.74/LUE at time of building permit.

REVIEW CRITERIA

Compliance with Subdivision Regulations: The proposed Final Plat is in compliance with the Subdivision Requirements contained in the Unified Development Ordinance.

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>13.73</u>
DATE SUBMITTED:	<u>3.27.13</u>
TIME:	<u>9:54</u>
STAFF:	<u>JO</u>

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference N/A

NAME OF PROJECT The Barracks II Subdivision Section 200

ADDRESS Intersection of Deacon Drive and Towers Parkway

SPECIFIED LOCATION OF PROPOSED PLAT:

East Side of Holleman Drive South between Cain Road and Rock Prairie Road

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

Name Heath Phillips E-mail heath_superiorstructures@yahoo.com

Street Address 516 Deacon Drive West

City College Station State Tx Zip Code 77845

Phone Number 979-229-5906 Fax Number 979-703-7903

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

Name Heath Phillips Investments, LLC (Heath Phillips, manager) E-mail heath_superiorstructures@yahoo.co
Street Address 516 Deacon Drive West
City College Station State Tx Zip Code 77845
Phone Number 979-229-5906 Fax Number 979-703-7903

ARCHITECT OR ENGINEER'S INFORMATION:

Name Schultz Engineering, LLC - Joe Schultz E-mail joeschultz84@verizon.net
Street Address 2730 Longmire Drive, Suite A
City College Station State TX Zip Code 77845
Phone Number 979.764.3900 Fax Number 979.764.3910

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

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

Total Acreage 5.928 Total No. of Lots 28 R-O-W Acreage 1.72 ac

Existing Use Vacant Proposed Use Single Family Residential

Number of Lots By Zoning District 28 / PDD _____ / _____ / _____

Average Acreage Of Each Residential Lot By Zoning District:
0.15 / PDD _____ / _____ / _____

Floodplain Acreage None

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

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

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

Yes
 No

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

Project Name: THE BARRACKS II (PP)

City Project Number (if known): 12 - 00500141

Date / Timeframe when submitted: 07/06/12

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

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

Regarding the waiver request, explain how:

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

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

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

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

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

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

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

Detailed explanation of condition identified above:

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

Requested Oversize Participation None

Total Linear Footage of Proposed Public:	
<u>1442'</u>	Streets
<u>2884'</u>	Sidewalks
<u>1035'</u>	Sanitary Sewer Lines
<u>1581'</u>	Water Lines
<u>0</u>	Channels
<u>1507'</u>	Storm Sewers
<u>241'</u>	Bike Lanes / Paths

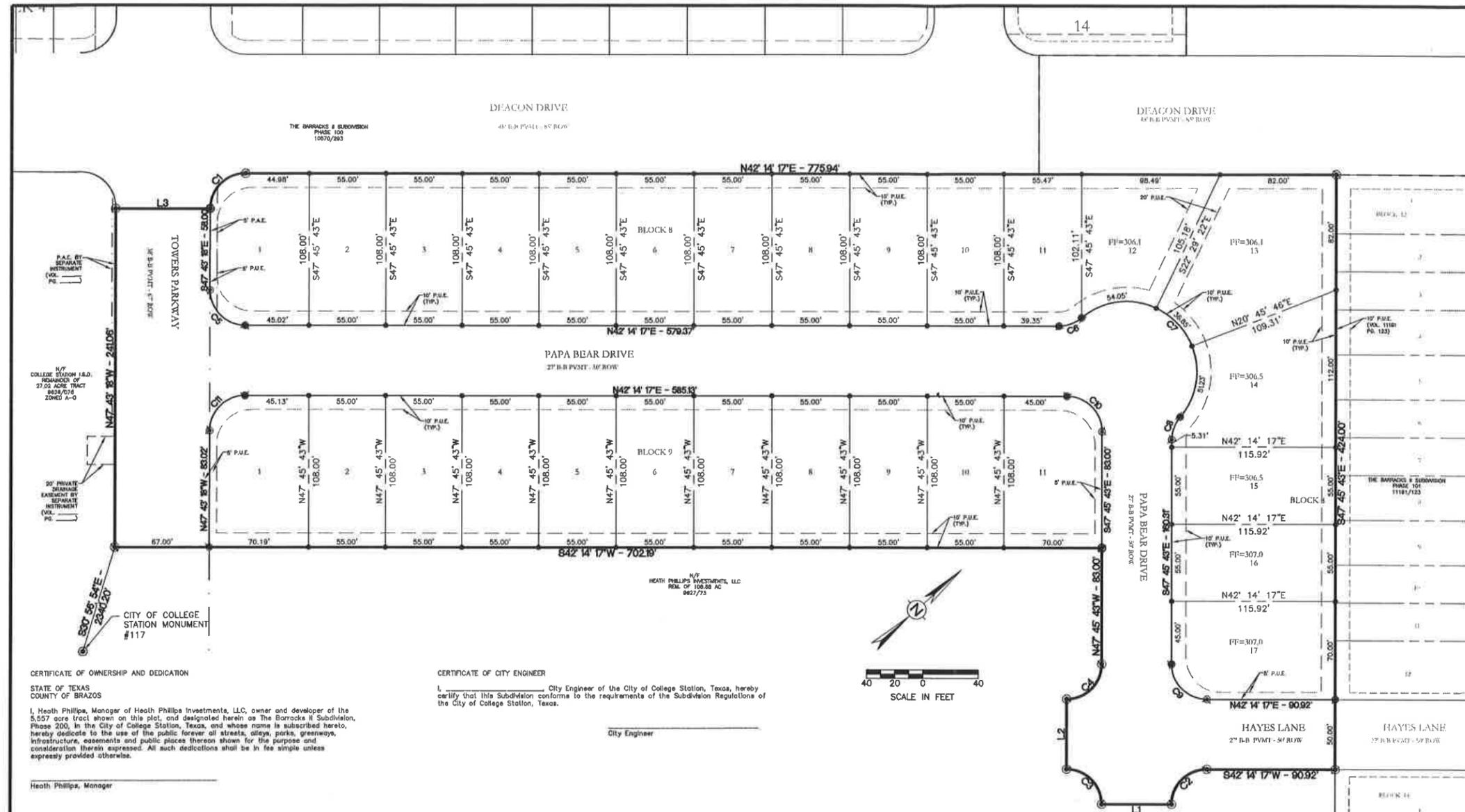
Parkland Dedication due prior to filing the Final Plat:	
ACREAGE: <i>Previously dedicated with Phase 100</i>	
_____ No. of acres to be dedicated + \$ _____	development fee
_____ No. of acres in floodplain	
_____ No. of acres in detention	
_____ No. of acres in greenways	
OR	
FEE IN LIEU OF LAND:	
_____ No. of SF Dwelling Units X \$ _____	= \$ _____
_____ (date) Approved by Parks & Recreation Advisory Board	

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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

[Signature]
Signature and title

3/26/2013
Date



METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 11, COLLEGE STATION, BRAZOS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 100.00 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, L.L.C., RECORDED IN VOLUME 101, PAGE 71 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 23.02 ACRE TRACT AS DESCRIBED BY A DEED TO COLLEGE STATION ISD RECORDED IN VOLUME 96, PAGE 78 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 EXTENSION OF THE SOUTHEAST LINE OF DEACON DRIVE W 45' 8' 0" W MARKING THE NORTH CORNER OF BLOCK 12, THE BARRACKS II SUBDIVISION, PHASE 101, ACCORDING TO THE PLAT THEREOF IN VOLUME 111, PAGE 123 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 47° 45' 43" E ALONG THE COMMON LINE OF SAID REMAINDER OF 100.00 ACRE TRACT AND SAID BLOCK 12, AT 174.00 FEET PAST A 1/2 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF HAYES LANE (S 8' 0" W) MARKING THE WEST CORNER OF SAID BLOCK 12, CONTINUE ON FOR A TOTAL DISTANCE OF 44.98 FEET TO THE SOUTHWEST CORNER OF HAYES LANE AND THE NORTH CORNER OF BLOCK 14, THE BARRACKS II SUBDIVISION, PHASE 101;

THENCE: THROUGH SAID REMAINDER OF 100.00 ACRE TRACT ON THE FOLLOWING COURSE:

S 47° 45' 43" E ALONG THE EXTENSION OF THE SOUTHWEST LINE OF HAYES LANE FOR A DISTANCE OF 90.92 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 306.1 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: S 02° 45' 43" E - 35.34 FEET) TO THE END OF SAID CURVE;

S 42° 14' 17" W FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 30.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: S 07° 14' 17" W - 35.34 FEET) TO THE END OF SAID CURVE;

N 42° 14' 17" E FOR A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: N 02° 45' 43" E - 35.34 FEET) TO THE END OF SAID CURVE;

N 47° 45' 43" W FOR A DISTANCE OF 30.00 FEET;

S 42° 14' 17" W FOR A DISTANCE OF 30.00 FEET TO A POINT WITHIN SAID REMAINDER OF 23.02 ACRE TRACT;

THENCE: N 47° 45' 43" W THROUGH SAID REMAINDER OF 23.02 ACRE TRACT FOR A DISTANCE OF 24.00 FEET TO THE PLATTED SOUTHEAST CORNER OF DEACON DRIVE W ACCORDING TO THE PLAT OF THE BARRACKS II SUBDIVISION, PHASE 101, RECORDED IN VOLUME 101, PAGE 71 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: ALONG THE PLATTED SOUTHEAST LINE OF DEACON DRIVE W, AND THE EXTENSION THEREOF, FOR THE FOLLOWING COURSE:

N 42° 14' 17" E FOR A DISTANCE OF 67.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: N 02° 45' 43" E - 35.34 FEET) TO THE END OF SAID CURVE;

N 42° 14' 17" E FOR A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING CONTAINING 5.00 ACRES OF LAND, MORE OR LESS BEARING SYSTEM SHOWN THEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

- GENERAL NOTES:**
- THE BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.
 - NO PORTION OF THIS TRACT IS WITHIN THE 100 YEAR FLOODPLAIN ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY AND INCORPORATED AREAS, COMMUNITY PLAN NO. 4804100305 E, EFFECTIVE DATE: 05-16-2012.
 - THE ZONING OF THIS TRACT IS PDD (PLANNED DEVELOPMENT DISTRICT) PER CITY ORDINANCE NO. 2012-3407. THE BUILDING SETBACKS ARE AS FOLLOWS:
FRONT SETBACK DISTANCE - 20 FEET WITHOUT REAR ACCESS, 15 FEET WITH REAR ACCESS;
REAR SETBACK DISTANCE - 20 FEET;
STREET SIDE SETBACK DISTANCE - 15 FEET;
SIDE SETBACK DISTANCE - 5 FEET;
COMMON AREA SIDE SETBACK DISTANCE - 5 FEET;
 - A PORTION OF THIS TRACT LIES WITHIN THE PROPERTY OWNED BY COLLEGE STATION ISD.
 - ALL LOTS AND RIGHTS-OF-WAY IN THIS PLAT OUTSIDE OF THE CSISD TRACT IS ZONED PDD. THE PORTION OF THIS PLAT ON THE CSISD TRACT IS ZONED A-0.
 - 1/2" IRON RODS WILL BE SET AT ALL LOT CORNERS AND ANGLE POINTS UNLESS NOTED OTHERWISE.
 - EACH LOT WILL PROVIDE A MINIMUM OF 2 TREES OF AT LEAST 2 INCHES IN CALIPER OR ONE 4 INCH CALIPER TREE PER ORDINANCE 3222.
 - THIS PROPERTY IS LOCATED WITHIN THE STEEPLCHASE-WELLSBORO SANITARY SEWER IMPACT FEE AREA 03-02.
 - WHEN THERE ARE MORE THAN 30 LOTS TO BE SERVED BY EXTERNAL STREET CONNECTIONS, A MINIMUM OF TWO CONNECTIONS TO EXTERNAL PAVED PUBLIC STREETS SHALL BE REQUIRED. A REMOTE EMERGENCY ACCESS IS PERMITTED TO SERVE AS ONE OF THESE CONNECTIONS. TWO STREET CONNECTIONS TO EXTERNAL PAVED PUBLIC STREETS SHALL BE REQUIRED WHEN 100 OR MORE LOTS ARE SERVED.
 - STORM WATER DETENTION FACILITIES FOR THIS PHASE ARE LOCATED OFF SITE, DEDICATED BY SEPARATE INSTRUMENT AND ARE TO BE MAINTAINED BY HOA.
 - DISTANCES SHOWN ON CURVES ARE CHORD LENGTHS.
 - A WATER DESIGN REPORT FOR THIS SUBDIVISION WILL BE PROVIDED PER CITY STANDARDS.
 - ELECTRIC SERVICE FOR THIS DEVELOPMENT WILL BE PROVIDED BY BRYAN TEXAS UTILITIES (BTU). ADDITIONAL EASEMENTS WILL BE PROVIDED AS REQUIRED BY BTU.

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

I, Heath Phillips, Manager of Heath Phillips Investments, L.L.C., owner and developer of the 5.557 acre tract shown on this plat, and designated herein as The Barracks II Subdivision, Phase 200, in the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, greenways, infrastructure, easements and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

Heath Phillips, Manager

CERTIFICATE OF CITY ENGINEER

I, _____, City Engineer of the City of College Station, Texas, hereby certify that this Subdivision conforms to the requirements of the Subdivision Regulations of the City of College Station, Texas.

City Engineer

STATE OF TEXAS
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared Heath Phillips, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this _____ day of _____, 20____.

Notary Public, Brazos County, Texas

APPROVAL OF PLANNING AND ZONING COMMISSION

I, _____, Chairman of the Planning and Zoning Commission of the City of College Station, Texas, hereby certify that the attached plat was duly approved by the Commission on the _____ day of _____, 20____.

Chairman

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

I, Valerie Jochen, Board President of CSISD, owner of the 0.371 acre tract shown on this plat, and designated herein as The Barracks II Subdivision, Phase 200, in the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, greenways, infrastructure, easements and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

Valerie Jochen, CSISD Board President

CERTIFICATE OF THE SURVEYOR

STATE OF TEXAS
COUNTY OF BRAZOS

I, Brad Kerr, Registered Professional Land Surveyor No. 4502, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that the property markers and monuments were placed under my supervision on the ground, and that the metes and bounds describing said subdivision will describe a closed geometric form.

R.P.L.S. No. _____

STATE OF TEXAS
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared Valerie Jochen, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this _____ day of _____, 20____.

Notary Public, Brazos County, Texas

CERTIFICATE OF THE COUNTY CLERK

STATE OF TEXAS
COUNTY OF BRAZOS

I, _____, County Clerk, in and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the day of _____, 20____, in the Deed Records of Brazos County, Texas, in Volume _____ Page _____.

WITNESS my hand and official Seal, at my office in Bryan, Texas.

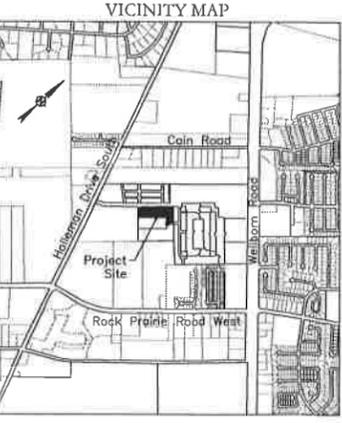
County Clerk
Brazos County, Texas

Curve Data

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CURVED DIRECTION
C1	39.27	306.1	090°07'30"	24.88'	35.34'	N02°45'43"W
C2	39.27	306.1	090°07'30"	24.88'	35.34'	S02°45'43"E
C3	39.27	306.1	090°07'30"	24.88'	35.34'	S07°14'17"W
C4	39.27	306.1	090°07'30"	24.88'	35.34'	N02°45'43"E
C5	39.27	306.1	090°07'30"	24.88'	35.34'	N07°18'30"E
C6	17.81	25.00	042°08'20"	9.14'	17.18'	N22°00'37"E
C7	148.83	50.00	170°18'38"	580.63'	39.84'	N07°14'17"E
C8	17.81	25.00	042°08'20"	9.14'	17.18'	S27°41'03"E
C9	39.27	306.1	090°07'30"	24.88'	35.34'	N07°14'17"E
C10	39.27	306.1	090°07'30"	24.88'	35.34'	N07°14'17"E
C11	39.25	306.1	090°07'30"	24.88'	35.34'	N02°45'43"W

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	80.00'	S42°14'17"W
L2	80.00'	N47°45'43"W
L3	87.00'	N42°14'17"E



FINAL PLAT
THE BARRACKS II SUBDIVISION
PHASE 200
5.928 ACRES
5.557 ACRES ON HEATH PHILLIPS INVESTMENTS, L.L.C. TRACT
0.371 ACRES ON COLLEGE STATION ISD TRACT

CRAWFORD BURNETT LEAGUE, A-7
COLLEGE STATION, BRAZOS COUNTY, TEXAS
28 LOTS
BLOCK 8, LOTS 1 THROUGH 17
BLOCK 9, LOTS 1 THROUGH 11

OWNER/DEVELOPER:
Heath Phillips Investments, L.L.C. College Station ISD
1302 General Parkway College Station, TX 77845 (979) 696-5100 1612 Walsh College Station, TX 77840 (979) 764-5400

ENGINEER:
Schultz Engineering, LLC
1000 N. 123rd Street
2730 LONGMIRE, SUITE A
College Station, Texas 77845 (979) 764-3900

SURVEYOR:
Brad Kerr, R.P.L.S. No. 4502
Kerr Surveying, L.L.C.
409 N. 7th Street
Llano, TX 77841 (979) 268-1195

SCALE: 1"=40'
MARCH 2013

1373
9-11-13
850
RK



CITY OF COLLEGE STATION

**PRELIMINARY PLAT
for
Indian Lakes Ph 18
13-00900131**

- SCALE:** Four residential lots on approximately 17.93 acres
- LOCATION:** Generally located south of Anasazi Bluff Drive in the Indian Lakes Subdivision, approximately one mile southwest of State Highway 6 in the City's Extraterritorial Jurisdiction
- ZONING:** N/A (ETJ)
- APPLICANT:** Travis Martinek, Smiling Mallard Development, Ltd.
- PROJECT MANAGER:** Morgan Hester, Staff Planner
mhester@cstx.gov
- RECOMMENDATION:** Staff recommends approval of the Preliminary Plat.



	DEVELOPMENT REVIEW	INDIAN LAKES PH 18	Case: 13-131	PRELIMINARY PLAN
---	---------------------------	---------------------------	--------------	-------------------------

DEVELOPMENT HISTORY

Annexation:	N/A (ETJ)
Zoning:	N/A (ETJ)
Master Planned:	Master Plan approved in 2002. Subsequent preliminary plats and final plats have been approved every year since 2004.
Site development:	Vacant. Four residential lots are proposed, ranging from 1.71 acres to 5.3 acres.

COMMENTS

Water:	Provided by Wellborn Special Utility District.
Sewer:	Sanitary sewer service will be provided by private on-septic systems on each lot. These facilities will be permitted by the Brazos County Health Department.
Off-site Easements:	None at this time.
Drainage:	Drainage is generally to the north within the Peach Creek Drainage Basin.
Flood Plain:	There is no FEMA regulated floodplain located on the property.
Greenways:	N/A
Pedestrian Connectivity:	This site is located in the ETJ so sidewalks are not required.
Bicycle Connectivity:	This site is located in the ETJ and no specific facilities for bicycle connectivity are required.
Streets:	Access will be provided from Indian Lakes Phase 13 via Anasazi Bluff Drive.
Oversize Request:	N/A
Parkland Dedication Fees:	This development was approved as a Master Plan in the ETJ prior to parkland dedication requirements being applicable in the ETJ. Therefore, no parkland dedication is required.
Impact Fees:	N/A

REVIEW CRITERIA

- 1. Compliance with Comprehensive Plan and Unified Development Ordinance:** The Comprehensive Plan designates this area as Rural. The City, however, does not have land use authority in the ETJ. The proposed lots will have access through rural residential streets that connect to Anasazi Bluff Drive.
- 2. Compliance with Subdivision Regulations:** The Preliminary Plat complies with the applicable Subdivision Regulations contained in the Unified Development Ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the Preliminary Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Preliminary Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>13.131</u>
DATE SUBMITTED:	<u>1.27.13</u>
TIME:	<u>D.W.</u>
STAFF:	<u>[Signature]</u>

PRELIMINARY PLAN APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:

- \$932 Preliminary Plan Application Fee.
- \$233 Waiver Request to Subdivision Regulations Fee (if applicable).
- Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
- Fourteen (14) folded copies of plan. A revised mylar original must be submitted after approval.
- Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.
- Impact study (if oversized participation is requested).
- The attached Preliminary Plan checklist with all items checked off or a brief explanation as to why they are not.

Date of Optional Preapplication Conference N/A

NAME OF PROJECT Indian Lakes - Phase 18

ADDRESS End of Anasazi Bluff Drive

SPECIFIED LOCATION OF PROPOSED SUBDIVISION:

End of Anasazi Bluff Drive

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

Name Travis Martinek E-mail travis@clarkewyndham.com
Street Address 3608 East 29th Street, Suite 100
City Bryan State Texas Zip Code 77802
Phone Number (979) 846-4384 Fax Number (979) 846-1461

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

Name Smiling Mallard Development, Ltd. E-mail travis@clarkewyndham.com
Street Address 3608 East 29th Street, Suite 100
City Bryan State Texas Zip Code 77802
Phone Number (979) 846-4384 Fax Number (979) 846-1461

ARCHITECT OR ENGINEER'S INFORMATION:

Name McClure & Browne, Inc. E-mail kevinm@mcclurebrowne.com
Street Address 1008 Woodcreek Drive, Suite 103
City College Station State Texas Zip Code 77845
Phone Number (979) 693-3838 Fax Number (979) 693-2554

Total Acreage 17.93 Total No. of Lots 4 R-O-W Acreage 0.00

Number of Lots By Zoning District N/A / N/A N/A / N/A N/A / N/A

Average Acreage Of Each Residential Lot By Zoning District:

N/A / N/A N/A / N/A N/A / N/A N/A / N/A

Floodplain Acreage 0.00

NOTE: Appropriate zoning for the proposed subdivision must be in place before this application can be considered complete.

Are you proposing to dedicate park land by acreage or fee in lieu of land? No

Are you proposing to develop the park dedicate the development fee? (Check one)

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

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

Yes

No

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

Project Name: Indian Lakes Subdivision

City Project Number (in known): Unknown

Date / Timeframe when submitted: 2000

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

N/A

Regarding the waiver request, explain how:

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

N/A

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

N/A

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

N/A

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

N/A

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

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

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

Detailed explanation of condition identified above:

N/A

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

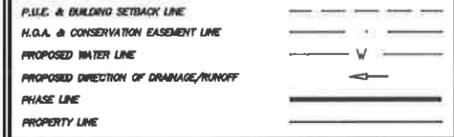
The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from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



Signature and title

6/27/13

Date



LEGEND

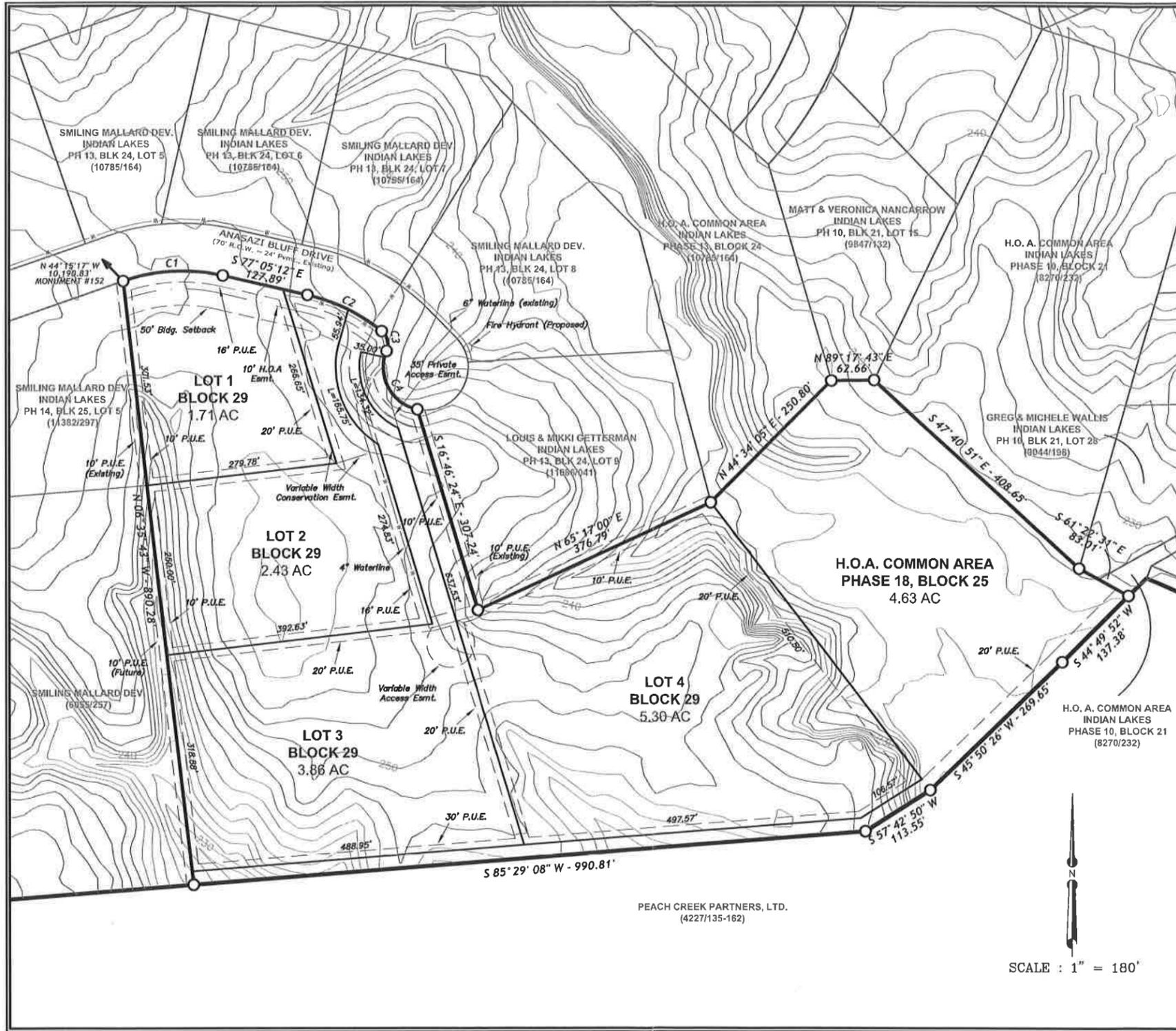
TOTAL LOT COUNT:	4 LOTS
TOTAL LOT ACREAGE:	13.30 AC
TOTAL H.O.A. COMMON AREA ACREAGE:	4.63 AC
TOTAL RIGHT-OF-WAY ACREAGE:	0.00 AC
TOTAL ACREAGE OF PHASE XIII:	17.93 AC

ACREAGE CALCULATIONS

P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
H.O.A.	HOME OWNERS' ASSOCIATION
EASEMENT	EASEMENT
CMP	CORRUGATED METAL PIPE
R.O.W.	RIGHT-OF-WAY
PAVT	PAVEMENT

ABBREVIATIONS

- NOTES:**
1. BASIS OF BEARINGS IS TRUE NORTH OBTAINED BY SOLAR OBSERVATION.
 2. NO LOT LIES WITHIN THE ZONE "A" SPECIAL FLOOD HAZARD AREA INDICATED ON THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY, TEXAS AND INCORPORATED AREAS. COMMUNITY NO. 481195, MAP NO. 4804100350E. EFFECTIVE DATE: MAY 16, 2012. BASE FLOOD ELEVATIONS ARE NOT DETERMINED FOR ZONE "A". ALL DEVELOPMENT WITHIN THE 100-YEAR FLOODPLAIN SHALL COMPLY WITH ALL APPLICABLE ORDERS AND REGULATIONS, INCLUDING BUT NOT LIMITED TO BRAZOS COUNTY'S "FLOOD DAMAGE ORDER". A FLOODPLAIN PERMIT SHALL BE OBTAINED FROM THE COUNTY ENGINEER'S OFFICE PRIOR TO THE CONSTRUCTION OF ANY STRUCTURE(S) WITHIN THE FLOODPLAIN.
 3. THERE IS A 10' PUBLIC UTILITY EASEMENT AND A 10' HOMEOWNER'S ASSOCIATION EASEMENT ALONG THE RIGHT OF WAY FRONTAGE OF ALL LOTS. ALL OTHER PUBLIC UTILITY EASEMENTS ARE AS NOTED ON THE PLAN.
 4. BUILDING LINE SETBACKS ARE AS FOLLOWS:
FRONT SETBACK: 50'
SIDE SETBACK: 15'
REAR SETBACK: 25'
 5. FRONT, REAR, AND SIDE SETBACKS SHALL CONFORM TO THE SPECIFICATIONS OF SUBDIVISION PLATS AS ESTABLISHED BY THE COMMISSIONERS COURT, BRAZOS COUNTY, TEXAS, FOR SUBDIVISIONS SITUATED OUTSIDE THE BOUNDARIES OF ANY INCORPORATED TOWN OR CITY IN BRAZOS COUNTY, TEXAS.
 6. CONTOURS BASED ON DATA PROVIDED BY THE CITY OF COLLEGE STATION.
 7. ALL LOTS ARE TO HAVE INDIVIDUAL ON SITE SEWAGE FACILITIES.
 8. ALL LOTS ARE SUBJECT TO THE REQUIREMENTS AND RESTRICTIONS DELINEATED IN THE COVENANTS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS OF THE SUBDIVISION.
 9. THERE IS A MINIMUM 50' WIDE DRAINAGE BUFFER (25' ON EACH SIDE OF THE CENTERLINE OF ALL DRAINAGE WAYS). SEE THE DEED RESTRICTIONS OF THE SUBDIVISION FOR ADDITIONAL INFORMATION.
 10. H.O.A. EASEMENTS ALONG ALL STREETS RUN PARALLEL TO AND ADJACENT TO THE PUBLIC UTILITY EASEMENTS SHOWN HEREON. H.O.A. EASEMENT ACTIVITIES AND/OR INFRASTRUCTURE WILL BE REFERENCED IN THE DEED RESTRICTIONS OF THE SUBDIVISION.
 11. NOTES FROM THE BRAZOS COUNTY HEALTH DEPARTMENT:
a.) ALL LOTS SERVED BY AN OSSF MUST COMPLY WITH COUNTY AND STATE REGULATIONS. NO OSSF MAY BE INSTALLED ON ANY LOT WITHOUT THE ISSUANCE OF AN "AUTHORIZATION TO CONSTRUCT" ISSUED BY THE BRAZOS COUNTY HEALTH DEPARTMENT UNDER THE PROVISIONS OF THE PRIVATE SEWAGE FACILITY REGULATIONS ADOPTED BY THE COMMISSIONERS COURT OF BRAZOS COUNTY, PURSUANT TO THE PROVISIONS OF SECTION 21.084 OF THE TEXAS WATER CODE. NO OSSF DRAIN FIELD IS TO ENDOURCH ON THE 100-FOOT SANITARY ZONE OF PRIVATE WATER WELLS OR 150 FEET OF PUBLIC WATER WELLS. A SANITARY ZONE MUST BE CLEARLY DELINEATED AROUND ALL EXISTING PUBLIC OR PRIVATE WELLS ON THE SUBDIVISION PLAT OR WITHIN 150 FEET OF THE SUBDIVISION BOUNDARY.
b.) ALL LOTS WILL BE REQUIRED TO HAVE A SITE/SOIL EVALUATION ON FILE WITH THE BRAZOS COUNTY HEALTH DEPARTMENT BEFORE ON-SITE SEWAGE FACILITY MAY BE CONSTRUCTED.
c.) ON-SITE SEWAGE FACILITIES DISPOSAL AREAS SHALL NOT ENDOURCH THE 100 FOOT OR THE 150 FOOT SANITARY ZONE OF A PRIVATE OR PUBLIC WELL, RESPECTIVELY. A SANITARY ZONE MUST BE CLEARLY DELINEATED AROUND ALL EXISTING WELLS ON THE PLAT.
 12. WELLBORN SPECIAL UTILITY DISTRICT WILL PROVIDE WATER SERVICE FOR THE SUBDIVISION. BRYAN TEXAS UTILITIES WILL PROVIDE ELECTRIC SERVICE FOR THE SUBDIVISION.
 13. 1/2" IRON RODS SHALL BE SET AT ALL CORNERS UNLESS OTHERWISE INDICATED.
 14. EXISTING LAND USE: VACANT/AGRICULTURAL
PROPOSED LAND USE: SINGLE FAMILY RURAL RESIDENTIAL
 15. ALL LOTS ARE PREDOMINANTLY DENSE VEGETATION.
 16. ALL LOTS SHALL BE WITHIN 500 FEET OF A FIRE HYDRANT AS MEASURED ALONG THE RIGHT-OF-WAY.



PRELIMINARY PLAN

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	32° 00' 13"	265.00'	148.02'	76.00'	N 86° 54' 42" E	146.10'
C2	26° 23' 30"	265.00'	122.06'	62.13'	S 63° 53' 27" E	120.99'
C3	73° 26' 48"	25.00'	32.05'	18.65'	S 13° 58' 18" E	29.90'
C4	101° 23' 31"	82.50'	110.60'	76.35'	S 27° 54' 44" E	96.72'

SCALE : 1" = 180'

**PRELIMINARY PLAN
NOT FOR RECORD**

OF
VILLAGES OF INDIAN LAKES
PHASE XVIII

17.93 ACRE TRACT - 4 LOTS

J. M. BARRERA SURVEY, A-69

BRAZOS COUNTY, TEXAS

SCALE: 1" = 180' JUNE 27, 2013

SHEET 1 OF 1

OWNED AND DEVELOPED BY:

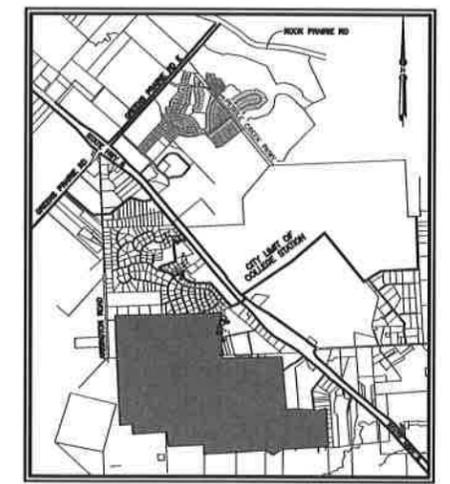
SMILING MALLARD DEVELOPMENT, LTD.
3608 EAST 79TH STREET, SUITE 100
BRYAN, TEXAS 77802
(979) 846-4356

PREPARED BY:

SMILING MALLARD DEVELOPMENT, LTD.
3608 EAST 79TH STREET, SUITE 100
BRYAN, TEXAS 77802
(979) 846-4356

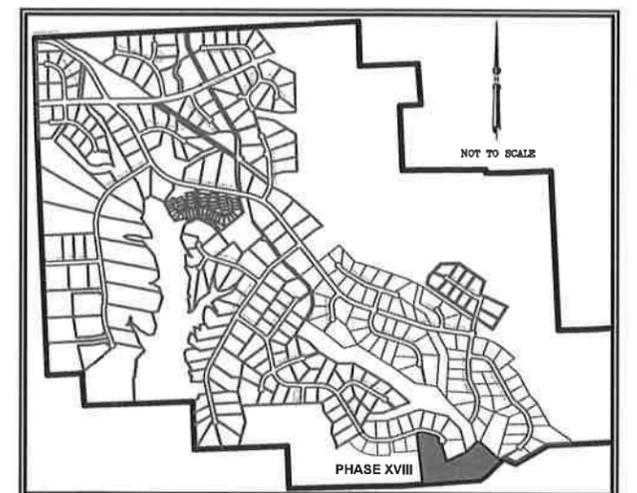
ENGINEER/SURVEYOR:

MCCLELLAN & BROWN ENGINEERING
100 WOODS CREEK DRIVE, SUITE 103
COLLEGE STATION, TEXAS 77845
(979) 693-3558



VICINITY MAP

NOT TO SCALE



LOCATION WITHIN INDIAN LAKES

NOT TO SCALE

13.131
9.5.13
9.45
PK



CITY OF COLLEGE STATION

FINAL PLAT
for
Indian Lakes Ph 16
13-00900124

- SCALE:** Eight residential lots on approximately 23.3 acres
- LOCATION:** Generally located east of Mesa Verde Drive in the Indian Lakes Subdivision, approximately one mile southwest of State Highway 6 in the City's Extraterritorial Jurisdiction
- ZONING:** N/A (ETJ)
- APPLICANT:** Travis Martinek, Smiling Mallard Development, Ltd.
- PROJECT MANAGER:** Morgan Hester, Staff Planner
mhester@cstx.gov
- RECOMMENDATION:** Staff recommends approval of the Final Plat.



	DEVELOPMENT REVIEW	INDIAN LAKES PH 16	Case: 13-124	FINAL PLAT
---	---------------------------	---------------------------	--------------	-------------------

DEVELOPMENT HISTORY

Annexation:	N/A (ETJ)
Zoning:	N/A (ETJ)
Master Planned:	Master Plan approved in 2002. Subsequent preliminary plats and final plats have been approved every year since 2004.
Site development:	Vacant. Eight residential lots are proposed, ranging from 1.15 acres to 1.87 acres.

COMMENTS

Parkland Dedication:	This development was approved as a Master Plan in the ETJ prior to parkland dedication requirements being applicable in the ETJ. Therefore, no parkland dedication is required.
Greenways:	N/A
Pedestrian Connectivity:	This site is located in the ETJ so sidewalks are not required.
Bicycle Connectivity:	This site is located in the ETJ and no specific facilities for bicycle connectivity are required.
Impact Fees:	N/A

REVIEW CRITERIA

- 1. Compliance with Comprehensive Plan and Unified Development Ordinance:** The Comprehensive Plan designates this area as Rural. The City, however, does not have land use authority in the ETJ. The proposed lots will have access from Mesa Verde Drive. This street connects to Indian Lakes Drive, a Major Collector on the Thoroughfare Plan.
- 2. Compliance with Subdivision Regulations:** The Final Plat complies with the applicable Subdivision Regulations contained in the Unified Development Ordinance.

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>13.124</u>
DATE SUBMITTED:	<u>11.11.13</u>
TIME:	<u>11:05</u>
STAFF:	<u>[Signature]</u>

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference n/a

NAME OF PROJECT Indian Lakes Phase 16

ADDRESS East end of Mesa Verde Drive

SPECIFIED LOCATION OF PROPOSED PLAT:

East end of Mesa Verde Drive

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

Name Travis Martinek E-mail travis@clarkewyndham.com

Street Address 3608 East 29th Street, Suite 100

City Bryan State Texas Zip Code 77802

Phone Number (979) 846-4384 Fax Number (979) 846-1461

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

Name Smiling Mallard Development, Ltd. E-mail travis@clarkewyndham.com
Street Address 3608 East 29th Street, Suite 100
City Bryan State Texas Zip Code 77802
Phone Number (979) 846-4384 Fax Number (979) 846-1461

ARCHITECT OR ENGINEER'S INFORMATION:

Name McClure & Browne, Inc. E-mail kevinm@mcclurebrowne.com
Street Address 1008 Woodcreek Drive, Suite 103
City College Station State Texas Zip Code 77845
Phone Number (979) 693-3838 Fax Number (979) 693-2554

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

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

Total Acreage 16.169 Total No. of Lots 8 R-O-W Acreage 4.008

Existing Use Vacant Proposed Use Single Family Residential

Number of Lots By Zoning District n/a / n/a n/a / n/a n/a / n/a

Average Acreage Of Each Residential Lot By Zoning District:
n/a / n/a n/a / n/a n/a / n/a n/a / n/a

Floodplain Acreage 0.000

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

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

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

Yes
 No

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

Project Name: Indian Lakes Subdivision

City Project Number (if known): Unknown

Date / Timeframe when submitted: 2000

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

n/a

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

n/a

Regarding the waiver request, explain how:

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

n/a

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

n/a

- 3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

n/a

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

n/a

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

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

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

Detailed explanation of condition identified above:

n/a

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

Requested Oversize Participation n/a

<p style="text-align: center;">Total Linear Footage of Proposed Public:</p> <p>_____ Streets</p> <p>_____ Sidewalks</p> <p>_____ Sanitary Sewer Lines</p> <p>_____ Water Lines</p> <p>_____ Channels</p> <p>_____ Storm Sewers</p> <p>_____ Bike Lanes / Paths</p>	<p style="text-align: center;">Parkland Dedication due prior to filing the Final Plat:</p> <p>ACREAGE:</p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p style="text-align: center;">OR</p> <p>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks & Recreation Advisory Board</p>
---	---

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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



Signature and title

6/19/13

Date

**FINAL PLAT MINIMUM REQUIREMENTS
(ALL CITY ORDINANCES MUST BE MET)
INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
(Requirements based on field survey and marked by monuments and markers.)**

- Drawn on 24" x 36" sheet to scale of 100' per inch.
- Vicinity map which includes enough of surrounding area to show general location of subject property in relationship to College Station and its City Limits. No scale required but include north arrow.
- Title Block with the following information:
 - Name and address of subdivider, recorded owner, planner, engineer and surveyor.
 - Proposed name of subdivision. (Subdivision name & street names will be approved through Brazos County 911.)
 - Date of preparation.
 - Engineer's scale in feet.
 - Total area intended to be developed.
- North Arrow.
- Subdivision boundary indicated by heavy lines.
- If more than 1 sheet, an index sheet showing entire subdivision at a scale of 500 feet per inch or larger.
- All applicable certifications based on the type of final plat.
 - Ownership and Dedication
 - Surveyor and/or Engineer
 - City Engineer (and City Planner, if a minor plat)
 - Planning and Zoning Commission (delete if minor plat)
 - Brazos County Clerk
 - Brazos County Commissioners Court Approval (ETJ Plats only)
- If submitting a replat where there are existing improvements, submit a survey of the subject property showing the improvements to ensure that no encroachments will be created.
- If using private septic systems, add a general note on the plat that no private sewage facility may be installed on any lot in this subdivision without the issuance of a license by the Brazos County Health Unit under the provisions of the private facility regulations adopted by the Commissioner's Court of Brazos County, pursuant to the provisions of Section 21.084 of the Texas Water Code.
- Location of the 100-Year Floodplain and floodway, if applicable, according to the most recent available data.
- Lot corner markers and survey monuments (by symbol) and clearly tied to basic survey data.
- Matches the approved preliminary plan or qualifies as minor amendments (UDO Section 3.3.E.2).
- The location and description with accurate dimensions, bearings or deflection angles and radii, area, center angle, degree of curvature, tangent distance and length of all curves for all of the following: (Show existing items that are intersecting or contiguous with the boundary of or forming a boundary with the subdivision, as well as, those within the subdivision).

Existing

Proposed

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Streets. Continuous or end in a cul-de-sac, stubbed out streets must end into a temp turn around unless they are shorter than 100 feet. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public and private R.O.W. locations and widths. (All existing and proposed R.O.W.'s sufficient to meet Thoroughfare Plan.) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Street offsets and/or intersection angles meet ordinance. |

Existing

Proposed

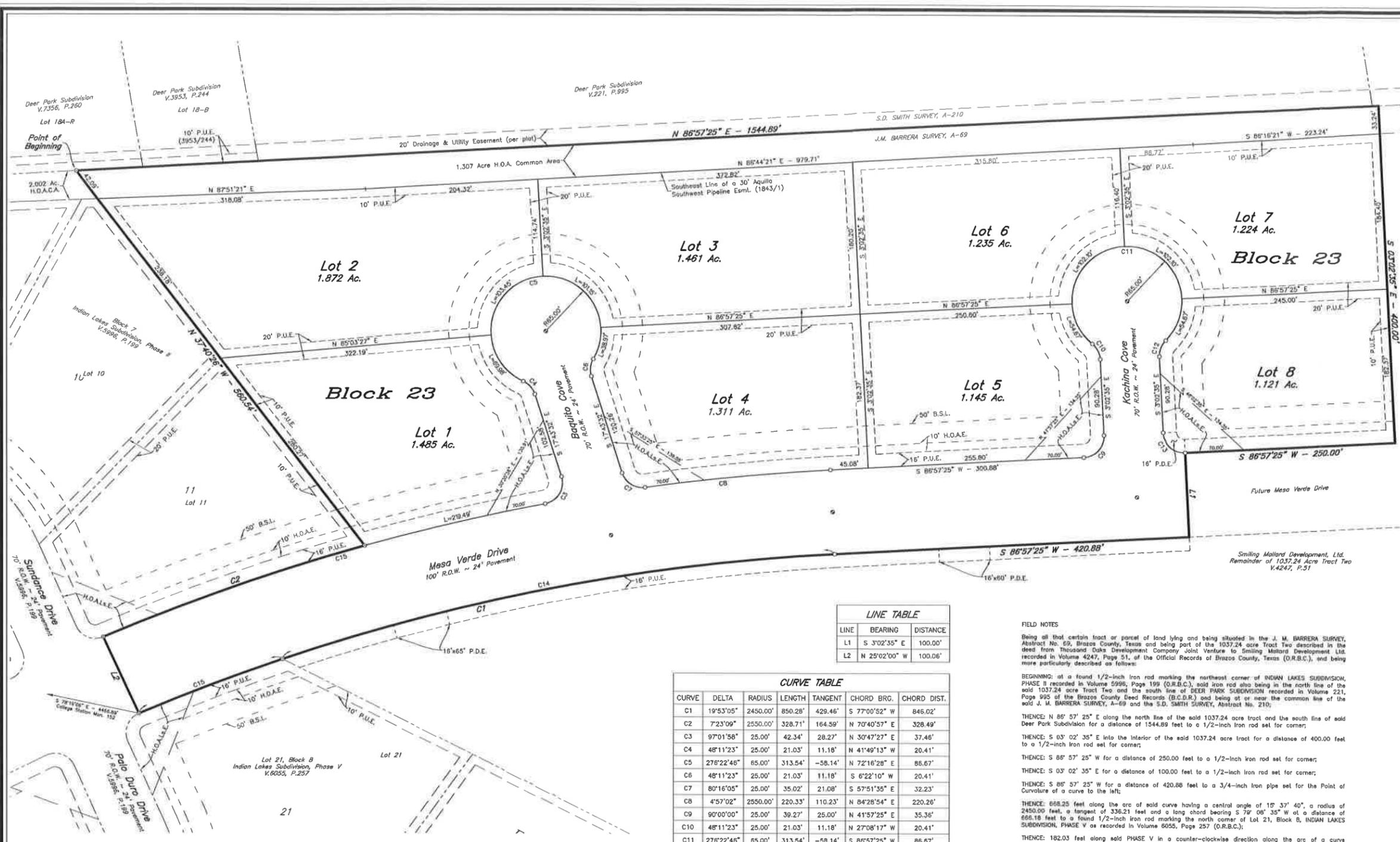
- Alleys.
- Easements.
- A number or letter to identify each lot or site and each block (numbered sequentially).
- Parkland dedication/greenbelt area/park linkages. All proposed dedications must be reviewed by the Parks and Recreation Advisory Board and documentation of their recommendation provided prior to being scheduled for P&Z Commission consideration.

- Construction documents for all public infrastructure drawn on 24" x 36" sheets and properly sealed by a Licensed Texas Professional Engineer that include the following:
 - Street, alley and sidewalk plans, profiles and sections. One sheet must show the overall street, alley and/or sidewalk layout of the subdivision. (may be combined with other utilities).
 - Sewer Design Report.
 - Sanitary sewer plan and profile showing depth and grades. One sheet must show the overall sewer layout of the subdivision. (Utilities of sufficient size/depth to meet the utility master plan and any future growth areas.)
 - Water Design Report and/or Fire Flow Report.
 - Water line plan showing fire hydrants, valves, etc. with plan and profile lines showing depth and grades. One sheet must show the overall water layout of the subdivision. (Utilities of sufficient size/depth to meet the utility master plan and any future growth areas.)
 - Storm drainage system plan with contours, street profile, inlets, storm sewer and drainage channels, with profiles and sections. Drainage and runoff areas, and runoff based on 5, 10, 25, 50 and 100 year rain intensity. Detailed drainage structure design, channel lining design & detention if used. One sheet must show the overall drainage layout of the subdivision.
 - Detailed cost estimates for all public infrastructure listed above sealed by Texas P.E.
 - Letter of completion for public infrastructure or guarantee / surety in accordance with UDO Section 8.6.
 - Drainage Report with a Technical Design Summary.
 - Erosion Control Plan (must be included in construction plans).
- All off-site easements necessary for infrastructure construction must be shown on the final plat with a volume and page listed to indicate where the separate instrument easements were filed. Separate instrument easements must be provided in recordable form to the City prior to being scheduled for P&Z Commission consideration.
- Are there impact fees associated with this development? Yes No
Impact fees must be paid prior to building permit.
- Will any construction occur in TxDOT rights-of-way? Yes No
If yes, TxDOT permit must be submitted along with the construction documents.

NOTE:

1. We will be requesting the corrected Final Plat to be submitted in digital form if available prior to filing the plat at the Courthouse.
2. If the construction area is greater than 5 acres, EPA Notice of Intent (NOI) must be submitted prior to issuance of a development permit.

Print Form



Vicinity Map

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 3°02'35" E	100.00'
L2	N 25°02'00" W	100.06'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	19°53'05"	2450.00'	850.28'	429.46'	S 77°00'52" W	846.02'
C2	7°23'09"	2550.00'	328.71'	164.59'	N 70°40'57" E	328.49'
C3	97°01'58"	25.00'	42.34'	28.27'	N 30°47'27" E	37.46'
C4	48°11'23"	25.00'	21.03'	11.18'	N 41°49'13" W	20.41'
C5	27°22'46"	65.00'	313.54'	-58.14'	N 72°16'28" E	86.67'
C6	48°11'23"	25.00'	21.03'	11.18'	S 62°22'10" W	20.41'
C7	80°16'05"	25.00'	35.02'	21.08'	S 57°51'35" E	32.23'
C8	4°57'02"	2550.00'	220.33'	110.23'	N 84°28'54" E	220.28'
C9	90°00'00"	25.00'	39.27'	25.00'	N 41°57'25" E	35.36'
C10	48°11'23"	25.00'	21.03'	11.18'	N 27°08'17" W	20.41'
C11	27°22'46"	65.00'	313.54'	-58.14'	S 86°57'25" W	86.67'
C12	48°11'23"	25.00'	21.03'	11.18'	S 21°03'06" W	20.41'
C13	90°00'00"	25.00'	39.27'	25.00'	S 48°02'35" E	35.36'
C14	15°37'40"	2450.00'	668.25'	336.21'	S 79°08'35" W	666.18'
C15	4°15'25"	2450.00'	182.03'	91.06'	S 69°12'02" W	181.99'

FIELD NOTES

Being all that certain tract or parcel of land lying and being situated in the J. M. BARRERA SURVEY, Abstract No. 69, Brazos County, Texas and being part of the 1037.24 acre Tract Two described in the deed from Thousand Oaks Development Company Joint Venture to Smiling Mallard Development, Ltd. recorded in Volume 4247, Page 51, of the Official Records of Brazos County, Texas (O.R.B.C.), and being more particularly described as follows:

BEGINNING: at a found 1/2-inch iron rod marking the northeast corner of INDIAN LAKES SUBDIVISION, Abstract No. 69, Brazos County, Texas and being part of the 1037.24 acre Tract Two described in the deed from Thousand Oaks Development Company Joint Venture to Smiling Mallard Development, Ltd. recorded in Volume 4247, Page 51, of the Official Records of Brazos County, Texas (O.R.B.C.), and being more particularly described as follows:

THENCE: N 86° 57' 25" E along the north line of the said 1037.24 acre tract and the south line of said Deer Park Subdivision for a distance of 1544.89 feet to a 1/2-inch iron rod set for corner;

THENCE: S 03° 02' 35" E into the interior of the said 1037.24 acre tract for a distance of 400.00 feet to a 1/2-inch iron rod set for corner;

THENCE: S 86° 57' 25" W for a distance of 250.00 feet to a 1/2-inch iron rod set for corner;

THENCE: S 03° 02' 35" E for a distance of 100.00 feet to a 1/2-inch iron rod set for corner;

THENCE: S 86° 57' 25" W for a distance of 420.88 feet to a 3/4-inch iron pipe set for the Point of Curvature of a curve to the left;

THENCE: 668.25 feet along the arc of said curve having a central angle of 15° 37' 40", a radius of 2450.00 feet, a tangent of 336.21 feet and a long chord bearing S 79° 08' 35" W at a distance of 666.18 feet to a found 1/2-inch iron rod marking the northeast corner of Lot 21, Block 8, INDIAN LAKES SUBDIVISION, PHASE V as recorded in Volume 6055, Page 257 (O.R.B.C.);

THENCE: 182.03 feet along said PHASE V in a counter-clockwise direction along the arc of a curve having a central angle of 04° 15' 25", a radius of 2450.00 feet, a tangent of 91.06 feet and a long chord bearing S 69° 12' 02" W at a distance of 181.99 feet to a found 1/2-inch iron rod for corner in the east line of said INDIAN LAKES SUBDIVISION, PHASE II;

THENCE: along the said east line of PHASE II for the following three (3) calls:

- 1) N 25° 02' 00" W for a distance of 100.06 feet to a found 3/4-inch iron pipe for corner,
- 2) 328.71 feet in a right direction along the arc of a curve having a central angle of 007° 23' 09", a radius of 2550.00 feet, a tangent of 164.59 feet and a long chord bearing N 70° 40' 57" E at a distance of 328.49 feet to a found 1/2-inch iron rod for corner, and
- 3) N 37° 40' 26" W for a distance of 550.54 feet to the POINT OF BEGINNING and containing 16.169 acres of land, more or less.

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

I, Paul Clarke, Manager Smiling Mallard Management, LLC, the general partner of Smiling Mallard Development, LTD., owner and developer of the land shown on this plat, and designated herein as INDIAN LAKES SUBDIVISION, PHASE XVI, of Brazos County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever, all streets, alleys, parks, greenways, infrastructure, easements, and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

Smiling Mallard Development, LTD.
By: Smiling Mallard Development Management, LLC.
Its: General Partner
By: Paul Clarke
Its: Manager

STATE OF TEXAS
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this _____ day of _____, 20____.

Notary Public, Brazos County, Texas

CERTIFICATE OF THE COUNTY CLERK

STATE OF TEXAS
COUNTY OF BRAZOS

I, Karen McQuinn, County Clerk, in and for said County, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the _____ day of _____, 20____, in the Official Records of Brazos County, Texas in Volume _____, Page _____.

Witness my hand and official Seal, at my office in Bryan, Texas.

County Clerk
Brazos County, Texas

CERTIFICATE OF PLANNING AND ZONING COMMISSION

I, _____, Chairman of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the _____ day of _____, 20____.

Chairman

A CERTIFICATE OF APPROVAL

This subdivision plat was duly approved by the Commissioners Court of Brazos County, Texas, on the Final Plat of such subdivision on the _____ day of _____, 20____.

Signed this the _____ day of _____, 20____.

County Judge
Brazos County, Texas

CERTIFICATE OF SURVEYOR AND/OR ENGINEER

STATE OF TEXAS
COUNTY OF BRAZOS

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

Kevin R. McClure, R.P.L.S. No. 5650

FINAL PLAT

INDIAN LAKES SUBDIVISION, PHASE XVI

LOTS 1-8, BLOCK 23

16.169 ACRES

J.M. BARRERA SURVEY, A-69

BRAZOS COUNTY, TEXAS

JUNE, 2013

SCALE: 1" = 60'

Owner: Smiling Mallard Development, Ltd.
3608 East 29th Street
Bryan, Texas 77802
(979) 846-4384

Surveyor: McClure & Browne Engineering, Inc.
1008 Woodcreek Dr., Suite 100
College Station, Texas 77845
(979) 693-3639

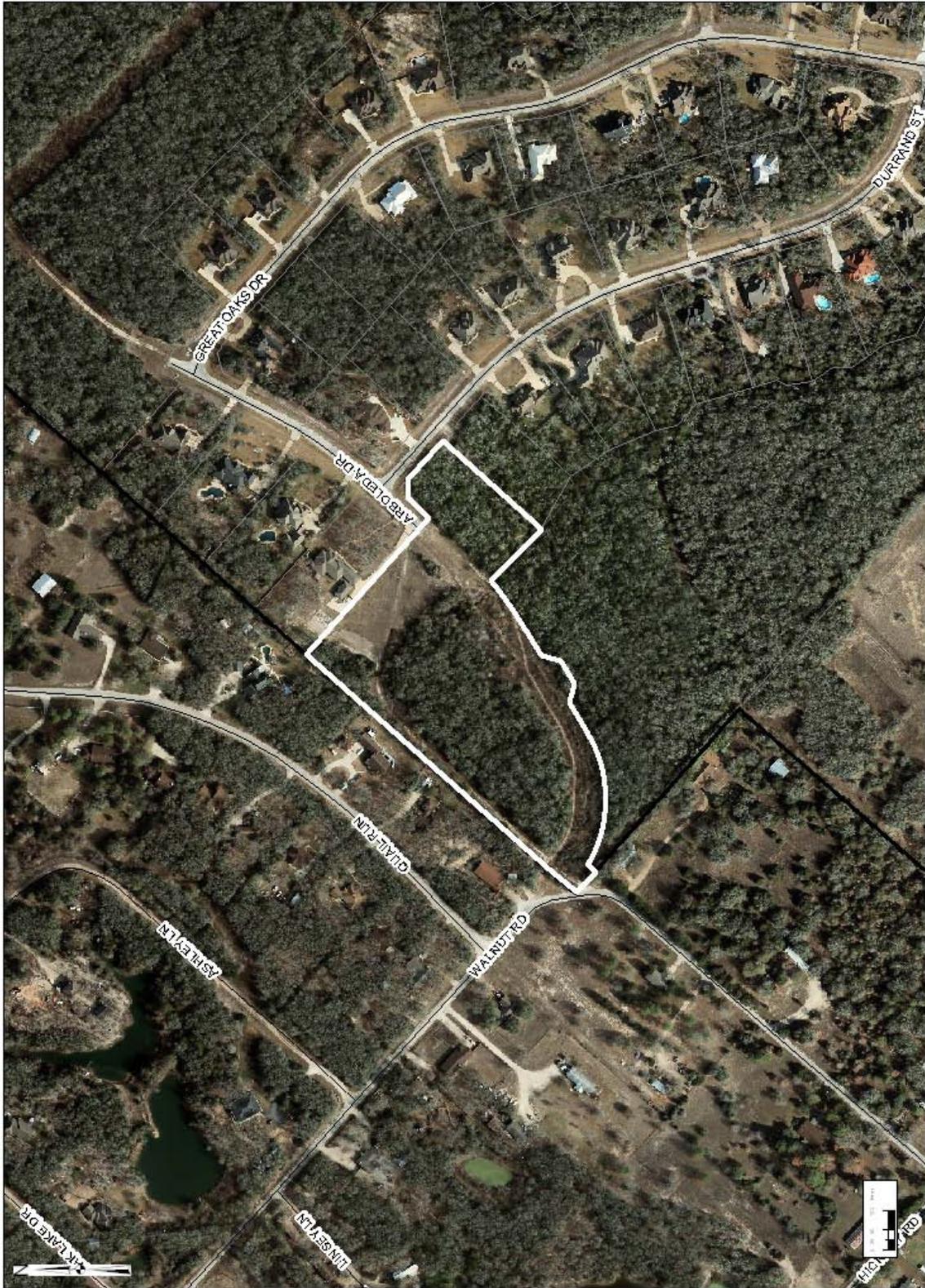
MB



CITY OF COLLEGE STATION

**FINAL PLAT
for
Great Oaks Ph 13
13-00900174**

- SCALE:** Five residential lots on approximately 9.2 acres
- LOCATION:** Generally located west of Arboleda Drive in the Great Oaks Subdivision
- ZONING:** A-OR Rural Residential Subdivision
- APPLICANT:** Clint Cooper, BCS Rock Prairie
- PROJECT MANAGER:** Morgan Hester, Staff Planner
mhester@cstx.gov
- PROJECT OVERVIEW:** A previous Final Plat for Great Oaks Ph 13 was approved in July 2013. This project differs from the previously approved plat by reducing the number of lots from seven to five residential lots.
- RECOMMENDATION:** Staff recommends approval of the Final Plat.



FINAL PLAT

Case: 13-174

GREAT OAKS PH 13

DEVELOPMENT REVIEW



DEVELOPMENT HISTORY

Annexation:	March 2008
Zoning:	A-O Agricultural Open upon annexation A-OR Rural Residential Subdivision in May 2008
Preliminary Plat:	Preliminary Plats have been approved for Great Oaks in 2006, 2012, and a recent revision in 2013.
Site Development:	Vacant. Five residential lots are proposed with this phase, ranging in size from 1.0 acre to 1.6 acres.

COMMENTS

Parkland Dedication:	This development was Master Planned in the ETJ prior to parkland dedication requirements; therefore, no parkland dedication is required.
Greenways:	N/A
Pedestrian Connectivity:	At the time when Great Oaks was master planned, the tract was located in the ETJ; therefore, no sidewalks are proposed or required.
Bicycle Connectivity:	At the time when Great Oaks was master planned, the tract was located in the ETJ; therefore, no bicycle facilities are proposed or required.
Impact Fees:	N/A

REVIEW CRITERIA

1. **Compliance with Comprehensive Plan and Unified Development Ordinance:** The Comprehensive Plan designates this area as Restricted Suburban and the proposed lot sizes exceed with this land use. The proposed lots will have access from Arboleda Drive which connects to Great Oaks Drive, a future 2-lane Minor Collector on the Thoroughfare Plan and connect to Walnut Drive, a future Minor Collector located in the ETJ.
2. **Compliance with Subdivision Regulations:** The Final Plat complies with the applicable Subdivision Regulations contained in the Unified Development Ordinance.

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>13.174</u>
DATE SUBMITTED:	<u>8.21.13</u>
TIME:	<u>10:00</u>
STAFF:	<u>PK</u>

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference _____

NAME OF PROJECT Great Oaks Phase 13

ADDRESS _____

SPECIFIED LOCATION OF PROPOSED PLAT:

Adjacent to Phase 1 & Phase 14 of the Great Oaks Subdivision

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

Name Clint Cooper (BigRock Prairie GP, LLC) E-mail ccooper@caldwells.com

Street Address 1700 Research Hwy #110

City C.S. State Tx Zip Code 77845

Phone Number 979.260.7000 Fax Number _____

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

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

ARCHITECT OR ENGINEER'S INFORMATION:

Name Jeff Robertson (McClure & Browne) E-mail jeff@mcclurebrowne.com
Street Address 1005 Woodcrest
City C.S. State Tx Zip Code 77802
Phone Number 979. 693.3838 Fax Number _____

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

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

Total Acreage 9.214 Total No. of Lots 5 R-O-W Acreage 1.84

Existing Use open Proposed Use Single Family Residential

Number of Lots By Zoning District 5 | AOR _____ | _____ | _____

Average Acreage Of Each Residential Lot By Zoning District:

1.21 | AOR _____ | _____ | _____

Floodplain Acreage 0

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

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

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

Yes

No

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

Project Name: _____

City Project Number (if known): _____

Date / Timeframe when submitted: _____

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

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

Regarding the waiver request, explain how:

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

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

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

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

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

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

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

Detailed explanation of condition identified above:

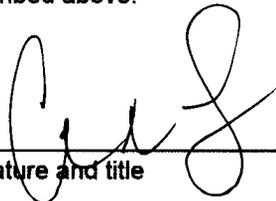
NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

Requested Oversize Participation _____

<p style="text-align: center;">Total Linear Footage of Proposed Public:</p> <p><u>1100</u> Streets</p> <p><u> </u> Sidewalks</p> <p><u> </u> Sanitary Sewer Lines</p> <p><u>70</u> Water Lines</p> <p><u> </u> Channels</p> <p><u> </u> Storm Sewers</p> <p><u> </u> Bike Lanes / Paths</p>	<p style="text-align: center;">Parkland Dedication due prior to filing the Final Plat:</p> <p>ACREAGE:</p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p>OR</p> <p>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks & Recreation Advisory Board</p>
---	---

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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



 Signature and title

8/21/13

 Date

CERTIFICATIONS REQUIRED FOR ALL DEVELOPMENT

Owner Certification:

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

Property Owner(s)

8/21/13

Date

Engineer Certification:

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

Engineer

8/21/13

Date

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

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

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

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

beyond those areas exempted by ordinance in Section 5.11.3a of Chapter 13 Code of Ordinances.

Engineer Jeffery L. Robertson

Date 8/21/13

Initial

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

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

B. I, Jeffery L. Robertson, certify to the following:

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

Engineer Jeffery L. Robertson

Date 8/21/13

Additional certification for Floodway Encroachments:

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

Engineer _____

Date _____

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

Residential Structures:

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

Engineer / Surveyor

Date

Commercial Structures:

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

Engineer / Surveyor

Date

OR

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

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

Engineer / Surveyor

Date

Conditions or comments as part of approval: _____

**FINAL PLAT MINIMUM REQUIREMENTS
(ALL CITY ORDINANCES MUST BE MET)
INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
(Requirements based on field survey and marked by monuments and markers.)**

- Drawn on 24" x 36" sheet to scale of 100' per inch.
 - Vicinity map which includes enough of surrounding area to show general location of subject property in relationship to College Station and its City Limits. No scale required but include north arrow.
 - Title Block with the following information:
 - Name and address of subdivider, recorded owner, planner, engineer and surveyor.
 - Proposed name of subdivision. (Subdivision name & street names will be approved through Brazos County 911.)
 - Date of preparation.
 - Engineer's scale in feet.
 - Total area intended to be developed.
 - North Arrow.
 - Subdivision boundary indicated by heavy lines.
 - If more than 1 sheet, an index sheet showing entire subdivision at a scale of 500 feet per inch or larger.
 - All applicable certifications based on the type of final plat.
 - Ownership and Dedication
 - Surveyor and/or Engineer
 - City Engineer (and City Planner, if a minor plat)
 - Planning and Zoning Commission (delete if minor plat)
 - Brazos County Clerk
 - Brazos County Commissioners Court Approval (ETJ Plats only)
 - If submitting a replat where there are existing improvements, submit a survey of the subject property showing the improvements to ensure that no encroachments will be created.
 - If using private septic systems, add a general note on the plat that no private sewage facility may be installed on any lot in this subdivision without the issuance of a license by the Brazos County Health Unit under the provisions of the private facility regulations adopted by the Commissioner's Court of Brazos County, pursuant to the provisions of Section 21.084 of the Texas Water Code.
 - Location of the 100-Year Floodplain and floodway, if applicable, according to the most recent available data.
 - Lot corner markers and survey monuments (by symbol) and clearly tied to basic survey data.
 - Matches the approved preliminary plan or qualifies as minor amendments (UDO Section 3.3.E.2).
 - The location and description with accurate dimensions, bearings or deflection angles and radii, area, center angle, degree of curvature, tangent distance and length of all curves for all of the following: (Show existing items that are intersecting or contiguous with the boundary of or forming a boundary with the subdivision, as well as, those within the subdivision).
- | Existing | Proposed |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Streets. Continuous or end in a cul-de-sac, stubbed out streets must end into a temp turn around unless they are shorter than 100 feet. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Public and private R.O.W. locations and widths. (All existing and proposed R.O.W.'s sufficient to meet Thoroughfare Plan.) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Street offsets and/or intersection angles meet ordinance. |

Existing Proposed

- NA Alleys.
- Easements.
- A number or letter to identify each lot or site and each block (numbered sequentially).
- NA Parkland dedication/greenbelt area/park linkages. All proposed dedications must be reviewed by the Parks and Recreation Advisory Board and documentation of their recommendation provided prior to being scheduled for P&Z Commission consideration.

NA Construction documents for all public infrastructure drawn on 24" x 36" sheets and properly sealed by a Licensed Texas Professional Engineer that include the following:

- Street, alley and sidewalk plans, profiles and sections. One sheet must show the overall street, alley and/or sidewalk layout of the subdivision. (may be combined with other utilities).
- Sewer Design Report.
- Sanitary sewer plan and profile showing depth and grades. One sheet must show the overall sewer layout of the subdivision. (Utilities of sufficient size/depth to meet the utility master plan and any future growth areas.)
- Water Design Report and/or Fire Flow Report.
- Water line plan showing fire hydrants, valves, etc. with plan and profile lines showing depth and grades. One sheet must show the overall water layout of the subdivision. (Utilities of sufficient size/depth to meet the utility master plan and any future growth areas.)
- Storm drainage system plan with contours, street profile, inlets, storm sewer and drainage channels, with profiles and sections. Drainage and runoff areas, and runoff based on 5, 10, 25, 50 and 100 year rain intensity. Detailed drainage structure design, channel lining design & detention if used. One sheet must show the overall drainage layout of the subdivision.
 - Detailed cost estimates for all public infrastructure listed above sealed by Texas P.E.
 - Letter of completion for public infrastructure or guarantee / surety in accordance with UDO Section 8.6.
 - Drainage Report with a Technical Design Summary.
 - Erosion Control Plan (must be included in construction plans).

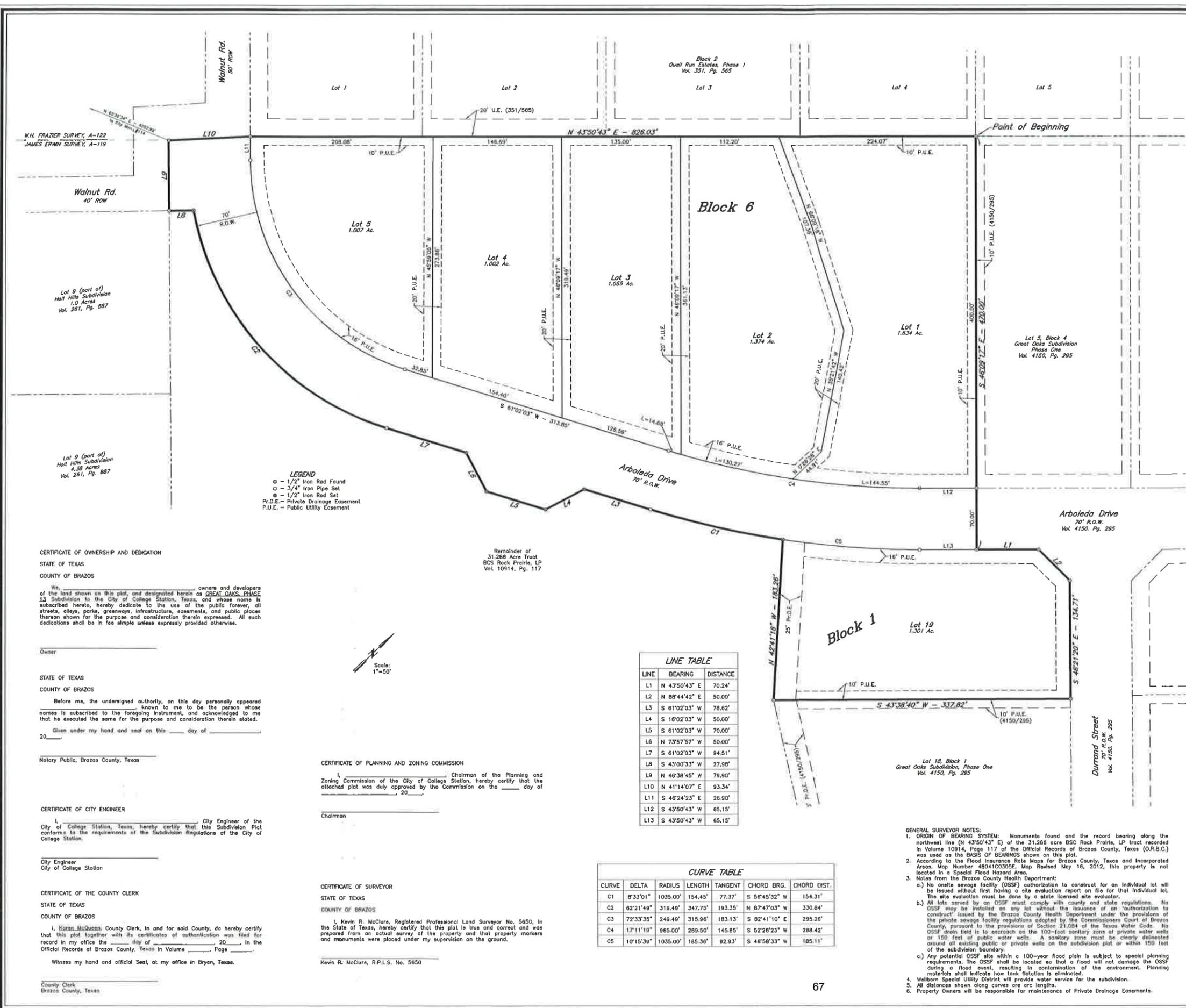
All off-site easements necessary for infrastructure construction must be shown on the final plat with a volume and page listed to indicate where the separate instrument easements were filed. Separate instrument easements must be provided in recordable form to the City prior to being scheduled for P&Z Commission consideration.

Are there impact fees associated with this development? Yes No
Impact fees must be paid prior to building permit.

Will any construction occur in TxDOT rights-of-way? Yes No
If yes, TxDOT permit must be submitted along with the construction documents.

- NOTE:**
1. We will be requesting the corrected Final Plat to be submitted in digital form if available prior to filing the plat at the Courthouse.
 2. If the construction area is greater than 5 acres, EPA Notice of Intent (NOI) must be submitted prior to issuance of a development permit.

Print Form



Vicinity Map

FIELD NOTES

Being all that certain tract or parcel of land lying and being situated in the JAMES ERWIN SURVEY, A-119, Brazos County, Texas and being part of the 31.286 acre Tract 1 described in the deed from Laven J. Van Riet, Trustee to BCS Rock Prairie, LP recorded in Volume 10914, Page 117 of the Official Records of Brazos County (O.R.B.C.) and being more particularly described by rites and bounds as follows:

BEGINNING: at a found 1/2-inch iron rod marking the north corner of the said 31.286 acre tract, the west corner of Lot 5, Block 4 GREAT OAKS SUBDIVISION, PHASE ONE as recorded in Volume 4150, Page 295 (O.R.B.C.) and being in the southeast line of QUAIL RUN ESTATES, PHASE I as recorded in Volume 351, Page 565 of the Brazos County Deed Records (B.C.D.C.) and being at or near the common line of the W.H. FRAZIER SURVEY, A-122 and the JAMES ERWIN SURVEY, A-119;

THENCE: along the westerly lines of said GREAT OAKS SUBDIVISION, PHASE ONE for the following five (5) calls:

- 1) S 46° 09' 17" E for a distance of 470.00 feet to a found 1/2-inch iron rod for corner,
- 2) N 43° 50' 43" E for a distance of 70.24 feet to a found 1/2-inch iron rod for corner,
- 3) N 88° 44' 42" E for a distance of 50.00 feet to a found 1/2-inch iron rod for corner,
- 4) S 48° 21' 20" E for a distance of 134.71 feet to a found 1/2-inch iron rod for corner, and
- 5) S 43° 38' 40" W for a distance of 337.82 feet to a found 1/2-inch iron rod for corner,

THENCE: through the interior of the said 31.286 acre BCS Rock Prairie, LP tract for the following nine (9) calls:

- 1) N 42° 41' 18" W for a distance of 183.26 feet to a 1/2-inch iron rod set for corner,
- 2) 154.45 feet in a clockwise direction along the arc of a curve having a central angle of 08° 33' 01", a radius of 1035.00 feet, a tangent of 77.37 feet and a long chord bearing S 56° 45' 32" W at a distance of 154.31 feet to a 3/4-inch iron pipe set for the Point of Tangency,
- 3) S 61° 02' 03" W for a distance of 78.62 feet to a 1/2-inch iron rod set for corner,
- 4) S 16° 02' 03" W for a distance of 50.00 feet to a 1/2-inch iron rod set for corner,
- 5) S 61° 02' 03" W for a distance of 70.00 feet to a 1/2-inch iron rod set for corner,
- 6) N 73° 57' 57" W for a distance of 50.00 feet to a 1/2-inch iron rod set for corner,
- 7) S 61° 02' 03" W for a distance of 94.51 feet to a 3/4-inch iron pipe set for the Point of Curvature of a curve to the right,
- 8) 347.75 feet along the arc of said curve having a central angle of 62° 21' 49", a radius of 319.49 feet, a tangent of 193.35 feet and a long chord bearing N 87° 47' 03" W at a distance of 330.84 feet to a 1/2-inch iron rod set for corner, and
- 9) S 43° 00' 33" W for a distance of 27.98 feet to a found 1/2-inch iron rod marking the north corner of Lot 5, HOLT HILLS Subdivision as recorded in Volume 261, Page 887 (B.C.D.R.), said iron rod also being in the right-of-way line of a County Road called Walnut Road (based on a 40' width);

THENCE: N 46° 38' 45" W along the lower northeast right-of-way line of said Walnut Road for a distance of 79.90 feet to a found 1/2-inch iron rod in the asphalt pavement for an internal ell-corner in said Walnut Road right-of-way, said iron rod being in or near the before-said common line of the W.H. FRAZIER SURVEY, A-122 and the JAMES ERWIN SURVEY, A-119;

THENCE: N 41° 14' 07" E for a distance of 93.34 feet to a found 1/2-inch iron rod marking the east corner of a 0.151 acre Walnut Road right-of-way dedication as shown on the before-mentioned QUAIL RUN ESTATES PHASE I Subdivision Plat;

THENCE: N 43° 50' 43" E along the common line of the said 31.286 acre BCS Rock Prairie, LP tract and QUAIL RUN ESTATES, PHASE I for a distance of 626.03 feet to the POINT OF BEGINNING and containing 9.214 acres of land, more or less.

LEGEND
 ● - 1/2" Iron Rod Found
 ○ - 3/4" Iron Pipe Set
 ⊙ - 1/2" Iron Rod Set
 P.D.E. - Private Drainage Easement
 P.U.E. - Public Utility Easement

CERTIFICATE OF OWNERSHIP AND DEDICATION
 STATE OF TEXAS
 COUNTY OF BRAZOS

We, the undersigned owners and developers of the land shown on this plat, and designated herein as GREAT OAKS, PHASE 13 Subdivision to the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever, all streets, alleys, parks, greenways, infrastructure, easements, and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

Owner: _____
 State of Texas
 County of Brazos

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose names is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
 Given under my hand and seal on this ____ day of _____, 20__.

Notary Public, Brazos County, Texas

CERTIFICATE OF CITY ENGINEER
 I, _____ City Engineer of the City of College Station, Texas, hereby certify that this Subdivision Plat conforms to the requirements of the Subdivision Regulations of the City of College Station.

CERTIFICATE OF THE COUNTY CLERK
 STATE OF TEXAS
 COUNTY OF BRAZOS

I, _____ County Clerk, in and for said County, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the ____ day of _____, 20__ in the Official Records of Brazos County, Texas in Volume _____, Page ____.
 Witness my hand and official Seal, at my office in Bryan, Texas.

County Clerk
 Brazos County, Texas

CERTIFICATE OF PLANNING AND ZONING COMMISSION

I, _____ Chairman of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the ____ day of _____, 20__.

Chairman

CERTIFICATE OF SURVEYOR

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

Kevin R. McClure, R.P.L.S. No. 5650

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 43°50'43" E	70.24'
L2	N 88°44'42" E	50.00'
L3	S 61°02'03" W	78.62'
L4	S 16°02'03" W	50.00'
L5	S 61°02'03" W	70.00'
L6	N 73°57'57" W	50.00'
L7	S 61°02'03" W	94.51'
L8	S 43°00'33" W	27.98'
L9	N 46°38'45" W	79.90'
L10	N 41°14'07" E	93.34'
L11	S 46°24'23" E	28.90'
L12	S 43°50'43" W	65.15'
L13	S 43°50'43" W	65.15'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	8°33'01"	1035.00'	154.45'	77.37'	S 56°45'32" W	154.31'
C2	82°21'49"	319.49'	347.75'	193.35'	N 87°47'03" W	330.84'
C3	72°33'35"	249.49'	315.96'	183.13'	S 62°41'10" E	295.26'
C4	17°11'19"	965.00'	289.50'	145.85'	S 52°26'23" W	288.42'
C5	10°15'39"	1035.00'	185.36'	92.93'	S 48°58'33" W	185.11'

GENERAL SURVEYOR NOTES:
 1. ORIGIN OF BEARING SYSTEM: Monuments found and the record bearing along the northwest line (N 43°50'43" E) of the 31.286 acre BCS Rock Prairie, LP tract recorded in Volume 10914, Page 117 of the Official Records of Brazos County, Texas (O.R.B.C.) was used as the BASIS OF BEARINGS shown on this plat.
 2. According to the Flood Insurance Rate Maps for Brazos County, Texas and Incorporated Areas, Map Number 4804100305E, Map Revised May 16, 2012, this property is not located in a Special Flood Hazard Area.
 3. Notes from the Brazos County Health Department:
 a) No onsite sewage facility (OSSF) authorization to construct for an individual lot will be issued without first having a site evaluation report on file for that individual lot. The site evaluation must be done by a state licensed site evaluator.
 b) All lots served by an OSSF must comply with county and state regulations. No OSSF may be installed on any lot without the issuance of an "authorization to construct" issued by the Brazos County Health Department under the provisions of the private sewage facility regulations adopted by the Commissioners Court of Brazos County, pursuant to the provisions of Section 21.024 of the Texas Water Code. No OSSF drain field is to encroach on the 100-foot sanitary zone of private water wells or 150 feet of public water wells. A sanitary zone must be clearly delineated around all existing public or private wells on the subdivision plot or within 150 feet of the subdivision boundary.
 c) Any potential OSSF site within a 100-year flood plain is subject to special planning requirements. The OSSF shall be located so that a flood will not damage the OSSF during a flood event, resulting in contamination of the environment. Planning materials shall indicate how tank flotation is eliminated.
 4. Wellborn Special Utility District will provide water service for the subdivision.
 5. All distances shown along curves are arc lengths.
 6. Property Owners will be responsible for maintenance of Private Drainage Easements.

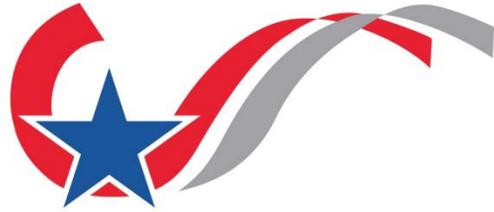
FINAL PLAT
GREAT OAKS
PHASE 13
 LOTS 1-5, BLOCK 6
 LOT 19, BLOCK 1
 9.214 ACRES
 JAMES ERWIN SURVEY, A-119
 COLLEGE STATION, BRAZOS COUNTY, TEXAS
 JANUARY, 2013
 Scale: 1" = 50'

Owner:
 BCS Rock Prairie, LP
 1700 Research Pkwy #240
 College Station, TX 77845
 (979) 260-7000

Surveyor:
 McClure & Browne Engineering/Surveying, Inc.
 1006 Woodcrest Dr., Suite 103
 College Station, Texas 77845
 (979) 693-3838

MB

13.174
 9.04.13
 B.K
 S



CITY OF COLLEGE STATION

**FINAL PLAT
for
University Heights Ph 2 & 3
13-00900101**

SCALE: 66 residential lots and three common areas on 12.525 acres

LOCATION: 3150 Holleman Drive South

ZONING: 30 lots - R-1 Single-Family Residential
36 lots - R-3 Townhomes

APPLICANT: Paul Schultz

PROJECT MANAGER: Jenifer Paz, Staff Planner
jpaz@cstx.gov

RECOMMENDATION: Staff recommends approval of the Final Plat.



FINAL
PLAT

Case: 13-101

UNIVERSITY HEIGHTS PH 2 & 3

DEVELOPMENT REVIEW



DEVELOPMENT HISTORY

Annexation:	March 2008
Zoning:	Upon annexation – A-O Agricultural Open; A-O to R-1 Single Family Residential, R-3 Townhomes (2008)
Preliminary Plat:	This project was Master Planned and Preliminary Platted in 2006 as Oakland Ridge Subdivision. It was again Preliminary Platted in 2011 as the University Heights Subdivision.
Site Development:	Vacant

COMMENTS

Parkland Dedication:	None required. This project began while in the ETJ prior to the requirements of parkland dedication.
Greenways:	N/A
Pedestrian Connectivity:	Sidewalks are provided along one side of all interior streets as required by the Subdivision Regulations at the time this project began.
Bicycle Connectivity:	None required.
Impact Fees:	The subject property is located within the Steeplechase-Wellborn Sanitary Sewer Impact Fee Area and will be required \$357.74/LUE upon construction.

REVIEW CRITERIA

Compliance with Subdivision Regulations: The proposed Final Plat is in compliance with the current Preliminary Plat and Unified Development Ordinance, as well as the Subdivision Regulations that were in place at the time the project began in 2006.

STAFF RECOMMENDATIONS

Staff recommends approval of the proposed Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY	
CASE NO.:	<u>13-101</u>
DATE SUBMITTED:	<u>5.22.13</u>
TIME:	<u>9:01</u>
STAFF:	<u>[Signature]</u>

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference N/A

NAME OF PROJECT University Heights Subdivision Phase 2 & 3

ADDRESS Holleman Drive South

SPECIFIED LOCATION OF PROPOSED PLAT:

North-West of University Heights Phase 1

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

Name Paul Schultz E-mail pschultz@regents-austin.com

Street Address 5704 Travis Green Ln.

City Austin State TX Zip Code 78745

Phone Number 512-413-8748 Fax Number 512-287-4935

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

Name MJBS Holleman, LTD., a Texas limited partnership E-mail pschultz@regents-austin.com
Street Address 5704 Travis Green Ln.
City Austin State TX Zip Code 78745
Phone Number 512-413-8748 Fax Number 512-287-4935

ARCHITECT OR ENGINEER'S INFORMATION:

Name Schultz Engineering, LLC - Joe Schultz E-mail joeschultz84@verizon.net
Street Address 2730 Longmire Drive, Suite A
City College Station State TX Zip Code 77845
Phone Number (979) 764-3900 Fax Number (979)764-3910

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

Is there a temporary blanket easement on this property? If so, please provide the Volume 10420 and Page No. 246

Total Acreage 12.525 Total No. of Lots 66 R-O-W Acreage 3.25

Existing Use Vacant Proposed Use Single Family Residential & Townhome

Number of Lots By Zoning District R-1 / 30 R-3 / 36 /

Average Acreage Of Each Residential Lot By Zoning District:

R-1 / 0.173 R-3 / 0.091 /

Floodplain Acreage N/A

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

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

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

Yes

No

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

Project Name: University Heights Subdivision (PP)

City Project Number (if known): 11 - 00500064

Date / Timeframe when submitted: 03/30/11

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

The Lots on Block 5, 6 and 7 were revised so that the lots adjacent to the pipeline easement had enough buildable area. Lots 14 & 15 on Block 8 were chaged to a common area for an Amenity Center. Lot 16 on block 19 was deleted.

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

Regarding the waiver request, explain how:

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

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

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

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

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

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

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

Detailed explanation of condition identified above:

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

Requested Oversize Participation N/A

<p style="text-align: center;">Total Linear Footage of Proposed Public:</p> <p><u>2790</u> Streets</p> <p><u>2175</u> Sidewalks</p> <p><u>2390</u> Sanitary Sewer Lines</p> <p><u>2250</u> Water Lines</p> <p><u>400</u> Channels</p> <p><u>1127</u> Storm Sewers</p> <p><u>0</u> Bike Lanes / Paths</p>	<p style="text-align: center;">Parkland Dedication due prior to filling the Final Plat:</p> <p>ACREAGE:</p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p>OR</p> <p>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks & Recreation Advisory Board</p>
---	--

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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



 Signature and title Manager of
General Partner

5/21/13

 Date

CERTIFICATIONS REQUIRED FOR ALL DEVELOPMENT

Owner Certification:

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



Property Owner(s)

5/21/13

Date

Engineer Certification:

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


Engineer



5/21/13
Date

MILES AND BOUNDS DESCRIPTION OF A 11.588 ACRE TRACT CRAWFORD BURNETT SURVEY, A-7 COLLEGE STATION, BRAZOS COUNTY, TEXAS

MILES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT SURVEY, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS SAID TRACT BEING A REMAINDER OF A CALLED 20.305 ACRE TRACT AS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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

BEGINNING AT A 6 INCH IRON ROD FOUND ON THE NORTHEAST CORNER OF THE REMAINDER OF A CALLED 20.305 ACRE TRACT AS DESCRIBED BY METES AND BOUNDS AS FOLLOWS (IN VALUING 3112 PUE 1/8 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE SOUTH CORNER OF A CALLED 20.305 ACRE TRACT AS DESCRIBED BY A DEED TO JOHN L. KEMP AND WIFE, LINDA L. KEMP, RECORDED IN VOLUME 1841, PAGE 48 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD FOUND MARKING THE WEST CORNER OF SAID REMAINDER OF 20.305 ACRE TRACT);

THENCE: N 42° 25' 22" E ALONG THE COMMON LINE OF SAID REMAINDER OF 20.305 ACRE TRACT AND SAID 20.305 ACRE TRACT FOR A DISTANCE OF 66.55 FEET TO THE WEST CORNER OF UNIVERSITY HEIGHTS, PHASE 1, AS SHOWN ON THIS PLAT AT APPROXIMATELY 102.00 FEET TO THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS FOR REFERENCE A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST CORNER OF UNIVERSITY HEIGHTS, PHASE 1, BEARS N 42° 25' 22" E FOR A DISTANCE OF 113.21 FEET;

THENCE: ALONG THE SOUTHWEST CORNER OF UNIVERSITY HEIGHTS, PHASE 1, SAME BEING THE SOUTHWEST CORNER OF LOT PORTALES DRIVE (R.O.W.) AND STREET EXTENSIONS THEREOF FOR THE FOLLOWING CALLS:

53° 53' 31" E FOR A DISTANCE OF 92.17 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 23.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99° 19' 13" FOR AN ARC DISTANCE OF 54.34 FEET (CHORD BEARS S 07° 14' 14" E - 34.11 FEET) TO THE END OF SAID CURVE;

S 47° 34' 38" E ACROSS THE END OF DAVIDSON DRIVE (R.O.W.) FOR A DISTANCE OF 50.00 FEET TO THE EXTENSION OF THE SOUTHWEST CORNER OF DAVIDSON DRIVE;

N 42° 25' 22" E ALONG THE EXTENSION OF THE SOUTHWEST CORNER OF DAVIDSON DRIVE FOR A DISTANCE OF 16.41 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 23.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99° 19' 13" FOR AN ARC DISTANCE OF 53.30 FEET (CHORD BEARS N 42° 49' 46" E - 32.37 FEET) TO THE END OF SAID CURVE;

S 40° 53' 31" E ALONG THE SOUTHWEST CORNER OF LOS PORTALES DRIVE FOR A DISTANCE OF 193.34 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 23.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99° 19' 13" FOR AN ARC DISTANCE OF 43.34 FEET (CHORD BEARS S 07° 14' 14" E - 34.11 FEET) TO THE END OF SAID CURVE;

S 47° 34' 38" E ACROSS THE END OF HAVERFORD ROAD (R.O.W.) FOR A DISTANCE OF 50.00 FEET TO THE EXTENSION OF THE SOUTHWEST CORNER OF HAVERFORD ROAD;

N 42° 25' 22" E ALONG THE EXTENSION OF THE SOUTHWEST CORNER OF HAVERFORD ROAD FOR A DISTANCE OF 16.41 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 23.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99° 19' 13" FOR AN ARC DISTANCE OF 35.26 FEET (CHORD BEARS N 42° 49' 46" E - 32.37 FEET) TO THE END OF SAID CURVE;

S 40° 53' 31" E ALONG THE SOUTHWEST CORNER OF LOS PORTALES DRIVE FOR A DISTANCE OF 41.33 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 23.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99° 19' 13" FOR AN ARC DISTANCE OF 43.34 FEET (CHORD BEARS S 07° 14' 14" E - 34.11 FEET) TO THE END OF SAID CURVE;

S 47° 34' 38" E ACROSS THE END OF KENYON DRIVE (R.O.W.) FOR A DISTANCE OF 50.00 FEET TO THE EXTENSION OF THE SOUTHWEST CORNER OF KENYON DRIVE;

N 42° 25' 22" E ALONG THE EXTENSION OF THE SOUTHWEST CORNER OF KENYON DRIVE FOR A DISTANCE OF 38.16 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21° 20' 22" FOR AN ARC DISTANCE OF 9.14 FEET (CHORD BEARS S 37° 29' 01" W - 9.13 FEET) TO THE END OF SAID CURVE AND THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 30.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37° 00' 00" FOR AN ARC DISTANCE OF 24.90 FEET (CHORD BEARS S 57° 29' 01" W - 24.90 FEET) TO THE END OF SAID CURVE AND THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 15.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 67° 42' 33" FOR AN ARC DISTANCE OF 17.03 FEET (CHORD BEARS S 21° 32' 53" E - 16.13 FEET) TO THE END OF SAID CURVE;

S 10° 19' 31" E FOR A DISTANCE OF 10.19 FEET;

S 54° 11' 54" W FOR A DISTANCE OF 141.24 FEET TO THE COMMON LINE OF SAID REMAINDER OF 20.305 ACRE TRACT AND THE AFORESAID REMAINDER OF 20.305 ACRE TRACT, FOR REFERENCE A 1/2 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID REMAINDER OF 20.305 ACRE TRACT BEARS S 47° 34' 38" E FOR A DISTANCE OF 139.92 FEET;

THENCE: N 47° 49' 10" W ALONG THE COMMON LINE OF SAID REMAINDER OF 20.305 ACRE TRACT AND SAID REMAINDER OF 20.305 ACRE TRACT FOR A DISTANCE OF 66.55 FEET TO THE POINT OF BEGINNING CONTAINING 12.525 ACRES OF LAND, MARKED BY IRON PIPES, BEARING SYSTEM SHOWN HEREIN BASED ON GRID NORTH AS ESTABLISHED FROM G.P.S. OBSERVATION.



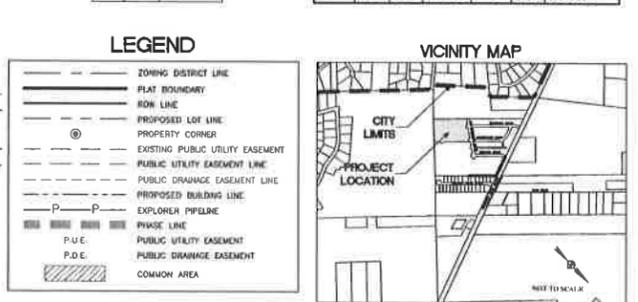
- NOTES:
- BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM G.P.S. OBSERVATION.
 - IRON RODS WILL BE SET AT ALL ANGLE POINTS AND LOT CORNERS, UNLESS STATED OTHERWISE.
 - THIS TRACT DOES NOT LIE WITHIN A DESIGNATED 100 YEAR FLOOD PLAIN ACCORDING TO THE F.J.R.M. MAPS, COMMUNITY PANEL NO. 4804100305-E, EFFECTIVE MAY 16, 2012.
 - THE WATER SUPPLIER FOR THIS DEVELOPMENT IS THE WELBORN SPECIAL UTILITY DISTRICT. THE WATERLINES WILL BE DESIGNED AND CONSTRUCTED TO CITY OF COLLEGE STATION SPECIFICATIONS AND STANDARDS. THESE WATERLINES WILL PROVIDE THE REQUIRED FLOW TO FIRE HYDRANTS TO MEET FIRE PROTECTION REQUIREMENTS.
 - A WATER DESIGN REPORT FOR THIS SUBDIVISION WILL BE PROVIDED PER CITY STANDARDS.
 - ELECTRIC SERVICE FOR THIS DEVELOPMENT WILL BE PROVIDED BY BRYAN TEXAS UTILITIES (BTU). ADDITIONAL EASEMENTS WILL BE PROVIDED AS REQUIRED BY BTU.
 - BUILDING SETBACK LINES WILL BE IN ACCORDANCE WITH THE CITY OF COLLEGE STATION UNIFIED DEVELOPMENT ORDINANCE.
 - CURVE LENGTHS SHOWN ALONG THE BOUNDARY OR RIGHT-OF-WAY LINES ARE CHORD LENGTHS.
 - MAINTENANCE OF THE COMMON AREAS WILL BE BY THE HOME OWNERS' ASSOCIATION (HOA), THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION OF UNIVERSITY HEIGHTS PHASE 1, VOLUME 10535, PAGE 195 WILL BE AMENDED TO INCLUDE PHASE 2 AND PHASE 3 BY A NOTICE OF ADDITION OF LAND.
 - THIS PLAT IS IN THE STEEPCHASE SANITARY SEWER IMPACT FEE AREA.
 - THE OFFSITE DRAINAGE SWALE BETWEEN KENYON DRIVE AND COMMON AREA 4 WILL BE MAINTAINED BY THE PROPERTY OWNER OR THE UNIVERSITY HEIGHTS HOA.
 - BLOCKS 6, 9, & 10 WILL HAVE DRIVEWAY ACCESS ONLY FROM THE PUBLIC ALLEY.
 - BLOCKS 6 & 7 ARE ZONED R-1, BLOCKS 8, 9, & 10 ARE ZONED R-3.
 - THERE ARE 30 R-1 RESIDENTIAL LOTS AND 36 R-3 TOWNHOME LOTS PROPOSED.

Curve Table

CURVE #	LENGTH	RADIUS	BEARING	CHORD	CHORD DIRECTION
C1	43.34	25.00	089°19'13"	28.44	38.11 S07°14'14"E
C2	55.20	25.00	080°40'47"	31.23	32.37 S02°49'44"E
C3	43.34	25.00	089°19'13"	28.44	38.11 S07°14'14"E
C4	35.20	25.00	080°40'47"	21.23	32.37 S02°49'44"E
C5	43.34	25.00	089°19'13"	28.44	38.11 S07°14'14"E
C6	35.20	25.00	080°40'47"	21.23	32.37 S02°49'44"E
C7	43.34	25.00	089°19'13"	28.44	38.11 S07°14'14"E
C8	9.18	25.00	021°02'22"	6.64	8.15 S51°54'11"W
C9	28.80	30.00	037°00'00"	14.61	28.40 S37°53'00"W
C10	17.03	15.00	050°22'31"	6.56	18.12 S21°32'53"W
C11	23.89	18.00	091°14'20"	15.32	21.44 S03°11'54"W
C12	36.73	25.00	088°45'28"	24.45	34.97 S08°48'06"W
C13	8.18	25.00	021°02'22"	6.64	8.15 S51°54'11"W
C14	41.36	30.00	047°23'39"	21.93	40.18 N01°28'33"W
C15	22.14	15.00	084°33'09"	13.64	25.18 N02°53'28"W
C16	17.84	30.00	025°04'21"	8.88	17.66 N22°49'44"E
C17	62.84	30.00	048°33'36"	41.40	55.66 N03°43'02"E
C18	30.00	30.00	091°14'20"	25.55	35.74 N03°11'54"W
C19	13.68	25.00	021°02'22"	8.66	12.01 N03°48'52"W
C20	151.86	50.00	151°05'42"	184.00	88.84 N03°11'54"W
C21	13.68	25.00	021°02'22"	8.66	12.01 N03°48'52"W
C22	36.73	25.00	087°14'20"	25.55	35.74 N03°11'54"W
C23	36.73	25.00	088°45'28"	24.45	34.97 S08°48'06"W
C24	32.81	25.00	081°14'20"	25.55	35.74 N03°11'54"W
C25	38.13	25.00	088°45'28"	24.45	34.97 S08°48'06"W
C26	48.42	30.00	100°14'20"	25.55	35.74 N03°11'54"W
C27	38.13	25.00	088°45'28"	24.45	34.97 S08°48'06"W

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	50.00	S47°34'38"E
L2	16.41	N42°25'22"E
L3	50.00	S47°34'38"E
L4	16.41	N42°25'22"E
L5	63.32	S08°53'51"E
L6	34.00	S47°34'38"E
L7	12.14	N42°25'22"E
L8	64.35	S58°53'51"E
L9	30.00	S47°34'38"E
L10	18.70	S10°36'25"E
L11	73.23	S42°25'22"W
L12	48.82	N38°16'34"E
L13	82.87	S48°40'10"W
L14	83.87	N48°40'10"W
L15	75.82	S47°34'38"E
L16	45.47	S08°53'51"E
L17	48.42	N02°58'57"E
L18	68.75	N41°10'50"E



CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

I, Paul Schultz, President of MJB'S Holleman, LTD., a Texas Limited Partnership, owner and developer of the 12.525 acre tract shown on this plat, and designated herein as University Heights, Phases 2 & 3, Subdivision to the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, greenways, infrastructure, easements and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

MJB'S Holleman, LTD., A Texas Limited Partnership

By: Paul A. Schultz, President

CERTIFICATE OF CITY ENGINEER

I, _____ City Engineer of the City of College Station, Texas, hereby certify that this Subdivision Plat conforms to the requirements of the Subdivision Regulations of the City of College Station, Texas.

City Engineer

CERTIFICATE OF THE SURVEYOR

STATE OF TEXAS
COUNTY OF BRAZOS

I, Brad Kerr, Registered Professional Land Surveyor No. 4502, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

County Clerk
Brazos County, Texas

CERTIFICATE OF THE COUNTY CLERK

STATE OF TEXAS
COUNTY OF BRAZOS

I, _____ County Clerk, do and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the _____ day of _____, 20____, in the Deed Records of Brazos County, Texas, in Volume _____ Page _____.

WITNESS my hand and official Seal, at my office in Bryan, Texas.

CERTIFICATION OF PLANNING AND ZONING COMMISSION

I, _____ Chairman of the Planning and Zoning Commission of the City of College Station, Texas, hereby certify that the attached plat was duly approved by the Commission on the _____ day of _____, 20____.

Chairman

R.P.L.S. No. 4502

Notary Public, Brazos County, Texas

FINAL PLAT
UNIVERSITY HEIGHTS
PHASES 2 & 3
12.525 ACRES
BLOCK 6, LOTS 1 THRU 14
BLOCK 7, LOTS 1 THRU 16
BLOCK 8, LOTS 1 THRU 13
BLOCK 9, LOTS 1 THRU 15
BLOCK 10, LOTS 1 THRU 8
COMMON AREA 3, 4 & 5

CRAWFORD BURNETT SURVEY, A-7
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1"=50'
JULY 2013

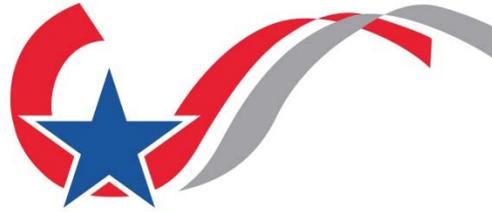
OWNER/DEVELOPER: MJB'S HOLLEMAN, LTD., A TEXAS LIMITED PARTNERSHIP
5704 TRAVIS GREEN LN., AUSTIN, TX 78745
(512)413-8748

ENGINEER: Schultz Engineering, LLC
TBPE No. 12327
2730 LONGHORN, SUITE A
College Station, Texas 77845
(979) 764-3900

SURVEYOR: Brad Kerr, RPLS No. 4502
Kerr Surveying, LLC
488 N. Texas Ave., Bryan, TX 77803
(979) 268-3195

SCALE IN FEET
50 25 0 25 50

13-101
7-22-13
9-53
COP



CITY OF COLLEGE STATION

FINAL PLAT
for
Woodland Acres Lot 1R and 2R
Being a Replat of
Woodland Acres Lot 1A and a portion of Lot 2
13-00900170

SCALE: Two lots on approximately 4.5 acres

LOCATION: 703 Francis Dr

ZONING: R-1 Single-Family Residential

APPLICANT: Steve Pittman, Owner

PROJECT MANAGER: Matt Robinson, AICP, Senior Planner
mrobinson@cstx.gov

RECOMMENDATION: Staff recommends approval of the discretionary item related to allowing driveway access to a minor collector as well as the waiver to sidewalks. Staff also recommends approval of the Final Plat.



Case: 13-170	WOODLAND ACRES L1R & 2R	DEVELOPMENT REVIEW
REPLAT		

DEVELOPMENT HISTORY

Annexation:	1949
Zoning:	R-1 Single-Family Residential
Final Plat:	The property was platted in 1957
Site Development:	A house is currently constructed on proposed lot 1R.

COMMENTS

Parkland Dedication:	A residence existed previously on the new lot being created. The property is considered one building plot since it was held in common ownership when the City's Subdivision Regulations were adopted. No parkland dedication fees are required.
Greenways:	N/A
Pedestrian Connectivity:	A sidewalk currently exists on the south side of Francis Drive. The applicant is requesting a waiver to the sidewalk requirement for his property on the northside of Francis Drive.
Bicycle Connectivity:	Future bike lanes along Francis Drive are identified in the Bicycle, Pedestrian and Greenways Master Plan.
Impact Fees:	N/A

REVIEW CRITERIA

- 1. Compliance with Subdivision Regulations:** As proposed, the plat has a discretionary item and requires a waiver to the subdivision regulations contained in the Unified Development Ordinance.

Section 8.3H.1.i, "Lots" of the Unified Development Ordinance does not permit a single-family dwelling, townhouse, or duplex lots to have direct access to an arterial or collector thoroughfare. However, single-family detached lots that are at least 100-feet in width may have direct access with the recommendation of the Administrator and approval of the Commission. As each lot is over 200 feet in width and other lots in the area have similar access, staff recommends that the driveway access be allowed.

Section 8.3.K.2 Sidewalks of the Unified Development Ordinance requires that a sidewalk be constructed on Francis Drive a minor collector on the City's Thoroughfare Plan. The applicant is requesting a waiver to the sidewalk requirement.

In accordance with the Subdivision Regulations, when considering a waiver, the Planning and Zoning Commission should make the following findings to approve the waiver:

1. That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this chapter will deprive the applicant of the reasonable use of his land;

There are no special circumstances that prevent the application of this chapter for the proposed replat that will deprive the applicant reasonable use of his land.

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

Due to the size and length of the property, the requirement to construct a sidewalk is not proportional to the development due to the lot being reconfigured to only add one lot and that the length of sidewalk would exceed 500 feet.

3. That the granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this chapter; and

The applicant has stated that the waiver will not be detrimental to the public as there is an existing sidewalk along Francis Drive already.

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

The granting of the requested waiver will not prevent future development as all abutting properties have been developed.

STAFF RECOMMENDATIONS

Staff recommends approval of the request for driveway access for the newly created lot as it has a lot width over 200 feet, is large enough for vehicles to turn around within the site, and because there are similar situations that exist all along Francis Drive. Staff also recommends approval of the waiver request to sidewalks on the basis that the requirement to build a sidewalk that is over 500 feet in length is not proportional to the development of the one additional lot. Staff recommends approval of the Final Plat if both the discretionary item and waiver are granted by the Commission.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat



FOR OFFICE USE ONLY

CASE NO.: 13-1710
 DATE SUBMITTED: 8-14-13
 TIME: 9:09
 STAFF: [Signature]

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference _____

NAME OF PROJECT Woodland Acres

ADDRESS 701 + 703 Francis Drive

SPECIFIED LOCATION OF PROPOSED PLAT:

lot 1A + a portion of lot 2

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

Name Steve P. Haman E-mail pittman@pcsunited.com

Street Address 11962 Hoops Creek

City C.S. State Tx Zip Code 77845

Phone Number 979-229-0988 Fax Number _____

①

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

Name Richard A. Smith E-mail _____
Street Address 1215 E. Villamaria
City Baytown State Tx Zip Code 77802
Phone Number 979-776-1301 Fax Number _____

ARCHITECT OR ENGINEER'S INFORMATION:

Name Kerr Surveying LLC E-mail louise.barker@suddenlinkmail.com
Street Address 409 N. Texas Ave
City Bryan State Texas Zip Code 77803
Phone Number 268-3195 Fax Number 691-8904

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

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

Total Acreage 4.548 Total No. of Lots 2 R-O-W Acreage NA

Existing Use Residential Proposed Use Residential

Number of Lots By Zoning District 2 / R-1 _____ / _____ / _____

Average Acreage Of Each Residential Lot By Zoning District:
2.25 / R-1 _____ / _____ / _____

Floodplain Acreage Approx 1.4 ac

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

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

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

Yes
 No

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

Project Name: _____

City Project Number (if known): _____

Date / Timeframe when submitted: _____

2

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

Name Steve Pittman E-mail pittman@csunited.com
Street Address 11962 Hopes Creek
City C.C. State TX Zip Code 77848
Phone Number 879-229-0988 Fax Number _____

ARCHITECT OR ENGINEER'S INFORMATION:

Name Kerr Surveying LLC E-mail louise.barker@suddenlinkmail.com
Street Address 409 N. Texas Ave
City Bryan State Texas Zip Code 77803
Phone Number 268-3195 Fax Number 691-8904

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

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

Total Acreage 4.548 Total No. of Lots 2 R-O-W Acreage NA

Existing Use Residential Proposed Use Residential

Number of Lots By Zoning District 2 R-1 _____

Average Acreage Of Each Residential Lot By Zoning District:
2.25 R-1 _____

Floodplain Acreage Approx 1.4 ac

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

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

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

Yes
 No

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

Project Name: _____
City Project Number (if known): _____
Date / Timeframe when submitted: _____

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

[Empty box for statement addressing differences]

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

UDO Section 8.3.K Sidewalks

Regarding the waiver request, explain how:

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

Due to the fact that the plat is simply an alignment of previously existing lot lines and is not a subdivision or development, the sidewalk is excessive requirement for rebuilding on existing home.

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

The excessive cost of and nature of the sidewalk would disallow the property owner to rebuild a homestead on the property.

- 3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

The waiver will not be detrimental to the public in any way as there is an existing sidewalk along Francis Drive already.

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

It will not prevent any future subdividing of any property in the future.

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

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

701/703 Francis

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

Detailed explanation of condition identified above:

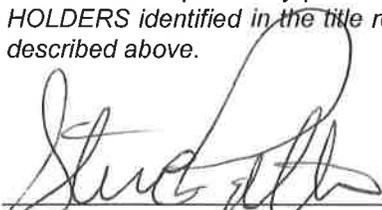
NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

Requested Oversize Participation _____

<p style="text-align: center;">Total Linear Footage of Proposed Public:</p> <p>_____ Streets</p> <p>_____ Sidewalks</p> <p>_____ Sanitary Sewer Lines</p> <p>_____ Water Lines</p> <p>_____ Channels</p> <p>_____ Storm Sewers</p> <p>_____ Bike Lanes / Paths</p>	<p style="text-align: center;">Parkland Dedication due prior to filing the Final Plat:</p> <p>ACREAGE:</p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p>OR</p> <p>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks & Recreation Advisory Board</p>
---	---

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

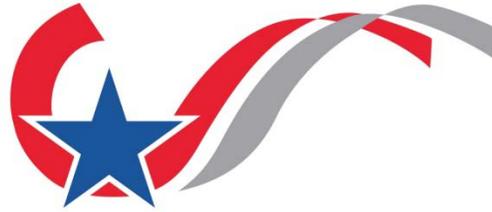
The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from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



Signature and title

9/3/13

Date



CITY OF COLLEGE STATION

FINAL PLAT
for
Greens Prairie Center Phase 2A, Lots 1R-13R and Common Areas 1-4, Block 5
Being a Replat of
Greens Prairie Center Phase 2A, Lot 1, Block 5
13-00900071

SCALE: 13 commercial lots on 27.60 acres

LOCATION: 1501 Arrington Road

ZONING: GC General Commercial
OV Corridor Overlay

APPLICANT: Jesse Durden, Caprock Texas

PROJECT MANAGER: Matt Robinson, AICP, Senior Planner
mrobinson@cstx.gov

PROJECT OVERVIEW: This replat is to subdivide one lot into 13 lots. The final plat for Phase 2a was originally approved in 2007.

RECOMMENDATION: Staff recommends approval of the Final Plat.



Case: 13-071
REPLAT

GREENS PRAIRIE CENTER PH 2A

DEVELOPMENT REVIEW



DEVELOPMENT HISTORY

Annexation: 2002
Zoning: A-O upon annexation
A-O Agricultural Open to C-1 General Commercial (2006)
OV Corridor Overlay (2006)
Preliminary Plan: 2006, revised in 2007
Site Development: Vacant. Public ways are currently being constructed in conjunction with the Caprock Crossing development.

COMMENTS

Parkland Dedication: No dedication is required or proposed.
Greenways: No dedication is required or proposed.
Pedestrian Connectivity: Sidewalks are located along Arrington Road and along future Public Ways.
Bicycle Connectivity: Bike lanes are currently located along Arrington Road.
Impact Fees: The property is located in the Spring Creek Sewer Impact Fee Area (97-01). Currently, the Impact Fee for this area is \$98.39 per Living Unit Equivalent. Impact Fees are due at time of Building Permit.

REVIEW CRITERIA

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

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat

FOR OFFICE USE ONLY	
CASE NO.:	<u>13.71</u>
DATE SUBMITTED:	<u>3.27.13</u>
TIME:	<u>9:30</u>
STAFF:	<u>JS</u>

FINAL PLAT APPLICATION

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

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

MINIMUM SUBMITTAL REQUIREMENTS:

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

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

Date of Optional Preapplication or Stormwater Management Conference _____

NAME OF PROJECT Greens Prairie Center Phase 2A Replat - Mills Park at Caprock Crossing

ADDRESS Corner of Arrington Road & Charania Lane

SPECIFIED LOCATION OF PROPOSED PLAT:

Southeast of the intersection of William D. Fitch Parkway (SH 40) and Arrington Road

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

Name Jesse Durden E-mail jesse.durden@caprocktx.com

Street Address 110 Lincoln Avenue, Suite 100

City College Station State Texas Zip Code 77840

Phone Number 979-307-0321 Fax Number 979-314-7606

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

Name Brazos Texas Land Development, LLC E-mail salimc1@hotmail.com
Street Address 1203 University Drive East Salim Ismail
City College Station State Texas Zip Code 77845
Phone Number _____ Fax Number _____

ARCHITECT OR ENGINEER'S INFORMATION:

Name Schultz Engineering, LLC - Deven Doyen, P.E. E-mail deven@schultzengineeringllc.com
Street Address 2730 Longmire Drive, Suite A
City College Station State Texas Zip Code 77845
Phone Number 979-764-3900 Fax Number 979-764-3910

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

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

Total Acreage 27.60 Total No. of Lots 13 R-O-W Acreage 0

Existing Use Vacant Proposed Use Commercial & Office

Number of Lots By Zoning District 13 / GC4 _____ / _____ / _____

Average Acreage Of Each Residential Lot By Zoning District:

_____ / _____ _____ / _____ _____ / _____ _____ / _____

Floodplain Acreage N/A

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

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

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

Yes
 No

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

Project Name: Greens Prairie Center Phase 2A & 3

City Project Number (if known): 7-500173

Date / Timeframe when submitted: _____

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

N/A

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

None

Regarding the waiver request, explain how:

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

N/A

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

N/A

- 3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

N/A

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

N/A

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

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

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

Detailed explanation of condition identified above:

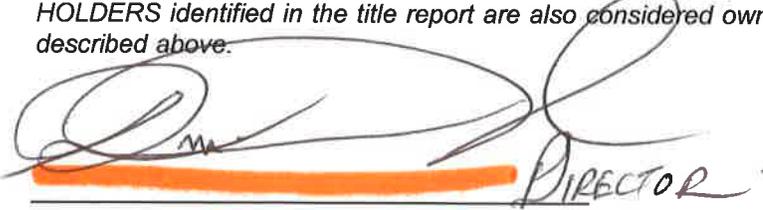
NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

Requested Oversize Participation _____

<p style="text-align: center;">Total Linear Footage of Proposed Public:</p> <p>_____ Streets</p> <p>_____ Sidewalks</p> <p><u>875</u> Sanitary Sewer Lines</p> <p><u>775</u> Water Lines</p> <p>_____ Channels</p> <p>_____ Storm Sewers</p> <p>_____ Bike Lanes / Paths</p>	<p style="text-align: center;">Parkland Dedication due prior to filing the Final Plat:</p> <p>ACREAGE:</p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p>OR</p> <p>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks & Recreation Advisory Board</p>
---	---

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

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

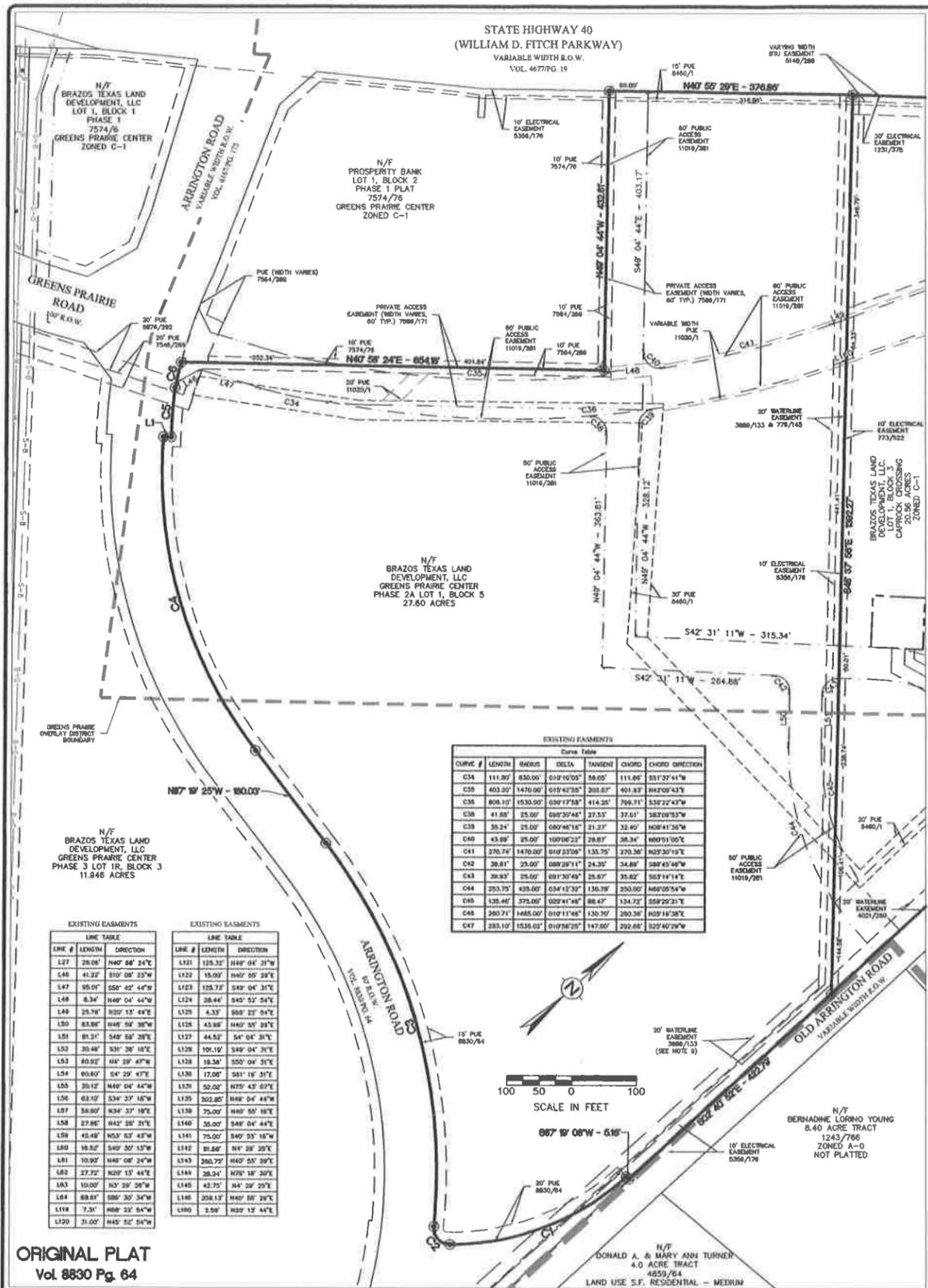


MARCH 12TH, 2013

Signature and title

Date

SALIM M. ISMAIL, DIRECTOR



EXISTING EASEMENTS

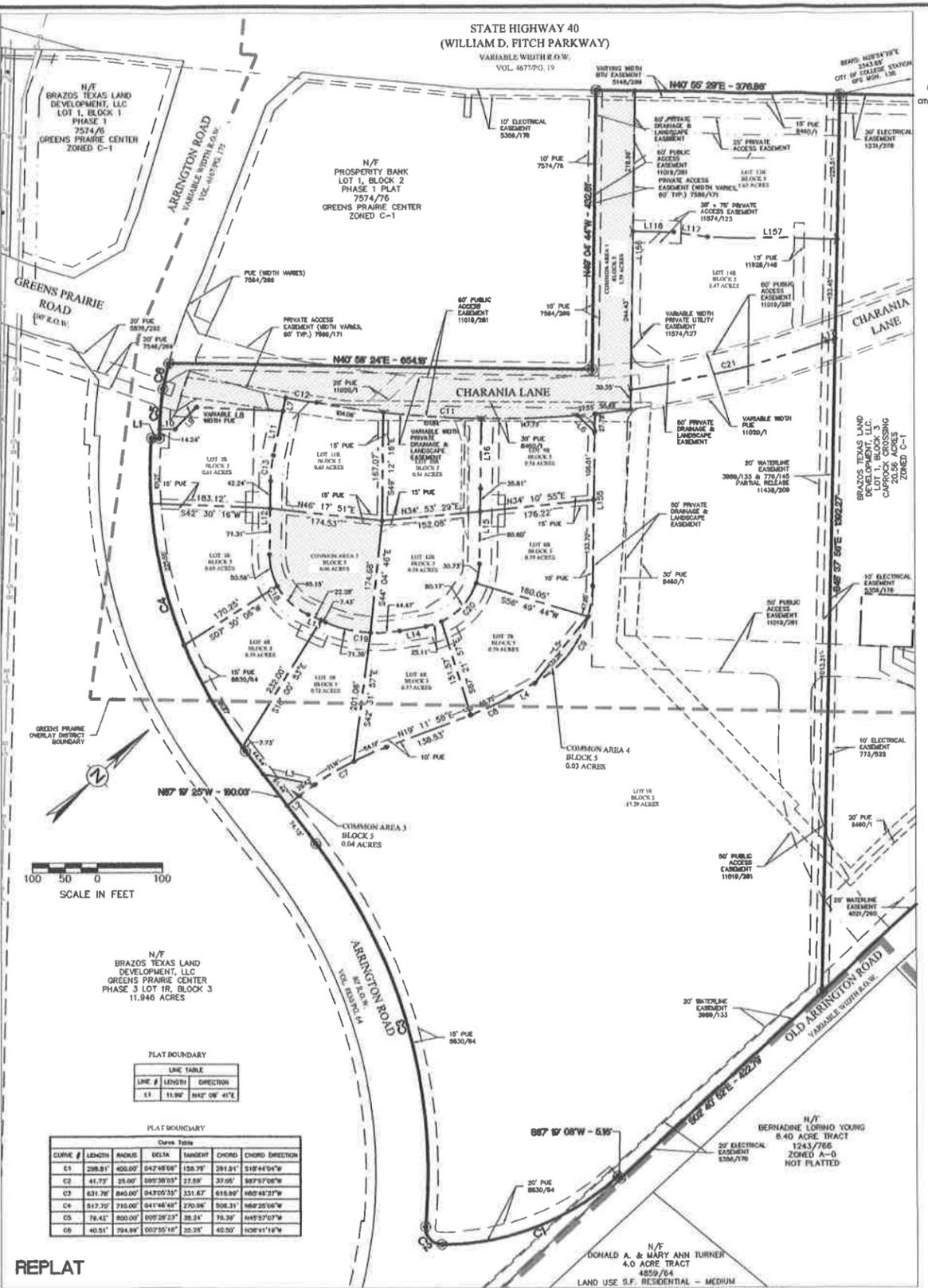
LINE #	LENGTH	DIRECTION
L27	28.05'	N40° 06' 24"E
L48	41.22'	S10° 08' 23"W
L47	95.01'	S56° 02' 44"W
L48	8.34'	N40° 04' 44"W
L49	25.74'	S05° 13' 44"E
L50	83.85'	N45° 59' 38"W
L51	81.37'	S49° 59' 38"E
L52	30.48'	S31° 30' 18"E
L53	40.82'	N41° 39' 47"W
L54	60.80'	S41° 29' 47"E
L55	20.12'	N40° 04' 44"W
L56	62.10'	S34° 37' 16"W
L57	58.80'	N34° 37' 16"E
L58	27.84'	N45° 28' 31"E
L59	42.48'	N03° 32' 42"W
L60	18.52'	S42° 30' 13"W
L61	10.90'	N45° 08' 24"E
L62	27.72'	N03° 13' 44"E
L63	10.00'	N03° 30' 54"W
L64	88.41'	S08° 30' 54"W
L118	7.31'	N45° 52' 54"W
L120	31.00'	N45° 52' 54"W

EXISTING EASEMENTS

LINE #	LENGTH	DIRECTION
L121	120.32'	N40° 04' 31"W
L122	15.00'	N40° 05' 28"E
L123	125.72'	S40° 04' 31"E
L124	28.44'	S45° 52' 54"E
L125	4.33'	S08° 23' 54"E
L126	43.88'	N40° 05' 28"E
L127	44.80'	S4° 04' 31"E
L128	106.10'	S40° 04' 31"E
L129	10.30'	S00° 00' 00"E
L130	17.00'	S01° 18' 37"E
L131	50.00'	N03° 45' 07"E
L132	202.80'	N40° 04' 44"W
L133	75.00'	N40° 05' 16"E
L134	32.00'	S40° 04' 44"E
L135	75.00'	S40° 05' 16"W
L136	81.60'	N4° 38' 30"E
L137	280.72'	N40° 05' 30"E
L138	28.24'	N40° 18' 30"E
L139	42.75'	N4° 20' 29"E
L140	258.12'	N40° 05' 28"E
L140	1.00'	N03° 13' 44"E

EXISTING EASEMENTS

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C34	111.80'	830.00'	610° 40' 05"	56.00'	111.80'	S31° 37' 41"W
C35	403.30'	1476.00'	610° 42' 38"	208.83'	403.30'	N42° 00' 43"E
C36	808.10'	1530.00'	630° 17' 58"	414.25'	799.71'	S32° 22' 43"W
C38	41.88'	25.00'	600° 20' 48"	27.53'	37.01'	S03° 08' 55"W
C39	55.24'	25.00'	600° 48' 18"	21.27'	28.40'	N02° 41' 35"W
C40	43.88'	25.00'	100° 06' 22"	29.87'	38.34'	N00° 51' 00"E
C41	270.74'	1470.00'	610° 23' 30"	135.75'	270.36'	N23° 30' 19"E
C42	28.81'	25.00'	600° 20' 11"	24.30'	34.88'	S08° 43' 48"W
C43	28.83'	25.00'	601° 30' 49"	25.87'	35.82'	S03° 18' 14"E
C44	253.75'	435.00'	634° 12' 32"	130.39'	250.00'	N00° 09' 54"W
C45	135.48'	375.00'	600° 41' 48"	88.47'	134.72'	S08° 22' 31"E
C46	260.71'	1485.00'	610° 11' 48"	130.70'	260.38'	N03° 18' 38"E
C47	283.10'	1536.00'	610° 58' 25"	147.60'	292.68'	S22° 40' 29"W



PLAT BOUNDARY

LINE #	LENGTH	DIRECTION
L1	11.80'	N42° 08' 41"E

PLAT BOUNDARY

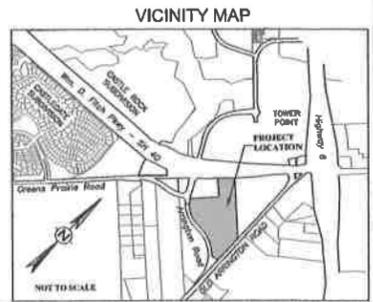
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	298.91'	400.00'	647° 48' 08"	158.79'	291.91'	S18° 44' 54"W
C2	41.73'	25.00'	592° 38' 03"	27.88'	37.09'	S07° 57' 08"W
C3	631.78'	840.00'	647° 00' 35"	321.67'	618.99'	N02° 48' 27"E
C4	512.70'	710.00'	641° 48' 48"	270.36'	508.31'	N02° 20' 08"W
C5	78.43'	800.00'	102° 28' 23"	38.34'	78.39'	N45° 57' 07"W
C6	40.51'	284.84'	002° 10' 14"	20.24'	40.20'	N08° 11' 19"W

LOT BOUNDARIES

LINE #	LENGTH	DIRECTION
L2	24.22'	N0° 18' 13"E
L3	81.82'	S03° 48' 18"E
L4	43.81'	N01° 04' 03"E
L5	132.28'	N01° 07' 37"W
L6	37.04'	N03° 20' 03"E
L7	21.02'	S33° 20' 03"E
L8	133.51'	S42° 30' 18"W
L9	47.00'	S0° 14' 03"E
L10	23.87'	S49° 31' 00"W
L11	20.34'	N37° 30' 00"W
L12	113.85'	N40° 04' 44"W
L13	28.70'	S03° 30' 48"W
L14	41.38'	S00° 17' 10"W
L15	118.41'	S48° 04' 44"E
L16	107.80'	S40° 05' 20"E
L17	14.17'	N02° 15' 44"E
L18	63.89'	N48° 22' 13"E
L19	63.89'	N40° 05' 20"E
L20	280.48'	N40° 04' 44"W
L21	483.44'	S40° 04' 44"E
L22	188.10'	N40° 05' 20"E

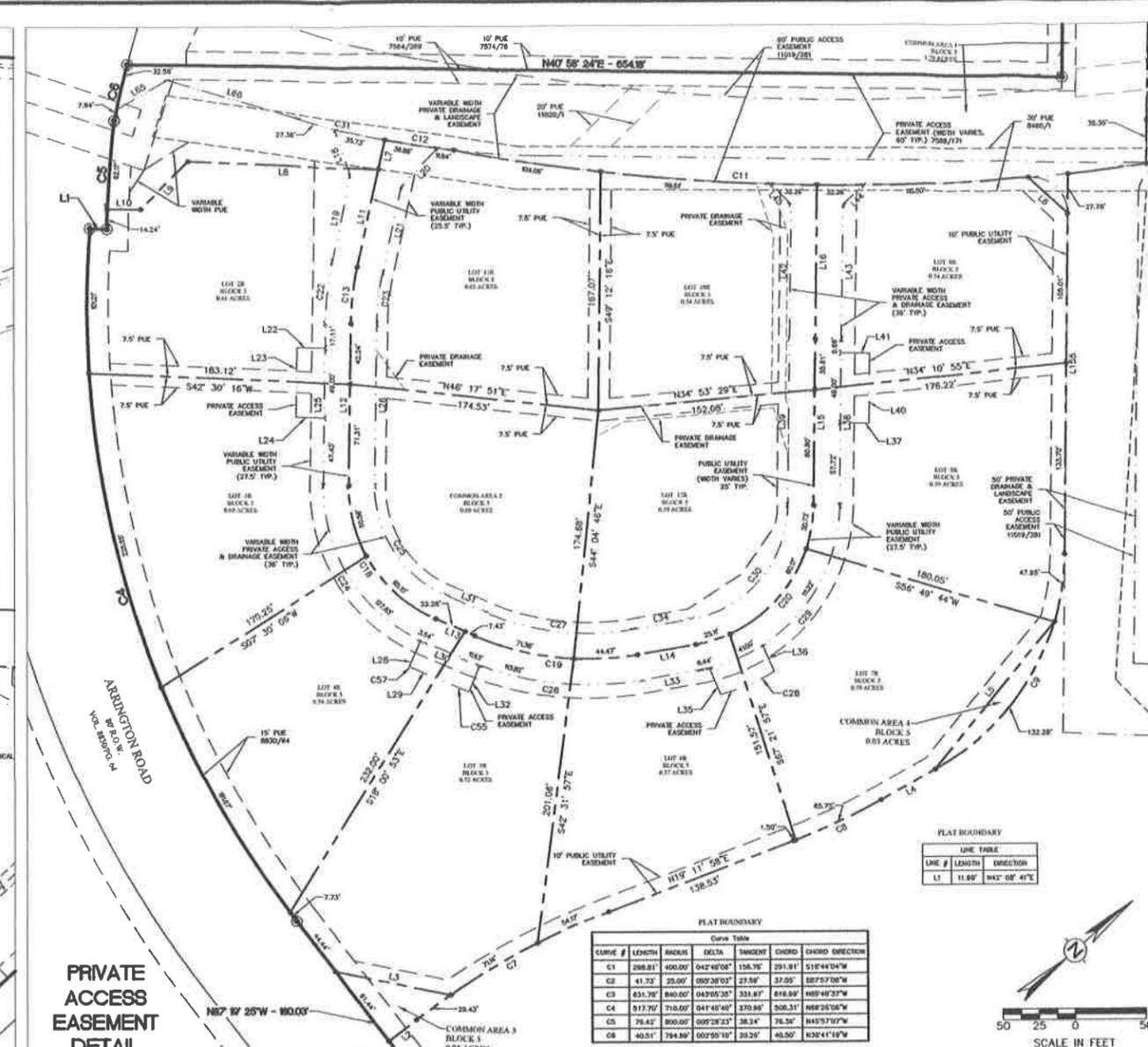
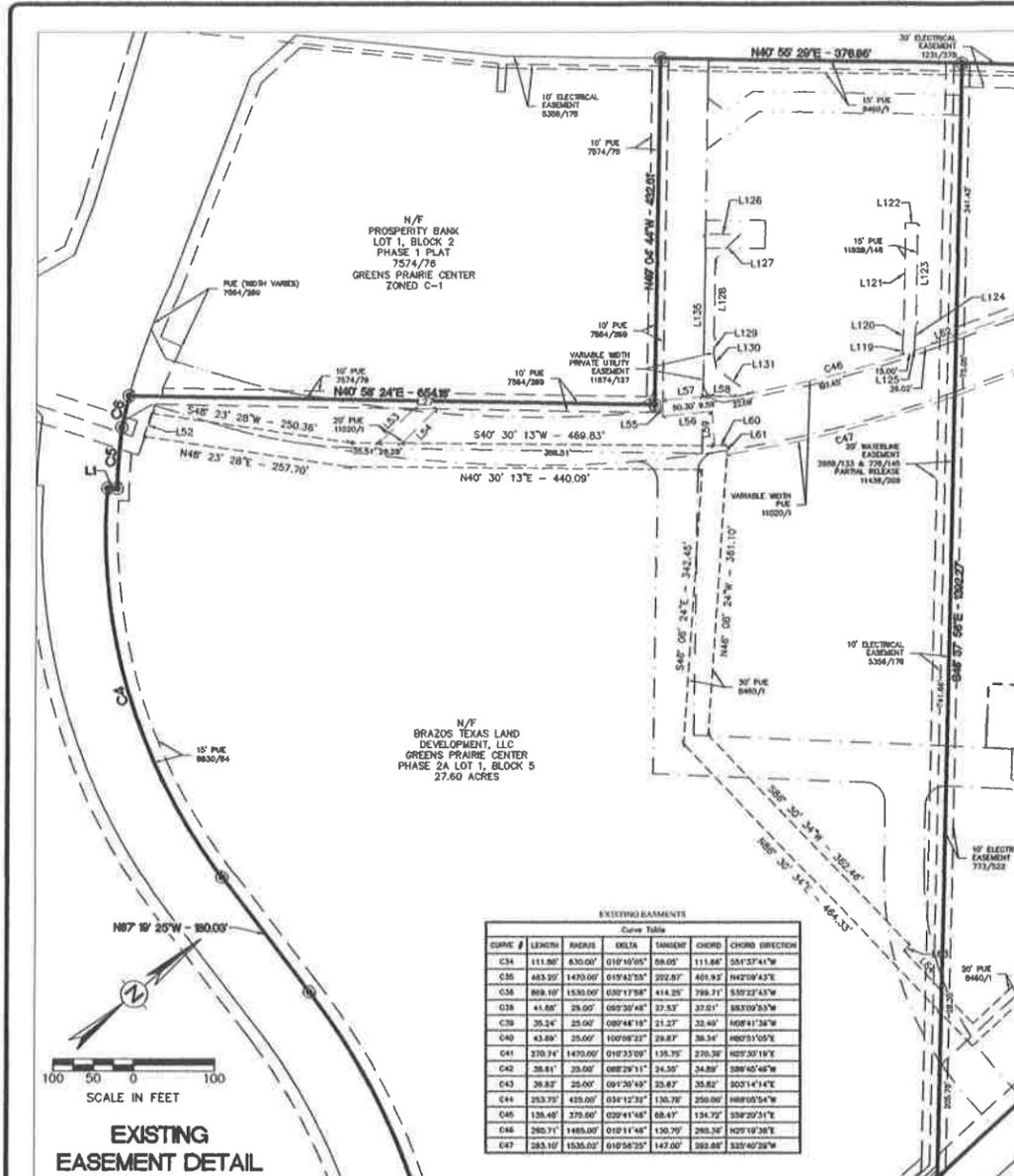
LOT BOUNDARIES

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C7	154.81'	325.00'	618° 53' 44"	77.87'	154.25'	N10° 45' 04"E
C8	87.30'	475.00'	600° 07' 00"	33.71'	87.30'	N10° 08' 20"E
C9	183.70'	175.00'	600° 00' 30"	101.30'	175.42'	N10° 08' 56"W
C11	403.70'	1530.00'	610° 07' 13"	203.64'	403.00'	S40° 58' 08"W
C12	48.70'	830.00'	604° 25' 48"	24.38'	48.89'	S48° 45' 31"W
C13	39.80'	200.00'	611° 35' 30"	30.01'	39.87'	N43° 21' 00"W
C18	117.40'	100.00'	607° 18' 20"	88.58'	114.84'	N02° 43' 59"W
C19	116.32'	200.00'	633° 18' 28"	58.86'	114.84'	S48° 57' 02"W
C20	158.52'	100.00'	679° 22' 03"	82.87'	157.71'	S02° 23' 45"E
C21	311.43'	1500.00'	611° 53' 44"	158.28'	310.87'	N02° 10' 27"E



FINAL PLAT
OF
GREENS PRAIRIE CENTER,
PHASE 2A
LOTS 1R AND 2R-14R, BLOCK 5
COMMON AREAS 1-4, BLOCK 5
A TOTAL OF 27.60 ACRES
BEING A
REPLAT
OF
GREENS PRAIRIE CENTER,
PHASE 2A
LOT 1 BLOCK 5
VOLUME 8830, PAGE 64
AUGUSTUS BAUBLE SURVEY, A-76
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1"=100'
 AUGUST 2013
 SHEET 1 OF 3
 OWNER/DEVELOPER:
 Brazos Texas Land
 Development, LLC
 1203 University Drive E.
 College Station, TX 77840
 ENGINEER:
 Schultz Engineering, LLC
 2730 Longmire Dr., Suite A
 College Station, Texas 77845
 979.764.5900

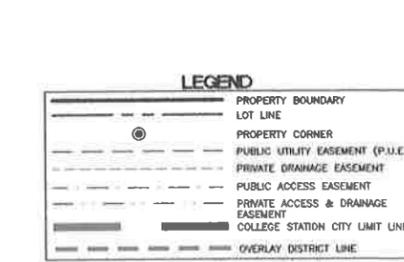


EASEMENT

CURVE #	LENGTH	BEGINN	DELTA	ENDGHT	CHORD	CHORD DIRECTION
C22	43.46	218.00	011°25'28"	21.81	43.41	N43°21'55"W
C23	58.30	182.00	011°25'28"	18.21	58.24	N43°21'55"W
C24	138.82	118.00	087°18'30"	78.58	138.79	N02°43'50"W
C25	88.33	82.00	087°18'30"	54.58	88.28	N02°43'50"W
C26	138.79	218.00	033°19'24"	80.25	138.71	N49°57'02"E
C27	105.85	182.00	033°19'24"	54.47	105.77	N49°57'02"E
C28	41.15	138.00	017°00'11"	20.72	41.09	N17°00'32"E
C29	163.46	118.00	078°22'03"	87.81	163.37	N08°23'42"E
C30	113.59	82.00	078°22'03"	68.04	113.52	N08°23'42"E
C31	83.19	206.00	009°44'19"	31.58	83.07	N09°23'42"E
C32	111.80	206.00	010°10'00"	56.00	111.80	N09°23'42"E
C33	38.30	182.00	011°25'28"	18.21	38.24	N43°21'55"W
C48	403.78	1530.00	010°10'13"	303.00	403.78	N09°23'42"E
C50	11.78	238.00	002°00'13"	5.88	11.78	N02°11'28"W
C51	3.54	138.00	001°29'04"	1.77	3.54	N04°20'48"W
C52	34.80	174.00	011°25'28"	17.40	34.72	N43°21'55"W
C53	146.70	121.00	087°18'30"	84.50	146.57	N02°43'50"W
C54	132.32	227.00	033°19'24"	88.00	132.32	N49°57'02"E
C55	176.82	122.00	078°22'03"	106.79	176.82	N08°23'42"E
C56	123.48	206.00	017°13'27"	63.00	123.41	N17°00'32"E
C57	50.28	485.00	088°07'08"	33.00	50.28	N10°08'20"E
C58	45.41	188.00	018°04'31"	21.83	45.37	N18°22'38"W
C59	18.38	785.00	001°20'23"	9.19	18.38	N01°05'19"W
C60	87.52	743.00	087°18'30"	49.80	87.52	N02°43'50"W
C61	101.49	174.00	033°19'24"	53.27	101.00	N49°57'02"E

LOT BOUNDARIES

CURVE #	LENGTH	BEGINN	DELTA	ENDGHT	CHORD	CHORD DIRECTION
C7	154.81	825.00	010°57'47"	77.97	154.25	N10°40'06"E
C8	87.30	478.00	008°07'08"	33.71	87.23	N10°08'20"E
C9	183.70	175.00	088°07'08"	101.38	183.70	N10°08'20"E
C11	403.78	1530.00	010°10'13"	303.00	403.78	N09°23'42"E
C12	48.70	630.00	004°25'48"	24.35	48.69	N04°25'32"E
C13	38.89	300.00	011°25'28"	20.01	38.82	N43°21'55"W
C18	117.48	100.00	087°18'30"	88.58	117.48	N02°43'50"W
C19	118.52	200.00	033°19'24"	58.88	118.48	N49°57'02"E
C20	138.52	100.00	078°22'03"	82.97	137.71	N08°23'42"E
C21	311.47	1000.00	011°03'44"	158.38	310.87	N01°10'37"E



EXISTING EASEMENTS

LINE #	LENGTH	DIRECTION
L27	28.00'	N47° 58' 24"E
L48	41.23'	S10° 06' 23"W
L47	95.01'	S58° 42' 44"W
L48	8.34'	N88° 04' 44"W
L48	25.79'	N07° 15' 44"E
L50	83.88'	N48° 58' 38"W
L51	81.21'	S48° 58' 38"E
L52	30.48'	S31° 38' 10"E
L53	60.82'	N4° 29' 47"W
L54	60.87'	S4° 29' 47"E
L55	20.17'	N48° 04' 44"W
L58	83.10'	S34° 37' 18"W
L57	38.90'	N34° 37' 18"E
L58	27.89'	N42° 28' 31"E
L59	42.49'	N03° 53' 43"W
L60	16.52'	S40° 30' 13"W
L61	10.90'	N48° 04' 24"E
L62	27.72'	N07° 15' 44"E
L63	10.60'	N3° 28' 26"W
L64	86.87'	S08° 30' 24"W
L118	7.31'	N68° 22' 34"W
L120	31.00'	N45° 52' 54"W

EXISTING EASEMENTS

LINE #	LENGTH	DIRECTION
L121	128.32'	N40° 04' 31"W
L122	15.00'	N40° 50' 28"E
L123	128.73'	S40° 04' 31"E
L124	28.44'	S45° 02' 54"E
L125	4.33'	S08° 22' 04"E
L126	43.88'	N40° 50' 28"E
L127	44.82'	S4° 04' 31"E
L128	101.19'	S48° 04' 31"E
L129	18.36'	S00° 04' 31"E
L130	17.00'	S81° 18' 21"E
L131	52.02'	N75° 43' 07"E
L132	202.80'	N48° 04' 44"W
L133	76.50'	N40° 52' 18"E
L141	71.00'	S40° 53' 15"W
L142	81.58'	N4° 29' 28"E
L143	250.72'	N40° 50' 28"E
L144	28.24'	N78° 18' 20"E
L145	42.75'	N4° 29' 28"E
L146	256.52'	N40° 50' 28"E
L149	2.50'	N03° 15' 44"E

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS)
COUNTY OF BRAZOS)

I, Solim M. Iamadi, individually and as President of Solim Iamadi, LLC, the General Partner of Brazos Texas Land Development, LLC, owner and developer of the land shown on the plat, and designated herein as GREENS PRAIRIE CENTER PHASE 2A to the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, greenways, infrastructure, easements, and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

PRESIDENT _____

STATE OF TEXAS)
COUNTY OF BRAZOS)

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this _____ day of _____, 20____.

Notary Public, Brazos County, Texas

CERTIFICATE OF SURVEYOR AND/OR ENGINEER

STATE OF TEXAS)
COUNTY OF BRAZOS)

I, Brad Kerr, Registered Public Surveyor, No. 4502, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

Brad Kerr, R.P.L.S. No. 4502

CERTIFICATE OF CITY ENGINEER

City Engineer
City of College Station

CERTIFICATE OF THE COUNTY CLERK

STATE OF TEXAS)
COUNTY OF BRAZOS)

I, _____ County Clerk, in and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office _____ day of _____, 20____, in the Official Records of Brazos County, Texas, in Volume _____ Page _____.

WITNESS my hand and official Seal, at my office in Bryan, Texas.

County Clerk
Brazos County, Texas

CERTIFICATE OF PLANNING AND ZONING COMMISSION

Chairman
of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the _____ day of _____, 20____.

Chairman

EASEMENT

LINE #	LENGTH	DIRECTION
L18	34.58'	N60° 29' 18"W
L19	61.82'	N37° 30' 00"W
L20	36.70'	N6° 48' 02"E
L21	61.82'	S37° 30' 00"E
L22	30.00'	N40° 55' 10"E
L23	48.00'	N48° 04' 44"W
L24	20.00'	N48° 55' 18"E
L25	113.50'	N48° 04' 44"E
L26	113.50'	S48° 04' 44"E
L28	20.70'	S63° 38' 48"W
L29	29.70'	S63° 38' 48"W
L30	29.70'	S63° 38' 48"W
L31	29.70'	N63° 38' 48"E
L32	20.00'	N08° 48' 58"W
L33	41.28'	S30° 17' 18"W
L34	41.28'	N30° 17' 18"E
L35	20.24'	S73° 15' 00"E
L37	28.00'	S40° 55' 18"W
L38	118.40'	S40° 04' 44"E
L39	118.40'	N40° 04' 44"W
L40	48.00'	S40° 04' 44"E
L41	20.00'	S40° 55' 18"W
L42	84.36'	N48° 05' 27"E
L43	18.36'	S48° 05' 27"E
L44	18.36'	S37° 30' 00"E
L45	18.36'	S37° 30' 00"E
L46	80.81'	N08° 42' 44"E
L72	146.30'	S40° 17' 18"E

LOT BOUNDARIES

LINE #	LENGTH	DIRECTION
L2	24.22'	N1° 08' 13"E
L3	61.82'	N61° 45' 18"E
L4	43.91'	N11° 04' 52"E
L5	132.58'	N11° 07' 21"W
L6	32.01'	N83° 08' 53"E
L7	21.00'	S37° 30' 00"E
L8	133.51'	S42° 30' 18"W
L9	42.00'	S0° 14' 03"E
L10	23.87'	S40° 21' 50"W
L11	70.14'	N37° 30' 00"W
L12	113.50'	N48° 04' 44"W
L13	28.20'	S63° 38' 48"W
L14	41.28'	S30° 17' 18"W
L15	118.41'	S40° 04' 44"E
L16	109.80'	S40° 05' 27"E
L17	14.19'	N08° 15' 44"E
L18	83.70'	N48° 05' 13"E
L19	83.60'	N48° 05' 00"E
L20	266.40'	N48° 04' 44"W
L21	483.44'	S40° 04' 44"E
L22	186.10'	N40° 05' 28"E

FINAL PLAT

OF

GREENS PRAIRIE CENTER, PHASE 2A

LOTS 1R AND 2R-14R, BLOCK 5
COMMON AREAS 1-4, BLOCK 5
A TOTAL OF 27.60 ACRES
BEING A

REPLAT

OF

GREENS PRAIRIE CENTER, PHASE 2A

LOT 1, BLOCK 5
VOLUME 8800, PAGE 64

AUGUSTUS BABELL SURVEY, A-75
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1"=100' AUGUST 2013

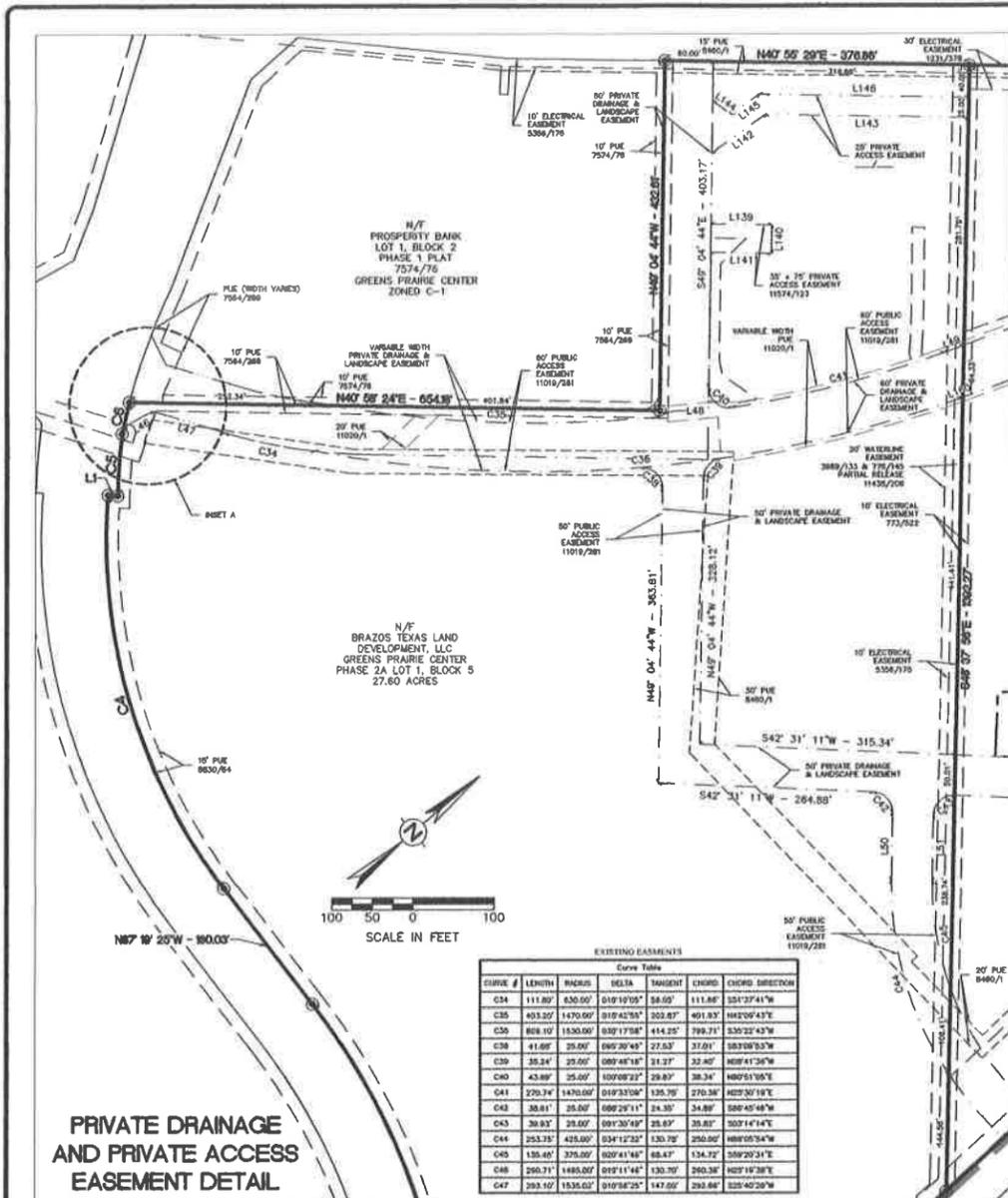
OWNER/DEVELOPER:
Brazos Texas Land Development, LLC,
1203 University Drive E.
College Station, TX 77840

SHEET 2 OF 3

SURVEYOR:
BRAD KERR, R.P.L.S. NO. 4502
KERR SURVEYING, LLC
P.O. BOX 4234
COLLEGE STATION, TEXAS 77841
979.268.3185

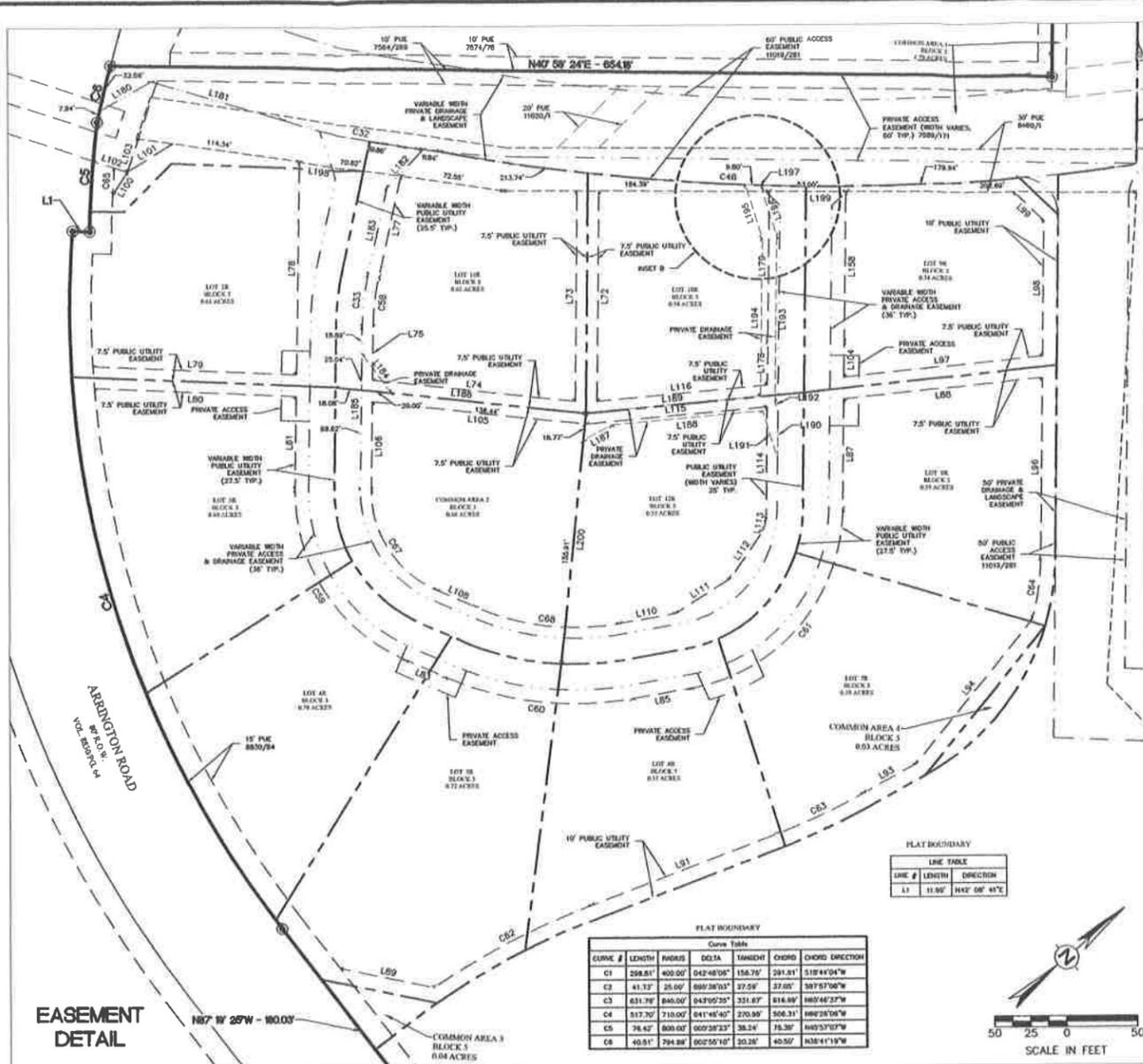
ENGINEER:
Schultz Engineering, LLC

2750 LONMARE DR., SUITE A
COLLEGE STATION, TEXAS 77843
979.784.3900



EXISTING EASEMENTS

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C34	111.80	630.00	010°10'00"	58.00	111.80	021°27'41"W
C35	403.20	1470.00	010°42'00"	203.87	401.83	042°00'43"E
C36	808.10	1830.00	030°17'00"	414.25	799.71	030°22'43"W
C38	41.00	25.00	080°30'40"	27.03	37.01	083°00'53"W
C39	30.34	25.00	080°45'18"	21.27	32.80	080°41'30"W
C40	43.89	25.00	100°00'23"	29.87	38.34	080°51'00"E
C41	270.34	1470.00	010°33'00"	135.70	270.34	002°30'18"E
C42	38.81	25.00	080°29'11"	24.30	34.89	080°45'48"W
C43	30.82	25.00	091°30'49"	25.87	35.87	092°14'14"E
C44	253.25	420.00	034°12'30"	130.70	250.00	080°05'04"W
C45	135.40	270.00	020°41'48"	68.43	134.72	030°20'31"E
C46	260.71	1485.00	010°11'48"	130.70	260.71	002°19'38"E
C47	283.10	1535.00	010°08'25"	147.00	283.68	025°40'20"W



FLAT BOUNDARY

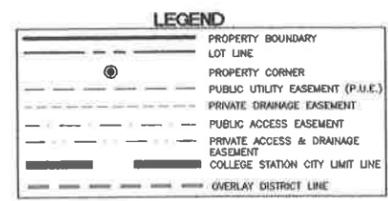
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	208.81	400.00	042°48'00"	154.70	201.81	018°41'04"W
C2	41.37	25.00	080°30'00"	27.50	37.00	080°30'00"W
C3	631.78	840.00	042°00'20"	331.87	618.89	080°48'27"W
C4	617.30	710.00	041°48'40"	270.80	508.31	080°28'00"W
C5	78.47	800.00	000°30'23"	38.24	78.30	000°30'23"W
C6	40.81	294.80	000°50'10"	20.28	40.50	000°41'19"W

EASEMENT

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C22	43.48	210.00	011°20'30"	21.81	43.41	042°17'00"W
C23	36.30	180.00	011°20'30"	18.21	36.34	042°17'00"W
C24	130.82	1180.00	007°18'30"	78.38	130.70	002°43'00"W
C25	86.33	82.00	007°18'30"	54.38	80.87	002°43'00"E
C26	120.79	210.00	033°18'30"	65.25	120.61	040°57'00"W
C27	100.85	180.00	033°18'30"	54.47	104.27	040°57'00"E
C28	41.15	138.00	017°00'11"	20.73	41.00	017°00'20"W
C29	163.48	1180.00	007°22'00"	97.91	160.70	000°25'42"W
C30	113.58	82.00	007°22'00"	66.94	104.70	000°25'42"W
C31	63.10	300.00	007°44'19"	31.56	63.07	003°00'24"W
C32	111.80	630.00	010°10'00"	58.00	111.80	021°27'41"W
C33	38.30	180.00	011°20'30"	18.21	38.34	042°17'00"E
C48	403.70	1470.00	010°07'13"	203.80	401.58	042°00'43"W
C50	11.70	138.00	007°00'12"	5.80	11.70	007°11'30"W
C51	3.54	138.00	007°00'12"	1.77	3.54	007°00'48"W
C52	34.80	174.00	011°20'30"	17.40	34.70	042°17'00"W
C53	140.78	127.00	007°18'30"	84.88	141.20	002°43'00"W
C60	132.32	274.50	033°18'30"	68.00	130.84	040°57'00"W
C61	176.48	127.00	007°22'00"	105.70	162.82	000°25'42"E
C62	124.48	630.00	011°13'31"	62.00	123.12	012°30'14"E
C63	65.80	388.00	008°00'00"	33.00	65.80	010°08'25"E
C64	43.41	180.00	010°04'31"	21.82	43.20	041°23'00"W
C65	16.30	285.00	007°20'31"	8.15	16.30	000°00'19"W
C67	87.52	74.50	007°18'30"	48.60	85.57	002°43'00"W
C68	101.87	174.50	033°18'30"	52.37	100.07	040°57'00"W

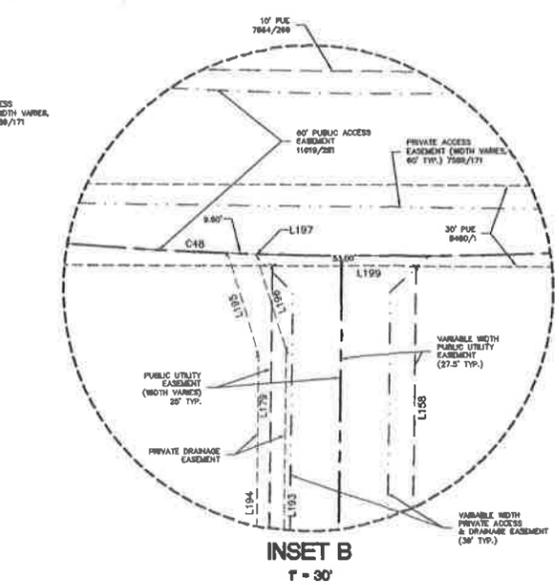
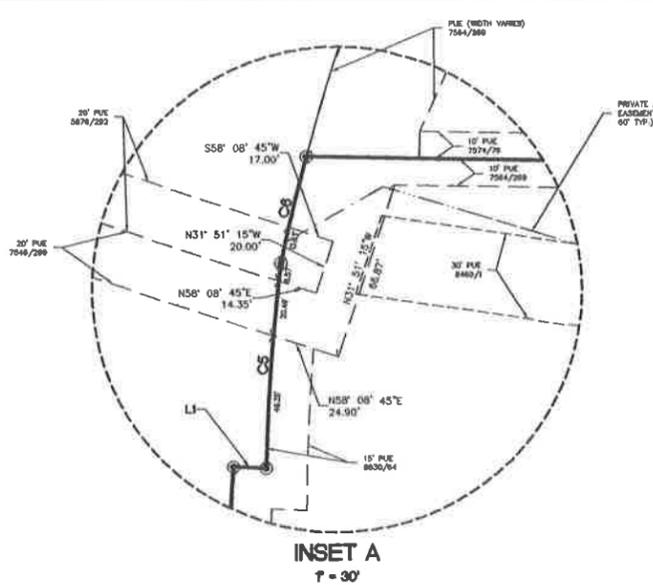
LOT BOUNDARIES

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C7	154.81	625.00	010°37'44"	77.87	154.25	010°45'00"E
C8	87.30	475.00	008°07'00"	33.71	87.30	010°00'20"E
C9	183.70	175.00	080°00'20"	101.38	175.42	010°00'20"W
C11	803.70	1630.00	010°07'13"	203.00	802.50	042°00'43"W
C12	68.70	630.00	004°25'48"	34.38	68.60	040°45'31"W
C13	39.98	200.00	011°20'30"	20.01	39.87	042°17'00"W
C16	117.48	100.00	007°18'30"	68.50	110.84	002°43'00"W
C19	116.32	200.00	033°18'30"	58.86	114.89	040°57'00"W
C20	138.62	100.00	007°22'00"	62.87	137.71	000°25'42"E
C31	311.43	1500.00	011°37'44"	156.28	310.97	000°10'31"E



EXISTING EASEMENTS

LINE #	LENGTH	DIRECTION
L27	28.90	N40° 58' 24"E
L48	41.27	S10° 06' 23"W
L47	98.07	S00° 42' 44"W
L18	8.34	N40° 04' 44"W
L49	26.70	N02° 13' 44"E
L20	83.80	N40° 20' 30"W
L21	81.21	S40° 30' 30"E
L22	30.40	S30° 10' 12"E
L23	80.82	N40° 20' 47"W
L24	60.60	S40° 20' 47"E
L25	20.13	N40° 04' 44"W
L26	82.10	S34° 37' 18"W
L27	58.80	N34° 37' 18"E
L28	27.60	N42° 30' 31"E
L29	42.40	N03° 53' 45"W
L30	18.52	S40° 30' 13"W
L31	10.80	N40° 08' 24"W
L32	27.72	N02° 13' 44"E
L33	10.60	N3° 29' 28"W
L34	88.61	S00° 30' 34"W
L35	7.31	N02° 22' 54"W
L36	31.00	N40° 02' 54"W



EASEMENT

LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L18	34.92	N40° 20' 18"W	L73	146.24	S40° 12' 16"E	L102	40.97	S15° 05' 00"E
L19	61.82	N37° 30' 00"W	L74	144.30	N40° 17' 51"E	L103	7.60	S33° 30' 00"E
L20	38.70	S0° 40' 00"E	L75	37.10	N40° 04' 44"W	L104	43.81	N11° 07' 53"E
L21	41.82	S37° 30' 00"E	L76	72.00	N37° 30' 00"W	L105	138.40	N34° 53' 20"E
L22	20.00	N40° 55' 16"E	L77	148.24	N40° 07' 17"W	L106	118.90	N34° 53' 20"E
L23	48.00	N40° 04' 44"W	L78	141.28	S42° 30' 18"W	L107	104.30	S40° 07' 27"E
L24	20.00	N40° 55' 16"E	L79	138.90	S42° 30' 18"W	L108	38.70	S40° 04' 44"E
L25	113.50	N40° 04' 44"W	L80	84.50	N40° 07' 17"W	L109	103.88	S40° 07' 27"E
L26	113.50	S40° 04' 44"E	L81	29.70	S83° 36' 46"W	L110	41.20	S10° 00' 23"W
L27	30.00	N40° 55' 16"E	L82	30.00	S40° 04' 44"E	L111	20.14	N37° 30' 00"W
L28	29.70	S83° 36' 46"W	L83	41.20	S30° 17' 18"W	L112	113.50	N40° 04' 44"W
L29	30.00	N40° 55' 16"E	L84	84.50	N40° 07' 17"W	L113	20.70	S83° 36' 46"W
L30	30.00	N40° 55' 16"E	L85	41.20	S30° 17' 18"W	L114	41.20	S30° 17' 18"W
L31	30.00	N40° 55' 16"E	L86	84.50	N40° 07' 17"W	L115	113.50	S40° 04' 44"E
L32	41.20	S30° 17' 18"W	L87	78.30	S40° 04' 44"E	L116	174.50	N40° 17' 51"E
L33	41.20	S30° 17' 18"W	L88	138.40	N34° 10' 55"E	L117	22.00	S12° 23' 20"W
L34	11.20	N40° 17' 18"E	L89	66.30	N01° 04' 53"E	L118	106.40	S34° 53' 20"W
L35	20.20	S73° 15' 00"E	L90	124.80	N40° 04' 44"W	L119	131.72	N34° 53' 20"E
L36	30.24	S73° 15' 00"E	L91	128.40	N34° 10' 55"E	L120	32.75	S40° 04' 44"E
L37	20.00	S40° 55' 18"W	L92	84.22	N40° 04' 44"W	L121	35.07	N40° 04' 44"E
L38	116.42	S40° 04' 44"E	L93	20.07	S83° 00' 53"W	L122	35.07	N40° 04' 44"E
L39	116.42	N40° 04' 44"W	L94	18.50	S10° 18' 20"E	L123	7.30	N40° 02' 54"E
L40	40.00	S40° 04' 44"E	L95	37.25	N00° 10' 00"E	L124	108.90	N40° 07' 27"W
L41	20.00	S40° 55' 18"W	L96	24.90	N00° 00' 00"E	L125	38.14	N40° 02' 54"W
L42	94.30	N40° 02' 54"W	L97	24.90	S40° 04' 44"E	L126	38.12	N40° 02' 54"W
L43	94.30	S40° 02' 54"E	L98	24.90	N40° 04' 44"W	L127	1.50	N40° 00' 45"E
L44	18.80	S7° 10' 40"E	L99	81.30	N40° 04' 44"W	L128	253.70	N40° 02' 54"E
L45	18.80	S00° 00' 40"W	L100	29.70	S83° 36' 46"W	L129	440.00	N40° 30' 12"E
L46	41.22	N00° 00' 23"E	L101	40.23	S30° 17' 18"W	L130	174.60	S44° 04' 48"E
L47	148.30	S40° 17' 18"E	L102	44.81	S7° 30' 00"W			

LOT BOUNDARIES

LINE #	LENGTH	DIRECTION
L1	24.23	N0° 18' 13"E
L2	84.80	N11° 04' 53"E
L3	132.28	N11° 07' 53"W
L4	37.01	N03° 09' 53"E
L5	31.05	S37° 30' 00"E
L6	133.91	S42° 30' 18"W
L7	47.00	S0° 14' 03"E
L8	23.67	S40° 31' 00"W
L9	70.14	N37° 30' 00"W
L10	113.50	N40° 04' 44"W
L11	20.70	S83° 36' 46"W
L12	41.20	S30° 17' 18"W
L13	113.50	N40° 04' 44"W
L14	41.20	S30° 17' 18"W
L15	113.50	S40° 04' 44"E
L16	103.88	S40° 07' 27"E
L17	14.10	N02° 15' 44"E
L18	52.90	N40° 02' 54"E
L19	42.60	N40° 02' 54"E
L20	38.40	S40° 04' 44"W
L21	48.44	S40° 04' 44"E
L22	100.10	N40° 07' 27"E

FINAL PLAT
 OF
GREENS PRAIRIE CENTER,
 PHASE 2A
 LOTS 1R AND 2R-14R, BLOCK 5
 COMMON AREAS 1-4, BLOCK 5
 A TOTAL OF 27.60 ACRES
 BEING A
REPLAT
 OF
GREENS PRAIRIE CENTER,
 PHASE 2A
 LOT 1, BLOCK 5
 VOLUME 8830, PAGE 64
 AUGUSTUS BABILLIS SURVEY, A-75
 COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1"=100' AUGUST 2013

SHEET 3 OF 3

OWNER/DEVELOPER:
 Brazos Texas Land
 Development, LLC,
 1203 University Drive E.
 College Station, TX 77840

ENGINEER:
 KERR SURVEYING, LLC
 P.O. BOX 4234
 COLLEGE STATION, TEXAS 77841
 979.268.5185

SURVEYOR:
 BRAD KERR, RPLS NO. 4502
 KERR SURVEYING, LLC
 P.O. BOX 4234
 COLLEGE STATION, TEXAS 77841
 979.268.5185

ENGINEER:
 Schultz Engineering, LLC
 2750 LONMARE DR., SUITE A
 COLLEGE STATION, TEXAS 77843
 979.764.3900



**PRELIMINARY PLAN
for
Caprock Crossing Ph. 5
13-00900157**

SCALE: One commercial lot on approximately 2.8 acres

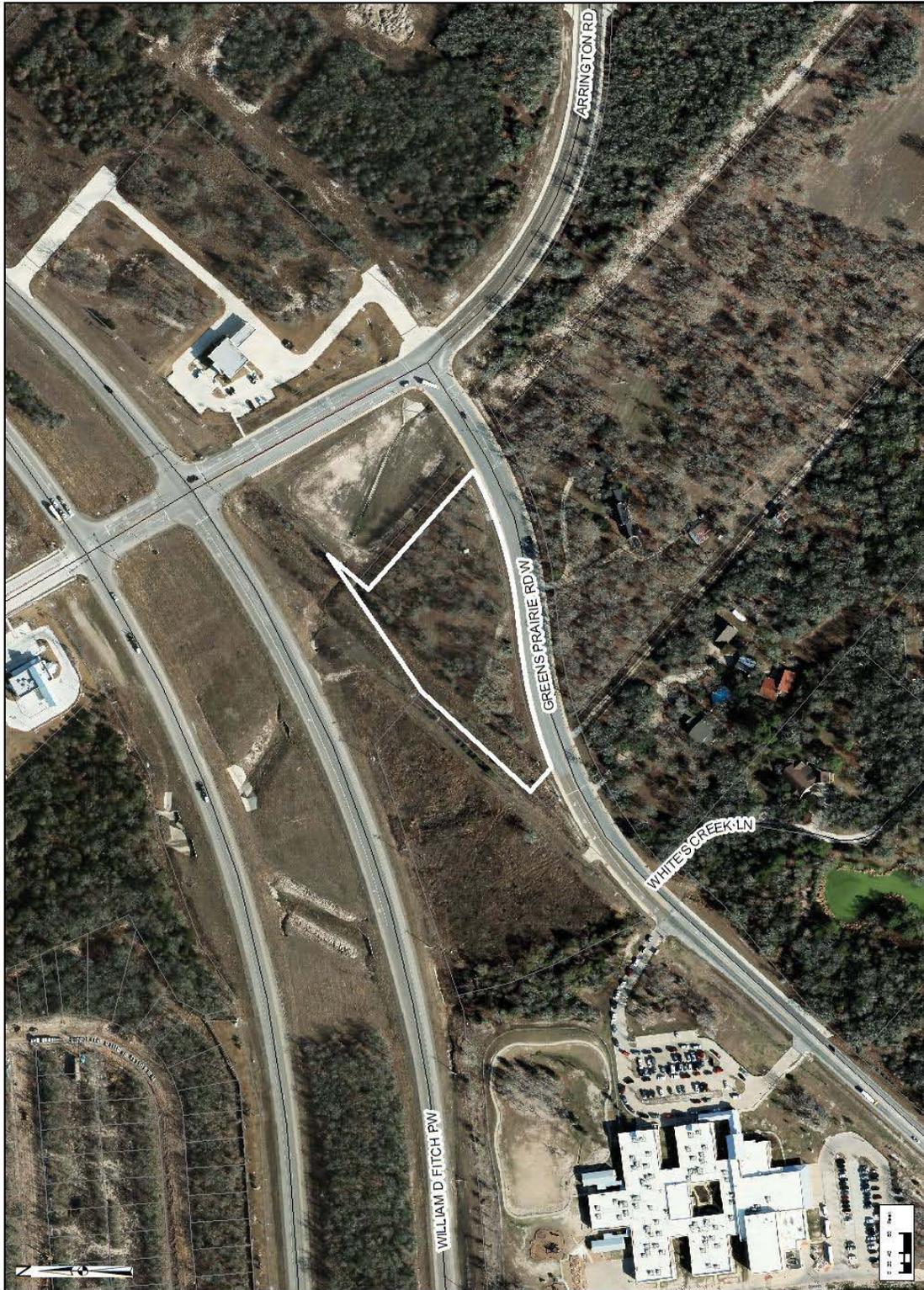
LOCATION: 1780 Greens Prairie Rd West

ZONING: GC General Commercial

APPLICANT: Jesse Durden, CapRock Texas

PROJECT MANAGER: Matt Robinson, AICP, Senior Planner
mrobinson@cstx.gov

RECOMMENDATION: Staff recommends denial for the waivers to block length and block perimeter. In addition, staff is recommending denial of the Preliminary Plan. If a waiver is denied, the Preliminary Plan is to be denied. Alternatively, the Commission may approve the Preliminary Plan with the condition that a public street or Public Way be provided.



	DEVELOPMENT REVIEW
CAPROCK CROSSING PH 5	Case: 13-157
PRELIMINARY PLAT	

DEVELOPMENT HISTORY

Annexation: 2002
Zoning: A-O Agricultural Open upon annexation
A-O to C-1 General Commercial for 2.05 acres (2008)
A-O to C-1 General Commercial for 1.04 acres (2010)
Site development: Vacant

COMMENTS

Water: A water line will be extended along Greens Prairie Road as part of a Capital Improvements Project. The project is currently in the design phase. The timing of the development of this property will need to be coordinated with the CIP project.

Sewer: There is an existing 8" sanitary sewer main available to serve the property along the east property line.

Off-site Easements: None needed at this time.

Drainage: Drainage is mainly to the east within the Spring Creek Drainage Basin. Drainage will need to comply with the BCS Unified Design Guidelines.

Flood Plain: Property does not have FEMA designated floodplain.

Greenways: N/A

Pedestrian Connectivity: Sidewalks are currently provided along both sides of Greens Prairie Road.

Bicycle Connectivity: Bike lanes are identified in the Bicycle, Pedestrian, and Greenways Master Plan for Greens Prairie Road. They are not currently striped.

Streets: None are proposed through the site. Access to the site will be available from Greens Prairie Road and a potential driveway off William D. Fitch Parkway.

Oversize Request: None requested at this time.

Parkland Dedication Fees: None required – non-residential development

Impact Fees: The subject property is located within the Spring Creek Impact Fee Area. Impact fees are assessed at the time of Final Plat. The current impact fees for Spring Creek are \$98.39 per LUE.

REVIEW CRITERIA

- 1. Compliance with Comprehensive Plan and Unified Development Ordinance:** The subject property is identified as Urban on the Comprehensive Plan Future Land Use and Character Map and is located in Growth Area 2. Land uses in this area should be used for intense land use activities including general commercial, townhome, apartments and vertical

mixed-use. The property is currently zoned GC General Commercial and is intended to be developed for commercial uses.

2. **Compliance with Subdivision Regulations:** As proposed, the plat requires waivers to the subdivision regulations contained in the Unified Development Ordinance.

Section 8.3.G.2 Blocks of the Unified Development Ordinance requires that a street or public way breaks up blocks longer than 660 feet in length in Urban designations. In addition, block perimeter measurements should not exceed 2,000 feet in Urban designations. The applicant proposes not to provide a public street or Public Way.

In accordance with the Subdivision Regulations, when considering waivers, the Planning and Zoning Commission should make the following findings to approve the waiver:

1. That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this chapter will deprive the applicant of the reasonable use of his land;

The applicant has stated that the tract is located between 2 major thoroughfares and that the property will have adequate access with private driveways. In addition, they state that a public street or Public Way will subdivide the tract into such small lots that it would not be possible for the tract to be used for General Commercial uses. However, it should be noted that the adjacent property to the east is held in common ownership and will likely be developed with a common plan.

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

The applicant has stated that strict enforcement of the subdivision regulations as it relates to block length and block perimeter would be over-burdensome and prohibit the owner from developing the site.

3. That the granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this chapter; and

The granting of the requested waivers will have negative impacts on public health, safety, welfare, or surrounding properties in that a waiver will diminish the transportation network in the area.

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

The granting of the requested waiver will not prevent future development as all abutting properties have been platted.

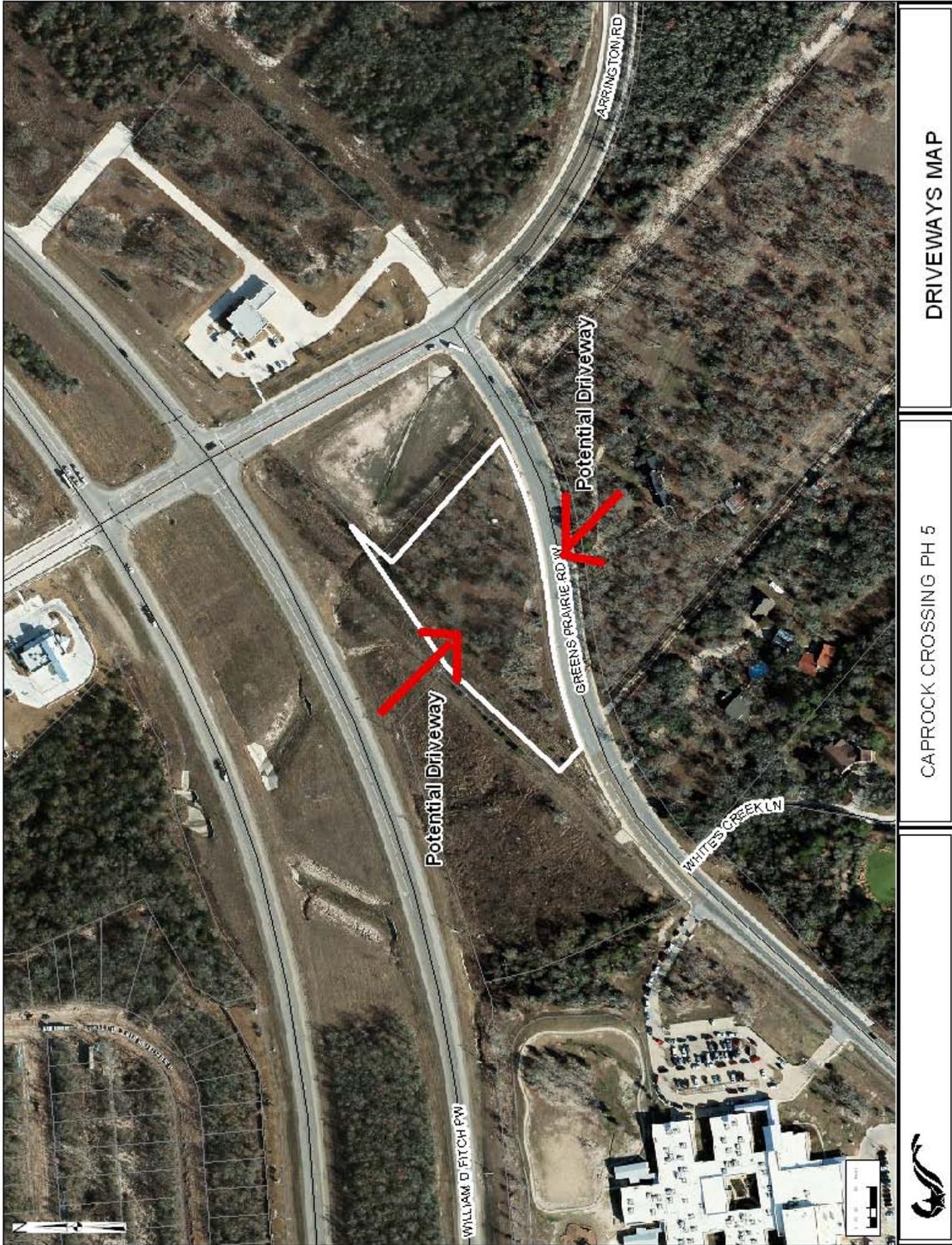
STAFF RECOMMENDATION

Staff is recommending denial of the block length waiver as driveway access is already anticipated by the applicant to both Greens Prairie Road and William D. Fitch Parkway (see Driveways map). Additionally, aside from Arrington Road, the next connection from Greens

Prairie Road to William D. Fitch Parkway does not occur until Victoria Avenue. Staff recommends denial of the block perimeter waiver as the plat would be in compliance with block perimeter if a Public Way or public street is provided. If any waiver is denied, the Preliminary Plan must be denied as it would not be in compliance with the Subdivision Regulations of the UDO. Alternatively, the Commission may approve the Preliminary Plan with the condition that a public street or Public Way be provided.

SUPPORTING MATERIALS

1. Driveways Map
2. Application
3. Copy of Preliminary Plan



DRIVEWAYS MAP

CAPROCK CROSSING PH 5





FOR OFFICE USE ONLY	
CASE NO.:	13157
DATE SUBMITTED:	7.30.13
TIME:	11:15
STAFF:	RK

PRELIMINARY PLAN APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:

- \$932 Preliminary Plan Application Fee.
- \$233 Waiver Request to Subdivision Regulations Fee (if applicable).
- Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
- Fourteen (14) folded copies of plan. A revised mylar original must be submitted after approval.
- Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.
- Impact study (if oversized participation is requested).
- The attached Preliminary Plan checklist with all items checked off or a brief explanation as to why they are not.

Date of Optional Preapplication Conference _____

NAME OF PROJECT CAPROCK CROSSING PHASE 5

ADDRESS GREENS PRAIRIE ROAD

SPECIFIED LOCATION OF PROPOSED SUBDIVISION:

WEST OF ARRINGTON ROAD BETWEEN STATE HIGHWAY 40(WILLIAM D FITCH PARKWAY) AND GREENS PRAIRIE ROAD

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

Name JESSE DURDEN CAPROCK TEXAS E-mail jesse.durden@caprocktx.com

Street Address 2809 EARL RUDDER FREEWAY S., STE. 203

City COLLEGE STATION State TEXAS Zip Code 77845

Phone Number 979-307-0321 Fax Number 979-314-7606

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

Name BRAZOS TEXAS LAND DEVELOPMENT, LLC E-mail _____

Street Address 1203 UNIVERSITY DRIVE EASE

City COLLEGE STATION State TEXAS Zip Code 77849

Phone Number _____ Fax Number _____

ARCHITECT OR ENGINEER'S INFORMATION:

Name SCHULTZ ENGINEERING, LLC - DEVEN DOYEN, P.E. E-mail _____

Street Address 2730 LONGMIRE DRIVE, SUITE A deven@schultzengineeringllc.com

City COLLEGE STATION State TEXAS Zip Code 77845

Phone Number 979-764-3900 Fax Number 979-764-3910

Total Acreage 2.777 Total No. of Lots 1 R-O-W Acreage N/A

Number of Lots By Zoning District 1 / C-1 N/A / N/A /

Average Acreage Of Each Residential Lot By Zoning District:

N/A / N/A / N/A / N/A /

Floodplain Acreage N/A

NOTE: Appropriate zoning for the proposed subdivision must be in place before this application can be considered complete.

Are you proposing to dedicate park land by acreage or fee in lieu of land? N/A

Are you proposing to develop the park dedicate the development fee? (Check one)

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

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

Yes

No

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

Project Name: N/A

City Project Number (in known): N/A

Date / Timeframe when submitted: N/A

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

N/A

Regarding the waiver request, explain how:

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

SEE ATTACHED

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

SEE ATTACHED

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

SEE ATTACHED

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

SEE ATTACHED

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

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

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

Detailed explanation of condition identified above:

N/A

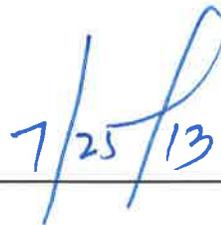
NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

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



Signature and title

SALIM ISMAIL, DIRECTOR



Date

Caprock Crossing Phase 5
Preliminary Plan

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

1. UDO Section 8.2.G.2 and 8.2.G.4.b: Block Length and Block Perimeter

We request waivers to Block Length and Block Perimeter for the following reasons:

A public street or public way bisecting this 2.777 acre tract would create 2 small lots which would not be suitable for commercial development.

The 3 existing, adjacent, major thoroughfares (Wm. D. Fitch Parkway, Greens Prairie Road, and Arrington Road) are designed and planned to accommodate current and future traffic demands, without additional capacity required from this site. Note that as part of this development, the land owner is dedicating additional right-of-way to the City of College Station for future expansions of Greens Prairie Road.

While the sites should be designed to accommodate and attract local customer traffic, they should not be designed to promote cut-through traffic.

Access to this tract will be better served by private driveways.

Regarding the waiver request, explain how:

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

The tract is located between 2 major thoroughfares and will have adequate access with private access driveways. The requirement for a public street or public way will subdivide the tract into such small lots that it would not be possible for the tract to be used for General Commercial uses. Much of the tract is already encumbered by utility easements, which also restricts buildable areas.

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

We seek these waivers in order to responsibly develop the site as a General Commercial use. Strict enforcement of these subdivision regulations without regard

Caprock Crossing Phase 5
Preliminary Plan

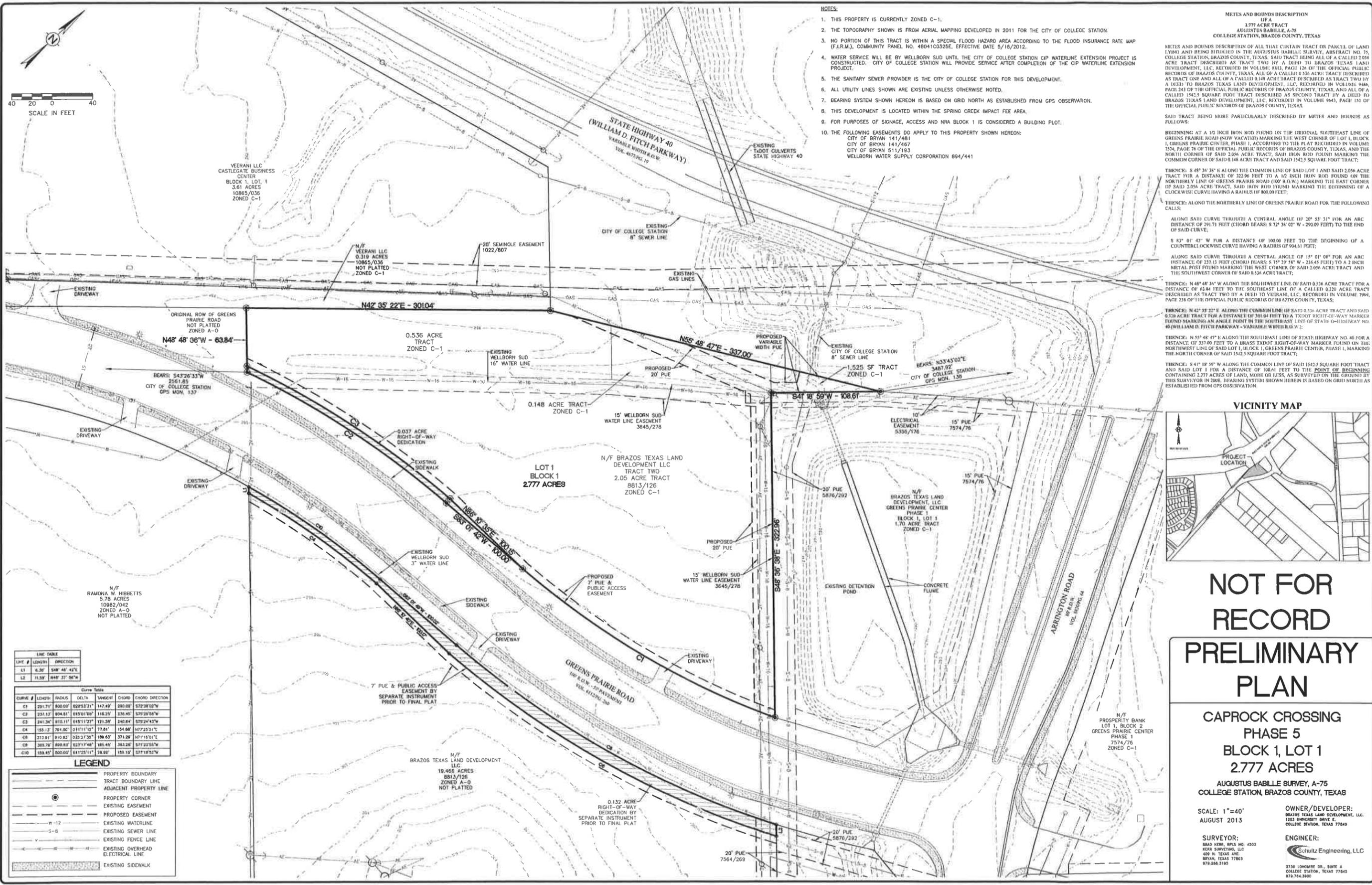
to the property-specific site conditions would be over-burdensome, and prohibit the Owner from developing his site.

- 3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.**

Granting of these waivers will most certainly create a safer development, as it will reduce cut through traffic between Wm. D. Fitch Parkway and Greens Prairie Road.

- 4. The granting of the wavier will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the UDO.**

Granting of the waivers does not impact the orderly subdivision of other land in the area, especially since the adjacent tracts are already platted.



- NOTES:**
1. THIS PROPERTY IS CURRENTLY ZONED C-1.
 2. THE TOPOGRAPHY SHOWN IS FROM AERIAL MAPPING DEVELOPED IN 2011 FOR THE CITY OF COLLEGE STATION.
 3. NO PORTION OF THIS TRACT IS WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (F.I.R.M.), COMMUNITY PANEL NO. 48041C0326, EFFECTIVE DATE 5/16/2012.
 4. WATER SERVICE WILL BE BY WELLBORN SUD UNTIL THE CITY OF COLLEGE STATION CIP WATERLINE EXTENSION PROJECT IS COMPLETED. CITY OF COLLEGE STATION WILL PROVIDE SERVICE AFTER COMPLETION OF THE CIP WATERLINE EXTENSION PROJECT.
 5. THE SANITARY SEWER PROVIDER IS THE CITY OF COLLEGE STATION FOR THIS DEVELOPMENT.
 6. ALL UTILITY LINES SHOWN ARE EXISTING UNLESS OTHERWISE NOTED.
 7. BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.
 8. THIS DEVELOPMENT IS LOCATED WITHIN THE SPRING CREEK IMPACT FEE AREA.
 9. FOR PURPOSES OF SIGNAGE, ACCESS AND NRA BLOCK 1 IS CONSIDERED A BUILDING PLOT.
 10. THE FOLLOWING EASEMENTS DO APPLY TO THIS PROPERTY SHOWN HEREON:
CITY OF BRYAN 141/481
CITY OF BRYAN 141/467
CITY OF BRYAN 511/183
WELLBORN WATER SUPPLY CORPORATION 894/441

METES AND BOUNDS DESCRIPTION OF A 2.777 ACRE TRACT
 AUGUSTUS BABBILE, A-25
 COLLEGE STATION, BRAZOS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE AUGUSTUS BABBILE SURVEY, AHS TRACT NO. 75, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 2.056 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO BRAZOS TEXAS LAND DEVELOPMENT, LLC, RECORDED IN VOLUME 881, PAGE 126 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.536 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.148 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO BRAZOS TEXAS LAND DEVELOPMENT, LLC, RECORDED IN VOLUME 886, PAGE 243 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND ALL OF A CALLED 1542.5 SQUARE FOOT TRACT DESCRIBED AS SECOND TRACT BY A DEED TO BRAZOS TEXAS LAND DEVELOPMENT, LLC, RECORDED IN VOLUME 904, PAGE 151 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 ORIGINAL SOUTHEAST CORNER OF GREENS PRAIRIE ROAD (NOW VACATED) MARKING THE WEST CORNER OF LOT 1, BLOCK 1, GREENS PRAIRIE CENTER, PHASE 1, ACCORDING TO THE PLAT RECORDED IN VOLUME 754, PAGE 76 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND THE NORTH CORNER OF SAID 2.056 ACRE TRACT, SAID IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.148 ACRE TRACT AND SAID 1542.5 SQUARE FOOT TRACT;

THENCE: S 48° 38' 38" E ALONG THE COMMON LINE OF SAID LOT 1 AND SAID 2.056 ACRE TRACT FOR A DISTANCE OF 323.96 FEET TO A 1/2 INCH IRON ROD FOUND ON THE NORTHERLY LINE OF GREENS PRAIRIE ROAD (NOW VACATED) MARKING THE EAST CORNER OF SAID 2.056 ACRE TRACT, SAID IRON ROD FOUND MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 800.00 FEET;

THENCE: ALONG THE NORTHERLY LINE OF GREENS PRAIRIE ROAD FOR THE FOLLOWING CALLS:

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20° 53' 51" FOR AN ARC DISTANCE OF 291.71 FEET (CHORD BEARS: S 72° 38' 02" W - 290.09 FEET) TO THE END OF SAID CURVE;

S 83° 01' 43" W FOR A DISTANCE OF 100.00 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 904.61 FEET;

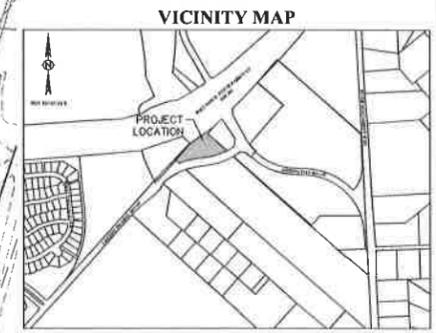
ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15° 01' 09" FOR AN ARC DISTANCE OF 291.71 FEET (CHORD BEARS: S 75° 59' 48" W - 294.45 FEET) TO A 2 INCH METAL POST FOUND MARKING THE WEST CORNER OF SAID 2.056 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID 0.536 ACRE TRACT;

THENCE: N 48° 48' 30" W ALONG THE SOUTHWEST LINE OF SAID 0.536 ACRE TRACT FOR A DISTANCE OF 63.84 FEET TO THE SOUTHWEST CORNER OF A CALLED 0.120 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO VEERANI, LLC, RECORDED IN VOLUME 769, PAGE 238 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 42° 35' 22" E ALONG THE COMMON LINE OF SAID 0.536 ACRE TRACT AND SAID 0.536 ACRE TRACT FOR A DISTANCE OF 91.44 FEET TO A TxDOT RIGHT-OF-WAY MARKER FOUND MARKING AN ANGLE POINT IN THE SOUTHWEST LINE OF STATE HIGHWAY NO. 40 (WILLIAM D. FITCH PARKWAY - VARIABLE WIDTH R.O.W.);

THENCE: N 55° 48' 47" E ALONG THE SOUTHWEST LINE OF STATE HIGHWAY NO. 40 FOR A DISTANCE OF 63.84 FEET TO A BRASS TxDOT RIGHT-OF-WAY MARKER FOUND ON THE NORTHWEST LINE OF SAID LOT 1, BLOCK 1, GREENS PRAIRIE CENTER, PHASE 1, MARKING THE NORTH CORNER OF SAID 1542.5 SQUARE FOOT TRACT;

THENCE: S 41° 18' 59" W ALONG THE COMMON LINE OF SAID 1542.5 SQUARE FOOT TRACT AND SAID LOT 1 FOR A DISTANCE OF 108.61 FEET TO THE POINT OF BEGINNING CONTAINING 2.777 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND BY THIS SURVEYOR IN 2008. BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.



NOT FOR RECORD PRELIMINARY PLAN

CAPROCK CROSSING PHASE 5
BLOCK 1, LOT 1
2.777 ACRES
 AUGUSTUS BABBILE SURVEY, A-75
 COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1"=40'
 AUGUST 2013

OWNER/DEVELOPER:
 BRAZOS TEXAS LAND DEVELOPMENT, LLC
 1203 PROSPERITY DRIVE E.
 COLLEGE STATION, TEXAS 77840

ENGINEER:
 Schultze Engineering, LLC
 2730 LONGHORN DR., SUITE A
 COLLEGE STATION, TEXAS 77840
 878.764.3000

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	6.50'	S48°48'42"E
L2	11.88'	N48°37'56"W

Curve Table

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	291.71'	800.00'	22°53'31"	147.49'	290.00'	S72°38'02"W
C2	291.71'	904.61'	15°01'09"	118.25'	338.45'	S75°59'48"W
C3	241.34'	810.11'	01°01'13"	231.30'	240.64'	S75°24'45"W
C4	155.13'	754.80'	01°11'13"	77.81'	154.86'	N77°25'31"E
C5	273.91'	910.82'	02°31'35"	186.63'	371.20'	N71°18'01"E
C6	365.78'	899.81'	02°37'48"	188.48'	383.28'	S71°27'55"W
C10	183.45'	800.00'	01°25'11"	79.95'	183.15'	S71°18'52"W

LEGEND

- PROPERTY BOUNDARY
- TRACT BOUNDARY LINE
- ADJACENT PROPERTY LINE
- PROPERTY CORNER
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING WATERLINE
- EXISTING SEWER LINE
- EXISTING FENCE LINE
- EXISTING OVERHEAD ELECTRICAL LINE
- EXISTING SIDEWALK

13:57
 9:11:13
 8:50
 PK



CITY OF COLLEGE STATION

1101 Texas Avenue, P.O. Box 9960
College Station, Texas 77842
Phone 979.764.3570 / Fax 979.764.3496

MEMORANDUM

DATE: September 19, 2013
TO: Planning and Zoning Commission
FROM: Carol Cotter, P.E., Senior Assistant City Engineer
SUBJECT: Update Report – Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02

The City of College Station Code of Ordinances Chapter 15, Impact Fees, designates the Planning and Zoning Commission as the Advisory Committee for review, advisement, and monitoring of proposed and existing impact fees. More specifically, the advisory committee is established to:

1. Advise and assist the City in adopting Land Use assumptions.
2. Review the Capital Improvements Plan and file written comments.
3. Monitor and evaluate implementation of the Capital Improvements Plan.
4. File semi-annual reports with respect to the progress of the Capital Improvements Plan.
5. Advise the City Council of the need to update or revise the Land Use Assumptions, Capital Improvements Plan, and Impact Fees.

Local Government Code Chapter 395 requires that Impact Fees be updated at least every five years, or when Land Use Assumptions or Capital Improvements Plans change. Land Uses adopted with the Comprehensive Plan indicated changes in project densities in several of the impact fee areas. These changes in density alter the respective utility demands in the impact fee areas and necessitate an update.

Attached is the “Water and Wastewater Impact Fee Update” report prepared by Rimrock Consulting Company. This report updates all five of the City’s existing impact fee areas and contains the technical data which is the basis for the 2013-2023 fee calculation: land use and planning data, unit usage statistics and capital improvements plan.

Land Use and Planning data are presented in Section 2.0 of the report. Actual fee calculations are shown in Section 3.0 of the report, specifically note Tables 3-2A through 6-3D. Current and proposed Living Unit Equivalents and Fees, as derived in the subject report, are provided in the following table.

Impact Fee Area	Effective Buildout LUE	Anticipated Buildout LUE	LUE Adjustment	Current Impact Fee Rate	Proposed Impact Fee Rate
92-01 Graham	1551	1710	+ 159	\$ 316.07	\$339.63
97-01 Spring Creek	4425	8565	+ 4140	\$ 98.39	\$144.01
97-02B Alum	3232	2656	- 576	\$ 59.42	\$44.71
99-01 Harley	450	396	- 54	\$ 769.91	\$996.03
03-02 Steeplechase	2838	7051	+ 4213	\$ 357.74	\$144.87

To proceed with this Update, the Advisory Committee needs to act on the following:

- 1) Notify and recommend to City Council in writing that the fees be updated in accordance with “Water and Wastewater Impact Fees” Report by Rimrock Consulting Co.

Should the Advisory Committee act to perform the preceding item, the following actions are needed to complete this process:

- 2) Staff prepares notices for the public hearing.
- 3) City Council conducts the public hearing and acts on the fee update by ordinance amendment.

Attachment:

“Water and Wastewater Impact Fee Update” Report by Rimrock Consulting Company

RIMROCK

Consulting Company

WATER AND WASTEWATER IMPACT FEE UPDATE

The City of College Station



Rimrock Consulting Company
PO Box 163643
Austin, TX 78716
512-442-1435
rimrok@earthlink.net

WATER AND WASTEWATER IMPACT FEE UPDATE

The City of College Station



City of College Station
1101 Texas Avenue
College Station, TX 77840-2499
979-764-3500

Prepared by:
Rimrock Consulting Company
PO Box 163643
Austin, TX 78716
512-442-1435

Contact: Mickey Fishbeck, AICP
rimrok@earthlink.net



September, 2013
© Rimrock Consulting Company, 2013



WATER AND WASTEWATER IMPACT FEE UPDATE

The City of College Station

1.0 INTRODUCTION

The 70th Texas Legislature passed Senate Bill 336 (subsequently Chapter 395 of the Local Government Code) regulating various types of utility fees, defined in the legislation as "impact fees". Such fees include not only traditional impact fees, but also lot, acreage, frontage and other typical utility fees, as well as facility dedication requirements. The legislation laid out very specific requirements for the technical development of impact fees as well as the procedures necessary for enactment of impact fee programs. College Station has five small-area impact fees for water and sewer lines in defined subareas of the City. This report represents an update of these programs (as required by Chapter 395 every five years) with a new planning period: 2013-2023.

Section 2.0 of this report contains the technical data which is the basis for the 2013-2023 fee calculation: land use and planning data, unit usage statistics and capital improvements plan. Actual fee calculation is shown in **Section 3.0**. That discussion presents a particular fee development model - the Equity Residual Model -- which responds to the requirements of Chapter 395 and constitutional issues. **Section 4.0** contains recommendations from the consultants and the Advisory Committee. **Section 5.0** contains a copy of Chapter 395 of the Texas Local Government Code, and **Section 6.0** contains various administrative documents (resolution and public notices). Finally, references are provided in **Section 7.0**.



2.0 TECHNICAL BASIS FOR FEE CALCULATION

This chapter presents water and wastewater impact fee technical development. Impact fee areas are 92-01 (Graham Road Sewer Extension); 97-01 (Spring Creek Sewer Line); 97-02B (Alum Creek Sewer Line); 99-01 (Harley Water Line); and 03-02 (Steeplechase Sewer Line).

2.1 LAND USE AND PLANNING ASSUMPTIONS

Chapter 395 requires the following in the land use and planning assumptions:

- Definition of the service area
- Projections in changes in land uses, densities, intensities and population within the service area for the next 10 years and full buildout
- Land use assumptions differentiated by at least residential, commercial and industrial land uses

The following sections provide a discussion of these assumptions.

2.1.1 Service Area Definition

Figure 2-1 illustrates the impact fee service areas. The service areas represent the general geographic basis for planning the utility capital improvement programs, used to formulate the fees.

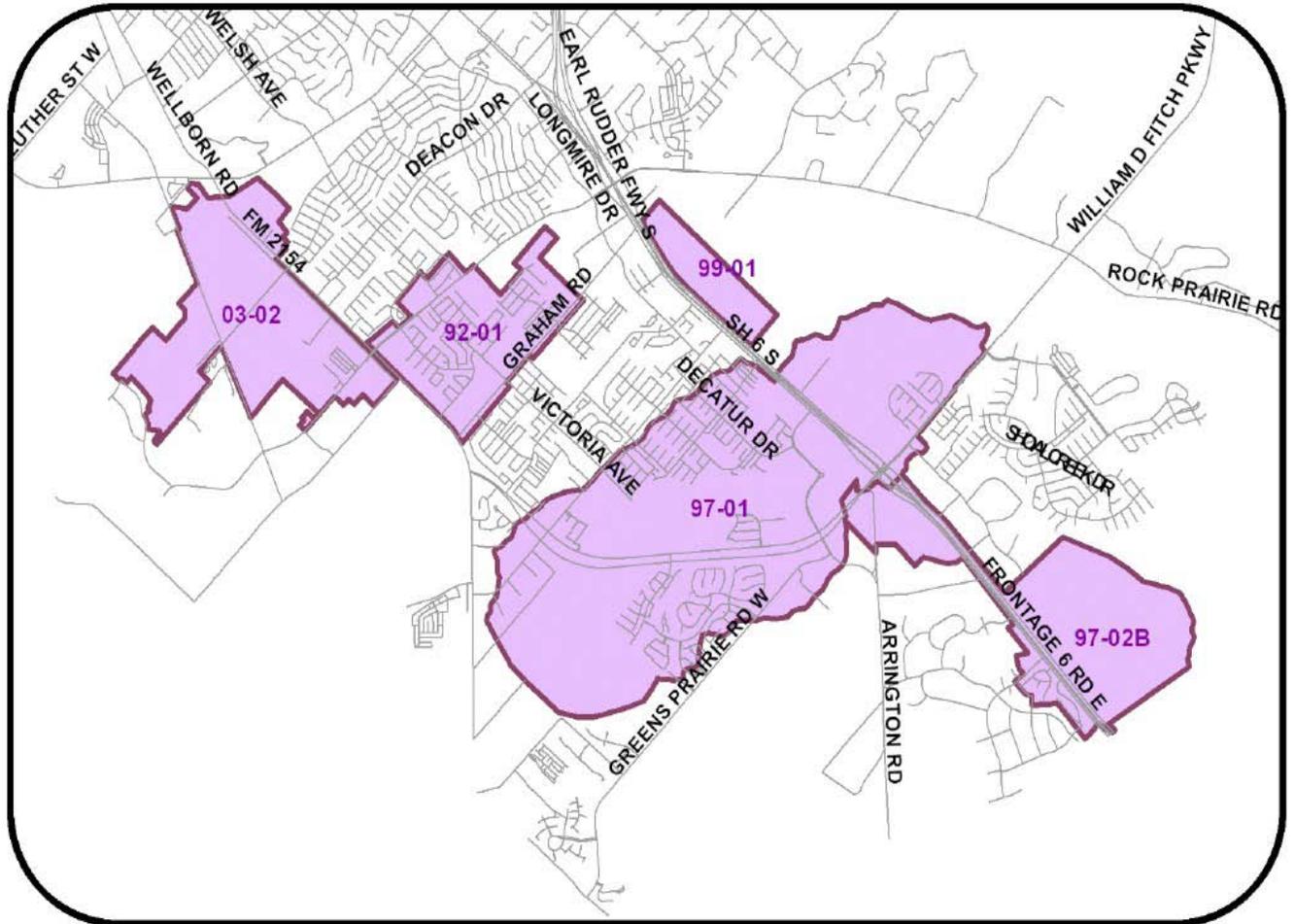
2.1.2 Land Use Assumptions

Table 2-1 shows current and projected land use assumptions for area impact service area. City Staff calculated the approximate current acreages of land uses for residential, commercial and industrial land uses as well as various other land uses. Land uses for 2013 and for full buildout were provided by Staff; land uses for 2023 were interpolated.

There are five parts of the land use table: **Table 2-1A** presents data for Area 92-01 (Graham Road Sewer Extension); **Table 2-1B** is for Area 97-01 (Spring Creek Sewer Line); 97-02B (Alum Creek Sewer Line) is shown in **Table 2-1C**; 99-01 (Harley Water Line) is portrayed in **Table 2-1D**; and **Table 2-1E** represents 03-02 (Steeplechase Sewer Line). Maps provided by City staff also show planned buildout land uses for each area from the City's Comprehensive Plan.



Figure 2-1: Impact Fee Service Areas



1 inch equals 4,000 feet



Impact Fee Areas - January 2010



TABLE 2-1A
POPULATION AND LAND USE PROJECTIONS FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	15.2	3.02%	20.5	4.07%	24.3	4.81%
General Suburban	196.6	38.93%	196.8	38.97%	196.9	38.99%
Institutional/Public	38.3	7.58%	38.3	7.58%	38.3	7.58%
Medical Use	0.0	0.00%	8.8	1.75%	15.0	2.97%
Natural Areas - Protected	0.0	0.00%	15.9	3.15%	27.0	5.35%
Natural Areas - Reserved	0.0	0.00%	4.0	0.79%	6.8	1.35%
Neighborhood Conservation	15.2	3.01%	15.3	3.02%	15.3	3.03%
Suburban Commercial	66.6	13.19%	70.8	14.02%	73.7	14.59%
Urban	16.9	3.35%	16.9	3.35%	16.9	3.35%
Right-of-Way	90.8	17.99%	90.8	17.99%	90.8	17.99%
Subtotal Developed Land Uses	439.7	87.06%	478.1	94.67%	505.0	100.00%
Undeveloped	65.3	12.94%	26.9	5.33%	0.0	0.00%
TOTAL GROSS ACRES	505.0	100.00%	505.0	100.00%	505.0	100.00%
Population	2,725		2,725		2,725	
Population per Urban Acres	6.20		5.70		5.40	
Population per Total Acres	5.40		5.40		5.40	

Source: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.
Assumes full buildout by 2030, per Jennifer Prochazka, 8 30 2013.

Figure 2-2: Current Land Uses, Graham Road Sewer



Figure 2-3: Future Land Uses, Graham Road Sewer





TABLE 2-1B
POPULATION AND LAND USE PROJECTIONS FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Estate	112.7	4.70%	113.7	4.74%	117.8	4.91%
General Commercial	37.9	1.58%	42.4	1.77%	60.3	2.52%
General Suburban	296.1	12.35%	307.4	12.82%	352.5	14.71%
Institutional/Public	70.0	2.92%	70.7	2.95%	73.6	3.07%
Medical	0.0	0.00%	17.1	0.71%	85.7	3.58%
Natural Areas - Protected	0.0	0.00%	21.4	0.89%	107.2	4.47%
Natural Areas - Reserved	0.0	0.00%	53.4	2.23%	267.6	11.16%
Restricted Suburban	261.7	10.92%	319.0	13.31%	548.6	22.89%
Suburban Commercial	31.1	1.30%	36.2	1.51%	56.7	2.37%
Urban	38.6	1.61%	84.1	3.51%	266.4	11.11%
Utilities	1.3	0.05%	1.3	0.05%	1.3	0.05%
Village Center	0.0	0.00%	12.3	0.51%	61.5	2.57%
Right-of-Way	394.0	16.44%	394.0	16.44%	394.0	16.44%
Subtotal Developed Land Uses	1,243.4	51.87%	1,473.0	61.45%	2,393.2	99.84%
Undeveloped	1,153.6	48.13%	924.0	38.55%	3.8	0.16%
TOTAL GROSS ACRES	2,397.0	100.00%	2,397.0	100.00%	2,397.0	100.00%
Population	5,193		6,525		11,864	
Population per Urban Acres	4.18		4.43		4.96	
Population per Total Acres	2.17		2.72		4.95	

Source: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

Figure 2-4: Current Land Uses, Spring Creek Sewer Line

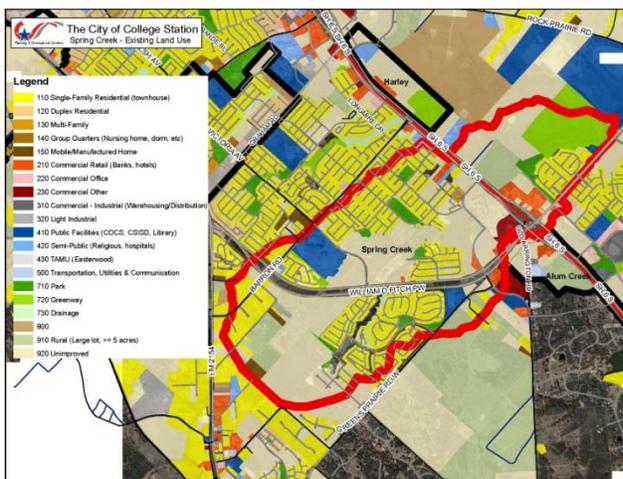


Figure 2-5: Future Land Uses, Spring Creek Sewer Line

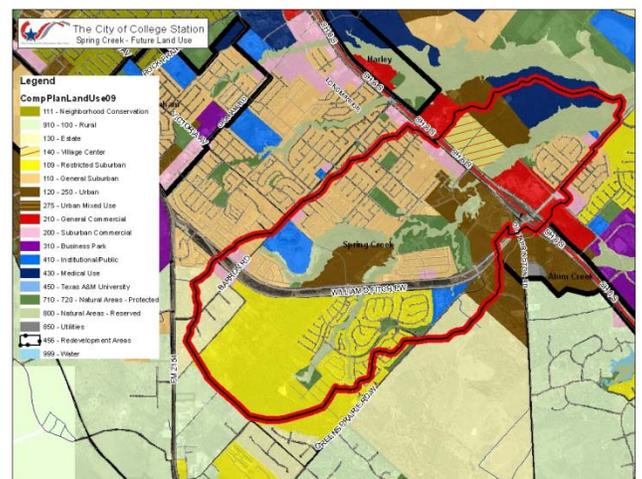




TABLE 2-1C
POPULATION AND LAND USE PROJECTIONS FOR AREA 97-01B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	1.2	0.16%	13.8	1.83%	24.1	3.20%
Estate	0.0	0.00%	3.0	0.40%	5.4	0.72%
General Suburban	6.0	0.80%	132.9	17.68%	236.7	31.48%
Natural Areas - Protected	0.0	0.00%	2.4	0.32%	4.4	0.59%
Natural Areas - Reserved	0.0	0.00%	64.5	8.58%	117.3	15.60%
Restricted Suburban	28.9	3.84%	92.1	12.24%	143.7	19.11%
Rural	0.2	0.03%	0.2	0.03%	0.2	0.03%
Suburban Commercial	0.0	0.00%	0.1	0.01%	0.2	0.03%
Urban	55.4	7.37%	75.8	10.07%	92.4	12.29%
Utilities	9.7	1.29%	9.7	1.29%	9.7	1.29%
Right-of-Way	107.1	14.24%	107.1	14.24%	107.1	14.24%
Subtotal Developed Land Uses	208.5	27.73%	501.6	66.70%	741.2	98.57%
Undeveloped	543.5	72.27%	250.4	33.30%	10.8	1.43%
TOTAL GROSS ACRES	752.0	100.00%	752.0	100.00%	752.0	100.00%
Population	183		2,306		4,042	
Population per Urban Acres	0.88		4.60		5.45	
Population per Total Acres	0.24		3.07		5.38	

Source: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.

Figure 2-6: Current Land Uses, Alum Creek Sewer Line



Figure 2-7: Future Land Uses, Alum Creek Sewer Line

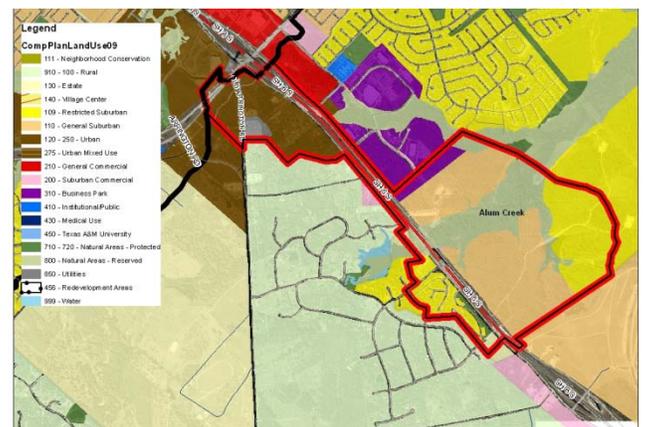




TABLE 2-1D
POPULATION AND LAND USE PROJECTIONS FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
General Commercial	8.0	5.16%	9.2	5.94%	23.0	14.84%
General Suburban	0.0	0.00%	0.2	0.15%	0.6	0.39%
Medical Use	12.9	8.32%	19.6	12.65%	49.0	31.61%
Natural Areas - Reserved	0.0	0.00%	5.1	3.28%	12.7	8.19%
Suburban Commercial	1.0	0.65%	26.3	16.98%	65.8	42.45%
Right-of-Way	3.9	2.52%	3.9	2.52%	3.9	2.52%
Subtotal Developed Land Uses	25.8	16.65%	64.3	41.51%	155.0	100.00%
Undeveloped	129.2	83.35%	90.7	58.49%	0.0	0.00%
TOTAL GROSS ACRES	155.0	100.00%	155.0	100.00%	155.0	100.00%
Population	0		0		0	
Population per Urban Acres	0.00		0.00		0.00	
Population per Total Acres	0.00		0.00		0.00	

Source: City of College Station, 2013, College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.

Figure 2-8: Existing Land Uses, Harley Water Line



Figure 2-9: Future Land Uses, Harley Water Line





TABLE 2-1E
POPULATION AND LAND USE PROJECTIONS FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

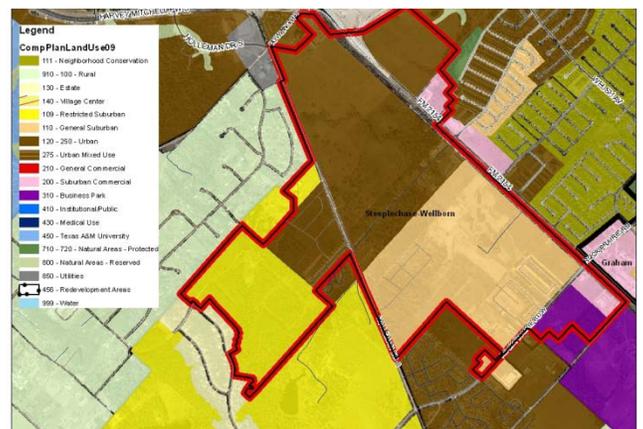
LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	0.2	0.03%	12.4	1.60%	23.6	3.05%
Estate	0.0	0.03%	0.1	0.02%	0.1	0.01%
General Suburban	74.1	9.57%	151.6	19.58%	222.8	28.78%
Restricted Suburban	8.1	1.05%	68.4	8.84%	123.9	16.00%
Rural	0.1	0.01%	0.3	0.03%	0.4	0.05%
Suburban Commercial	14.3	1.85%	17.3	2.24%	20.1	2.60%
Urban	76.8	9.92%	198.0	25.57%	309.4	39.96%
Right-of-Way	74.0	9.56%	74.0	9.56%	74.0	9.56%
Subtotal Developed Land Uses	247.6	31.98%	522.1	67.43%	774.3	100.00%
Undeveloped	526.7	68.02%	252.2	32.57%	0.0	0.00%
TOTAL GROSS ACRES	774.3	100.00%	774.3	100.00%	774.3	100.00%
Population	911		8,259		15,016	
Population per Urban Acres	3.68		15.82		19.39	
Population per Total Acres	1.18		10.67		19.39	

Source: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

Figure 2-10: Existing Land Uses, Steeplechase Sewer Line



Figure 2-11: Future Land Uses, Steeplechase Sewer Line





2.2 CAPITAL IMPROVEMENTS PROGRAM PLAN

Chapter 395 requires the following elements be included in the Capital Improvements Plan (CIP) used as the basis for impact fees:

- Table of service usage for each category of capital improvements and a conversion table of service units per acre (or other measure) of at least residential, commercial and industrial land uses
- Projections of total service units for new development, within the service area:
 - ≡ At full buildout
 - ≡ Within 10 years or less
- Description of existing capital improvements, including:
 - ≡ Existing capital improvements within the service area
 - ≡ Analysis of total capacity of existing improvements
 - ≡ Analysis of current usage of existing improvements
 - ≡ Analysis of commitments for usage of existing capacity
 - ≡ Costs to upgrade, update, improve, expand or replace for existing needs
- Description of capital improvements needed to serve new development within the next 10 years or less (based on adopted service area, land use and unit usage assumptions), including:
 - ≡ All or portions of the existing CIP
 - ≡ All or portions of the future CIP
 - ≡ Costs associated with both existing and future CIP facilities needed for new development

In addition, the legislation provides that the CIP may include construction price, survey and engineering fees, land acquisition costs (including "soft" costs), and the costs of consulting work to the develop Chapter 395 fees.

This section provides those components of the impact fee study.

2.2.1 Table of Service Usage

Various assumptions used in the development of the CIP are shown in **Table 2-2**. This constitutes a "table of service usage for each category of capital improvements".



**Table 2-2
CAPACITY DEMAND FOR EACH NEW LUE
CITY OF COLLEGE STATION**

AREA	BASIS	CAPACITY PER LUE FOR WATER/SEWER LINES
Area 92-01 Graham Road Sewer Line	Peak Day	1,068 gallons daily
Area 97-01 Spring Creek Sewer Line	Peak Day	1,068 gallons daily
Area 97-02B Alum Creek Sewer Line	Peak Day	1,068 gallons daily
Area 99-01 Harley Water Line	Peak Day	668 gallons daily
Area 03-02 Steeplechase Sewer Line	Peak Day	1,068 gallons daily

SOURCE: College Station City Staff.

2.2.2 Conversion Tables

Section 395.014(a)(4) of the Impact Fee Act requires:

. . . an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial . . .

Two different types of conversion tables are used. The first, **Table 2-3**, shows conversion of land uses into living units equivalent. The second, **Table 2-4**, shows the manner of fee collection, which is based on the size of the water meter (for both water and sewer fees).

2.2.2.1 **Converting Projected Land Uses into Projected Living Units Equivalent**

Table 2-3 shows the number of LUE's per acre for various types of land uses for each service area. These revise the figures in the impact fee ordinance, based on the new Comprehensive Plan, as interpreted by City Staff. These conversions are used to project growth in LUE's over the next ten years, based on changes in land uses in each of the service areas.



**Table 2-3
CONVERSION OF LAND USES TO LIVING UNITS EQUIVALENT
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)				
	Water	Sewer			
	Harley	Graham	Spring Crk	Alum Crk	Steeplechase
Business Park		2.00		2.00	2.00
Estate			1.00	1.00	1.00
General Commercial	5.50		5.50		
General Suburban		8.00	6.97	6.97	8.00
Institutional/Public		2.50	2.50		
Medical	5.55	5.55	5.50		
Natural Areas - Protected					
Natural Areas - Reserved					
Neighborhood Conservation		4.00			
Restricted Suburban			4.00	4.11	4.00
Rural				0.33	0.33
Suburban Commercial		4.55	4.55	4.55	4.55
Urban			5.92	5.92	20.00
Utilities					
Village Center			35.00		
Reserved from Development					
Right-of-Way					
Undeveloped					

Sources: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx; College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx; College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx; College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx; and College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx. Not all uses are found in all areas.



2.2.2.2 Converting Water Meter Size to Living Units Equivalent for Fee Collection

Table 2-4 illustrates the use of water meters of various sizes in determining the LUE capacity for any individual customer, used for both water and sewer, for all classes of customers.

Water meter size was selected as the unit determinant for fee collection for the following reasons:

- It allows the use of an American Water Works Association (AWWA) published standard.
- This standard includes both safe continuous flow and safe maximum flow which will thereby accommodate all requests for service.
- These standards are those used by building owners, professional engineers and architects, and City staff for sizing meters and plumbing fixtures.
- Meters are a physical element which can be maintained and controlled by the City, thus allowing the monitoring of the accuracy of meter sizing.
- The City can require any necessary replacement of meters which can be shown to have been sized to small for a development and collect additional impact fees required by the change in meters.
- Particularly in the larger meter sizes, the builder may have to pay for more capacity than needed for the development, thus resulting in a potential payment above actual costs. However, these large-meter customers will be able to use that excess capacity if later building expansions occur or if use patterns change. Moreover, the capacity purchased would be a marketable amenity which would add value to the property.
- The use of water meter size allows equitable cost assignment to each of the three customer classes identified in Chapter 395 (residential, commercial and industrial).

Since water meter size is the basis for calculation of both water and wastewater fees, the base fee should be applied to the smallest meter size used by the City. The following policies were suggested by the Consultants:

- The standard used for the ratio of the continuous duty maximum flow rate would be derived from AWWA C700-C703 (in gpm).
- The City's smallest water meter (5/8") would be the base unit for impact fee assessment. (The use of this water meter has been discontinued by the City, and all new or replacement meters will be 3/4" in diameter. However, 10 gpm (the capacity of the 5/8" meter) is equivalent to one LUE according to City engineers. Thus the table of equivalencies will remain the same, and since no customer can purchase a 5/8" meter in the future, the 3/4" meter will, by policy, be charged for one LUE of service.)



- The ratio of each larger meter's continuous duty maximum flow rate to the rate of the base meter would determine the fee multiplier and the scale for other calculations relating to this fee.
- The Impact Fee Ordinance should have the schedule published as shown in **Table 2-4**, which includes both compound and turbine meters.
- The use of a turbine meter, in connection with displacement meters in a compound meter installation, would require the use of the turbine meter schedule.
- The impact fee assessment should be adjusted when the City determines that unique water pressure conditions of the system result in a meter size which is not indicative of actual flow (as when pressure is unusually low or high). In this instance, the ordinance should provide for individual review.

**Table 2-4
LUE EQUIVALENCIES FOR VARIOUS TYPES
AND SIZES OF WATER METERS**

METER TYPE	METER SIZE	CONTINUOUS DUTY MAXIMUM RATE (gpm)	RATIO TO 5/8" METER
SIMPLE	5/8" x 3/4"	10	1.000
SIMPLE	3/4"	15	1.000
SIMPLE	1"	25	2.500
SIMPLE	1-1/2"	50	5.000
SIMPLE	2"	80	8.000
COMPOUND	2"	80	8.000
TURBINE	2"	100	10.000
COMPOUND	3"	160	16.000
TURBINE	3"	240	24.000
COMPOUND	4"	250	25.000
TURBINE	4"	420	42.000
COMPOUND	6"	500	50.000
TURBINE	6"	920	92.000
COMPOUND	8"	800	80.000
TURBINE	8"	1600	160.000
COMPOUND	10"	1150	115.000
TURBINE	10"	2500	250.000
TURBINE	12"	3300	330.000

SOURCE: AWWA Standards C700, C701, C702, C703. By policy, a 3/4" meter will be charged for one LUE of service.



Typically, some concern is expressed that water meters are not always a reasonable means of calculating wastewater flows, particularly for certain consumptive types of commercial uses (car washes, restaurants) or industrial processes. Additionally, any land use might have a large meter for irrigation purposes, thus overrepresenting its wastewater flows. However, experience has indicated that few such customers choose to have a separate wastewater meter because of the installation and maintenance expense incurred. Because no alternative means for assessing flow is technically feasible, the consultants recommend that the water meter also be adopted as the basis for wastewater impact fees.

However, given the potential that some consumptive commercial and industrial customers may be considerably overcharged for sewer capacity demand when water meter size is used for calculating wastewater impact fees, the Consultant also recommends that the ordinance provide for exceptions. Specifically, the ordinance should permit individual wastewater customers to present data, prepared by a professional engineer, documenting expected wastewater flow below that indicated by meter-size determinations for a lower sewer fee.

2.2.3 Projected Service Units for New Development

Chapter 395 also requires the projection of service units for new development in the service area. **Table 2-5** shows projections of living units equivalent, as derived by applying the conversion factors in **Table 2-3** to the land use projections in **Table 2-1**. As required by the legislation, projections are shown for both 2023 and ultimate buildout.



**TABLE 2-5A
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	30	41	49
General Suburban	8.00	1,000	1,001	1,002
Institutional/Public	2.50	95	95	96
Medical Use	5.55	0	25	30
Natural Areas - Protected	0.00	0	0	0
Natural Areas - Reserved	0.00	1	1	1
Neighborhood Conservation	4.00	47	47	47
Suburban Commercial	4.55	241	260	317
Urban	0.00	168	168	168
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		1,582	1,638	1,710
Population per LUE		1.72	1.66	1.59

Source: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.



**TABLE 2-5B
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Estate	1.00	35	36	40
General Commercial	5.50	208	233	332
General Suburban	6.97	1,129	1,207	1,580
Institutional/Public	2.50	175	177	184
Medical	5.50	0	94	171
Natural Areas - Protected	0.00	0	0	0
Natural Areas - Reserved	0.00	0	0	0
Restricted Suburban	4.00	1,052	1,281	2,200
Suburban Commercial	4.55	21	44	279
Urban	5.92	84	353	1,626
Utilities	0.00	0	0	0
Village Center	35.00	0	430	2,153
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		2,704	3,855	8,565
Population per LUE		1.92	1.69	1.39

Source: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.



TABLE 2-5C
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	2	27	48
Estate	1.00	0	3	5
General Suburban	6.97	8	892	1,623
Natural Areas - Protected	0.00	1	1	1
Natural Areas - Reserved	0.00	0	0	0
Restricted Suburban	4.11	88	348	483
Rural	0.33	0	0	0
Suburban Commercial	4.55	0	1	1
Urban	5.92	239	360	495
Utilities	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		338	1,631	2,656
Population per LUE		0.54	1.41	1.52

Source: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.



**TABLE 2-5D
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
General Commercial	5.50	44	51	127
General Suburban	0.00	0	0	0
Medical Use	5.50	71	108	270
Natural Areas - Reserved	0.00	0	0	0
Suburban Commercial	0.00	0	0	0
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		115	158	396
Population per LUE		0.00	0.00	0.00

Source: City of College Station, 2013, College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.



TABLE 2-5E
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	0	24	47
Estate	1.00	0	0	0
General Suburban	8.00	261	931	1,542
Restricted Suburban	4.00	16	257	479
Rural	0.33	0	0	0
Suburban Commercial	4.55	65	79	97
Urban	20.00	234	2,657	4,886
Undeveloped	0.00	0	0	0
Totals		576	3,949	7,051
Population per LUE		1.58	2.09	2.13

Source: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.



2.2.4 CIP Development for Existing and Future Needs

Several steps were necessary in order to perform the required inventory of existing facilities; develop the 10-year CIP; and allocate the capacity and associated costs to the appropriate customer groups.

First, as discussed above, projected service demands for each service area were expressed in LUE's, shown in **Table 2-6**. These demands were then used to project specific facility needs for both existing and future customers.

Table 2-7 presents the inventory of facilities as required in Chapter 395. It shows the required allocation of existing and future CIP facility needs for existing development; future development within the next ten years; and excess capacity for subsequent future development. For each generation of utility customers, these tables show facility needs which will be met by Existing Facilities and Future Facilities.

Cost allocations are also shown in **Table 2-7**. Costs were allocated proportionately among existing customers, 2013-2023 growth, and post-2023 growth. Using these allocations, costs for 2013-2023 growth were expressed on a per-LUE basis.



TABLE 2-6A
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 92-01
GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	1.690	1.775	1.826
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	1,582	1,662	1,710

(a) Peak 1,068 gals/LUEdaily

Existing Capacity details are contained in **TABLE 2-7A**

TABLE 2-6B
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 97-01
SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	2.888	4.117	9.147
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	2,704	3,855	8,565

(a) Peak 1,068 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7B**



TABLE 2-6C
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 97-02B
ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.361	1.742	2.837
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	338	1,631	2,656

(a) Peak 1,068 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7C**

TABLE 2-6D
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.077	0.106	0.264
Gallons per LUE daily	668	668	668
TOTAL LUE'S	115	158	396

(a) Peak 668 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7D**



TABLE 2-6E
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 03-02
STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.615	4.217	7.530
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S (b)	576	3,949	7,051

(a) Peak 1,068 gals/LUEdaily

(e) Existing Capacity details are contained in **TABLE 2-7E**



TABLE 2-7A
CIP INVENTORY AND COSTING FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
		%					
Phase I	\$372,994	100.00%	92.51%	3.28%	4.20%	\$12,251	
Phase II	\$46,735	100.00%	100.00%	0.00%	0.00%	\$0	
Phase III	\$53,789	100.00%	92.51%	3.28%	4.20%	\$1,767	
Subtotal Existing Facilities	\$473,519	100.00%	93.25%	2.96%	3.79%	\$14,017	
FUTURE FACILITIES							
None		%					
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL COLLECTION LINES	\$473,519	100.00%	93.25%	2.96%	3.79%	\$14,017	\$249.58
CONSTRUCTION COST TOTAL	\$473,519					\$14,017	\$249.58



TABLE 2-7B
CIP INVENTORY AND COSTING FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
		%					
Phase I	\$631,215	100.00%	31.57%	13.44%	54.99%	\$84,861	
Phase II	\$813,752	100.00%	31.57%	13.44%	54.99%	\$109,401	
Subtotal Existing Facilities	\$1,444,967	100.00%	31.57%	13.44%	54.99%	\$194,262	
FUTURE FACILITIES							
		%					
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL COLLECTION LINES	\$1,444,967	100.00%	31.57%	13.44%	54.99%	\$194,262	\$168.71
CONSTRUCTION COST TOTAL	\$1,444,967					\$194,262	\$168.71



TABLE 2-7C
CIP INVENTORY AND COSTING FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
Phase I	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	
Subtotal Existing Facilities	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	
FUTURE FACILITIES							
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL COLLECTION LINES	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	\$80.67
CONSTRUCTION COST TOTAL	\$214,271					\$104,294	\$80.67



TABLE 2-7D
CIP INVENTORY AND COSTING FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR TRANSMISSION LINES							
EXISTING FACILITIES							
Phase I	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	
Subtotal Existing Facilities	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	
FUTURE FACILITIES							
		%					
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL TRANSMISSION LINES	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	\$866.00
CONSTRUCTION COST TOTAL	\$342,978					\$37,628	\$866.00



TABLE 2-7E
CIP INVENTORY AND COSTING FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
Sanitary Sewer Facilities	\$1,130,147	<u>LUEs</u> 3,800	576	3,224	0	\$958,841	
Subtotal Existing Facilities	\$1,130,147	3,800	576	3,224	0	\$958,841	
FUTURE FACILITIES							
None		<u>LUEs</u>					
Subtotal Future Facilities	\$0	0	0	0	0	\$0	
TOTAL COLLECTION LINES	\$1,130,147	3,800	576	3,224	0	\$958,841	\$284.30
CONSTRUCTION COST TOTAL	\$1,130,147					\$958,841	\$284.30



2.2.5 Summary of CIP Analysis and Capital Cost Allocation

Capital costs for each area are summarized in **Table 2-8**. In addition to capital costs, the City is permitted to add the costs of the study to the fee amount, as is shown in the table. Study costs were divided by five (the number of areas studied), with one-fifth of the cost allocated to each study area. Then, the study costs allocated to each area were divided by the number of projected LUE's, to yield a study cost per LUE.

**Table 2-8
SUMMARY OF CAPITAL COSTS**

UTILITY	AREA	FACILITY TYPE	COST/LUE*
WASTEWATER	92-01	Major Collection	\$249.58
	Graham Rd.	Study Costs	\$100.60
TOTAL CAPITAL COSTS 92-01 Graham Road Wastewater			\$350.18
WASTEWATER	97-01	Major Collection	\$168.71
	Spring Creek	Study Costs	\$4.91
TOTAL CAPITAL COSTS 97-01 Spring Creek Wastewater			\$173.61
WASTEWATER	97-02B	Major Collection	\$80.67
	Alum Creek	Study Costs	\$4.37
TOTAL CAPITAL COSTS 97-02B Alum Creek Wastewater			\$85.04
WATER	99-01	Major Transmission	\$866.00
	Harley	Study Costs	\$130.03
TOTAL CAPITAL COSTS 99-01 Harley Water Line			\$996.03
WASTEWATER	03-02	Major Collection	\$284.30
	Steeplechase	Study Costs	\$2.72
TOTAL CAPITAL COSTS 03-02 Steeplechase Wastewater			\$287.02

* An LUE is equal to use by a typical household with a 5/8" water meter (existing customers) or a 3/4" water meter for new customers. Totals may not add due to rounding.



3.0 FEE CALCULATION

Chapter 395 states that the maximum fee amount may not exceed the full capital cost per unit. The statute also requires:

a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

The Equity Residual Model was used to calculate actual debt service credits. **Section 3.1** describes that model. **Section 3.2** shows the derivation of fee credits for each service area. **Section 3.3** compares maximum fee amounts using this approach with the 50%-credit approach allowed in the legislation.

3.1 EQUITY RESIDUAL MODEL

The Equity Residual methodology provides that each new user contributes "equity" in the City systems comparable to that owned by other existing users. Once that equity payment is made through the impact fee, each new user would pay the remainder of his or her capital-related cost of service through rate or tax payments equal to the rate or tax payments of existing users. This minimizes cross-subsidization (one user group paying for the costs of another) and provides for full cost recovery for the utilities. All users then pay for excess capacity in the system.

3.1.1 Definition of Terms

Terms which will be used throughout the conceptual presentation of this approach are defined below:

Cost of Service (Construction) - The full off-site construction costs associated with providing one unit of service, including costs of all facilities required to provide a single unit of service. Construction costs include engineering design costs and other cost components permitted by Chapter 395.

Cost of Service (Bonding) - Costs incurred in the issuance of bonds, such as ratings, fees for financial advisors, bond counsel, etc.

Cost of Service (Interest) - The interest cost applied to construction costs and bonding costs when payments are made over time.



Cost of Service (Full) - The sum of payments made for a single unit of service. This is equivalent to capital construction costs only when cash payments are made instead of bond financing. For bonded improvements, full cost of service includes construction, bonding and interest costs.

Debt Service - Regular principal and interest payments made by the City to repay bonded costs of facilities.

Equity - Value of contributions made toward full payment of cost of service; full cost of service minus outstanding debt service payments.

Existing Users - All users of the utilities prior to the adoption of a particular impact fee ordinance.

Existing Service Unit Demand - One unit of service demand in existence as of the date of the proposed impact fee ordinance.

Future Users - New development after the date of impact fee ordinance adoption.

Future Service Unit Demand - One unit of service demand occurring on or after the date of impact fee ordinance adoption.

Indebtedness (Debt Service Payback) - Total amount outstanding for all debt service payments at the time an impact fee ordinance is adopted.

Times Coverage - Excess revenue collections required by bond covenants to ensure the City's ability to meet its debt service revenue requirements (for water and sewer utilities). Minimum times coverage is generally 25% over the amount of debt service; for greater security, greater times coverage is preferred.

User Class - A group of users with historically documented, common use characteristics.

3.1.2 Conceptual Methodology

Figure 3-1 presents a conceptual illustration of the Equity Residual methodology, and will be referenced throughout this section.



3.1.2.1 Components of Capital Cost of Service

For purposes of this conceptual discussion, costs are defined for a common measurement of capacity and demand; that service unit of measurement is "Living Unit Equivalent", or LUE. Each service unit has a capital cost associated with the comprehensive group of facilities required to provide service. This value is the Construction Cost of Service (see [Figure 3-1](#)).

If a facility is funded through bonding, however, three additional costs are incurred for each service unit of demand: bonding costs, interest costs, and times coverage costs. Bonding costs for bond issues are statistically small -- in the neighborhood of 3% to 15%. On the other hand, interest costs can effectively double or triple costs, depending on the current interest rate and term of the bonds. Times coverage, although an expense for utility rate payers, is not actually a cost of service; these revenues are excess funds which can be carried over from one year to another to finance system improvements, pay overhead and maintenance costs, or meet other expenses. Therefore, times coverage is not included as a cost of service element in the Equity Residual model, and is not shown on [Figure 3-1](#).

3.1.2.2 Methods for Recovering Costs of Service

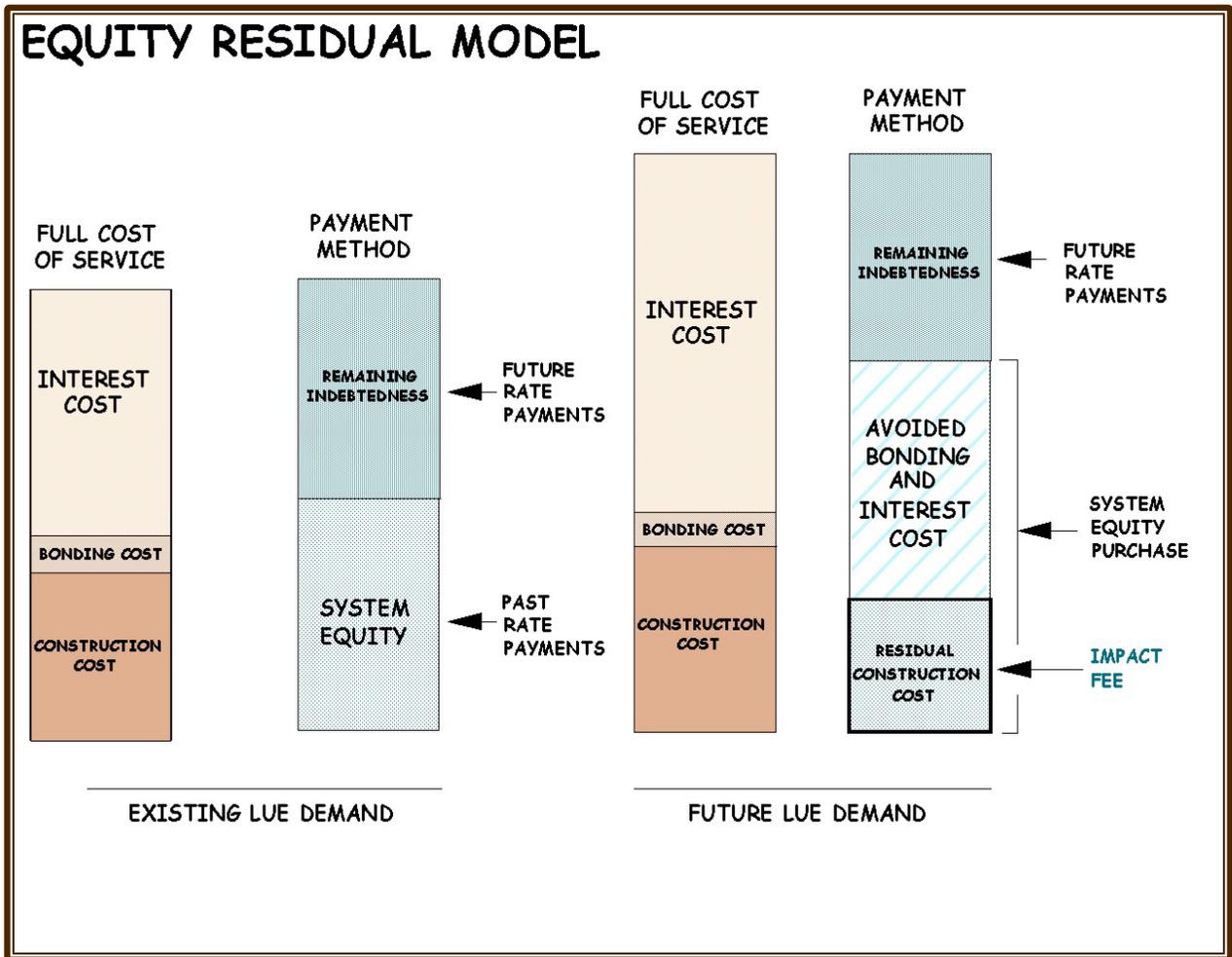
Generally speaking, costs can be financed through either the public sector or the private sector. Financing through the public sector is primarily accomplished by bonding projects and recovering costs through rates/taxes. Financing through the private sector occurs when a developer or builder contributes assets, either facilities or cash, and passes along this cost (including carrying and financing costs) to the ultimate buyer or renter of the development. An impact fee is one mechanism for private financing; other examples are developer contribution, developer cost participation in City facilities, etc.. Whether private or public financing is more cost-effective is determined by many variables, including interest rates, term, mark-up percentage, bonding costs, etc..

The Equity Residual methodology recognizes and utilizes the concept that all users pay part or all of their cost of service through public-sector financing by virtue of the fact that they pay rates/taxes to retire debt service. The central tenet of the Equity Residual approach is that future users will partially pay for their own costs of service through rate or tax payments in an amount typically equal to the remaining debt service payback for existing users. The remainder of their costs of service, or the "residual" amount, will be subject to payment through an impact fee. Thus, future users will be permitted to pay a portion of their costs of service through rates or taxes, similar to existing users. However, existing users will not, in the long-term, bear the cost of facilities for future users. Thus, the Equity Residual approach allows future users to pay their costs of service partially through the public



sector (with rate or tax payments equal to existing users) and partially through the private sector (through an impact fee). The following sections provide a more detailed discussion of this conceptual approach.

Figure 3-1



3.1.2.3 System Equity and Remaining Indebtedness for Existing LUE Demand

On the left side of **Figure 3-1** is a representation of the Cost of Service for each unit of *existing* demand and the method for paying those costs. Theoretically, each existing unit of service has a full cost associated with it, consisting of construction costs, bonding costs, and interest costs. (Prior to the adoption of impact fees, construction costs were generally bonded and thus subjected to bonding and interest costs.)



Users in this group have, for the most part, been permitted to pay their full Cost of Service through the rates without an up-front cash payment of costs, as shown in the second bar for existing service demand. The second left-hand bar is divided into two segments: system equity and remaining indebtedness. Existing users, on the date an impact fee ordinance is adopted, will have theoretically paid some portion of their full Cost of Service through past rate payments. Thus, they have a certain amount of "equity" in the existing City system. This is shown on the bottom portion of the second bar. Existing users also have a corresponding amount of remaining indebtedness to be paid through future rate payments over the next 20-30 years. This is depicted on the top portion of the bar. These two payment components -- equity and remaining indebtedness -- thus describe the Total Payment of each user's Full Cost of Service for existing service unit demand.

3.1.2.4 Calculation of Cost of Service for Future Service Unit Demand

On the right side of [Figure 3-1](#) is a depiction of the Cost of Service for *future* LUE demand. The Cost of Service for future users will be higher than that for existing users due to inflation and possibly due to technological and regulatory changes. If these new facilities are bonded, they will have not only construction-related costs, but also bonding and interest costs (similar to those for existing users). These latter costs will also be higher than comparable costs for existing users because bonding and interest costs are directly proportional to the higher new construction costs.

3.1.2.5 Fairness Between Users Through the Rate Structure

A key concept in the Equity Residual methodology is that rate payments of future users are dedicated to retirement of debt for facilities for future needs, while rate payments of existing users are used to pay for facilities for existing needs. Application of this concept has two primary results:

- Cross-subsidization between existing and future users is minimized; and
- Future users enter the City systems on an equal basis with existing users.

This approach is effected by purposefully setting the total payback indebtedness of future users to the same amount as the total payback for existing users. Thus, in [Figure 3-1](#), the remaining indebtedness for each service unit of existing demand is the same as for each service unit of future demand. In order to accomplish this equalization, however, future users will have to submit a "system equity" payment to contribute their remaining Cost of Service and to put them on a par status with existing users (see discussion below).



3.1.2.6 Equity Residual and Equity Contribution for Future LUE Demand

The second bar in the right-hand diagram of *Figure 3-1* shows the payment methods for future users. At the top of the bar is indebtedness equal to that of existing users. This indebtedness includes construction and bonding costs (both principal payments) and interest payments.

Below the indebtedness payback are shown the components of the remaining Cost of Service, or that portion which must be paid to achieve fairness through the rate structure. This portion of the Cost of Service has been designated "System Equity", similar to past debt payments by existing users. System Equity has three components, as do all Costs of Service: construction cost, bonding cost, and interest cost. If the construction costs in the System Equity portion of the Cost of Service were to be paid in cash, corresponding bonding and interest costs would be avoided. The remaining construction costs, or "residual", would be the actual payment necessary to achieve fairness -- or equity -- in the system. This residual cost is the amount which should be subjected to payment in an impact fee.

In sum, the Equity Residual approach to funding improvements will result in a payment for Cost of Service for future service demand which has the following characteristics:

- *A portion of the Cost of Service will be paid through the rates or taxes; the total payback on this portion of the Cost of Service will equal that for total capital indebtedness for existing users reflected in the rate structure;*
- *New users will contribute equity status in the system by paying the remaining, unbonded portion of construction costs ("residual") through an impact fee;*
- *Bonding and interest costs associated with residual construction costs will be avoided.*
- *This approach will result in full cost recovery for growth from payments made by future users.*

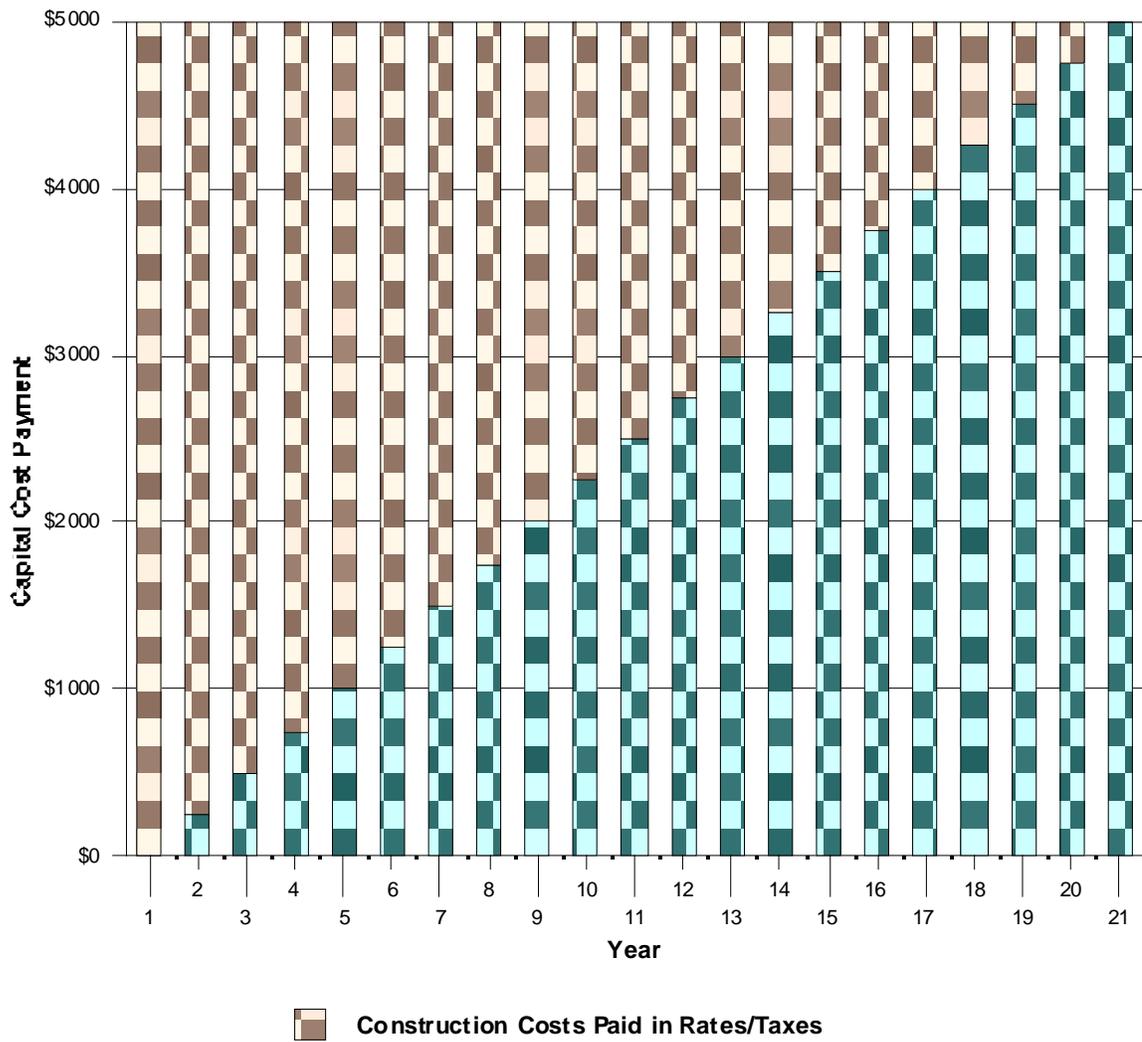
3.1.2.7 Balancing Rate and Fee Payments Over Time

Chapter 395 requires that impact fee programs have a planning horizon of ten years or less. Equity among feepayers within the ten-year period can be enhanced if the Equity Residual Model is used to adjust fees each year to acknowledge that earlier feepayers will pay more through their rates than later feepayers as debt service is retired. *Figure 3-2* illustrates this concept. This figure illustrates that in early years of an impact fee or a construction program, there may be little difference between existing



and new customers, and impact fees are relatively low since new customers pay the majority of their capital costs through rates/taxes to retire debt service. In later years, however, new customers will make relatively lower debt service payments since much of the debt is already retired when they connect to the system, and impact fees are correspondingly higher. If impact fees are properly designed, customers at every point in time will pay their full and equal cost through a combination of debt service and fees. As shown in the example in **Figure 3-2**, customers who connect during each year of the 20-year time frame pay \$5,000 in capital construction costs, through a varying combination of rates and fees.

Figure 3-2: Payment of Capital Costs Through Combination of Impact Fees and Rates





3.2 CALCULATION OF FEE CREDITS

Table 3-1 contains calculations of rate credits for each of the service areas, using the Equity Residual Approach. (Area 99-01, Harley Water Line, is not funded by debt, and thus the calculated rate credit is zero and not shown in **Table 3-1**.) This table shows the dollar amount of capital debt service payback proportionately attributed to each LUE of existing service.

TABLE 3-1A
CATEGORIZATION OF UTILITY DEBT FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	PRINCIPAL PER CURRENT
MAJOR COLLECTION						
Phase I	1993	\$196,927	\$14,091	100%	92.51%	\$8.24
Phase II	1993	\$24,674	\$1,766	100%	100.00%	\$1.12
Phase III	1993	\$28,399	\$2,032	100%	92.51%	\$1.19
Subtotal Wastewater Collection		\$250,000	\$17,889			\$10.54
OUTSTANDING DEBT TOTAL		\$250,000	\$17,889			\$10.54

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.



TABLE 3-1B
CATEGORIZATION OF UTILITY DEBT FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT PRINCIPAL PER CURRENT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	
MAJOR COLLECTION						
Phase I	1998	\$314,523	\$110,742	100%	31.57%	\$12.93
Phase II	1998	\$405,477	\$142,766	100%	31.57%	\$16.67
Subtotal Wastewater Collection		\$720,000	\$253,508			\$29.60
OUTSTANDING DEBT TOTAL		\$720,000	\$253,508			\$29.60

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

TABLE 3-1C
CATEGORIZATION OF UTILITY DEBT FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT PRINCIPAL PER CURRENT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	
MAJOR COLLECTION						
Phase I	1998	\$396,000	\$139,429	100%	12.73%	\$52.50
Subtotal Wastewater Collection		\$396,000	\$139,429			\$52.50
OUTSTANDING DEBT TOTAL		\$396,000	\$139,429			\$52.50

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.



TABLE 3-1E
CATEGORIZATION OF UTILITY DEBT FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL FOR CURRENT	PER CURRENT	PRINCIPAL
MAJOR COLLECTION						
Sanitary Sewer Facilities	2004	\$1,000,000	\$677,642	100%	15.16%	\$178.33
Subtotal Wastewater Collection		\$1,000,000	\$677,642			\$178.33
OUTSTANDING DEBT TOTAL		\$1,000,000	\$677,642			\$178.33

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

3.3 MAXIMUM FEE CALCULATION

Table 3-2 shows the remainder of the fee calculation process. According to Chapter 395, the City may either calculate actual rate credits, or it may simply multiply the construction costs by 50% to approximate a fee credit. **Table 3-2** performs both fee calculations. The higher fee between the two credit approaches is then shown in the right-most column.

Table 3-3 shows maximum fee amounts for each area for various sizes of water meters, using the maximum allowable fees calculated in **Table 3-2**.



TABLE 3-2A
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$249.58	\$10.54	\$124.79	\$239.04	\$124.79	\$239.04
CIP/Study Costs	\$100.60	\$0.00	\$50.30	\$100.60	\$50.30	\$100.60
Subtotal Wastewater	\$350.18	\$10.54	\$175.09	\$339.63	\$175.09	\$339.63
TOTALS	\$350.18	\$10.54	\$175.09	\$339.63	\$175.09	\$339.63

TABLE 3-2B
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$168.71	\$29.60	\$84.35	\$139.11	\$84.35	\$139.11
CIP/Study Costs	\$4.91	\$0.00	\$2.45	\$4.91	\$2.45	\$4.91
Subtotal Wastewater	\$173.61	\$29.60	\$86.81	\$144.01	\$86.81	\$144.01
TOTALS	\$173.61	\$29.60	\$86.81	\$144.01	\$86.81	\$144.01



TABLE 3-2C
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$80.67	\$52.50	\$40.34	\$28.18	\$40.34	\$40.34
CIP/Study Costs	\$4.37	\$0.00	\$2.19	\$4.37	\$2.19	\$4.37
Subtotal Wastewater	\$85.04	\$52.50	\$42.52	\$32.55	\$42.52	\$44.71
TOTALS	\$85.04	\$52.50	\$42.52	\$32.55	\$42.52	\$44.71

TABLE 3-2D
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 99-01, HARLEY WATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WATER UTILITY						
Major Collection	\$866.00	\$0.00	\$433.00	\$866.00	\$433.00	\$866.00
CIP/Study Costs	\$130.03	\$0.00	\$65.02	\$130.03	\$65.02	\$130.03
Subtotal Water	\$996.03	\$0.00	\$498.02	\$996.03	\$498.02	\$996.03
TOTALS	\$996.03	\$0.00	\$498.02	\$996.03	\$498.02	\$996.03



TABLE 3-2E
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$284.30	\$178.33	\$142.15	\$105.98	\$142.15	\$142.15
CIP/Study Costs	\$2.72	\$0.00	\$1.36	\$2.72	\$1.36	\$2.72
Subtotal Wastewater	\$287.02	\$178.33	\$143.51	\$108.70	\$143.51	\$144.87
TOTALS	\$287.02	\$178.33	\$143.51	\$108.70	\$143.51	\$144.87



**TABLE 3-3A
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$339.63	\$339.63
SIMPLE	3/4"	1.000	\$339.63	\$339.63
SIMPLE	1"	2.500	\$849.09	\$849.09
SIMPLE	1-1/2"	5.000	\$1,698.17	\$1,698.17
SIMPLE	2"	8.000	\$2,717.08	\$2,717.08
COMPOUND	2"	8.000	\$2,717.08	\$2,717.08
TURBINE	2"	10.000	\$3,396.34	\$3,396.34
COMPOUND	3"	16.000	\$5,434.15	\$5,434.15
TURBINE	3"	24.000	\$8,151.23	\$8,151.23
COMPOUND	4"	25.000	\$8,490.86	\$8,490.86
TURBINE	4"	42.000	\$14,264.65	\$14,264.65
COMPOUND	6"	50.000	\$16,981.72	\$16,981.72
TURBINE	6"	92.000	\$31,246.37	\$31,246.37
COMPOUND	8"	80.000	\$27,170.75	\$27,170.75
TURBINE	8"	160.000	\$54,341.51	\$54,341.51
COMPOUND	10"	115.000	\$39,057.96	\$39,057.96
TURBINE	10"	250.000	\$84,908.61	\$84,908.61
TURBINE	12"	330.000	\$112,079.36	\$112,079.36



**TABLE 3-3B
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.01	\$144.01
SIMPLE	3/4"	1.000	\$144.01	\$144.01
SIMPLE	1"	2.500	\$360.04	\$360.04
SIMPLE	1-1/2"	5.000	\$720.07	\$720.07
SIMPLE	2"	8.000	\$1,152.12	\$1,152.12
COMPOUND	2"	8.000	\$1,152.12	\$1,152.12
TURBINE	2"	10.000	\$1,440.15	\$1,440.15
COMPOUND	3"	16.000	\$2,304.23	\$2,304.23
TURBINE	3"	24.000	\$3,456.35	\$3,456.35
COMPOUND	4"	25.000	\$3,600.36	\$3,600.36
TURBINE	4"	42.000	\$6,048.61	\$6,048.61
COMPOUND	6"	50.000	\$7,200.73	\$7,200.73
TURBINE	6"	92.000	\$13,249.34	\$13,249.34
COMPOUND	8"	80.000	\$11,521.16	\$11,521.16
TURBINE	8"	160.000	\$23,042.33	\$23,042.33
COMPOUND	10"	115.000	\$16,561.67	\$16,561.67
TURBINE	10"	250.000	\$36,003.64	\$36,003.64
TURBINE	12"	330.000	\$47,524.80	\$47,524.80



**TABLE 3-3C
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$44.71	\$44.71
SIMPLE	3/4"	1.000	\$44.71	\$44.71
SIMPLE	1"	2.500	\$111.77	\$111.77
SIMPLE	1-1/2"	5.000	\$223.54	\$223.54
SIMPLE	2"	8.000	\$357.66	\$357.66
COMPOUND	2"	8.000	\$357.66	\$357.66
TURBINE	2"	10.000	\$447.08	\$447.08
COMPOUND	3"	16.000	\$715.32	\$715.32
TURBINE	3"	24.000	\$1,072.98	\$1,072.98
COMPOUND	4"	25.000	\$1,117.69	\$1,117.69
TURBINE	4"	42.000	\$1,877.72	\$1,877.72
COMPOUND	6"	50.000	\$2,235.38	\$2,235.38
TURBINE	6"	92.000	\$4,113.10	\$4,113.10
COMPOUND	8"	80.000	\$3,576.61	\$3,576.61
TURBINE	8"	160.000	\$7,153.21	\$7,153.21
COMPOUND	10"	115.000	\$5,141.37	\$5,141.37
TURBINE	10"	250.000	\$11,176.89	\$11,176.89
TURBINE	12"	330.000	\$14,753.50	\$14,753.50



**TABLE 3-3D
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 99-01, HARLEY WATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$996.03	\$996.03
SIMPLE	3/4"	1.000	\$996.03	\$996.03
SIMPLE	1"	2.500	\$2,490.08	\$2,490.08
SIMPLE	1-1/2"	5.000	\$4,980.15	\$4,980.15
SIMPLE	2"	8.000	\$7,968.24	\$7,968.24
COMPOUND	2"	8.000	\$7,968.24	\$7,968.24
TURBINE	2"	10.000	\$9,960.31	\$9,960.31
COMPOUND	3"	16.000	\$15,936.49	\$15,936.49
TURBINE	3"	24.000	\$23,904.73	\$23,904.73
COMPOUND	4"	25.000	\$24,900.76	\$24,900.76
TURBINE	4"	42.000	\$41,833.28	\$41,833.28
COMPOUND	6"	50.000	\$49,801.53	\$49,801.53
TURBINE	6"	92.000	\$91,634.81	\$91,634.81
COMPOUND	8"	80.000	\$79,682.44	\$79,682.44
TURBINE	8"	160.000	\$159,364.89	\$159,364.89
COMPOUND	10"	115.000	\$114,543.51	\$114,543.51
TURBINE	10"	250.000	\$249,007.64	\$249,007.64
TURBINE	12"	330.000	\$328,690.08	\$328,690.08



**TABLE 3-3E
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.87	\$144.87
SIMPLE	3/4"	1.000	\$144.87	\$144.87
SIMPLE	1"	2.500	\$362.18	\$362.18
SIMPLE	1-1/2"	5.000	\$724.37	\$724.37
SIMPLE	2"	8.000	\$1,158.99	\$1,158.99
COMPOUND	2"	8.000	\$1,158.99	\$1,158.99
TURBINE	2"	10.000	\$1,448.73	\$1,448.73
COMPOUND	3"	16.000	\$2,317.97	\$2,317.97
TURBINE	3"	24.000	\$3,476.96	\$3,476.96
COMPOUND	4"	25.000	\$3,621.83	\$3,621.83
TURBINE	4"	42.000	\$6,084.67	\$6,084.67
COMPOUND	6"	50.000	\$7,243.66	\$7,243.66
TURBINE	6"	92.000	\$13,328.33	\$13,328.33
COMPOUND	8"	80.000	\$11,589.85	\$11,589.85
TURBINE	8"	160.000	\$23,179.71	\$23,179.71
COMPOUND	10"	115.000	\$16,660.42	\$16,660.42
TURBINE	10"	250.000	\$36,218.30	\$36,218.30
TURBINE	12"	330.000	\$47,808.15	\$47,808.15



4.0 CONCLUSIONS AND RECOMMENDATIONS OF THE CONSULTANTS

This report represents the technical compliance activities of the City of College Station responsive to Chapter 395 of the Texas Local Government Code. In addition to the adoption of the fees calculated herein, the Consultants recommended:

- Use of fee revenues to avoid future bonding, whenever possible.
- As a second-best option, fee proceeds should be used for early retirement of the growth-related portion of existing bonds for growth-related capacity in the CIP.
- Only when the two options immediately above are infeasible should fee proceeds be used for debt service for future customers.
- The Consultants recommend that the City maintain separate dedicated accounts for each area, and retain accrued interest in each account, as stipulated in Chapter 395.

The Consultants also recommend that the City's records include the following information for each impact fee payment made:

- Date of final plat (i.e., date of fee assessment)
- Ordinance number (date) by which property is assessed an impact fee
- Date of tap purchase and building permit issuance
- Size of water meter
- Number of water and wastewater LUE's for which an impact fee is assessed
- Amount of impact fees paid for each impact fee
- Date of payment of impact fees
- Special conditions or exceptions, if any
- Sufficient locational information, consistent with city or county deed records, to enable the City to establish ownership of property for which fees have been paid



5.0 CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE

CHAPTER 395. FINANCING CAPITAL IMPROVEMENTS REQUIRED BY NEW DEVELOPMENT IN MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

SUBCHAPTER A. GENERAL PROVISIONS

§ 395.001. Definitions

In this chapter:

(1) "Capital improvement" means any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of a political subdivision:

(A) water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; and

(B) roadway facilities.

(2) "Capital improvements plan" means a plan required by this chapter that identifies capital improvements or facility expansions for which impact fees may be assessed.

(3) "Facility expansion" means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

(4) "Impact fee" means a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. The term does not include:

(A) dedication of land for public parks or payment in lieu of the dedication to serve park needs;

(B) dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the



dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;

(C) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or

(D) other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision.

However, an item included in the capital improvements plan may not be required to be constructed except in accordance with Section 395.019(2), and an owner may not be required to construct or dedicate facilities and to pay impact fees for those facilities.

(5) "Land use assumptions" includes a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a 10-year period.

(6) "New development" means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

(7) "Political subdivision" means a municipality, a district or authority created under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution, or, for the purposes set forth by Section 395.079, certain counties described by that section.

(8) "Roadway facilities" means arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the political subdivision, together with all necessary appurtenances. The term includes the political subdivision's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

(9) "Service area" means the area within the corporate boundaries or extraterritorial jurisdiction, as determined under Chapter 42, of the political subdivision to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except roadway facilities and storm water, drainage, and flood control facilities. The service area, for the purposes of this chapter, may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, except for roadway facilities and storm water, drainage, and flood control facilities. For roadway facilities, the



service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles. For storm water, drainage, and flood control facilities, the service area may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, but shall not exceed the area actually served by the storm water, drainage, and flood control facilities designated in the capital improvements plan and shall not extend across watershed boundaries.

(10) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 566, § 1(e), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 1, eff. Sept. 1, 2001.

SUBCHAPTER B. AUTHORIZATION OF IMPACT FEE

§ 395.011. Authorization of Fee

(a) Unless otherwise specifically authorized by state law or this chapter, a governmental entity or political subdivision may not enact or impose an impact fee.

(b) Political subdivisions may enact or impose impact fees on land within their corporate boundaries or extraterritorial jurisdictions only by complying with this chapter, except that impact fees may not be enacted or imposed in the extraterritorial jurisdiction for roadway facilities.

(c) A municipality may contract to provide capital improvements, except roadway facilities, to an area outside its corporate boundaries and extraterritorial jurisdiction and may charge an impact fee under the contract, but if an impact fee is charged in that area, the municipality must comply with this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.012. Items Payable by Fee



(a) An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to the:

(1) construction contract price;

(2) surveying and engineering fees;

(3) land acquisition costs, including land purchases, court awards and costs, attorney's fees, and expert witness fees; and

(4) fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the political subdivision.

(b) Projected interest charges and other finance costs may be included in determining the amount of impact fees only if the impact fees are used for the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan and are not used to reimburse bond funds expended for facilities that are not identified in the capital improvements plan.

(c) Notwithstanding any other provision of this chapter, the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay a staff engineer who prepares or updates a capital improvements plan under this chapter.

(d) A municipality may pledge an impact fee as security for the payment of debt service on a bond, note, or other obligation issued to finance a capital improvement or public facility expansion if:

(1) the improvement or expansion is identified in a capital improvements plan; and

(2) at the time of the pledge, the governing body of the municipality certifies in a written order, ordinance, or resolution that none of the impact fee will be used or expended for an improvement or expansion not identified in the plan.

(e) A certification under Subsection (d)(2) is sufficient evidence that an impact fee pledged will not be used or expended for an improvement or expansion that is not identified in the capital improvements plan.



Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 90, § 1, eff. May 16, 1995.

§ 395.013. Items Not Payable by Fee

Impact fees may not be adopted or used to pay for:

(1) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

(2) repair, operation, or maintenance of existing or new capital improvements or facility expansions;

(3) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(4) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(5) administrative and operating costs of the political subdivision, except the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay its administrative and operating costs;

(6) principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.014. Capital Improvements Plan

(a) The political subdivision shall use qualified professionals to prepare the capital improvements plan and to calculate the impact fee. The capital improvements plan must contain specific enumeration of the following items:

(1) a description of the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and



stricter safety, efficiency, environmental, or regulatory standards, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(3) a description of all or the parts of the capital improvements or facility expansions and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(4) a definitive table establishing the specific level or quantity of use, consumption, generation, or discharge of a service unit for each category of capital improvements or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;

(5) the total number of projected service units necessitated by and attributable to new development within the service area based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(6) the projected demand for capital improvements or facility expansions required by new service units projected over a reasonable period of time, not to exceed 10 years; and

(7) a plan for awarding:

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or

(B) in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

(b) The analysis required by Subsection (a)(3) may be prepared on a systemwide basis within the service area for each major category of capital improvement or facility expansion for the designated service area.



(c) The governing body of the political subdivision is responsible for supervising the implementation of the capital improvements plan in a timely manner.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 2, eff. Sept. 1, 2001.

§ 395.015. Maximum Fee Per Service Unit

(a) The impact fee per service unit may not exceed the amount determined by subtracting the amount in Section 395.014(a)(7) from the costs of the capital improvements described by Section 395.014(a)(3) and dividing that amount by the total number of projected service units described by Section 395.014(a)(5).

(b) If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to projected new service units described by Section 395.014(a)(6) by the projected new service units described in that section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 3, eff. Sept. 1, 2001.

§ 395.016. Time for Assessment and Collection of Fee

(a) This subsection applies only to impact fees adopted and land platted before June 20, 1987. For land that has been platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before June 20, 1987, or land on which new development occurs or is proposed without platting, the political subdivision may assess the impact fees at any time during the development approval and building process. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(b) This subsection applies only to impact fees adopted before June 20, 1987, and land platted after that date. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after June 20, 1987, the political



subdivision may assess the impact fees before or at the time of recordation. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(c) This subsection applies only to impact fees adopted after June 20, 1987. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before the adoption of an impact fee, an impact fee may not be collected on any service unit for which a valid building permit is issued within one year after the date of adoption of the impact fee.

(d) This subsection applies only to land platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after adoption of an impact fee adopted after June 20, 1987. The political subdivision shall assess the impact fees before or at the time of recordation of a subdivision plat or other plat under Subchapter A, Chapter 212, or the subdivision or platting ordinance or procedures of any political subdivision in the official records of the county clerk of the county in which the tract is located. Except as provided by Section 395.019, if the political subdivision has water and wastewater capacity available:

(1) the political subdivision shall collect the fees at the time the political subdivision issues a building permit;

(2) for land platted outside the corporate boundaries of a municipality, the municipality shall collect the fees at the time an application for an individual meter connection to the municipality's water or wastewater system is filed; or

(3) a political subdivision that lacks authority to issue building permits in the area where the impact fee applies shall collect the fees at the time an application is filed for an individual meter connection to the political subdivision's water or wastewater system.

(e) For land on which new development occurs or is proposed to occur without platting, the political subdivision may assess the impact fees at any time during the development and building process and may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.



(f) An "assessment" means a determination of the amount of the impact fee in effect on the date of occurrence provided in this section and is the maximum amount that can be charged per service unit of such development. No specific act by the political subdivision is required.

(g) Notwithstanding Subsections (a)–(e) and Section 395.017, the political subdivision may reduce or waive an impact fee for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. If affordable housing as defined by 42 U.S.C. Section 12745, as amended, is not constructed, the political subdivision may reverse its decision to waive or reduce the impact fee, and the political subdivision may assess an impact fee at any time during the development approval or building process or after the building process if an impact fee was not already assessed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 980, § 52, eff. Sept. 1, 1997.

Amended by Acts 2001, 77th Leg., ch. 345, § 4, eff. Sept. 1, 2001.

§ 395.017. Additional Fee Prohibited; Exception

After assessment of the impact fees attributable to the new development or execution of an agreement for payment of impact fees, additional impact fees or increases in fees may not be assessed against the tract for any reason unless the number of service units to be developed on the tract increases. In the event of the increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.018. Agreement With Owner Regarding Payment

A political subdivision is authorized to enter into an agreement with the owner of a tract of land for which the plat has been recorded providing for the time and method of payment of the impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.019. Collection of Fees if Services Not Available



Except for roadway facilities, impact fees may be assessed but may not be collected in areas where services are not currently available unless:

(1) the collection is made to pay for a capital improvement or facility expansion that has been identified in the capital improvements plan and the political subdivision commits to commence construction within two years, under duly awarded and executed contracts or commitments of staff time covering substantially all of the work required to provide service, and to have the service available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event longer than five years;

(2) the political subdivision agrees that the owner of a new development may construct or finance the capital improvements or facility expansions and agrees that the costs incurred or funds advanced will be credited against the impact fees otherwise due from the new development or agrees to reimburse the owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions, which fees shall be collected and reimbursed to the owner at the time the other new development records its plat; or

(3) an owner voluntarily requests the political subdivision to reserve capacity to serve future development, and the political subdivision and owner enter into a valid written agreement.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.020. Entitlement to Services

Any new development for which an impact fee has been paid is entitled to the permanent use and benefit of the services for which the fee was exacted and is entitled to receive immediate service from any existing facilities with actual capacity to serve the new service units, subject to compliance with other valid regulations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.021. Authority of Political Subdivisions to Spend Funds to Reduce Fees



Political subdivisions may spend funds from any lawful source to pay for all or a part of the capital improvements or facility expansions to reduce the amount of impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.022. Authority of Political Subdivision to Pay Fees

(a) Political subdivisions and other governmental entities may pay impact fees imposed under this chapter.

(b) A school district is not required to pay impact fees imposed under this chapter unless the board of trustees of the district consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board of trustees considers advisable to provide for the payment of the fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2007, 80th Leg., eff. May 11, 2007.

§ 395.023. Credits Against Roadway Facilities Fees

Any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.024. Accounting For Fees and Interest

(a) The order, ordinance, or resolution levying an impact fee must provide that all funds collected through the adoption of an impact fee shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.

(b) Interest earned on impact fees is considered funds of the account on which it is earned and is subject to all restrictions placed on use of impact fees under this chapter.



(c) Impact fee funds may be spent only for the purposes for which the impact fee was imposed as shown by the capital improvements plan and as authorized by this chapter.

(d) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.025. Refunds

(a) On the request of an owner of the property on which an impact fee has been paid, the political subdivision shall refund the impact fee if existing facilities are available and service is denied or the political subdivision has, after collecting the fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of payment under Section 395.019(1).

(b) Repealed by Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

(c) The political subdivision shall refund any impact fee or part of it that is not spent as authorized by this chapter within 10 years after the date of payment.

(d) Any refund shall bear interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Section 302.002, Finance Code, or its successor statute.

(e) All refunds shall be made to the record owner of the property at the time the refund is paid. However, if the impact fees were paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.

(f) The owner of the property on which an impact fee has been paid or another political subdivision or governmental entity that paid the impact fee has standing to sue for a refund under this section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 1396, § 37, eff. Sept. 1, 1997.



Amended by Acts 1999, 76th Leg., ch. 62, § 7.82, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

SUBCHAPTER C. PROCEDURES FOR ADOPTION OF IMPACT FEE

§ 395.041. Compliance With Procedures Required

Except as otherwise provided by this chapter, a political subdivision must comply with this subchapter to levy an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.0411. Capital Improvements Plan

The political subdivision shall provide for a capital improvements plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with Section 395.014.

Added by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.042. Hearing on Land Use Assumptions and Capital Improvements Plan

To impose an impact fee, a political subdivision must adopt an order, ordinance, or resolution establishing a public hearing date to consider the land use assumptions and capital improvements plan for the designated service area.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.043. Information About Land Use Assumptions and Capital Improvements Plan Available to Public

On or before the date of the first publication of the notice of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall make available to the public



its land use assumptions, the time period of the projections, and a description of the capital improvement facilities that may be proposed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.044. Notice of Hearing on Land Use Assumptions and Capital Improvements Plan

(a) Before the 30th day before the date of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order, ordinance, or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN RELATING TO POSSIBLE ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the land use assumptions and capital improvements plan under which an impact fee may be imposed; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.



Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.045. Approval of Land Use Assumptions and Capital Improvements Plan Required

(a) After the public hearing on the land use assumptions and capital improvements plan, the political subdivision shall determine whether to adopt or reject an ordinance, order, or resolution approving the land use assumptions and capital improvements plan.

(b) The political subdivision, within 30 days after the date of the public hearing, shall approve or disapprove the land use assumptions and capital improvements plan.

(c) An ordinance, order, or resolution approving the land use assumptions and capital improvements plan may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.0455. Systemwide Land Use Assumptions

(a) In lieu of adopting land use assumptions for each service area, a political subdivision may, except for storm water, drainage, flood control, and roadway facilities, adopt systemwide land use assumptions, which cover all of the area subject to the jurisdiction of the political subdivision for the purpose of imposing impact fees under this chapter.

(b) Prior to adopting systemwide land use assumptions, a political subdivision shall follow the public notice, hearing, and other requirements for adopting land use assumptions.

(c) After adoption of systemwide land use assumptions, a political subdivision is not required to adopt additional land use assumptions for a service area for water supply, treatment, and distribution facilities or wastewater collection and treatment facilities as a prerequisite to the adoption of a capital improvements plan or impact fee, provided the capital improvements plan and impact fee are consistent with the systemwide land use assumptions.

Added by Acts 1989, 71st Leg., ch. 566, § 1(b), eff. Aug. 28, 1989.



§ 395.047. Hearing on Impact Fee

On adoption of the land use assumptions and capital improvements plan, the governing body shall adopt an order or resolution setting a public hearing to discuss the imposition of the impact fee. The public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution imposing an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.049. Notice of Hearing on Impact Fee

(a) Before the 30th day before the date of the hearing on the imposition of an impact fee, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the adoption of an impact fee;

(4) the amount of the proposed impact fee per service unit; and



(5) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the plan and proposed fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.050. Advisory Committee Comments on Impact Fees

The advisory committee created under Section 395.058 shall file its written comments on the proposed impact fees before the fifth business day before the date of the public hearing on the imposition of the fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.051. Approval of Impact Fee Required

(a) The political subdivision, within 30 days after the date of the public hearing on the imposition of an impact fee, shall approve or disapprove the imposition of an impact fee.

(b) An ordinance, order, or resolution approving the imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.052. Periodic Update of Land Use Assumptions and Capital Improvements Plan Required

(a) A political subdivision imposing an impact fee shall update the land use assumptions and capital improvements plan at least every five years. The initial five-year period begins on the day the capital improvements plan is adopted.



(b) The political subdivision shall review and evaluate its current land use assumptions and shall cause an update of the capital improvements plan to be prepared in accordance with Subchapter B.¹

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 6, eff. Sept. 1, 2001.

§ 395.053. Hearing on Updated Land Use Assumptions and Capital Improvements Plan

The governing body of the political subdivision shall, within 60 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.054. Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee

A public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution amending land use assumptions, the capital improvements plan, or the impact fee. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.055. Notice of Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee

(a) The notice and hearing procedures prescribed by Sections 395.044(a) and (b) apply to a hearing on the amendment of land use assumptions, a capital improvements plan, or an impact fee.

(b) The notice of a hearing under this section must contain the following:

(1) a headline to read as follows:



"NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the amendment of land use assumptions and a capital improvements plan and the imposition of an impact fee; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the update.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 7, eff. Sept. 1, 2001.

§ 395.056. Advisory Committee Comments on Amendments

The advisory committee created under Section 395.058 shall file its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing on the amendments.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.057. Approval of Amendments Required

(a) The political subdivision, within 30 days after the date of the public hearing on the amendments, shall approve or disapprove the amendments of the land use assumptions and the capital improvements plan and modification of an impact fee.

(b) An ordinance, order, or resolution approving the amendments to the land use assumptions, the capital improvements plan, and imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.



§ 395.0575. Determination That No Update of Land Use Assumptions, Capital Improvements Plan or Impact Fees is Needed

(a) If, at the time an update under Section 395.052 is required, the governing body determines that no change to the land use assumptions, capital improvements plan, or impact fee is needed, it may, as an alternative to the updating requirements of Sections 395.052–395.057, do the following:

(1) The governing body of the political subdivision shall, upon determining that an update is unnecessary and 60 days before publishing the final notice under this section, send notice of its determination not to update the land use assumptions, capital improvements plan, and impact fee by certified mail to any person who has, within two years preceding the date that the final notice of this matter is to be published, give written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of hearings related to impact fees. The notice must contain the information in Subsections (b)(2)-(5).

(2) The political subdivision shall publish notice of its determination once a week for three consecutive weeks in one or more newspapers with general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies. The notice of public hearing may not be in the part of the paper in which legal notices and classified ads appear and may not be smaller than one-quarter page of a standard size or tabloid-size newspaper, and the headline on the notice must be in 18-point or larger type.

(b) The notice must contain the following:

(1) A headline to read as follows:

"NOTICE OF DETERMINATION NOT TO UPDATE

LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS

PLAN, OR IMPACT FEES";

(2) a statement that the governing body of the political subdivision has determined that no change to the land use assumptions, capital improvements plan, or impact fee is necessary;

(3) an easily understandable description and a map of the service area in which the updating has been determined to be unnecessary;



(4) a statement that if, within a specified date, which date shall be at least 60 days after publication of the first notice, a person makes a written request to the designated official of the political subdivision requesting that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body must comply with the request by following the requirements of Sections 395.052–395.057; and

(5) a statement identifying the name and mailing address of the official of the political subdivision to whom a request for an update should be sent.

(c) The advisory committee shall file its written comments on the need for updating the land use assumptions, capital improvements plans, and impact fee before the fifth business day before the earliest notice of the government's decision that no update is necessary is mailed or published.

(d) If, by the date specified in Subsection (b)(4), a person requests in writing that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body shall cause an update of the land use assumptions and capital improvements plan to be prepared in accordance with Sections 395.052–395.057.

(e) An ordinance, order, or resolution determining the need for updating land use assumptions, a capital improvements plan, or an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 566, § 1(d), eff. Aug. 28, 1989.

§ 395.058. Advisory Committee

(a) On or before the date on which the order, ordinance, or resolution is adopted under Section 395.042, the political subdivision shall appoint a capital improvements advisory committee.

(b) The advisory committee is composed of not less than five members who shall be appointed by a majority vote of the governing body of the political subdivision. Not less than 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the



commission may still act as the advisory committee if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee. If the impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.

(c) The advisory committee serves in an advisory capacity and is established to:

(1) advise and assist the political subdivision in adopting land use assumptions;

(2) review the capital improvements plan and file written comments;

(3) monitor and evaluate implementation of the capital improvements plan;

(4) file semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and

(5) advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

(d) The political subdivision shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.

(e) The governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

SUBCHAPTER D. OTHER PROVISIONS

§ 395.071. Duties to be Performed Within Time Limits

If the governing body of the political subdivision does not perform a duty imposed under this chapter within the prescribed period, a person who has paid an impact fee or an owner of land on which an impact fee has been paid has the right to present a written request to the governing body of the political subdivision stating the nature of the unperformed duty and requesting that it be performed within 60 days after the date of the request. If the governing body of the political subdivision finds that



the duty is required under this chapter and is late in being performed, it shall cause the duty to commence within 60 days after the date of the request and continue until completion.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.072. Records of Hearings

A record must be made of any public hearing provided for by this chapter. The record shall be maintained and be made available for public inspection by the political subdivision for at least 10 years after the date of the hearing.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.073. Cumulative Effect of State and Local Restrictions

Any state or local restrictions that apply to the imposition of an impact fee in a political subdivision where an impact fee is proposed are cumulative with the restrictions in this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.074. Prior Impact Fees Replaced by Fees Under This Chapter

An impact fee that is in place on June 20, 1987, must be replaced by an impact fee made under this chapter on or before June 20, 1990. However, any political subdivision having an impact fee that has not been replaced under this chapter on or before June 20, 1988, is liable to any party who, after June 20, 1988, pays an impact fee that exceeds the maximum permitted under Subchapter B by more than 10 percent for an amount equal to two times the difference between the maximum impact fee allowed and the actual impact fee imposed, plus reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.075. No Effect on Taxes or Other Charges

This chapter does not prohibit, affect, or regulate any tax, fee, charge, or assessment specifically authorized by state law.



Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.076. Moratorium on Development Prohibited

A moratorium may not be placed on new development for the purpose of awaiting the completion of all or any part of the process necessary to develop, adopt, or update land use assumptions, a capital improvements plan, or an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 441, § 2, eff. Sept. 1, 2001.

§ 395.077. Appeals

(a) A person who has exhausted all administrative remedies within the political subdivision and who is aggrieved by a final decision is entitled to trial de novo under this chapter.

(b) A suit to contest an impact fee must be filed within 90 days after the date of adoption of the ordinance, order, or resolution establishing the impact fee.

(c) Except for roadway facilities, a person who has paid an impact fee or an owner of property on which an impact fee has been paid is entitled to specific performance of the services by the political subdivision for which the fee was paid.

(d) This section does not require construction of a specific facility to provide the services.

(e) Any suit must be filed in the county in which the major part of the land area of the political subdivision is located. A successful litigant shall be entitled to recover reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.078. Substantial Compliance With Notice Requirements



An impact fee may not be held invalid because the public notice requirements were not complied with if compliance was substantial and in good faith.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.079. Impact Fee for Storm Water, Drainage, and Flood Control in Populous County

(a) Any county that has a population of 3.3 million or more or that borders a county with a population of 3.3 million or more, and any district or authority created under Article XVI, Section 59, of the Texas Constitution within any such county that is authorized to provide storm water, drainage, and flood control facilities, is authorized to impose impact fees to provide storm water, drainage, and flood control improvements necessary to accommodate new development.

(b) The imposition of impact fees authorized by Subsection (a) is exempt from the requirements of Sections 395.025, 395.052–395.057, and 395.074 unless the political subdivision proposes to increase the impact fee.

(c) Any political subdivision described by Subsection (a) is authorized to pledge or otherwise contractually obligate all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued or incurred by or on behalf of the political subdivision and to the payment of any other contractual obligations.

(d) An impact fee adopted by a political subdivision under Subsection (a) may not be reduced if:

(1) the political subdivision has pledged or otherwise contractually obligated all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision; and

(2) the political subdivision agrees in the pledge or contract not to reduce the impact fees during the term of the bonds, notes, or other contractual obligations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 669, § 107, eff. Sept. 1, 2001.

§ 395.080. Chapter Not Applicable to Certain Water-Related Special Districts



(a) This chapter does not apply to impact fees, charges, fees, assessments, or contributions:

(1) paid by or charged to a district created under Article XVI, Section 59, of the Texas Constitution to another district created under that constitutional provision if both districts are required by law to obtain approval of their bonds by the Texas Natural Resource Conservation Commission; or

(2) charged by an entity if the impact fees, charges, fees, assessments, or contributions are approved by the Texas Natural Resource Conservation Commission.

(b) Any district created under Article XVI, Section 59, or Article III, Section 52, of the Texas Constitution may petition the Texas Natural Resource Conservation Commission for approval of any proposed impact fees, charges, fees, assessments, or contributions. The commission shall adopt rules for reviewing the petition and may charge the petitioner fees adequate to cover the cost of processing and considering the petition. The rules shall require notice substantially the same as that required by this chapter for the adoption of impact fees and shall afford opportunity for all affected parties to participate.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 76, § 11.257, eff. Sept. 1, 1995.

§ 395.081. Fees for Adjoining Landowners in Certain Municipalities

(a) This section applies only to a municipality with a population of 105,000 or less that constitutes more than three-fourths of the population of the county in which the majority of the area of the municipality is located.

(b) A municipality that has not adopted an impact fee under this chapter that is constructing a capital improvement, including sewer or waterline or drainage or roadway facilities, from the municipality to a development located within or outside the municipality's boundaries, in its discretion, may allow a landowner whose land adjoins the capital improvement or is within a specified distance from the capital improvement, as determined by the governing body of the municipality, to connect to the capital improvement if:

(1) the governing body of the municipality has adopted a finding under Subsection (c); and



(2) the landowner agrees to pay a proportional share of the cost of the capital improvement as determined by the governing body of the municipality and agreed to by the landowner.

(c) Before a municipality may allow a landowner to connect to a capital improvement under Subsection (b), the municipality shall adopt a finding that the municipality will benefit from allowing the landowner to connect to the capital improvement. The finding shall describe the benefit to be received by the municipality.

(d) A determination of the governing body of a municipality, or its officers or employees, under this section is a discretionary function of the municipality and the municipality and its officers or employees are not liable for a determination made under this section.

Added by Acts 1997, 75th Leg., ch. 1150, § 1, eff. June 19, 1997.

§ 395.082. Certification of Compliance Required

(a) A political subdivision that imposes an impact fee shall submit a written certification verifying compliance with this chapter to the attorney general each year not later than the last day of the political subdivision's fiscal year.

(b) The certification must be signed by the presiding officer of the governing body of a political subdivision and include a statement that reads substantially similar to the following: "This statement certifies compliance with Chapter 395, Local Government Code."

(c) A political subdivision that fails to submit a certification as required by this section is liable to the state for a civil penalty in an amount equal to 10 percent of the amount of the impact fees erroneously charged. The attorney general shall collect the civil penalty and deposit the amount collected to the credit of the housing trust fund.

Added by Acts 2001, 77th Leg., ch. 345, § 8, eff. Sept. 1, 2001.

<http://www.capitol.state.tx.us/statutes/lg/lg0039500toc.html>



6.0 ADMINISTRATIVE INSTRUMENTS



**RESOLUTION OF THE
CITY OF COLLEGE STATION, TEXAS
CALLING FOR A PUBLIC HEARING
ON AMENDMENT OF WATER AND WASTEWATER IMPACT FEES**

The City Council of the City of College Station, Texas hereby adopts by resolution a call for a public hearing to be held during the regular Council session on November 14, 2013 at 7:00 p.m. in the City Council Chambers at 1101 Texas Avenue, College Station, Texas. The purpose of this public hearing is to receive public comment concerning the amendment of land use assumptions and a capital improvements plan and the imposition of impact fees for the water and sewer utilities.

Public notice of such hearing will be made at least 30 days in advance of the hearing according to legal criteria set forth in Chapter 395.055 of the Texas Local Government Code.

PASSED AND APPROVED:

September 26, 2013
Date

§
§
§
§

Mayor

APPROVED: _____
City Attorney

ATTEST: _____
City Secretary



PUBLIC NOTICE REQUIREMENTS

The City shall publish notice of the hearing at least 31 days before the date set for the hearing, in one or more newspapers of general circulation in each county in which the City lies.

CERTIFIED MAIL NOTICE

At least 31 days before the hearing, the City shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the City Secretary or other designated official of the City requesting notice of such hearing within two years preceding the date of the adoption of the resolution or order setting the public hearing.



NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES

A public hearing of the City of College Station, Texas will be held on November 14, 2013 at 7:00 p.m. at the City Council Chambers, 1101 Texas Avenue, College Station, Texas to consider the amendment of land use assumptions and a capital improvements plan and the imposition of water and wastewater impact fees. The base impact fee is projected to be \$339.63 in Service Area 92-01 (Graham Road Sewer Extension), \$144.01 in Service Area 97-01 (Spring Creek Sewer Line), \$44.71 in Service Area 97-01B (Alum Creek Sewer Line), \$996.03 in Service Area 99-01 (Harley Water Line), and \$144.87 in Service Area 03-02 (Steeplechase Sewer Line) for a typical detached single-family residential service connection. Higher fees would be charged for larger utility service demands as determined by meters larger than 5/8" x 3/4" or 3/4". These fees will not apply to existing municipal water and sewer customers who do not request significant expansions of service, and will not apply to any municipal customers not located in the service area for each fee.

Copies of the capital improvements plan and potential impact fee schedule are available at the offices of the City Secretary, 1101 Texas Avenue, College Station, Texas. Any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.



7.0 REFERENCES AND BIBLIOGRAPHY

City of College Station, Code of Ordinances, Chapter 15.

City of College Station. 2013. 2013_Updated_Water Meter_Table.xlsx.

City of College Station. 2013. College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

City of College Station. 2013. College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.

City of College Station. 2013. College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

City of College Station. 2013. College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 4013 8 30).xlsx.

City of College Station. 2013. College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.

City of College Station. 2013. Graham.xls.

Fishbeck, Mickey, Rimrock Consulting Company. 2010. "Equity Residual Approach for Utility Fee Credits," 10th Annual National Impact Fee Roundtable.

Fishbeck, Mickey, Rimrock Consulting Company. 2010. "Water and Wastewater Impact Fee Update, City of College Station, Texas.

Galardi, Deborah. 2004. "Calculating Revenue Credits," 10th Annual National Impact Fee Roundtable.

McCrary, Michael W. L., Assistant City Attorney, Tucson, AZ. 2004. "Do Fee Waivers, Exemptions and other Classifications Satisfy Equal Protection of the Law?" 10th Annual National Impact Fee Roundtable.

Mullen, Clancy, Duncan Associates. 2004. "Developer Credits/Offsets". 10th Annual National Impact Fee Roundtable.



Nelson, Arthur C., James C. Nicholas and Julian C. Juergensmeyer. 2009. *Impact Fees: Principles and Practice of Proportionate-Share Development Fees*. Chicago, Illinois: American Planning Association.

Nicholas, James C., Arthur C. Nelson and Julian C. Juergensmeyer. 1991. *A Practitioner's Guide to Development Impact Fees*. Chicago, Illinois: American Planning Association.

Nicholas, James C. and Tyson Smith. 2004. "Case Law Update 2004 and Other Miscellany." 10th Annual National Impact Fee Roundtable.

Smith, Tyson. Freilich, Leitner & Carlisle. 2003. "Case Law & State Legislation Update", 9th Annual National Impact Fee Roundtable.

Smith, Tyson. Freilich, Leitner & Carlisle. 2004. "Impact Fee Waivers and Exemptions," 10th Annual National Impact Fee Roundtable.

Thompson, Spencer. 2005. Personal communication with M. Fishbeck re: design standards.

Tischler, Paul S. 2004. "Revenue Credits for Impact Fees," 10th Annual National Impact Fee Roundtable.