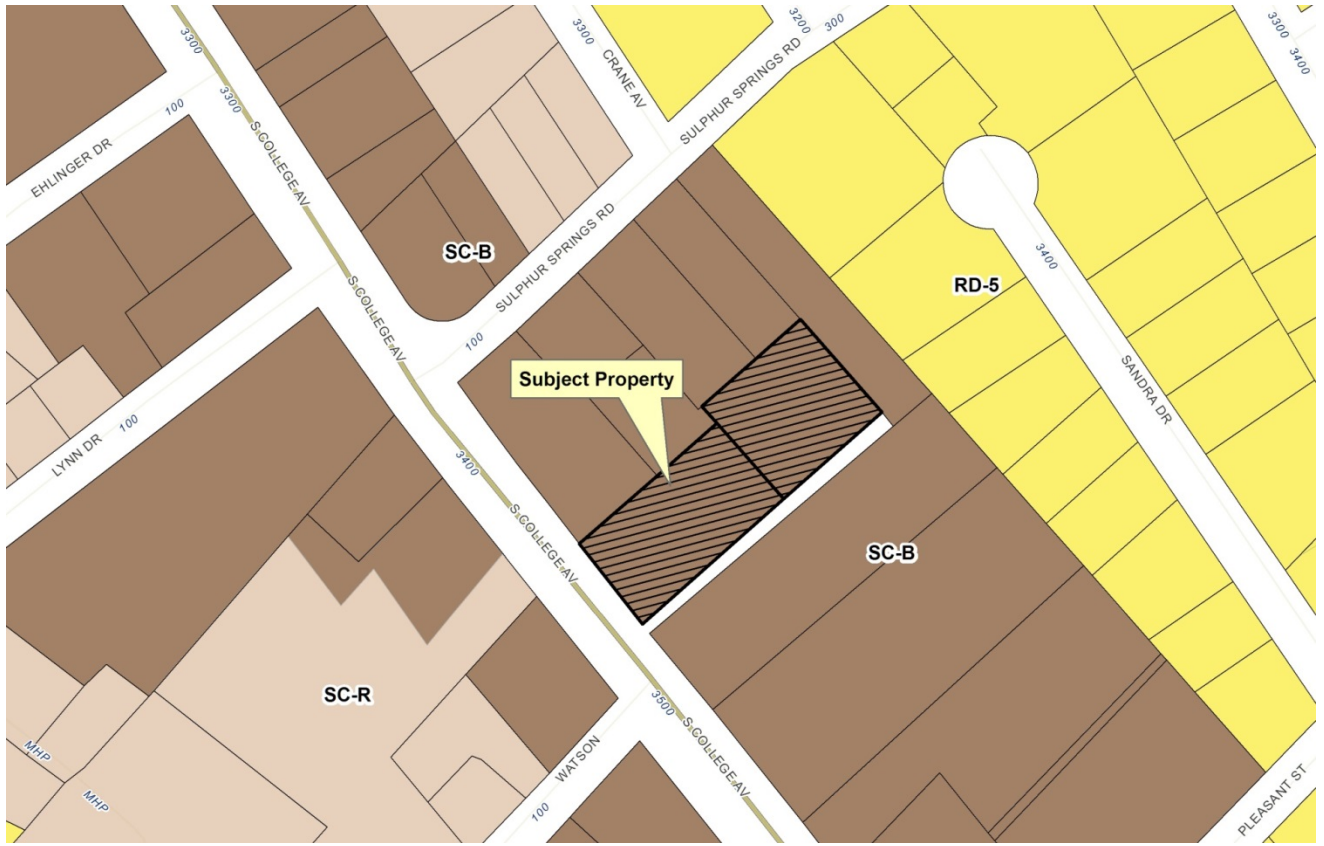
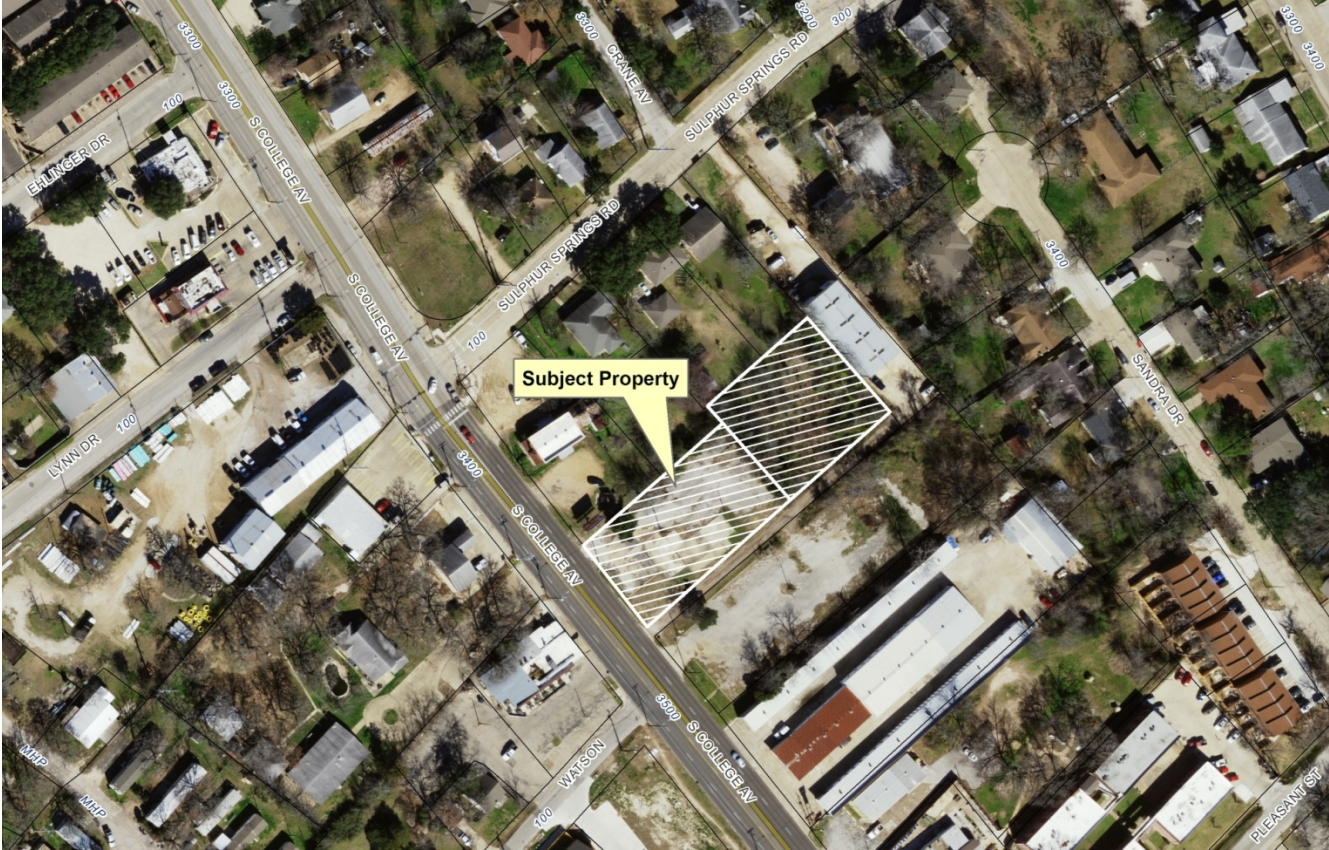


LOCATION MAP:



AERIAL PHOTOGRAPH – 2015:



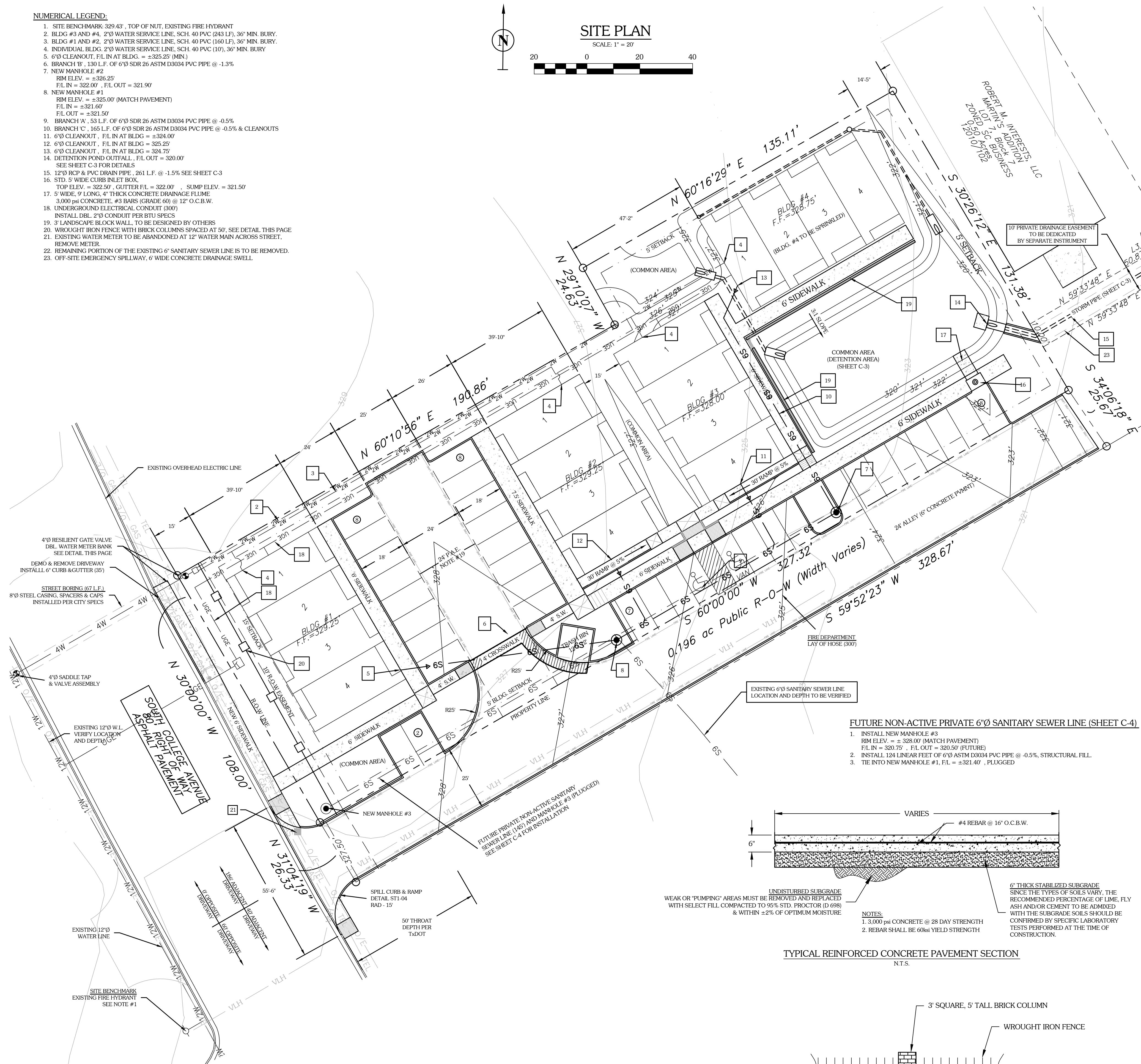
NUMERICAL LEGEND:

- SITE BENCHMARK 329.43', TOP OF NUT, EXISTING FIRE HYDRANT
- BLDG #3 AND #4, 2"Ø WATER SERVICE LINE, SCH. 40 PVC (243 LF), 36" MIN. BURY.
- BLDG #1 AND #2, 2"Ø WATER SERVICE LINE, SCH. 40 PVC (160 LF), 36" MIN. BURY.
- INDIVIDUAL BLDG, 2"Ø WATER SERVICE LINE, SCH. 40 PVC (101), 36" MIN. BURY.
- Ø 6" CLEANOUT, FIL IN AT BLDG. = ±325.25' (MIN.)
- BRANCH 'B', 130' L.F. OF 6"Ø SDR 26 ASTM D3034 PVC PIPE @ -1.3%
- NEW MANHOLE #2
RIM ELEV. = ±326.25'
FIL IN = ±322.00', FIL OUT = ±321.90'
FIL OUT = ±321.50'
- NEW MANHOLE #1
RIM ELEV. = ±325.00' (MATCH PAVEMENT)
FIL IN = ±321.60'
FIL OUT = ±321.50'
- BRANCH 'A', 531' L.F. OF 6"Ø SDR 26 ASTM D3034 PVC PIPE @ -0.5%
- BRANCH 'C', 165' L.F. OF 6"Ø SDR 26 ASTM D3034 PVC PIPE @ -0.5% & CLEANOUTS
- Ø 6" CLEANOUT, FIL IN AT BLDG. = ±324.00'
- Ø 6" CLEANOUT, FIL IN AT BLDG. = ±325.25'
- Ø 6" CLEANOUT, FIL IN AT BLDG. = ±324.75'
- DETENTION POND OUTFALL, FIL OUT = ±320.00'
SEE SHEET C-3 FOR DETAILS
- 12"Ø RCP & PVC DRAIN PIPE, 261' L.F. @ -1.5% SEE SHEET C-3
- STD. 5' WIDE CURB INLET BOX
TOP ELEV. = ±322.50', GUTTER FIL = ±322.00', SUMP ELEV. = ±321.50'
- 5' WIDE, 9" LONG, 4" THICK CONCRETE DRAINAGE FLUME
3,000 PSI CONCRETE, #3 BARS (GRADE 60) @ 12" O.C.B.W.
- UNDERGROUND ELECTRICAL CONDUIT (300)
INSTALL DBL. 2"Ø CONDUIT PER BTU SPECS
- LANDSCAPE BLOCK WALLS TO BE DESIGNED BY OTHERS
- WROUGHT IRON FENCE WITH BRICK COLUMNS SPACED AT 50'. SEE DETAIL THIS PAGE
- EXISTING WATER METER TO BE ABANDONED AT 12' WATER MAIN ACROSS STREET, REMOVE METER
- REMAINING PORTION OF THE EXISTING 6" SANITARY SEWER LINE IS TO BE REMOVED.
- OFF-SITE EMERGENCY SPILLWAY, 6' WIDE CONCRETE DRAINAGE SWELL.



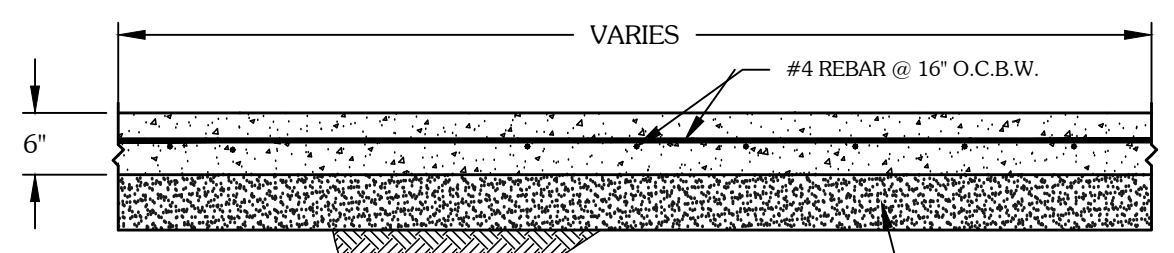
SITE PLAN

SCALE: 1" = 20'

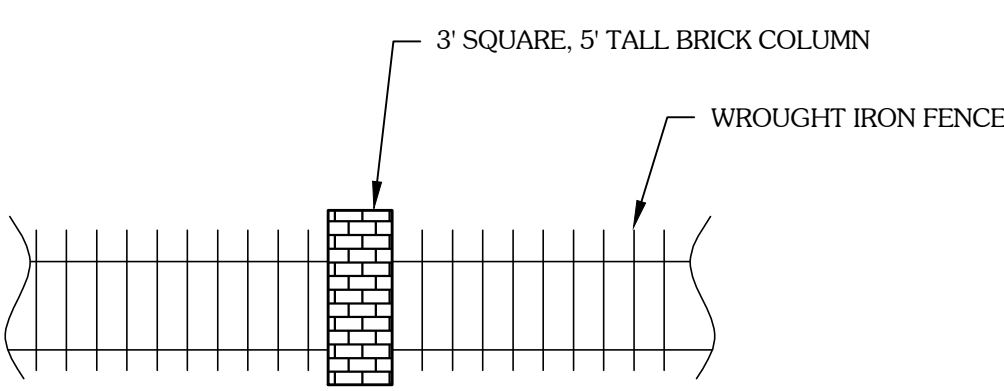


FUTURE NON-ACTIVE PRIVATE 6"Ø SANITARY SEWER LINE (SHEET C-4)

- INSTALL NEW MANHOLE #3
RIM ELEV. = ±328.00' (MATCH PAVEMENT)
FIL IN = ±323.75', FIL OUT = ±323.50' (FUTURE)
- INSTALL 124' LINEAR FEET OF 6"Ø ASTM D3034 PVC PIPE @ -0.5%, STRUCTURAL FILL.
- TIE INTO NEW MANHOLE #1, FIL = ±321.40', PLUGGED



TYPICAL REINFORCED CONCRETE PAVEMENT SECTION
N.T.S.



BRICK COLUMN WITH WROUGHT IRON FENCE DETAIL
NOT TO SCALE

GENERAL NOTES:

- BENCHMARK: ELEV. = 329.43'; TOP NUT OF EXISTING FIRE HYDRANT ADJACENT TO COLLEGE MAIN AND WATSON LANE INTERSECTION
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL EXISTING UTILITIES. AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL CONTACT DKG TESS @ 1-800-344-8377
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF BCS UNIFIED DESIGN GUIDELINES AND SPECIFICATIONS FOR WATER, SEWER, DRAINAGE AND STREET CONSTRUCTION. TESTING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY'S STANDARDS. ALL CONSTRUCTION SHALL BE COORDINATED WITH THE CITY ENGINEERS OFFICE PRIOR TO START.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION SAFETY. CONSTRUCTION DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.
- LOCATION OF EXISTING BURIED UTILITIES, WHERE SHOWN, IS APPROXIMATED ONLY. OTHER UTILITIES MAY BE PRESENT THAT ARE NOT SHOWN ON THE CONSTRUCTION DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING OF ALL BURIED UTILITIES.
- THE PROPOSED BUILDINGS AND ASSOCIATED DIMENSIONS SHOWN HEREIN WERE PROVIDED BY OWNER.
- THIS PROJECT IS LOCATED IN THE SOUTH COLLEGE OVERLAY DISTRICT (SC-B) AND IS APPROVED OF CONDOMINIUM USE PER APPROVED CONDITIONAL USE PERMIT.
- THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE LIMITS OF THE 100-YEAR FLOOD HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY: MAP NUMBER 48041C0215F, EFFECTIVE DATE APRIL 2, 2014.
- THE METES AND BOUNDS DESCRIPTION AND ALL SHOWN EASEMENTS WERE PROVIDED BY PAUL WILLIAMS SURVEYING CO., DECEMBER 2015.
- ALL SIDEWALKS AND RAMP SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH A.D.A. (AMERICANS WITH DISABILITIES ACT) AND T.A.S. (TEXAS ACCESSIBILITY STANDARDS) REQUIREMENTS AND STANDARDS.
- LANDSCAPE DESIGN AND ANALYSIS CAN BE FOUND ON SHEET L-1. IRRIGATION PLANS SHALL BE PROVIDED BY OTHERS.
- ALL CURB RADI SHALL BE 2' FROM BACK OF CURB UNLESS NOTED OTHERWISE.
- ALL DIMENSIONS SHOWN ARE MEASURED FROM BACK OF CURB UNLESS NOTED OTHERWISE.
- CONTRACTOR SHALL HYDRO-MULCH TO PROMOTE GRASS RE-GROWTH TO ALL AREAS THAT HAVE BEEN DISTURBED BY CONSTRUCTION.
- ALL ROOF AND GROUND MOUNTED MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW OR ISOLATED SO AS NOT TO BE VISIBLE FROM ANY PUBLIC RIGHT OF WAY OR RESIDENTIAL DISTRICT WITH IN 150' OF THE SUBJECT LOT, MEASURED FROM A POINT FIVE FEET ABOVE GRADE. SUCH SCREENING SHALL BE COORDINATED WITH BUILDING ARCHITECTURE AND SCALE TO MAINTAIN A UNIFIED APPEARANCE.
- THIS PROJECT MUST BE APPROVED BY PLANNING AND ZONING COMMISSION FOR CONDITIONAL USE PERMIT PRIOR TO APPROVAL.
- ALL MAINTENANCE AND UP-KEEP OF ALL COMMON AREAS WILL BE THE RESPONSIBILITY OF THE PROJECT OWNER.
- CONDOMINIUM UNITS SHALL MEET CITY OF BRYAN ORDINANCE:
WIDTH: 16'-8"
DEPTH: 40'
UNIT AREA: 667 SQ. FT.
- EMPTY
- IRRIGATION SYSTEM - POTABLE WATER SUPPLY MUST BE PROTECTED BY EITHER AN ATMOSPHERIC OR PRESSURE VACUUM BREAKER OR THE DOUBLE CHECK VALVE ASSEMBLY, AND INSTALLED AS PER CITY ORDINANCE.
- POTABLE WATER PROTECTION - ALL DEVICES, APPURTENANCES, APPLIANCES AND APPARATUS INTENDED TO SERVE SOME SPECIAL FUNCTION AND THAT CONNECTS TO THE WATER SYSTEM SHALL BE PROTECTED AGAINST BACK FLOW AND CONTAMINATION OF THE WATER SUPPLY SYSTEM.

FOUNDATION & BUILDING CONSTRUCTION:

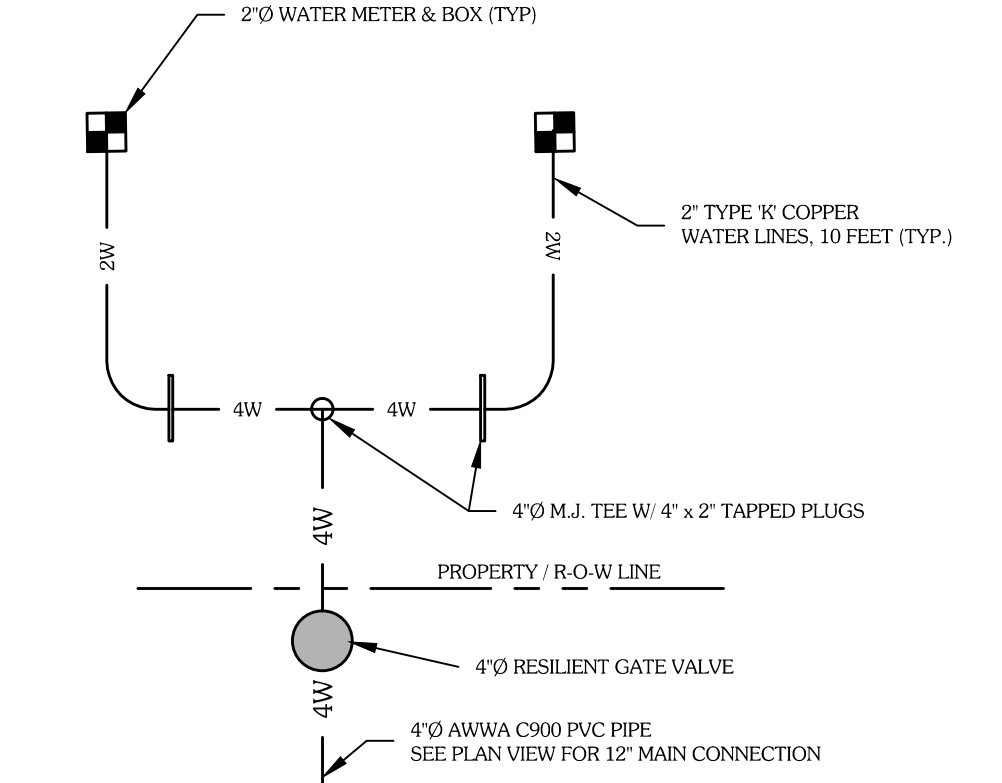
- FOUNDATION AND BUILDING DESIGN AND CONSTRUCTION ARE TO BE PROVIDED BY OTHERS AND ARE NOT INCLUDED IN THESE DOCUMENTS.

SITE CLEARING AND GRADING:

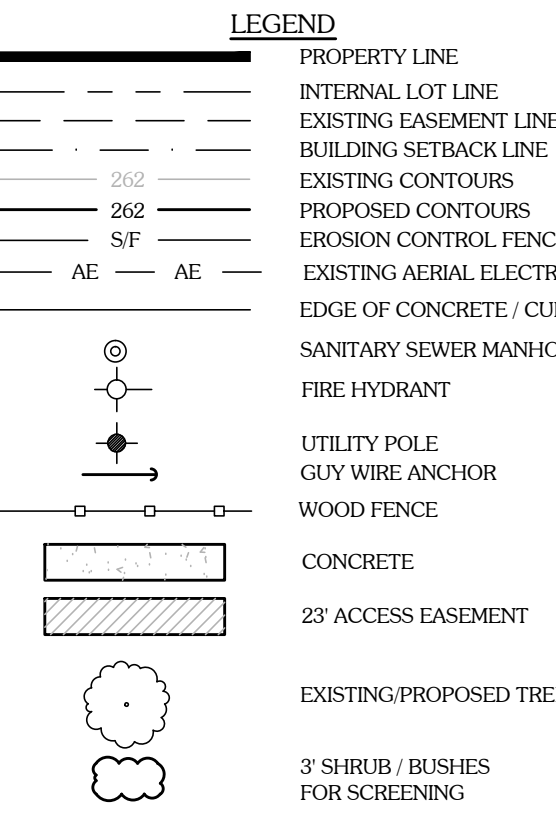
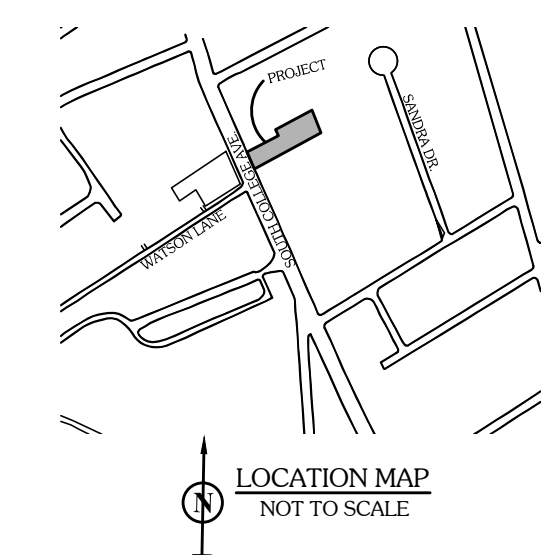
- SITE PREPARATION - CONTRACTOR SHALL CLEAR AND GRUB DESIGNATED AREAS OF ALL TOP SOIL AND ORGANIC MATERIAL. TOP SOIL SHALL BE STOCKPOILED ON-SITE AT A LOCATION DESIGNATED BY OWNER.
- ALL AREAS THAT ARE FOUND TO BE PUMPING OR SINK HOLES OR NOT TO BE IN ORIGINAL UN-EXCAVATED COMPACTED STATE, SHALL BE REMOVED AND REPLACED WITH SELECT FILL, COMPACTED PER PROJECT SPECIFICATIONS.

PARKING ANALYSIS & PAVEMENT DESIGN NOTES:

- PARKING ANALYSIS & REQUIREMENTS:
4 - 2 BEDROOM CONDO UNITS PER BLDG. (4 BLDGS.) = 32 REQ'D PARKING SPOTS
33 PARKING SPOTS PROVIDED
- PARKING LOT DESIGN:
DRIVE AISLE: 5' THICK #4 REBAR (GRADE 60) AT 18" O.C.B.W.
PARKING AREAS: 8" THICK #4 REBAR (GRADE 60) AT 18" O.C.B.W.
TRASH DUMPSTER AREA: 8" THICK #4 REBAR (GRADE 60) AT 18" O.C.B.W.
CONCRETE SHALL BE 3,000 PSI AT 28 DAY STRENGTH. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING SLUMP DURING PLACEMENT. (5' SLUMP MAXIMUM)
CONTRACTOR SHALL CONTACT ENGINEER PRIOR TO PLACEMENT
CONTRACTOR SHALL HAVE 3 TEST CYLINDERS MADE AND TESTED FOR EVERY 100 YARDS OF CONCRETE PLACED PER DAY.
PAVEMENT MARKINGS & STRIPING: DO NOT APPLY TRAFFIC AND LANE STRIPING UNTIL LAYOUT AND PLACEMENT HAS BEEN APPROVED BY ENGINEER. PAVEMENT SURFACE MUST BE SWEEPED CLEAN AND FREE OF MATERIAL AND DUST. ALL PAVEMENT MARKINGS SHALL BE MECHANICALLY APPLIED TO PRODUCE UNIFORM STRAIGHT EDGES. ALL PAVEMENT STRIPINGS SHALL BE 4" WIDE. CONTRACTOR SHALL USE CHLORINATED-RUBBER BASED TRAFFIC PAINT - FACTORY MIXED, QUICK-DRYING, AND NON BLEEDING.
- SOLID WASTE DISPOSAL:
1. 2 - 12' x 12' x 12' CONTAINMENT AREA SHALL BE PROVIDED WITH 6' FENCED ENCLOSURE FOR STANDARD SIDE-LOAD CONTAINERS. TRASH BINS SHALL BE SHARED BY ALL TENANTS.
2. CONTAINMENT DOORS MUST BE A MINIMUM OF 12" W/ OPENING. DOORS MUST HAVE THE ABILITY TO LOCK IN THE OPEN AND CLOSED POSITIONS.
3. DUMPSTER PADS SHALL BE 8" THICK REINFORCED CONCRETE WITH #5 REBARS AT 12" O.C.B.W. AND THE PAD SHALL EXTEND 10' IN FRONT OF DUMPSTER.
4. DUMPSTER PADS SHALL BE LEVEL, NOT SLANTED.



DBL. 2" WATER METER BANK DETAIL
N.T.S.



CONDITIONAL USE NOTES:

- THIS CONCEPT PLAN IS FOR APPLICATION FOR A CONDITIONAL USE PERMIT FOR FOUR 4 DWELLING UNIT CONDOMINIUM BUILDINGS IN THE SOUTH COLLEGE BUSINESS DISTRICT (SC-B) ZONING.
- THE SOUTH COLLEGE CONDO'S SHALL BE A HIGH END SINGLE FAMILY CONDOMINIUM DEVELOPMENT WITH ACCOMPANYING SIDEWALKS AND LANDSCAPING THAT WILL REPLACE THE PREVIOUSLY APPROVED COMMERCIAL DESIGNATION.
- THE CONDOMINIUMS WILL BE 2 BEDROOM, 2 BATH, TWO STORY UNITS WITH THE FRONT FACING SOUTH COLLEGE AVENUE. SEE DIAGRAM THIS PAGE.
- PROJECT IS LOCATED AT 3411 SOUTH COLLEGE AVENUE ON 1.078 ACRES AND IS CURRENTLY VACANT.
- THIS PROJECT SITE DOES NOT LIE WITHIN THE 100-YEAR FLOODPLAIN PER F.E.M.A. FIRM MAP #8841C0215F DATED MAY 16, 2012.
- SITE DEVELOPMENT SHALL MEET CITY OF BRYAN DEVELOPMENT STANDARDS FOR WATER, SANITARY SEWER, STORM SEWER, PARKING AND STREET/PAVEMENT DESIGN.
- CONDOMINIUM UNITS SHALL MEET CITY OF BRYAN ORDINANCE:
WIDTH: 16'-8"
DEPTH: 40'
UNIT AREA: 667 SQ. FT.
- THIS PROPERTY IS LOCATED IN THE SOUTH COLLEGE OVERLAY DISTRICT.
- THIS CONDOMINIUM DEVELOPMENT WILL MAINTAIN / PROVIDE A CROSS ACCESS DRIVE TO THE EXISTING NEIGHBOR TO THE REAR.
- 2 - 12' x 12' TRASH BIN ENCLOSURES ARE PROVIDED WITH LOCKING GATES.
- PROPERTY METES AND BOUNDS DESCRIPTIONS SHOWN HEREIN WERE PROVIDED BY PWS SURVEYING COMPANY IN DECEMBER 2015.
- A 5' SIDEWALK WITH A 3' BUFFER WILL BE PROVIDED ALONG SOUTH COLLEGE AVE.
- POTABLE WATER PROTECTION - ALL DEVICES, APPURTENANCES, APPLIANCES AND APPARATUS INTENDED TO SERVE SOME SPECIAL FUNCTION AND THAT CONNECTS TO THE WATER SUPPLY SYSTEM SHALL BE PROVIDED WITH PROTECTION AGAINST BACK FLOW AND CONTAMINATION OF THE WATER SUPPLY SYSTEM.

DWELLING UNITS SPECS:

- 4 - 2 BEDROOM CONDO UNITS PER BLDG. - 4 BLDGS. (1,041 SQ. FT. EACH)
- MAXIMUM BUILDING HEIGHTS - 25 FEET

DWELLING UNIT DENSITY: 15 D.U. / ACRE (MAX 25)

PARKING ANALYSIS:

- REQUIRED PARKING - 1 PARKING SPOT PER BEDROOM
- 4 - 2 BEDROOM CONDO UNITS PER BLDG. (4 BLDGS.) = 32 REQ'D PARKING SPOTS

**** PARKING SPOTS PROVIDED: 37 PARKING SPOTS**

STORM WATER MITIGATION & DETENTION:

CURRENTLY, STORM WATER RUN-OFF SHEET FLOWS FROM THE FRONT OF THE LOT ADJOINING SOUTH COLLEGE AVENUE AND FLOWS TO THE REAR OF THE LOT TO THE EASTERN PROPERTY CORNER WHERE IT CROSSES THE ADJOINING PROPERTIES.

PROPOSED STORM WATER RUN-OFF INCREASES FROM THIS PROJECT WILL BE DETAINED ON-SITE AND METER RELEASED EQUAL TO OR LESS THAN CURRENT STORM WATER FLOWS.

DEMOLITION / CONSTRUCTION WASTE:

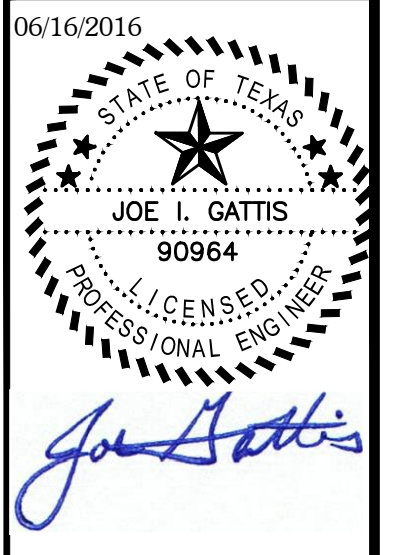
- CONTRACTOR SHALL PROVIDE CONTAINMENT FOR WASTE, PRIOR TO, AND DURING, DEMOLITION / CONSTRUCTION. SOLID WASTE ROLL-OFF BOXES / METAL DUMPSTERS SHALL BE SUPPLIED BY CITY OR CITY PERMITTED CONTRACTOR(S) ONLY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTAINMENT AND PROPER DISPOSAL OF ALL LIQUID AND SOLID WASTE ASSOCIATED WITH THIS PROJECT. THE CONTRACTOR SHALL USE ALL MEANS NECESSARY TO PREVENT THE OCCURRENCES OF WIND BLOWN LITTER FROM THE PROJECT.

SITE ELECTRICAL NOTES:

- DEVELOPER INSTALLS CONDUIT PER BTU SPECS AND DESIGN.
- B.T.U. WILL PROVIDE DRAWINGS FOR CONDUIT INSTALLATION.
- DEVELOPER TO INTERCEPT EXISTING CONDUIT AT DESIGNATED TRANSFORMERS AND EXTEND AS REQUIRED.
- IF CONDUIT DOES NOT EXIST AT DESIGNATED TRANSFORMER, DEVELOPER SHALL FURNISH AND INSTALL CONDUIT AS SHOWN ON ELECTRICAL LAYOUT.
- DEVELOPER WILL INSTALL METER SERVICE LOCATION AS CLOSE AS POSSIBLE TO TRANSFORMER.

WATER & SANITARY SEWER LOADINGS:

CONDOMINIUM (4 BLDGS./4 UNITS PER BLDG.)	MINIMUM	AVERAGE	MAXIMUM
WATER	32 GPM	72 GPM	120 GPM
SEWER	1,600 GPD	3,200 GPD	14,000 GPD



NOT APPROVED FOR BIDDING & CONSTRUCTION

GATTISENGINEERING
ENGINEERS + CONSULTANTS

FRM # 17-7698
2010 Missouri Central Co. - C. GATTISENGINEERING.COM

SOUTH COLLEGE CONDOMINIUMS PROJECT
3411 SOUTH COLLEGE AVE.
BRYAN, TEXAS
JUNE 16, 2016

SITE PLAN
LOT 5A, BLOCK 7
Formerly Lots 5-6 & 7, 8, 9 & 10, Block 7
ZONED - SOUTH COLLEGE BUSINESS
J.E. SCOTT SURVEY, ABSTRACT #50
BRYAN, BRAZOS COUNTY, TEXAS

DRAWN BY: JOE G.
DATE: MARCH 29, 2016
SCALE: NOTED
PROJECT #: GE025006

C-1

DEVELOPER
BK HOME DEVELOPMENT, INC.
PO BOX 390
MOODY, TEXAS 76857
254-721-6179



Front Perspective

**EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTE RECORD
OF MAY 5, 2016:**

10. REQUESTS RELATED TO 1.078 ACRES OF VACANT LAND ADJOINING THE EAST SIDE OF SOUTH COLLEGE AVENUE APPROXIMATELY 215 FEET TO 350 FEET SOUTH OF ITS INTERSECTION WITH SULPHUR SPRINGS ROAD, BEING LOTS 5 THROUGH 10 IN BLOCK 7 OF MARTIN'S ADDITION AS WELL AS A 0.196-ACRE UNNAMED PUBLIC RIGHT-OF-WAY WHICH HAS BEEN REQUESTED TO BE ABANDONED, IN BRYAN, BRAZOS COUNTY, TEXAS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals to Conditional Use Permit approval may be directed to City Council).

a. Conditional Use Permit CU16-01: J. C. Wall III

A request to allow a multi-family residential development on property zoned South College – Business District (SC-B). (M. Hilgemeier)

Mr. Hilgemeier presented the staff report (on file in the Development Service Department). Staff recommends approval of the request, subject to the following conditions:

1. That the multi-family residential development shall generally conform to the site plan attached to this staff report.
2. That any off-site drainage or off-site utility easements necessary for this project to meet stormwater mitigation requirements and/or electrical service to this site be recorded and at the Brazos County Courthouse prior to the issuance of any construction permits.
3. That a landscape plan and analysis that conforms to all applicable City standards is submitted for the City for review and approval, before any building permits are issued.
4. That recording of a formal replat of the property into one new lot be required prior to the issuance of any building permits. Any such replat shall include a 25-foot wide private joint access easement parallel to southeastern property line of the new lot, to allow perpetual access to the neighboring property to the northeast.
5. Building Four must be constructed with a fire sprinkler system installed as required by the IRC 2009 Fire Code.
6. That 80% of the front and side façades visible from a public right-of-way consist of a variation of stone and masonry.
7. That the façade facing South College Avenue shall have changes in plane with a depth of at least 24 inches at intervals no less than 15 feet and no greater than 30 feet.
8. That a minimum of 2 windows are installed on the dwelling units that will have an outer side facade.
9. That no more than 50% of the roofline facing South College Avenue may be at the same elevation.
10. That a 3-foot tall wrought iron perimeter fence with masonry columns located at the property corners and every 50 feet shall be installed along the property line adjoining South College

Avenue.

11. That an 8-foot screening fence be installed along the northern and eastern property **lines**.
In response to questions, Mr. Hilgemeier stated that:

- Citizens had contacted him requesting a 12-foot tall fence, but the highest fence without requiring a variance is 8 feet.
- There are no specific requirements for lighting in the South College corridor overlay district.
- The overlay in the area describes the property around South College as a corridor for development with a mix of uses.

The public hearing was opened.

Mr. Jim Luck, attorney, representing Mr. Keith Leonard, 113 Sulfur Springs Bryan, TX spoke in opposition to the request stating:

- The current development may not provide enough parking.
- Is concerned that the end of the access easement will become informal overflow parking.
- It would hurt Mr. Leonard's business if the gate and access were blocked.
- They do not intend to grant the required off-site drainage easement needed for this development to the applicant.

Ms. Francis Kocman, 107 Sulfur Springs, Bryan, TX and Ms. Raabe, 109 Sulfur Springs, Bryan, TX spoke in opposition to the request. Cited concerns included:

- Privacy, safety and security issues
- Noise
- That they used to have a wooded area buffer that is no longer in place
- That they would like to have a 12-foot tall fence to solve some of these issues

Mr. J.C. Wall III, 515 Cottingham Dr., Temple, TX, applicant, spoke in favor of the request citing that:

- His past developments across the street have been successful
- He has tried to work with the neighbors and wants to provide the highest fence he can
- He has tried to work with the neighboring property about the access easement and does not intend to block or deny access
- Believes the units will be filled with young professionals and young families as opposed to students
- Is working on the drainage issue and has hired an engineer

In response to questions, Mr. Wall commented that he did not know the zoning of the property but was pretty sure and felt like the development would be supported by the City.

Mr. Gattis, 2010 Moses Creek Ct., College Station, TX spoke as the engineer for this request and made himself available for questions. Mr. Gattis believes the development will solve some existing drainage problems.

Commissioner Madison left the meeting at 7:17pm.

Commissioner Madison re-entered the meeting at 7:20pm.

The public hearing was closed.

Commissioner Gonzalez moved to deny Conditional Use CU16-01 for the reason that he believes retail would be a more appropriate use. Commissioner Incardona seconded the motion.

Commissioners discussed that Mr. Wall's developments were very high quality but they do not believe it is the most appropriate use of the space with the overlay. The overlay is meant to bring traffic downtown and they believe business is the best use to do that. They believe the Comprehensive Plan suggests retail in this area. Commissioners in opposition of the motion also discussed that there are other spots available for retail and that they wished some kinks could have been worked out about this request but otherwise like the proposed development.

The motion passed by a vote of 5 in favor and 2 in opposition with Commissioners Madison and Conlee casting the votes in opposition.

May 5, 2016



Conditional Use Permit case no. CU16-01: J.C. Wall III

CASE DESCRIPTION: a request for approval of a Conditional Use Permit to allow a 16-unit multi-family development on property zoned South College-Business District (SC-B)

LOCATION: 1.078 acres of vacant land adjoining the east side of South College Avenue approximately 215 feet to 350 feet south of its intersection with Sulphur Springs Road, being Lots 5 through 10 in Block 7 of Martin’s Addition as well as a 0.196-acre unnamed public right-of-way which has been requested to be abandoned

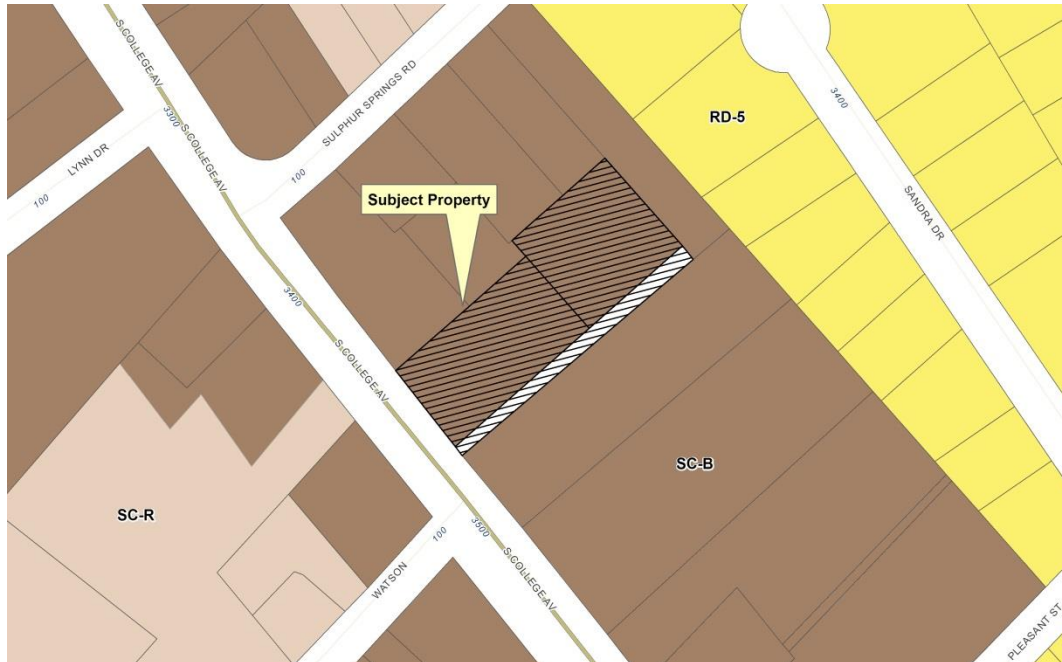
ZONING: South College – Business District (SC-B)

EXISTING LAND USE: vacant acreage

APPLICANT(S): JC Wall III

STAFF CONTACT: Matthew Hilgemeier, AICP, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this Conditional Use Permit request, **subject to conditions** (see Page 10).





BACKGROUND:

The subject property lies approximately 215 feet to 350 feet south of the intersection of South College Avenue and Sulphur Springs Road. The subject property is comprised of 1.078 acres of land zoned South College – Business District (SC-B) and includes a 0.196-acre unnamed public right-of-way has been requested to be abandoned (case no. RA16-01). During its regular meeting on April 7, 2016, the Planning and Zoning Commission recommended approving the aforementioned right-of-way abandonment request, subject to the following conditions:

1. that a formal replat encompassing all property which the applicant owns or will own after abandonment of this right-of-way is filed with the City for recording; and
2. that a 25-foot wide private shared access easement be dedicated with the replat covering the portion of right-of-way being abandoned to allow access to the neighboring property.

The right-of-way abandonment case is currently pending City Council consideration. The perpetual access easement recommended with the latter condition described above is shown on a proposed replat (case no. RP16-07) which is also scheduled for consideration by the Planning and Zoning Commission during its regular meeting on May 5, 2016.

The property is owned by HKH Group LLP., represented by JC Wall. The owners wish to develop a 16-unit multi-family residential project with 32 bedrooms on the subject property. The proposed project will consist of 16,656 square feet of total living space in four buildings. The proposed arrangement of buildings, driveways, and off-street parking areas is shown on the site plan that is attached to this staff report.

The subject property is currently vacant and was most-recently developed with a self-serve ice vending machine. Prior to the vending machine use, the site was once developed as a nightclub (Blarney Stone) and is still mostly covered in impervious paving from that business. Existing land uses in the immediate area include a vacant acreage directly to the southeast of the subject property with a self-storage warehouse and commercial produce seller (Farm Patch) further to the southeast. To the west of the subject property there are 3 single-family residences and a restaurant (Martin's BBQ). An air conditioning repair/service business (R.M. Mullinix Air) is located to the northwest, directly adjacent to the subject property.

Current Site Conditions (taken April 25, 2016)



The SC-B District is intended to protect existing development and to promote future development while maintaining the unique character along the South College Avenue Corridor. More specifically, the SC-B District is established to provide locations for various types of general retail trade, business and service uses. The district allows uses which are generally compatible near or adjacent to, but not usually directly in residential neighborhoods.

SC-B zoning potentially allows for multi-family residential developments, but only with prior approval of a Conditional Use Permit from the Planning and Zoning Commission. The purpose of the Conditional Use Permit process is to identify those uses which might be appropriate within a zoning district but, due to either their location, function, or operation, could have a potentially harmful impact on adjacent properties or the surrounding area; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate such adverse impacts.

The applicants are requesting such a Conditional Use Permit to be able to build the proposed multi-family residential development, as shown on the site plan attached to this staff report.

RELATION TO BRYAN’S COMPREHENSIVE PLAN:

The City of Bryan’s current Comprehensive Plan includes policy recommendations related to the various physical development aspects of the community. These aspects are supported by a set of goals and objectives. The Planning and Zoning Commission shall consider the following when making a decision regarding this particular request:

Citywide Land Use Policies

All land uses should be located such that:

- appropriate buffers separate dissimilar uses. Buffers include, but may not be limited to transitional land uses, floodplain areas, parks, landscaping or natural and man-made features;

Use-Specific Land Use Policies

High Density Residential land will predominantly consist of housing types such as apartments but may consist of other housing types as long as densities are high, ranging from 9 to 24 dwelling units per acre. These uses should be located in areas that are:

- along collector or arterial streets at mid-block locations, where appropriate.

Redevelopment and Infill Policies

- The City of Bryan will encourage and promote compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically.

Goals, Objectives and Action Statements

The following goals, objectives and action statements were developed to address land use concerns facing Bryan in the next twenty years.

GOAL #1: ACHIEVE A BALANCE OF LAND USES WITHIN THE CITY

Objective A: Achieve a sustainable mix of land use types in suitable locations, densities and patterns.

Action Statement 4: Limit the locations of large-scale multi-family developments to areas within an identified proximity to Blinn College and Texas A&M University.

ANALYSIS:

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Whether the proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance.

Physical development of this property is proposed to comply with the standards and limitations

that generally apply to properties zoned South College-Business (SC-B) and developed as multi-family units including, but not limited to regulations concerning density, building height, lot coverage, access, screening, and landscaping. Staff believes that applying the same standards that generally apply to SC-B zoned properties in Bryan, is appropriate for the proposed multi-family residential development at this location.

2. Whether the proposed conditional use is compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

Staff believes that the proposed 16-unit condominium development would be compatible with existing or permitted uses on abutting sites and appropriate within the environment within which it is proposed. While there are existing commercial uses located directly northwest, southeast, and west of the subject property, there are also three single-family residential uses located to the northwest along Sulphur Springs Road and other multi-family residential uses located further southeast of the subject property. Staff believes that the configuration of this proposed multi-family residential development may serve as a useful transition between more intense commercial uses located to the southeast, and lower-density single-family uses located to the northwest of the subject property.

The South College Corridor Overlay District is intended to provide for greater control over the aesthetic and functional characteristics of development along South College Avenue where higher development standards can effectively enhance the City's image as a place to live, work and shop. As such, staff recommends that in order to meet the intent of the overlay district, any approval of this Conditional Use Permit request be made subject to the requirement that the 4 proposed multi-family residential structures have a minimum of 80% of the front and side facades of all buildings consisting of stone or masonry and that the front façade shall have changes in plane with a depth of at least 24-inches at intervals no less than 15 feet and no greater than 30 feet. Additionally, staff recommends that a minimum of 2 windows are installed on the dwelling units at that will have outer façade facing South College Avenue.

The 4 buildings are proposed to be 2 stories tall with a maximum height of 25 feet, which appears to be similar in character to other structures in the surrounding neighborhood. However, in an effort to ensure that the buildings' roofline provides visual interest, staff recommends that no more than 50% of the roofline facing South College Avenue, as well as to the rear of the project, should be at the same elevation. Staff further recommends that a 3-foot tall wrought iron perimeter fence with masonry columns located at the property corners and every 50 feet shall be installed along the property line adjoining South College Avenue. Staff believes that these additional features will enhance the visual aesthetics of the proposed development along the South College Avenue corridor.

3. Whether and the extent to which the proposed conditional use potentially creates greater unfavorable effect or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a permitted use.

Staff believes that approval of the requested Conditional Use Permit for a multi-family residential development would not cause a negative impact on existing and future development in the area. The subject property is located approximately 1.5 miles from Texas A&M University. Staff believes that if approved with the recommended conditions that are listed below, this multi-family development would not create any greater unfavorable effects or impacts on other existing or permitted uses on abutting sites. Staff also believes that this

project, one of only a handful of new projects that have been proposed since the establishment of the South College Corridor Overlay District in 2004, many encourage more (re-)development along the South College corridor.

4. Whether and the extent to which the proposed conditional use affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

Staff does not anticipate that an additional 16 residential unit (32 bedrooms) development at this location will generate any more traffic than what a commercial development could generate that would be allowed to locate here without Conditional Use Permit approval. Staff contends that the proposed multi-family residential use at this location should not have any adverse effects on vehicular and pedestrian traffic in this vicinity.

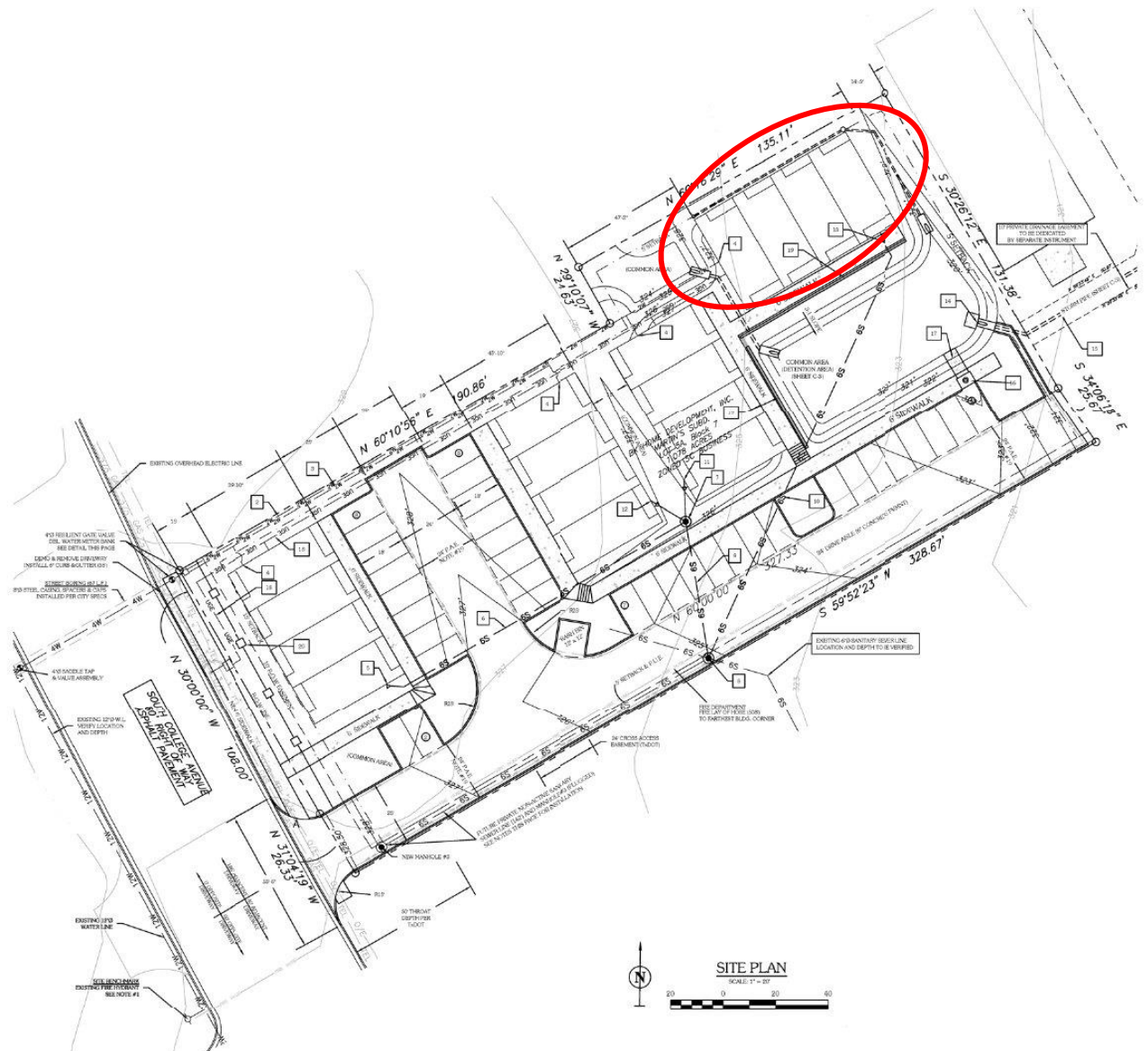
5. Whether and the extent to which the proposed conditional use would reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

Any new development on this property, including the proposed multi-family residential use, will be required to meet City regulations concerning erosion, flood, fire and other hazards and impacts. No variations from existing standards are being requested and no portion of this property is located within the FEMA recognized floodplain.

Upon development as proposed, the project will include a detention pond at the rear (northeast side) of the property to mitigate any stormwater runoff that will be generated from the development. Detained stormwater will then be channeled off the subject property through an off-site drainage easement through neighboring properties. This required detention pond and drainage channel is expected to improve an existing drainage issue for neighboring properties who experience flooding issues during heavier rain events.

In order to construct an adequate detention and drainage facility the applicant is required to obtain an off-site drainage easement from two of the neighboring properties located northeast of the subject property to allow for stormwater runoff to be channeled away from the subject property to the City of Bryan stormwater system. As such, staff recommends that the necessary documents required to obtain an off-site drainage easement be recorded with the Brazos County Courthouse prior to the issuance of any construction permits for this site.

Additionally, due to the configuration of the proposed building layout and the City's adopted 2009 International Fire Code's requirement that all points in and around a condominium building should be within 450-feet of a fire hydrant and accessible with an improved surface, building four (see Graphic 1 below) is proposed and required to be constructed with a fire sprinkler system. Staff recommends that this also be a required condition for approval of this request.



Graphic 1: Building Four

- Whether and the extent to which the proposed conditional use adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff contends that if approved, the proposed multi-family residential use of this particular property will not have any adverse effects on traffic control or adjacent properties. A 25-foot wide perpetual access easement will be provided along the southeastern property line to provide the neighboring property owner to the northwest continued access, e.g., for solid waste pickup (See Graphic 2 and Picture 1 below). With this perpetual access easement, this multi-family residential development is not expected to adversely affect traffic control. Ordinary limitations on signage in the underlying SC-B zoning district will apply to the proposed development.



Picture 1 – existing condition of public right-of-way that has been requested to be abandoned and over which a perpetual access easement has been proposed

7. Whether and the extent to which the proposed conditional use provides adequate and convenient off-street parking and loading facilities.

For a multi-family residential development of this size (16 units, 32 bedrooms), Bryan’s Code of Ordinances requires a minimum of 32 off-street parking spaces (1 parking space per bedroom). The attached site plan shows 37 proposed off-street parking spaces which is 15% more than the minimum number of required spaces. Staff therefore concludes that the amount of off-street parking proposed for this development is adequate.

8. Whether the proposed conditional use conforms to the objectives and the purpose of the zoning district in which the development is proposed.

Multi-family residential dwellings are potentially allowed in SC-B Districts, with approval of a Conditional Use Permit, as they may be appropriate in some, but not all commercial zoning districts. Staff believes that, in this particular case, the proposed 16-unit multi-family development on the subject property will result in a balanced arrangement of land use intensities in this area, which is already developed with both commercial and residential uses. As mentioned above, the development of an apartment development in the scale proposed may provide as a useful transition from higher intensity commercial uses along South College

Avenue to less intense single-family residential uses on properties to the northwest. A multi-family residential project on this 1.078-acre lot does not require a large amount of street frontage to attract potential customers, and therefore seems appropriate for this location.

9. Whether the proposed conditional use will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Staff is unable to discern any potential detrimental issues that could arise from the development of the proposed 16-unit multi-family residential development that could not be mitigated through the application of adopted City standards and policies, or this Conditional Use Permit review. Staff acknowledges that any new development on the property will change the status quo on this currently vacant 1+ acre property and its vicinity. Staff contends, however, that this change will produce fewer unfavorable effects than if one of the several other permitted uses in this SC-B District were to develop on the property.

10. Whether the premises or structures are suitable for the proposed conditional use.

The subject property has remained undeveloped for many years. Staff contends that the subject property, if developed in the manner proposed is suitable for the proposed conditional use and will be an attractive, modern apartment development that can help make the South College corridor area a successful place where people want to live, work, and play.

RECOMMENDATION:

Staff recommends **approving** the requested Conditional Use Permit to allow a multi-family residential development on the subject property, **subject to the following conditions:**

1. **That the multi-family residential development shall generally conform to the site plan attached to this staff report.**
2. **That any off-site drainage or off-site utility easements necessary for this project to meet stormwater mitigation requirements and/or electrical service to this site be recorded and at the Brazos County Courthouse prior to the issuance of any construction permits.**
3. **That a landscape plan and analysis that conforms to all applicable City standards is submitted for the City for review and approval, before any building permits are issued.**
4. **That recording of a formal replat of the property into one new lot be required prior to the issuance of any building permits. Any such replat shall include a 25-foot wide private joint access easement parallel to southeastern property line of the new lot, to allow perpetual access to the neighboring property to the northeast.**
5. **Building Four must be constructed with a fire sprinkler system installed as required by the IRC 2009 Fire Code.**
6. **That 80% of the front and side façades visible from a public right-of-way consist of a variation of stone and masonry.**
7. **That the façade facing South College Avenue shall have changes in plane with a depth of at least 24 inches at intervals no less than 15 feet and no greater than 30 feet.**

- 8. That a minimum of 2 windows are installed on the dwelling units that will have an outer side facade.**
- 9. That no more than 50% of the roofline facing South College Avenue may be at the same elevation.**
- 10. That a 3-foot tall wrought iron perimeter fence with masonry columns located at the property corners and every 50 feet shall be installed along the property line adjoining South College Avenue.**
- 11. That an 8-foot screening fence be installed along the northern and eastern property lines.**

ATTACHMENTS:

1. site plan
2. elevation and floor plan illustrations
3. letters in opposition from nearby property owners

January 23, 2016

To: City of Bryan in Brazos County, Texas
to whom it may concern

I own lot 11 and half of lot 12 in the Martin addition at 107 Sulphur Springs Road, Bryan, Texas.

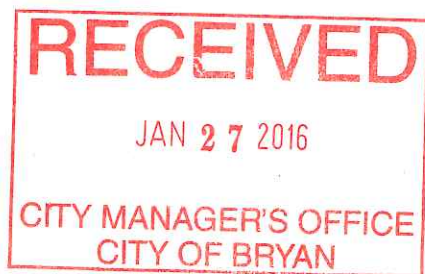
An apartment complex is soon to be built in the Martin Addition adjoining the back of our properties.

On behalf of my neighbors and me, I am requesting that a twelve (12) foot Security Fence with a sound deadner protection, put along our adjoining property lines, be required of the new development.

Our concerns are with a multi-family complex being built in an area of established single family homes, will create security, privacy and noise issues.

Your attention and resolution to this problem will be greatly appreciated.

Feel free to contact Frances Kocman at (979) 823-3595 to discuss any further details.



Sincerely,
Frances Kacchinski Kocman

January 26, 2016

Development
Services

JAN 29 2016

RECEIVED

City of Bryan in Brazos County Texas

To Whom it May Concern:

I own half of lot 12 and lot 13 in the Martin Addition at 101 Sulphur Springs in Bryan, Texas.

An apartment complex is soon to be built in the Martin Addition adjoining the back of our properties.

On behalf of my neighbors and me, I am requesting that a twelve (12) foot security fence with a sound barrier protection be built along our adjoining property lines. I am requesting that this be a requirement of the new development.

Our concerns are that a multi-family complex is being built in an area of established single family homes. This will create security, privacy and noise issues.

Your attention and resolution to this problem will be greatly appreciated.

You can contact me at (979) 822-2031 or (979) 229-0349 to discuss any further details.

Sincerely,



Steve Kapchinski

1-25-2016

Dear Mr. Zimmermann,

It has come to our attention that an apartment complex is being constructed adjoining the back of ours and neighboring properties. The address of our house is 109 Sulphur Springs Road in Bryan.

We are extremely concerned about security issues as well as noise once the complex is completed.

We, along with our neighbors, request that the contractor be required to construct a twelve foot privacy fence with a sound barrier to insure that the existence of our quiet and safe neighborhood will not be jeopardized.

We would very much appreciate your prompt attention to this matter. My email is raabesusan@gmail.com and my cell is 361-798-0747. My address is 903 County Road 268, Moulton, TX 77975.

Sincerely,



Susan Raabe

**** Electronically Filed Document ****

Brazos County, TX

Karen McQueen

County Clerk

Return to
Aggieland Title Company
GF# 34255 DMVRE

Document Number: 2016-1267242

Recorded As : ERX-RECORDINGS

Recorded On: June 17, 2016
Recorded At: 11:27:43 am
Number of Pages: 8
Book-VI/Pg: Bk-OR VI-13417 Pg-218
Recording Fee: \$54.00

Parties:

Direct-
Indirect-

Receipt Number: 577297
Processed By: Susie Cohen

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is Invalid and unenforceable under federal law.



I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of BRAZOS COUNTY, TEXAS

Honorable Karen McQueen, County Clerk, Brazos County

After Recording, return to:
BK Home Development, Inc.
515 Cottingham Drive
Temple, Texas 76504

Return to
Aggieland Title Company
GF# 34255 DM/RC

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PRIVATE DRAINAGE EASEMENT

STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF BRAZOS

~~SYED HYDER~~
SYED HYDER

That ~~HYDER-SYED~~, as to his ownership interest in the Easement Property described in the attached Exhibit "B," and ROBERT MONROE INTERESTS, L.L.C., a Texas limited liability company, as to its ownership interest in the Easement Property described in the attached Exhibit "B," collectively "Grantor," for and in consideration of \$10.00 and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, do each hereby grant, sell and convey to BK HOME DEVELOPMENT, INC., a Texas corporation, as "Grantee" and to Grantee's successors and assigns, a perpetual non-exclusive private drainage easement (the "Easement") for the purpose of constructing, using, maintaining, operating, repairing, replacing, upgrading, and removing private storm drain facilities, together with all necessary appurtenances thereto, and with the right and privilege at any and all times, to enter said premises, or any part thereof, as is necessary for the proper use of any right granted herein, and said Easement being shown on Exhibit "A" and described by metes and bounds on Exhibit "B" (the "Easement Property."). Both Exhibit "A" and Exhibit "B" are attached hereto and made a part hereof.

This Easement is appurtenant to, runs with, and inures to the benefit of all or any portion of lands owned by Grantee as of the execution of this instrument or acquired by Grantee in the future, collectively the "Dominant Estate Property," whether or not the Easement is referenced or described in any conveyance of all or such portion of the Dominant Estate Property. The Dominant Estate Property, as of the execution of this instrument, may be described on Exhibit "C" attached hereto and made a part hereof. This Easement is for the benefit of Grantee and Grantee's successors and assigns, who at any time own an interest in the Dominant Estate Property (as applicable, the "Holder").

Each Grantor reserves for itself and its heirs, successors, and assigns the right to continue to use and enjoy the surface of its respective interest in the Easement Property for all purposes that do not interfere with or interrupt the use or enjoyment of the Easement by Grantee, Holder and/or the Dominant Estate Property for the easement purposes described herein. Obstructions, fences, walls, or structures

PRIVATE DRAINAGE EASEMENT

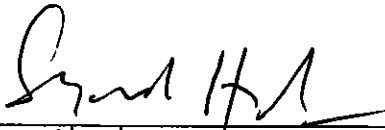
will not be constructed on the Easement Property that would restrict (a) the use of the Easement Property for the easement purposes described herein, or (b) the flow of storm or rain water to, on, across, or under the Easement Property for the term of the Drainage Easement.

The Holder has the right (the "Secondary Easement") to use as much of the surface of the property that is adjacent to the Easement Property ("Adjacent Property") as may be reasonably necessary to install and maintain the private storm drain facilities within the Easement Property. However, Holder must promptly restore the Adjacent Property to its previous physical condition if changed by Holder's use of the rights granted by this Secondary Easement.

Each Grantor, as to its respective ownership interest in the Easement Property, declares an Easement to, over and across the Easement Property for the easement purpose and for the benefit of the Grantee, Holder and the Dominant Estate Property, together with all and singular the rights and appurtenances thereto in any way belonging; to have and to hold the Easement, and all rights and appurtenances, to Grantee and Grantee's successors and assigns forever. Each Grantor, as to its respective ownership interest in the Easement Property, binds Grantor and Grantor's successors and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part of the Easement.

Executed on May 4th, 2016.

Grantor, as to its ownership interest in the Easement Property:



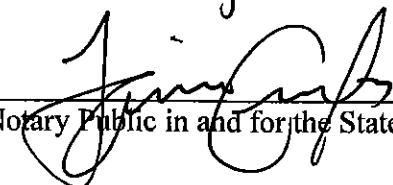
~~HYDER~~, SYED Hyder

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on May 4th, 2016, by ~~HYDER~~, SYED. Hyder^{de}.





Notary Public in and for the State of Texas

Grantor, as to its ownership interest in the Easement Property:

ROBERT MONROE INTERESTS, L.L.C., a Texas
limited liability company

By: *Robert Monroe*
Printed Name: Robert Monroe
Title: owner

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Harris §

This instrument was acknowledged before me on June 16, 2016, by
Robert Monroe, in his/her capacity as owner (title) of
ROBERT MONROE INTERESTS, L.L.C., a Texas limited liability company, on behalf of said limited
liability company.



Kathy Ferguson
Notary Public in and for the State of Texas

Address of Grantee:
BK Home Development, Inc.
515 Cottingham Drive
Temple, Texas 76504

CONSENT AND SUBORDINATION BY LIENHOLDER

The undersigned, Lienholder, is the holder of a lien on the Easement Property, or any part thereof, and consents to the terms and provisions of the foregoing Private Drainage Easement, including the terms and conditions of the easements granted and Lienholder subordinates its lien to the rights and interests of the parties, so that the document relating to the lien(s) are subject to the terms and provisions of this Private Drainage Easement, and that a foreclosure of the lien(s) will not extinguish the rights and interests of the holders of the easement and other rights herein.

Lienholder:

Name of Lienholder: Robert Monroe Int. LLC

By: Robert Monroe
Printed Name: Robert Monroe
Title: owner

ACKNOWLEDGMENT

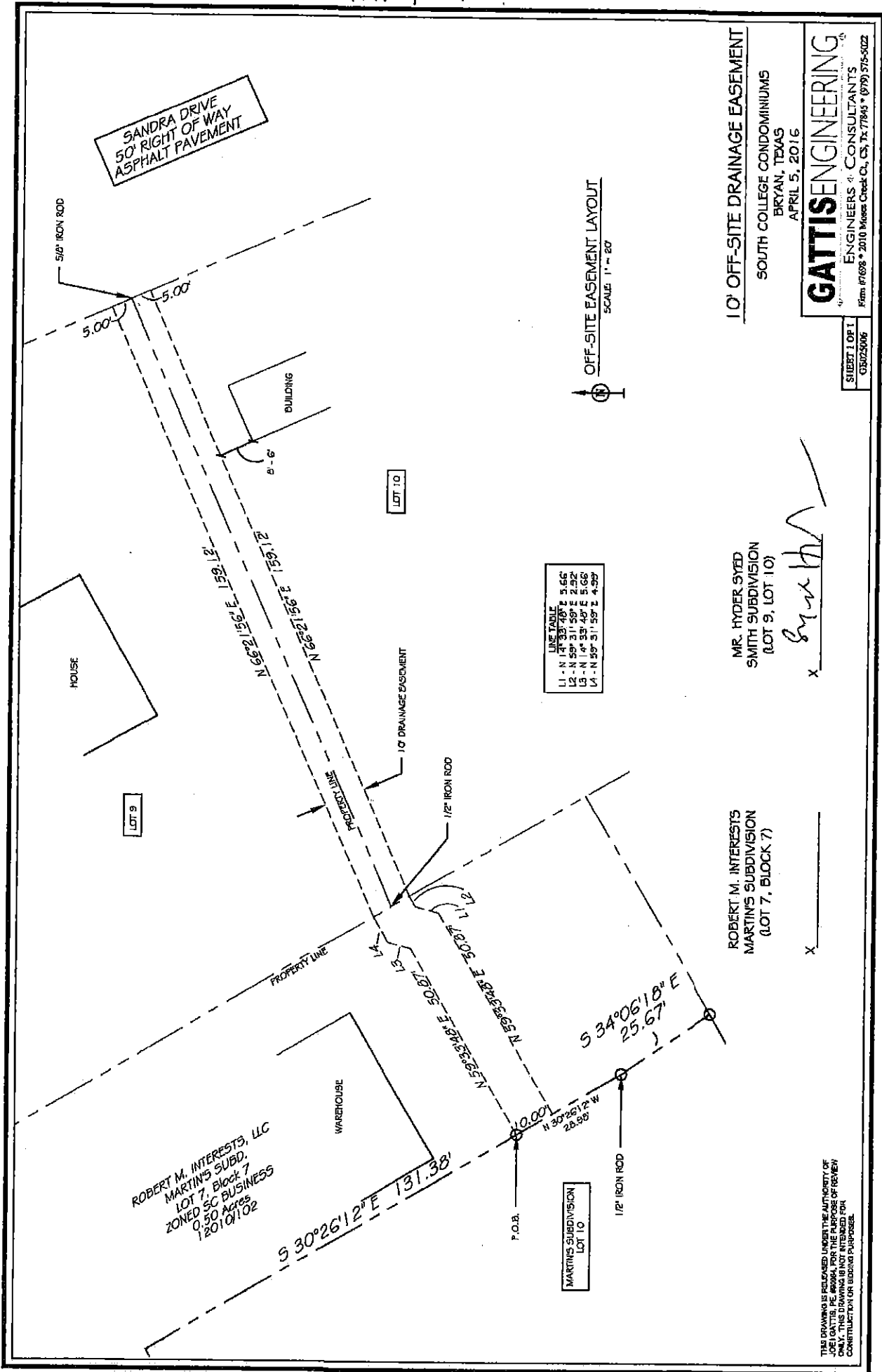
STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on June 14, 2016, by Robert Monroe, in his/her capacity as owner (title) of Robert Monroe Interest, LLC (Name of Lienholder), on behalf of said Lienholder.



Kathy Ferguson
Notary Public in and for the State of Texas

Exhibit "A"



10' OFF-SITE DRAINAGE EASEMENT
SOUTH COLLEGE CONDOMINIUMS
BRYAN, TEXAS
APRIL 5, 2016

GATTISENGINEERING
ENGINEERS & CONSULTANTS
Firm #1698 • 2010 Moses Creek Ct, CS, TX 77845 • (979) 575-5023

SHEET 1 OF 1
CS023006

MR. HYDER SYED
SMITH SUBDIVISION
(LOT 9, LOT 10)

Hyder Syed

ROBERT M. INTERESTS
MARTINS SUBDIVISION
(LOT 7, BLOCK 7)

ROBERT M. INTERESTS, LLC
MARTINS SUBD.
LOT 7, BLOCK 7
ZONED SC BUSINESS
0.50 Acres
120101102

THIS DRAWING IS PREPARED UNDER THE AUTHORITY OF
ONE GATTISENGINEERING. IT IS NOT INTENDED FOR
CONSTRUCTION OR RECORD PURPOSES.

Utility Easement

Field Notes
of a
Utility Easement
Being part of
Three Tracts
Out of the
J. E. Scott League, A-50
The City of Bryan, Brazos County, Texas
March 30, 2016

Being a utility easement across three certain lots, tracts, or parcels of land lying and being situated in the J. E. Scott League, A-50, in The City of Bryan, Brazos County, Texas.

Tract One being a 0.450 acre tract, and being parts of Lot 9 and Lot 10 of the Smith Subdivision described in a deed to Syed Hyder recorded in Volume 8341 Page 168.

Tract Two being parts of Lot 9, Lot 10 and Lot 11 of the said Smith Subdivision as described in a deed to Syed N. Hyder recorded in Volume 8859 Page 146.

Track Three being a 0.50 acre tract of land described in a deed to Robert Monroe Interests, LLC, recorded in Volume 12010 Page 102.

Said utility easement being 10.0 feet in width, and being 5.0 feet on each side of a centerline, being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a 1/2" iron rod found at the east corner of Lot 10 of Martin's Addition as described in a deed to C. W. Henry recorded in Volume 4090 Page 211. Point also being the northeast corner of a 25 (Twenty Five) foot wide access easement to The City of Bryan as recorded in Martin's Addition in Volume 106 Page 277 of the Deed Records of Brazos County.

THENCE along the east line of Lot 10 and the said Monroe 0.50 acre tract, N 30°26'12" W, a distance of 28.98 feet to the **POINT OF BEGINNING** of the centerline of the herein described 10 foot wide utility easement.

THENCE across the said Monroe 0.50 acre tract three calls:

1.) N 59°33'48" E, a distance of 52.96 feet.

2.) N14°33'48"E a distance of 5.66 feet.

3.) N59°31'59"E a distance of 4.99 feet to a 1/2" iron rod found at the common corner of the Hyder Tract One and Tract Two, of the said Smith Subdivision.

THENCE along the common line between the Hyder Tract One and Tract Two, and the Smith Subdivision, N 66°21'56" E, a distance of 159.12 feet to a 5/8" iron rod found at the common east corner of the two Hyder tracts and being a point along the west right of way line of Sandra Drive in the Smith Subdivision and being the terminus of the herein described utility easement according to a survey performed on March 7, 2016 on the ground, under the supervision of Paul Williams, Registered Professional Land Surveyor No. 5743, in The State of Texas.

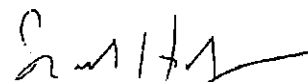


EXHIBIT "C"

All that certain tract or parcel of land lying and being situated in the J.E. Scott League in Brazos County, Texas, and being Lots Five (5) and Six (6), SAVE AND EXCEPT the southwest Ten (10') feet of said Lots Five (5) and Six (6); and a portion of Lots Seven (7) and Eight (8) in the MARTIN'S ADDITION, in the City of Bryan, Brazos County, Texas, according to the plat of said addition recorded in Volume 106, page 277, Deed Records of Brazos County, Texas, the portion of Lots Seven (7) and (Eight) herein conveyed being described as follows, to-wit:

BEGINNING at the east corner of Lot No. Six (6) of Martin's Addition;

THENCE northeast with the southeast line of Lots Seven (7) and Eight (8), run a distance of 85 feet and corner, a stake for corner;

THENCE northwest parallel with the southwest line of Martin's Addition run 108 feet and corner;

THENCE in a southwest direction parallel with the southeast line of said Addition, run a distance of 85 feet to the north corner of Lot Five (5);

THENCE in a southeast direction with the northeast line of Lots Five (5) and Six (6), a distance of 108 feet to the PLACE OF BEGINNING.