

November 14, 2013
Regular Agenda Item No. 2
1201 Norton Lane
Comprehensive Plan Amendment

To: Kelly Templin, City Manager

From: Bob Cowell, AICP, CNU-A, Executive Director of Planning & Development Services

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for the property located at 1201 Norton Lane; approximately 5.4 acres at the corner of Wellborn Road and Norton Lane.

Relationship to Strategic Initiatives: Core Services and Infrastructure, Neighborhood Integrity, Diverse Growing Economy, Sustainable City

Recommendation(s): The Planning and Zoning Commission held a public hearing for this item at their October 17, 2013 meeting where they recommended 3-1 approval.

Summary: The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:** The subject tract and properties immediately surrounding the area have been designated as Estate on the Comprehensive Plan Future Land Use and Character Map. The applicant has stated that the Estate designation has made it difficult for the property to sell and develop. Other than market opportunities, there appears to be no change in conditions in the subject area that would invalidate the current land use and character designations for the area.
2. **Scope of the request:** This request is to introduce a commercial land use and character into an area that is otherwise suburban and single-family in character. The request would enable a land use that is more intense than surrounding land uses and enable traffic generation and other service demands in excess of current land uses.
3. **Availability of adequate information:** Staff can determine trips generated by the proposed land use and subtract trips already generated by current use to assess impact. In addition, Staff has 2009 TxDOT traffic counts on Wellborn Road and 2011 projected traffic volumes created by the Travel Demand Model.

The current land use is Estate with no improvements and generating no vehicles per day (VPD). The proposed General Commercial designation may generate approximately 2,700 VPD. TxDOT's 2009 traffic counts along Wellborn Road in this area are 4,800 VPD. The City's travel demand model projected to 2011 indicates a volume of 10,500 VPD. Adding the proposed land use trip generation of 2,700 VPD to 10,500 VPD, the volumes on Wellborn Road equals 13,200 VPD. Wellborn Road in this area has a capacity of

approximately 20,000 VPD with a Level of Service (LOS) "D" of approximately 16,666 VPD.

4. **Consistency with the goals and strategies set forth in the Plan:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

Relevant Strategies identified in the Plan to achieve this goal include:

- Establish and protect distinct boundaries between various character areas:
 - The current Future Land Use and Character Map depicts retaining the distinct single-family character from other more developed areas.
 - The proposed land use and character designation represents the only intrusion of General Commercial character into the otherwise Estate character area.

- Promote public and private development and design practices that ensure distinct neighborhoods, districts, and corridors:
 - The Wellborn Community, south of the subject tract, was designated as an area for further study in the City's Comprehensive Plan. In 2013, a Plan was adopted to enhance the area's character. To that end, the Plan established the following goals and reinforced the land use and character designation for the area:
 - Be a community of rural character positioned for contextually appropriate growth that embodies and sustains the uniqueness and history of the area;
 - Promote a multi-modal transportation network that responds to the low density, rural context of the community.

- Provide a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life:
 - The proposed land use amendment may generate jobs to stimulate the local economy, bolster sales and the tax base.

- Provide improved mobility through a safe, efficient, and well-connected multi-modal transportation system designed to be sensitive to the surrounding land uses:
 - The proposed General Commercial land use designation and the existing Estate land use designation generate different trip rates and so must be evaluated against the capacity of the current transportation network. Furthermore, though outside the Wellborn District Plan area, the strategy in the Plan was to limit the general commercial land use to correspond to the widening of Wellborn Road by TxDOT in the future to ensure roadway capacity.

5. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:** The subject tract is designated as Estate on the Comprehensive Plan Future Land Use and Character Map. Estate is intended for areas that are not likely to be the focus of extensive infill development. This area consists of larger-lot homes along Wellborn Road that were developed prior to annexation.

The proposed General Commercial designation is intended for an intense level of development activity and consists of uses that are permitted in the General Commercial zoning district. The applicant states as a justification for the request that developments south of this property consist of commercial use and noise from the Wellborn Road and the railroad make this property unsuitable for residential development. The Comprehensive Plan identifies a considerable amount of Estate across Wellborn Road and the railroad to protect the existing large lot, rural single-family character.

In this area, Wellborn Road will remain rural in context as per the Wellborn District Plan. Wellborn Road will also remain a four-lane Minor Arterial in functional classification. Norton Lane is a private roadway and access considerations will need to be discussed between the applicant and co-owners.

6. **Compatibility with the surrounding area:** As stated previously, the subject property is located in an area designated as Estate and currently developed as a large-lot single-family. With the proposed General Commercial development, an increased amount of traffic and infrastructure demands can be expected. The Unified Development Ordinance requires screening and buffering to General Commercial properties.
7. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service to the tract may be provided by an existing 12-inch water main running along the east side of Wellborn Road and a 2-inch waterline along the south side of Norton Lane. Domestic and fire flow demands may necessitate future water main extensions at the time of site development. These utilities will be required to be designed and constructed in accordance with the BCS Unified Design Guidelines.

There is currently an 8-inch sanitary sewer main along the east side of Wellborn Road available to serve the property. Although the proposed General Commercial Land Use will be creating more density, preliminary analysis of the system has indicated that there is available capacity to serve this type of development.

The subject tract is located in the Hopes Creek drainage basin. No portion of the property has been designated FEMA Special Flood Hazard Area. Development of the subject tract will be required to meet the requirements of the City's Storm Water Design Guidelines, and site development impacts on the drainage system will be evaluated further at that time.

The current land use is Estate with no improvements and generating no vehicles per day (VPD). The proposed General Commercial designation may generate approximately 2,700 VPD. TxDOT's 2009 traffic counts along Wellborn Road in this area are 4,800 VPD. The City's travel demand model projected to 2011 indicates a volume of 10,500 VPD. Adding the proposed land use trip generation of 2,700 VPD to 10,500 VPD the volumes on Wellborn Road equals 13,200 VPD. Wellborn Road in this area has a capacity of approximately 20,000 VPD with a level of Service (LOS) "D" of approximately 16,666 VPD.

Though there seems to be capacity, further limitations may be needed to restrict commercial development until the decision to widen Wellborn Road to its four-lane ultimate configuration is made.

8. **Impact on the City's ability to provide, fund, and maintain services:** No indication exists that the City will have any difficulty in providing or funding services to the subject property based on the requested land use and character designation.
9. **Impact on environmentally sensitive and natural areas:** There have not been any areas studied as floodplain on the subject lot; however, a change in character in this area could lead to increases in population, traffic, etc. and may impact this natural area.
10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

This request recognizes and promotes economic opportunity and the property is located adjacent to an existing single-family neighborhood.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: Yes

Attachments:

1. Background
2. Aerial, Small Area Map (SAM), and Future Land Use & Character Map
3. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: October 17, 2013
Advertised Council Hearing Dates: November 14, 2013

The following neighborhood organizations that are registered with the City of College Station’s Neighborhood Services have received a courtesy letter of notification of this public hearing:

Southern Trace HOA

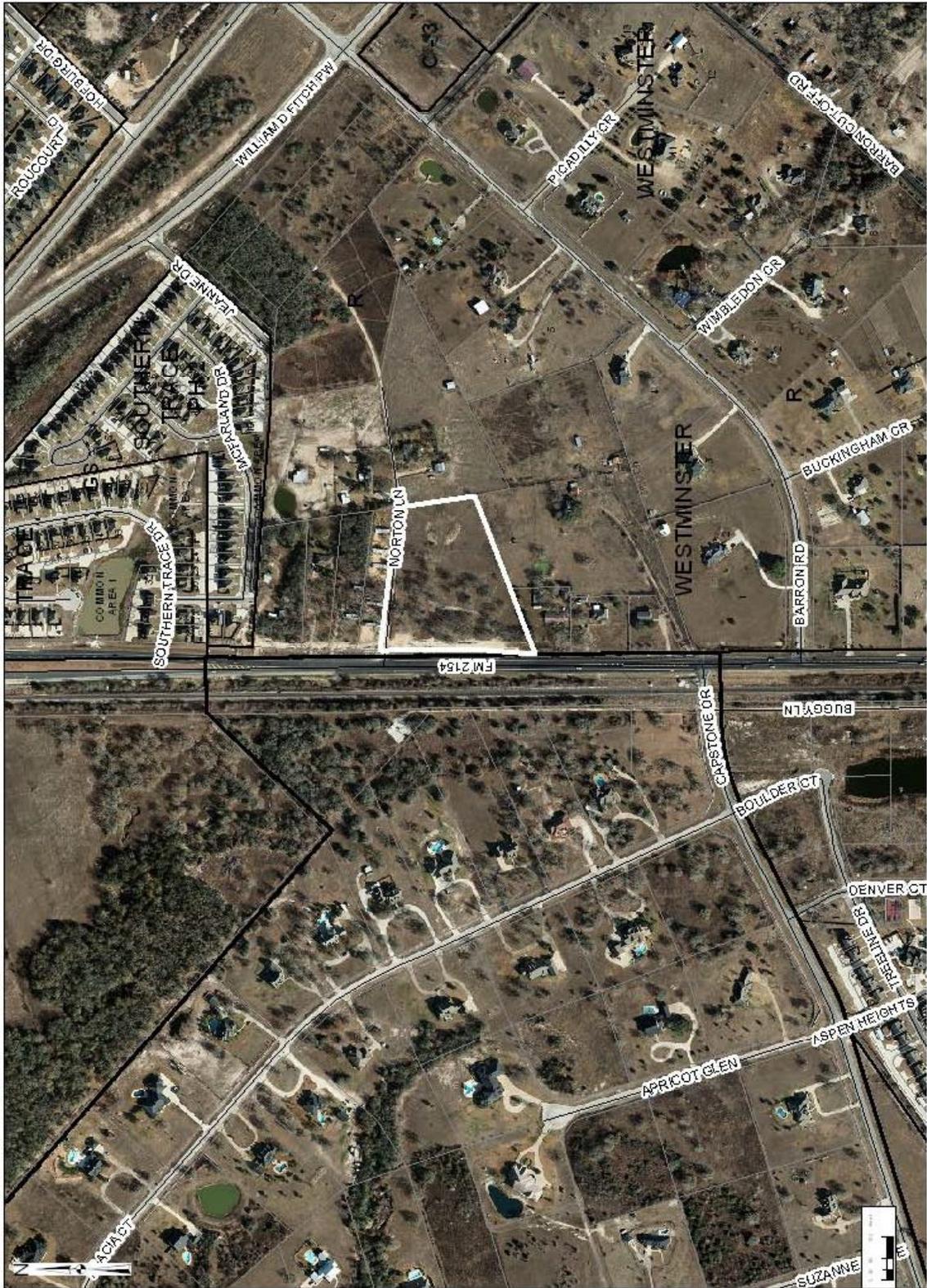
Contacts in support: None at the time of this report.
Contacts in opposition: Two (2) at the time of this report.
Inquiry contacts: Two (2) at the time of this report.

ADJACENT LAND USES

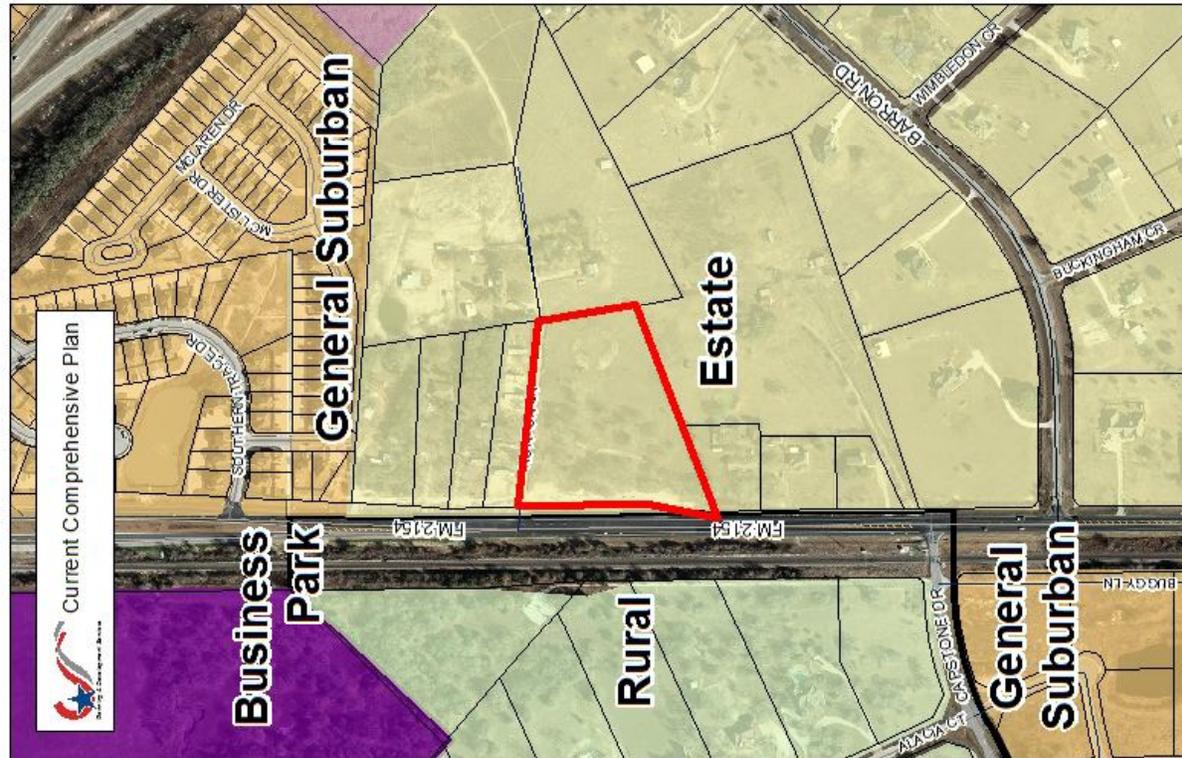
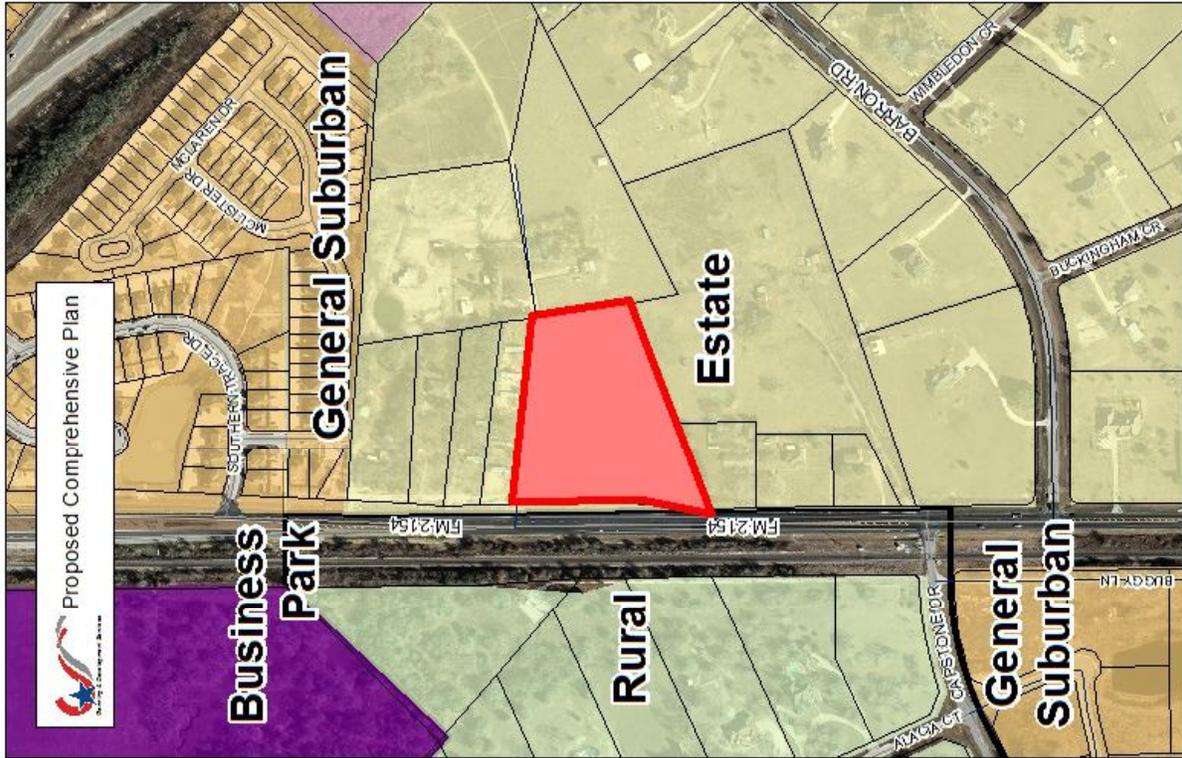
Direction	Comprehensive Plan	Zoning	Land Use
North	Estate	A-O Agricultural Open	Single-family residential
South	Estate	A-O Agricultural Open	Single-family residential
East	Estate	A-O Agricultural Open	Single-family residential
West (across Wellborn Road)	Rural	N/A (ETJ)	Single-family residential

DEVELOPMENT HISTORY

Annexation: June 1995
Zoning: A-O Agricultural Open
Final Plat: This property is unplatted.
Site development: The site is currently undeveloped.



	DEVELOPMENT REVIEW	1201 NORTON LANE	Case: 13-193	COMP PLAN AMENDMENT
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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE AND CHARACTER MAP, FOR THE AREA LOCATED AT 1201 NORTON LANE, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That the "Comprehensive Plan of the City of College Station" be amending by amending the "Comprehensive Plan Future Land Use and Character Map" as set out in Exhibits "A" and "B", for the indentified area and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held or be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its data or passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 14th day of November, 2013.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT "A"

AMENDED AREA OF FUTURE LANE USE AND CHARACTER MAP

That the "Comprehensive Plan" of the City of College Station, Texas, is hereby amended by amending the Future Land Use and Character Map as follows:

The 5.4 acres located at 1201 Norton Lane, generally located at the corner of Wellborn Road and Norton Lane, is amended from Estate to General Commercial, as shown in the attached Exhibit "B" and Exhibit "C".

MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
October 17, 2013, 6:30 p.m.
City Hall Council Chambers
College Station, Texas

COMMISSIONERS PRESENT: Mike Ashfield, Jodi Warner, Brad Corrier, and Jerome Rektorik

COMMISSIONERS ABSENT: Jim Ross and Bo Miles

CITY COUNCIL MEMBERS PRESENT: Julie Schultz

CITY STAFF PRESENT: Bob Cowell, Lance Simms, Jennifer Prochazka, Jason Schubert, Matt Robinson, Teresa Rogers, Morgan Hester, Jenifer Paz, Alan Gibbs, Danielle Singh, Erika Bridges, Robin Cross, Timothy Green, and Brittany Caldwell

1. **Call Meeting to Order**

Chairman Ashfield called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance**

3. **Hear Citizens**

No one spoke.

4. **Consent Agenda**

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

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

- September 19, 2013 ~ Workshop
- September 19, 2013 ~ Regular

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

- Jim Ross ~ October 17, 2013

4.3 Presentation, possible action, and discussion on a Final Plat for Indian Lakes Phase 17 consisting of 19 residential lots on approximately 36.4 acres generally located east of Matoska Ridge Drive in the Indian Lakes Subdivision, approximately one mile southwest of State Highway 6 South in the City's Extraterritorial Jurisdiction. **Case #13-00900191 (M.Hester)**

- 4.4 Presentation, possible action, and discussion on a Final Plat for Creek Meadows Section 3 Phase 1 consisting of 24 residential lots on approximately 5.9 acres generally located at the corner of Creek Meadows Boulevard North and Greens Prairie Trail. **Case #12-00500009 (M.Hester)**
- 4.5 Presentation, possible action, and discussion on a Preliminary Plan for Reatta Corner Subdivision consisting of two commercial lots on approximately 3.661 acres generally located at 4001 Victoria Avenue, southeast corner of Barron Road and Victoria Avenue. **Case #13-00900186 (J.Paz)**
- 4.6 Presentation, possible action, and discussion on a Final Plat for Reatta Corner Subdivision consisting of two commercial lots on approximately 3.661 acres generally located at 4001 Victoria Avenue, southeast corner of Barron Road and Victoria Avenue. **Case #13-00900187 (J.Paz)**
- 4.7 Presentation, possible action, and discussion on a Final Plat for Castlegate II Section 103 consisting of 39 single-family residential lots on approximately 9.6 acres generally located at the intersection of Victoria Avenue and Norwich Drive. **Case #13-00900181 (M.Robinson)**

Commissioner Warner motioned to approve Consent Agenda Items 4.1 - 4.7 with the addition of Commissioner Miles being added to Item 4.2 for the October 17th meeting. Commissioner Rektorik seconded the motion, motion passed (4-0).

Regular Agenda

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

No items were removed from the Consent Agenda.

- 6. Presentation, possible action, and discussion on a waiver request to Unified Development Ordinance Section 12-8.3.H.2, "Platting and Replatting in Older Subdivisions," regarding average lot width and public hearing, presentation, possible action, and discussion on a Final Plat for Breezy Heights Addition Lots 9, 10, 11, and 12, Block 1 being a Replat of Breezy Heights Addition 1.26 acres, Block 1 consisting of 4 lots on approximately 1.3 acres located at 900 Hereford Street. **Case # 13-00900159 (T.Rogers)**

Staff Planner Rogers presented the waiver request to average lot width and the replat and recommended approval.

Trey Guseman, 3131 Briarcrest Drive Suite 111, Bryan, Texas, stated that the lots were replatted into four lots at an earlier Planning and Zoning meeting, but after speaking with the neighbors decided that the existing historic house would remain and three lots could front Welsh Avenue.

Commissioner Carrier motioned to approve the waiver request to average lot width. Commissioner Rektorik seconded the motion, motion passed (4-0).

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing

Chairman Ashfield closed the public hearing.

Commissioner Rektorik motioned to approve the replat. Commissioner Carrier seconded the motion, motion passed (4-0).

7. Public hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by rezoning approximately 7.4 acres in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas. Said tract being the same tract of land as described by a deed to Texas A&M Foundation Trust Company, trustee of the Wanona Carol Randolph charitable remainder unitrust recorded in Volume 9361, Page 87 of the Official Public Records of Brazos County, Texas, more generally located at 2900 North Graham Road from PDD Planned Development District to BPI Business Park Industrial. **Case #13-00900189 (T.Rogers)**

Staff Planner Rogers presented the rezoning and recommended approval.

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing.

Chairman Ashfield closed the public hearing.

Commissioner Warner motioned to recommend approval of the rezoning. Commissioner Rektorik seconded the motion, motion passed (4-0).

8. Public hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Institutional/Public to General Commercial for approximately 4.4 acres for the property located at 1600 University Drive East at the corner of University Drive East and Glenhaven Drive. **Case #13-00900196 (M.Hester)**

Staff Planner Hester presented the Comprehensive Plan Amendment and gave the following options for action:

- Denial – The property would remain Institutional/Public as currently designated on the Comprehensive Plan;
- Accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation;
- Propose an alternative land use and character designation for the property.

There was general discussion amongst the Commission regarding buffer requirements.

Jesse Durden, 2809 Earl Rudder Freeway South, College Station, Texas, gave a presentation in support of the Comprehensive Plan Amendment and stated that the property is a great location for a General Commercial use because of it being a gateway into the City. He also said that General Commercial conforms with the existing uses on University Drive.

Cully Lipsey, 1021 University Drive East, College Station, Texas, representing Scott & White, read letters from Pappas and Scott & White.

Chairman Ashfield opened the public hearing.

Janet Fanguy, 705 Summerglenn, College Station, Texas, expressed concern about the potential of a restaurant being located on the property and the traffic and noise that would produce.

Chairman Ashfield closed the public hearing.

There was more discussion amongst the Commission regarding buffers.

Commissioner Corrier motioned to recommend that the City Council accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation. Commissioner Rektorik seconded the motion, then withdrew his motion, then seconded the motion again, motion passed (4-0)

9. Public hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for approximately 5.4 acres for the property located at 1201 Norton Lane at the corner of Wellborn Road and Norton Lane. **Case #13-00900193 (M.Hester)**

Staff Planner Hester presented the Comprehensive Plan Amendment and gave the following options for action:

- Denial – The property would remain Institutional/Public as currently designated on the Comprehensive Plan;
- Accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation;
- Propose an alternative land use and character designation for the property.

J L Taylor, representative for the church, said that there were inquires on the property, but only for commercial, not residential. The concerns were the railroad tracks and FM 2154.

There was general discussion amongst the Commission and Staff regarding the Comprehensive Plan Amendment.

Chairman Ashfield opened the public hearing.

Ray Bomnskie, 4691 River Valley Drive, College Station, Texas, said that the property would be difficult to sell with the Estate designation due to the property being located next to a mobile home park and its proximity to the railroad tracks.

Janette Dale, 3130 Norton Lane, College Station, Texas, stated that she was opposed to a large-commercial development on the property.

Juan Rocha, 14097 FM 2154, College Station, Texas, stated that he felt that the property is better suited for a residential development.

Chairman Ashfield closed the public hearing.

There was general discussion amongst the Commission regarding the rezoning.

Commissioner Corrier motioned to recommend that the City Council accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation. Commissioner Warner seconded the motion, motion passed (3-1). Commissioner Rektorik was in opposition.

10. Public hearing, presentation, possible action, and discussion regarding the annual review of the Comprehensive Plan and the Unified Development Ordinance. **(B.Cowell)**

Executive Director Cowell gave an overview of the item.

Principal Planner Prochazka presented the annual review of the Comprehensive Plan and the Unified Development Ordinance.

Chairman Ashfield opened the public hearing.

Ron Gay, 1106 Deacon Drive, College Station, Texas, representing St. Thomas Aquinas Church, stated that the church would like a larger sign.

Jim Jett, 5004 Congressional Court, College Station, Texas, requested a change to the Comprehensive Plan. He said that he was currently developing Aggieland Business Park and recently acquired a 5.5-acre tract on State Highway 47 that he was interested in changing from Business Park to General Commercial.

John Dylan, 351 Adriatic Parkway, McKinney, Texas, stated that he was the owner of the 20-acre tract adjacent to Mr. Jett's property. He said that he was in support and concurred with Mr. Jett's recommendation for the land use to be changed from Business Park to General Commercial.

Kim Eubanks, 351 Adriatic Parkway, McKinney, Texas, bought the property 6 years ago with Mr. Dylan and agreed that the land use be changed to General Commercial.

Chairman Ashfield closed the public hearing.

The Commission concurred with the potential land use change from Business Park to General Commercial and said that it could be considered as part of a study of the area.

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

There was no discussion regarding future agenda items.

12. Adjourn.

The meeting was adjourned at 8:30 p.m.

Approved:

Mike Ashfield, Chairman
Planning & Zoning Commission

Attest:

Brittany Caldwell, Admin. Support Specialist
Planning & Development Services