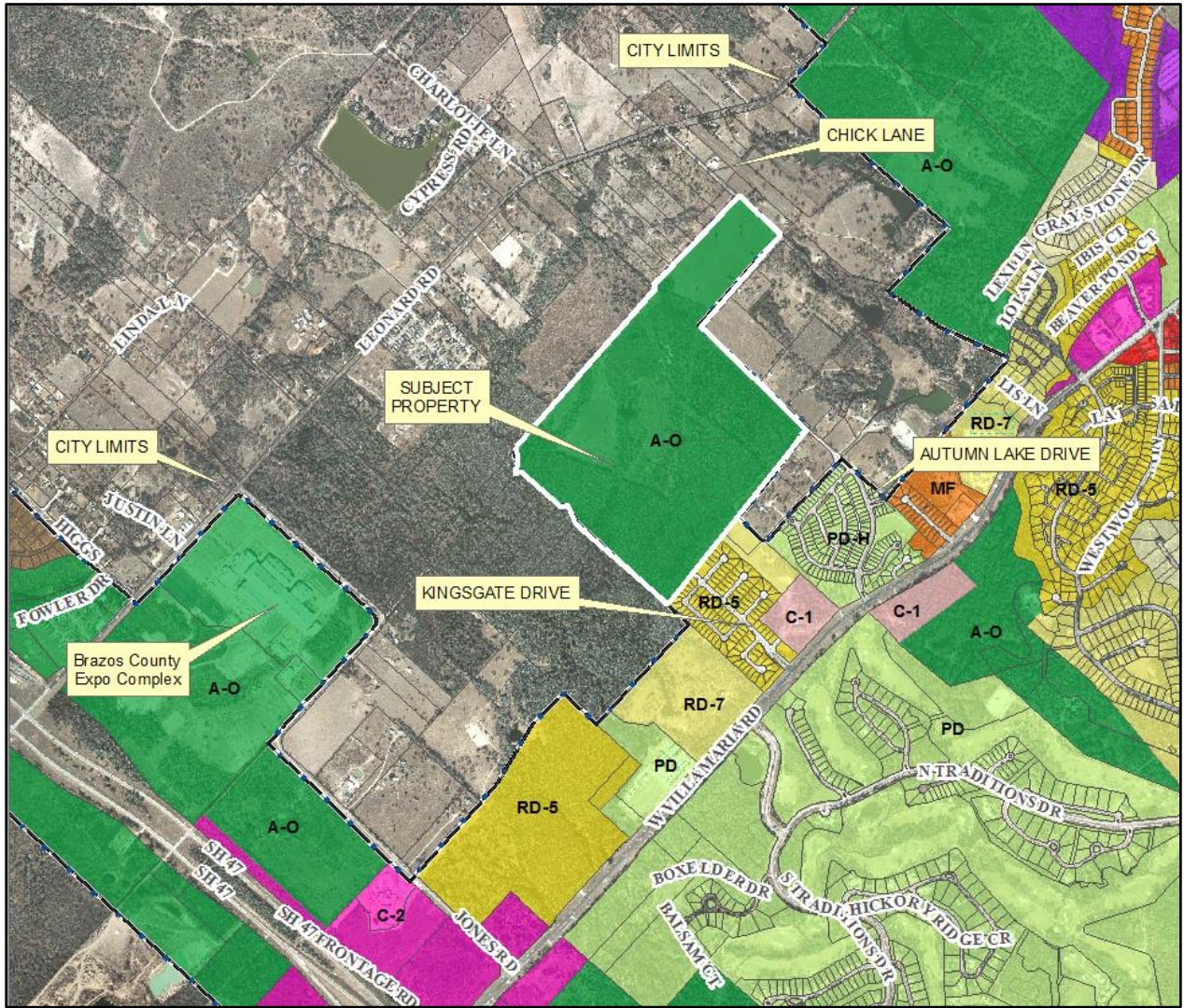
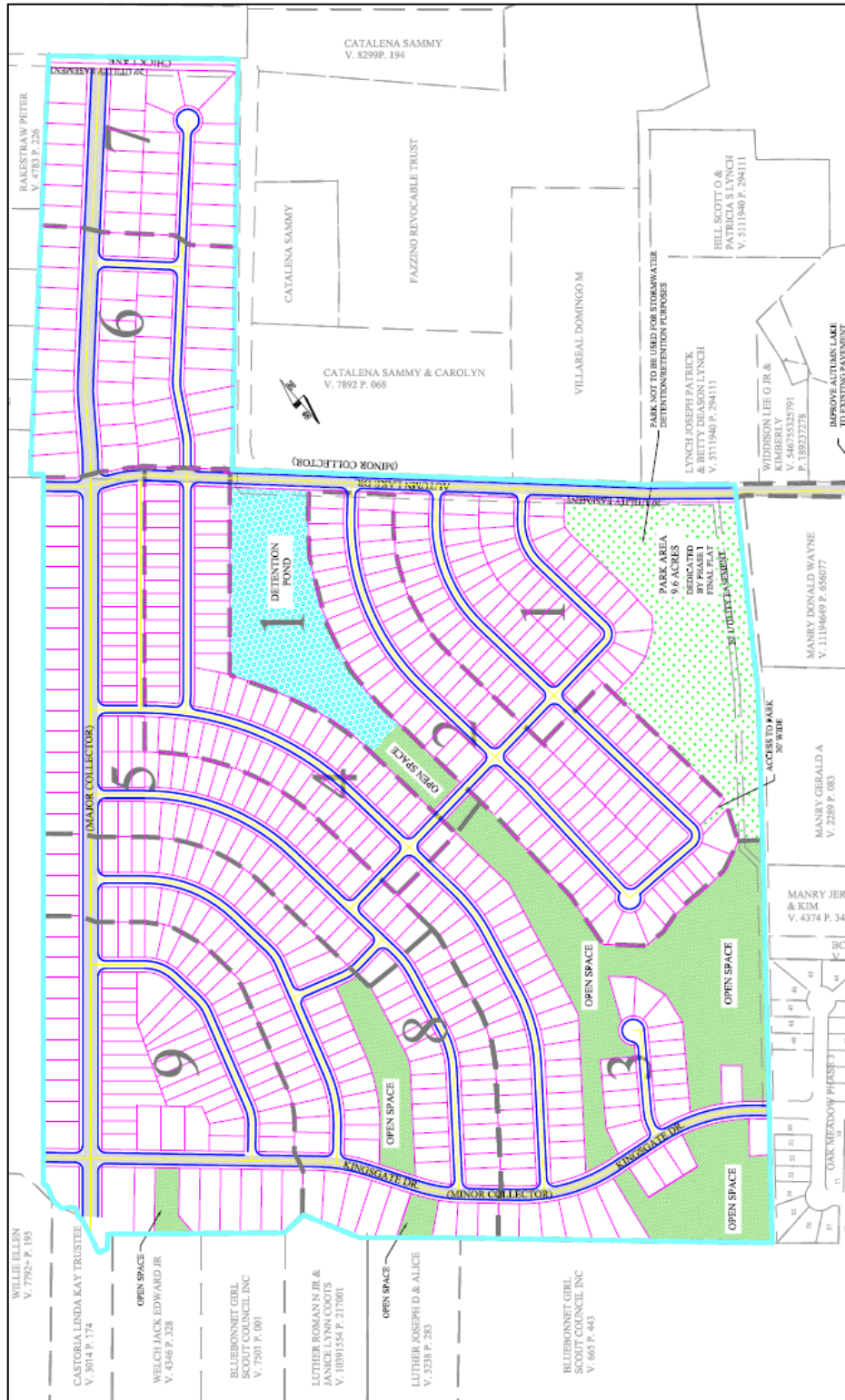


**LOCATION MAP:**

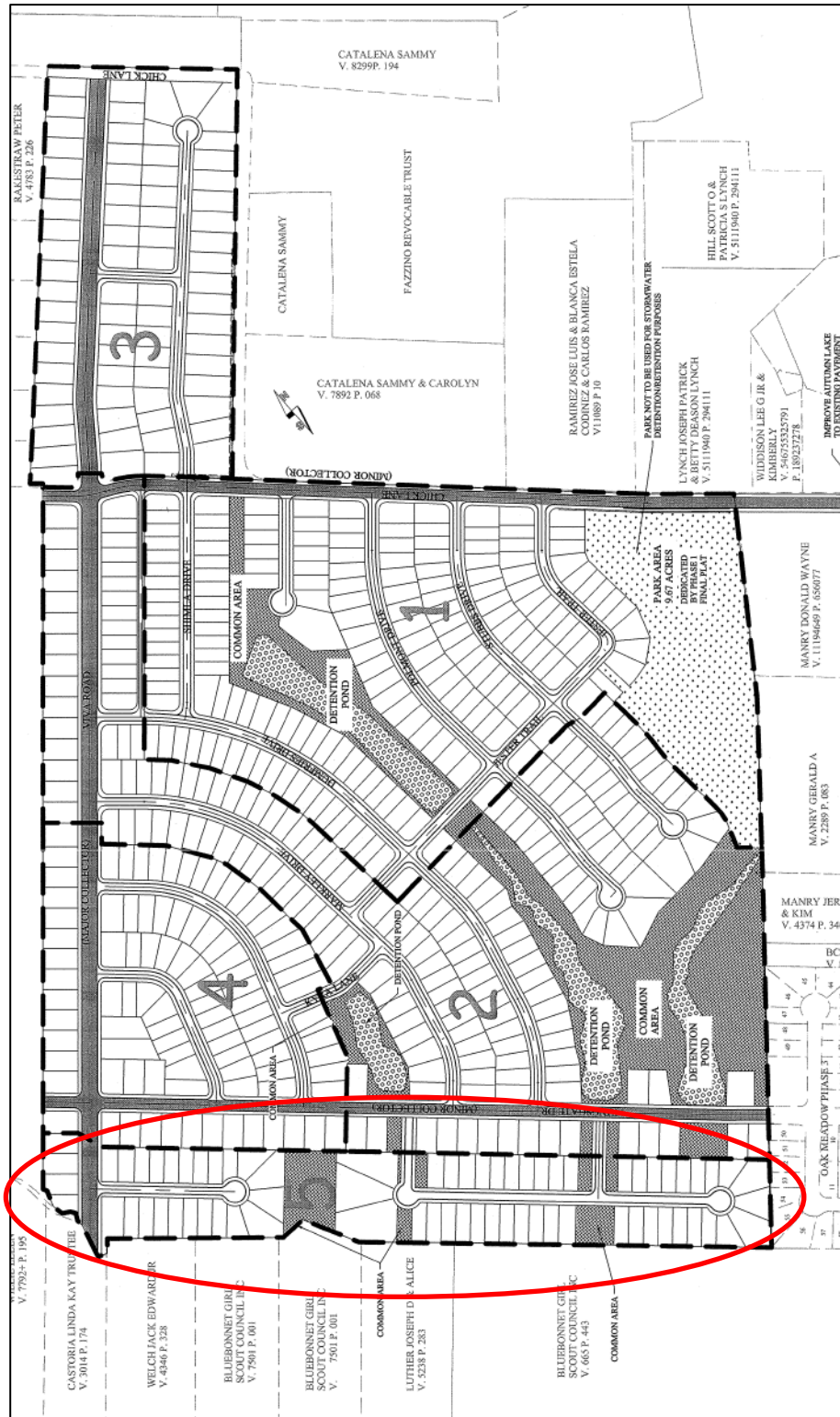


# EXISTING EDGEWATER PD-H DISTRICT DEVELOPMENT PLAN DRAWING:





**PROPOSED AMENDED EDGEWATER PD-H DISTRICT DEVELOPMENT PLAN DRAWING:**



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 130, ZONING, OF THE CITY OF BRYAN CODE OF ORDINANCES, BY A NEW DEVELOPMENT PLAN FOR A PLANNED DEVELOPMENT – HOUSING DISTRICT (PD-H), SUBJECT TO DEVELOPMENT REQUIREMENTS SPECIFIED HEREIN, ON 166.2 ACRES OF LAND LOCATED GENERALLY NORTH OF THE OAK MEADOW AND AUTUMN LAKE SUBDIVISIONS AND ALONG THE WEST SIDE OF CHICK LANE BETWEEN WEST VILLA MARIA ROAD AND LEONARD ROAD, BEING EDGEWATER SUBDIVISION - PHASE 1, AND 116.10 ACRES OF AS-OF-YET UN-SUBDIVIDED ACREAGE OUT OF T.J. WOOTEN LEAGUE, ABSTRACT 59, IN BRYAN, BRAZOS COUNTY, TEXAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH SAID ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bryan has adopted Chapter 130, Zoning, of the City of Bryan Code of Ordinances, as amended, which divides the City of Bryan into various zoning districts; and

**WHEREAS**, permanent zoning changes made after the date of passage of Chapter 130 are made by adopting ordinances amending Chapter 130 for each particular permanent zoning change; and

**WHEREAS**, this requested change to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by amending the development plan of a Planned Development – Housing District (PD-H) on 166.2 acres of land located generally north of the Oak Meadow and Autumn Lake subdivisions and along the west side of Chick Lane between West Villa Maria Road and Leonard Road, being Edgewater Subdivision - Phase 1, and 116.10 acres of as-of-yet un-subdivided acreage out of T.J. Wooten League, Abstract 59, in Bryan, Brazos County, Texas, was recommended for approval by the Bryan Planning and Zoning Commission during its regular meeting on January 5, 2017 (case no. RZ16-18);

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:**

1.

That Chapter 130, Zoning, of the City of Bryan Code of Ordinances be amended by amending the development plan of a Planned Development – Housing District (PD-H) on 166.2 acres of land located generally north of the Oak Meadow and Autumn Lake subdivisions and along the west side of Chick Lane between West Villa Maria Road and Leonard Road, being Edgewater Subdivision - Phase 1, and 116.10 acres of as-of-yet un-subdivided acreage out of T.J. Wooten League, Abstract 59, in Bryan, Brazos County, Texas, said 166.2 acres being described more particularly by metes-and-bounds on attached Exhibit “A” , subject to development requirements specified in attached Exhibit “B” and Exhibit “B-1” through “B-5”, which are herein fully incorporated by reference for all purposes as if they were set forth in the text of the ordinance.

2.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3.

Should any section, paragraph, sentences, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

4.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

6.

This ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 14<sup>th</sup> day of February, 2017 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 28<sup>th</sup> day of February, 2017 by a vote of \_\_\_ yeses and \_\_\_ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Andrew Nelson, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Janis K. Hampton, City Attorney

## Exhibit "A": Metes-and-bounds Description

**FIELD NOTES  
166.2 ACRES  
BRAZOS COUNTY, TEXAS**

All that certain tract or parcel of land lying and being situated in the **ZENO PHILLIPS LEAGUE, ABSTRACT NO. 45** and the **T.J. WOOTEN LEAGUE, ABSTRACT NO. 59**, Brazos County, Texas, said tract being all of a called 61 acre tract described as First Tract, all of a called 20 acre tract described as Second Tract, all of a called 60 acre tract described as Third Tract and all of a called 1 acre tract described as Fourth Tract by a Deed to J. H. Nash recorded in Volume 107, Page 168 of the Deed Records of Brazos County, Texas and all of a called 25.66 acre tract as described by a Deed to Wm. Nash recorded in Volume 300, Page 827 of the Deed Records of Brazos County, Texas.

Said Tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/4 inch iron rod found in concrete on the Northeast line of a called 53.6 acre tract as described by a Deed to Bryan-College Station Girl Scout Area Council recorded in Volume 177, Page 501 of the Deed Records of Brazos County, Texas, marking the south corner of said 61 acre tract and the west corner of Oak Meadow Subdivision, Phase 3, according to the plat recorded in Volume 7099, Page 243 of the Official Public Records of Brazos County, Texas;

**THENCE:** N 47° 41' 11" W along the common line of said 61 acre tract and said 53.6 acre tract for a distance of 1091.60 feet to a 3/8 inch iron rod found marking the east corner of a called 11.02 acre tract as described by a Deed to Joseph Daniel Luther recorded in Volume 1554, Page 1 of the Official Public Records of Brazos County, Texas;

**THENCE:** N 48° 24' 13" W along the northeast line of said 11.02 acre tract for a distance of 314.42 feet to a 5/8 inch iron rod found marking the north corner of said 11.02 acre tract and the east corner of a called 9.89 acre tract as described by a Deed to Girl Scouts-Bluebonnet Girl Scout Council recorded in Volume 7501, Page 1 of the Official Public Records of Brazos County, Texas;

**THENCE:** along the northeast line of said 9.89 acre tract for the following calls:

N 26° 23' 34" W for a distance of 205.30 feet to a 5/8 inch iron rod found;

S 88° 15' 28" W for a distance of 89.02 feet to a 5/8 inch iron rod found;

N 50° 52' 19" W for a distance of 23.19 feet to a 5/8 inch iron rod found marking the north corner of said 9.89 acre tract and the east corner of a called 10.00 acre tract as described by a Deed to Janice Lynn Coots and Roman N. Luther recorded in Volume 5238, Page 283 of the Official Public Records of Brazos County, Texas;

**THENCE:** 48° 59' 32" W along the northeast line of said 10.00 acre tract for a distance of 578.27 feet to a 1/2 inch iron rod found marking the north corner of a called 10.00 acre tract as described by a Deed to Jack Edward Welch, Jr. recorded in Volume 4346, Page 328 of the Official Public Records of Brazos County, Texas;

**THENCE:** S 42° 01' 04" W along the northwest line of said 10.00 acre Welch tract for a distance of 49.78 feet to a point in the centerline of a creek marking the east corner of a called 10.00 acre tract as described by a Deed to Linda Kay Castoria recorded in Volume 3014, Page 174 of the Official Public Records of Brazos County, Texas;

THENCE: along the centerline of said creek, same being the common line of said 61 acre tract and said 10.00 acre Castoria tract, for the following calls:

N 70° 17' 36" W for a distance of 33.26 feet;  
N 15° 24' 34" E for a distance of 60.28 feet;  
N 14° 32' 40" E for a distance of 63.28 feet;  
N 07° 06' 03" W for a distance of 19.37 feet;  
N 27° 59' 09" E for a distance of 26.94 feet;  
N 34° 25' 35" W for a distance of 19.56 feet;  
N 58° 59' 46" W for a distance of 29.35 feet;  
N 09° 23' 49" W for a distance of 37.60 feet;  
N 19° 30' 37" E for a distance of 58.36 feet;

N 27° 31' 53" W for a distance of 13.83 feet to the south corner of a called 48.46 acre tract as described by a Deed to John M. Heard recorded in Volume 5967, Page 42 of the Official Public Records of Brazos County, Texas.

THENCE: N 41° 25' 13" E along the common line of said 61 acre tract, said 60 acre tract and said 48.46 acre tract, at 20.67 feet pass an 8 inch oak tree found in an old fence line, at 1936.71 feet pass a 4 inch fence post found in said old fence line, continue on for a total distance of 2418.71 feet to a 1/2 inch iron rod set marking the east corner of said 48.46 acre tract, said iron rod set being on the southwest line of said 20 acre Nash Tract;

THENCE: N 47° 54' 36" W along the common line of said 20 acre tract and said 48.46 acre tract for a distance of 44.46 feet to a 1/2 inch iron rod set marking the south corner of a called 6.826 acre tract described as Tract No. 7 by a Deed to Craig Champion recorded in Volume 4608, Page 98 of the Official Public Records of Brazos County,

Texas, for reference a 1/2 inch iron rod found on the southerly line of Leonard Road marking the common corner of said 48.46 acre tract and said 6.826 acre tract bears: N 47° 54' 36" W for a distance of 1826.77 feet;

THENCE: N 43° 54' 33" E along the common line of said 20 acre tract and said .826 acre tract, at 157.37 feet pass a 5/8 inch rod found marking the east corner of said 6.826 acre tract and the south corner of another 6.826 acre tract as described by a Deed to Gary Brannon Spiller recorded in Volume 4038, Page 323 of the Official Public Records of Brazos County, Texas, continue on along the common line of said 20 acre tract and said second 6.826 acre tract for a total distance of 914.10 feet to a 5/8 inch iron rod found marking the east corner of another 6.826 acre tract described as Tract No. 3 by said Deed to Craig Champion (4608/98) and the south corner of a called 2.0000 acre tract as described by a Deed to Carthol Glen Greenwade and wife, Gladys Faye Greenwade recorded in Volume 2551, Page 218 of the Official Public Records of Brazos County, Texas;

THENCE: N 43° 59' 00" E along the common line of said 20 acre tract and said 2.0000 acre tract at 472.16 feet pass a 60D nail found in a tree on the southwest line of Chick Lane marking the east corner of said 2.0000 acre tract, continue on across Chick Lane for a total distance of 512.58 feet to the line of Chick Lane and the north corner of said 1 acre tract;

THENCE: S 47° 31' 28" E along the northeast line of Chick Lane, same being the northeast line of said 1 acre tract and said 20 acre tract, for a distance of 644.06 feet to the east corner of said 20 acre tract;

THENCE: S 42° 11' 00" W along the southeast line of said 20 acre tract, at 47.68 feet pass a 6 inch fence corner post found on the northwest line of Chick Lane, continue on along the northwest line of Chick Lane for a total distance of 1398.17 feet to a 1/2" iron rod set marking the south corner of said 20 acre tract, for reference an 8 inch fence corner post found bears: S 42° 11' 00" W for a distance of 47.63 feet;

THENCE: S 46° 29' 24" E across Chick Lane and along the line of said 25.66 acre tract and the northeast line of a called 47 foot wide strip for road purposes as described in said Wm. Nash deed (300/827), at 135.84 feet pass a point in an existing pipe fence, continue on along the northeast line of Chick Lane for a total distance of 1411.84 feet to a 1/2 inch iron rod found marking the west corner of a called 12.356 acre tract as described by a Deed to Joseph Patrick Lynch and wife, Betty Deason Lynch recorded in Volume 511, Page 294 of the Deed Records of Brazos County, Texas;

THENCE: S 48° 43' 57" E continuing along the northeast line of Chick Lane, same being the common line of said 25.66 acre tract and said 12.356 acre tract, for a distance of 298.54 feet to a 4x4 concrete monument found marking the east corner of said 25.66 acre tract;

THENCE: S 34° 58' 20" W across Chick Lane, at 47.29 feet pass a 1/2 inch iron rod set marking the most southerly corner of said 47 foot wide strip for road, continue on along the common line of said 25.66 acre tract and a called 5.88 acre tract as described by a Deed to Donald Wayne Manry recorded in Volume 1119, Page 656 of the Official Public Records of Brazos County, Texas, for a total distance of 632.65 feet to a 3/8 inch iron rod found marking the common corner of said 5.88 acre tract and a called 5.88 acre tract as described by a Deed to Gerald A. Manry recorded in Volume 2289, Page 83 of the Official Public Records of Brazos County, Texas;

THENCE: S 34° 38' 18" W along the common line of said 25.66 acre tract and said second 5.88 acre tract for a distance of 66.07 feet to a petrified wood rock found marking the south corner of said 25.66 acre tract and the east corner of said 60 acre tract;

THENCE: S 39° 40' 58" W along the common line of said 60 acre tract and said second 5.88 acre tract for a distance of 603.96 feet to a 1 inch iron rod found in concrete marking the corner of the remainder of a called 92.491 acre tract described as Exhibit A by a Deed to W. Barton Munro, Trustee, recorded in Volume 2493, Page 21 of the Official Public Records of Brazos County, Texas;

THENCE: S 40° 04' 08" W along the common line of said 60 acre tract and said remainder of 92.491 acre tract for a distance of 241.82 feet to a 1/2 inch iron rod found marking the most northerly corner of a called 5.00 acre tract as described by a Deed to William Harris Edwards and wife, Linda Maria Edwards recorded in Volume 2728, Page 280 of the Official Public Records of Brazos County, Texas;

THENCE: S 40° 03' 53" W along the common line of said 60 acre tract and said 5.00 acre tract for a distance of 76.38 feet to a 1/2 inch iron rod found marking the north corner of Oak Meadow Subdivision, Phase 2, according to the Plat recorded in Volume 4759, Page 19 of the Official Public Records of Brazos County, Texas;

THENCE: S 40° 01' 12" W along the common line of said 60 acre tract and said 61 acre tract and Oak Meadow Subdivision, Phase 2 and Phase 3, for a distance of 967.63 feet to the POINT OF BEGINNING containing 166.20 acres of land, more or less.



**Exhibit “B”:**  
**Development requirements for Planned Development – Housing District (PD-H)**

**SECTION 1: Land Use**

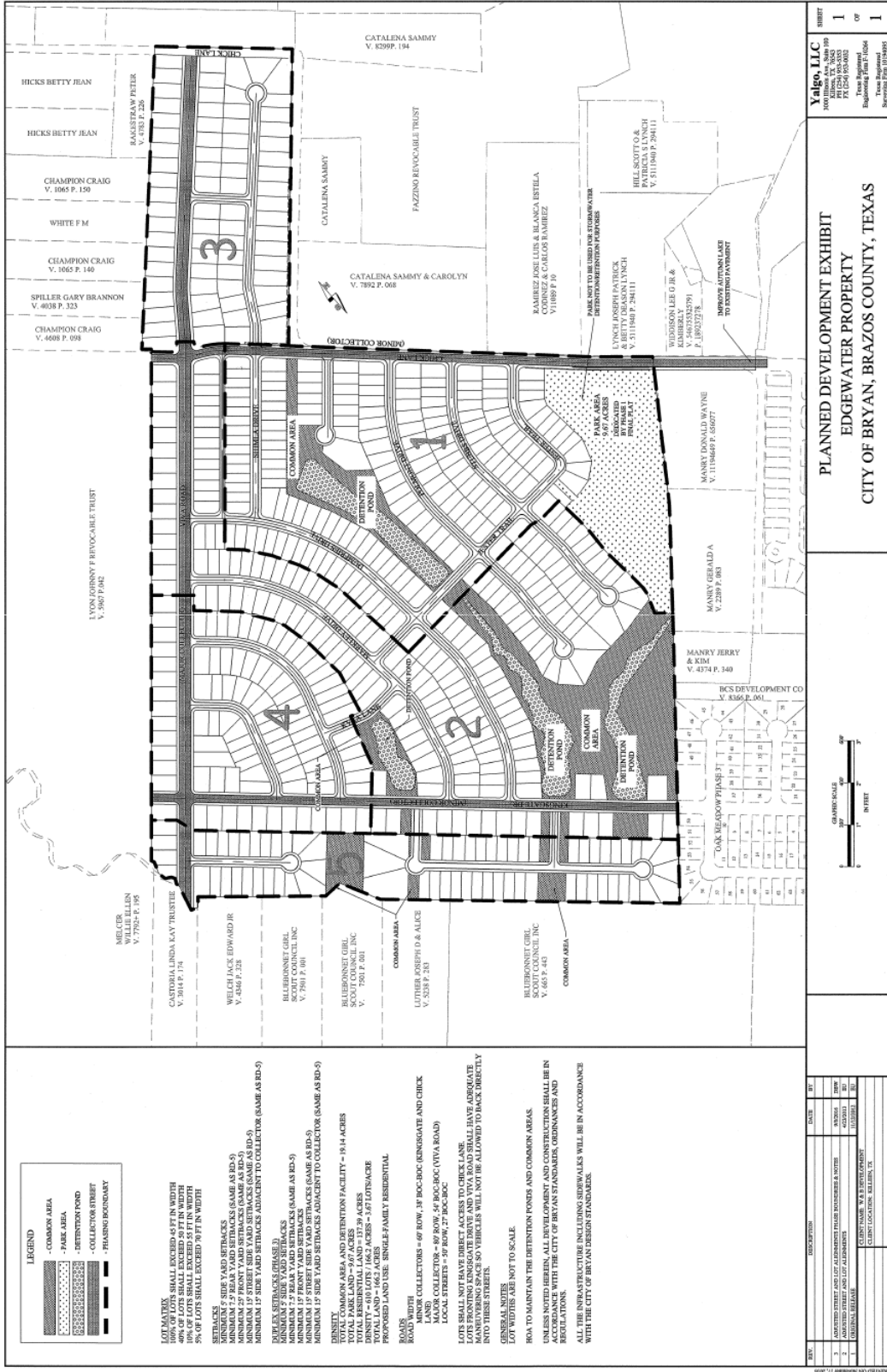
1. The continued use of land within this PD-H District shall be limited to the following:
  - a. detached single-family dwellings
  - b. open space/storm water detention areas
  - c. public parkland
2. In Phases 6 and 7, duplex dwellings shall be potentially allowed, but require prior approval of a Conditional Use Permit in accordance with the procedures for such permits as required by the City of Bryan Code of Ordinances.

**SECTION 2: Physical Development**

1. Physical development on land included in this PD-H District shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Residential District – 5000 (RD-5), subject to additions, modifications or exceptions described herein. These development standards and limitations include, but are not limited to, regulations concerning minimum building setback, lot area, lot depth, density, building height, building elevations, coverage, parking, access, screening, landscaping, accessory buildings, and signs.
2. The following additional standards, modifications or exceptions shall be applicable to the physical development and continued use of land and buildings in this PD-H District:
  - a. Minimum lots width requirements:
    1. The minimum lot width for 25% of the lots in this development shall be 45 feet.
    2. The minimum lot width for 60% of the lots in this development shall be 50 feet.
    3. The minimum lot width for 10% of lots in this development shall be 55 feet.
    4. The minimum lot width for 5% of the lots in this development shall be 70 feet.
  - b. Minimum building setback requirements:
    1. The minimum side building setback adjacent to abutting property shall be 5 feet.
    2. The minimum front building setback on lots in Phases 6 and 7 shall be 15 feet.
  - c. Collector streets:
    1. Autumn Lake and Kingsgate Drives shall have a minimum 60-foot wide public right-of-way.
    2. The east-west major collector street extending between Chick Lane and a tributary to Turkey shall have a minimum 80-foot wide public right-of-way and 27-foot wide pavement at the time of development.

3. Lots shall not have direct access to Autumn Lake Drive.
4. Lots fronting Kingsgate Drive and the east-west major collector street shall have adequate maneuvering space so vehicles will not be allowed to back directly into these streets.
1. A homeowner's association (HOA) shall be established with direct responsibility to, and controlled by, the property owners involved to provide for operation, repair and maintenance of all open space and storm water detention areas.

# Exhibit "B-1": Overall Development Plan



**LEGEND**

[Symbol]	COMMON AREA
[Symbol]	PARK AREA
[Symbol]	DETENTION POND
[Symbol]	COLLECTOR STREET
[Symbol]	FRONTING DRIVEWAY

**LOT LAYOUT**  
 ALL LOTS SHALL EXCEED 45 FT IN WIDTH  
 40% OF LOTS SHALL EXCEED 50 FT IN WIDTH  
 30% OF LOTS SHALL EXCEED 60 FT IN WIDTH  
 15% OF LOTS SHALL EXCEED 75 FT IN WIDTH

**SETBACKS**  
 MINIMUM 5' SIDE YARD SETBACKS  
 MINIMUM 7.5' REAR YARD SETBACKS (SAME AS RD-5)  
 MINIMUM 10' FRONT YARD SETBACKS (SAME AS RD-5)  
 MINIMUM 15' STREET SIDE YARD SETBACKS (SAME AS RD-5)  
 MINIMUM 15' STREET SIDE YARD SETBACKS ADJACENT TO COLLECTOR (SAME AS RD-5)

**DRIVEWAY SETBACKS (PHASE 3)**  
 MINIMUM 5' FRONT YARD SETBACKS (SAME AS RD-5)  
 MINIMUM 10' FRONT YARD SETBACKS (SAME AS RD-5)  
 MINIMUM 15' FRONT YARD SETBACKS (SAME AS RD-5)  
 MINIMUM 15' SIDE YARD SETBACKS ADJACENT TO COLLECTOR (SAME AS RD-5)

**DENSITY**  
 TOTAL COMMON AREA AND DETENTION FACILITY - 19.14 ACRES  
 TOTAL RESIDENTIAL LAND - 117.79 ACRES  
 TOTAL RESIDENTIAL DENSITY - 1.22 UNITS PER ACRE  
 TOTAL LAND - 136.93 ACRES - 167 LOTS/ACRE  
 PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL

**ROADS**  
 ROAD WIDTH - COLLECTORS - 60' ROW, 35' BOC-BOC (INGEGATE AND CHEK LANE)  
 ROAD WIDTH - LOCAL STREETS - 36' ROW, 27' BOC-BOC  
 LOCAL STREETS - 36' ROW, 27' BOC-BOC

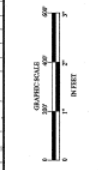
**LOTS SHALL NOT HAVE DIRECT ACCESS TO CHEK LANE**  
 LOTS FRONTING KINGGATE DRIVE AND VIVA ROAD SHALL HAVE ADEQUATE PAVING SPACES SO VEHICLES WILL NOT BE ALLOWED TO BACK DIRECTLY INTO THE CHEK LANE.

**GENERAL NOTE**  
 LOT WIDTHS ARE NOT TO SCALE.

**HOW TO MAINTAIN THE DETENTION PONDS AND COMMON AREAS**  
 THE MAINTENANCE OF THE DETENTION PONDS AND COMMON AREAS SHALL BE IN ACCORDANCE WITH THE CITY OF BRYAN STANDARDS, ORDINANCES AND REGULATIONS.  
 ALL THE INFRASTRUCTURE INCLUDING SIDEWALKS WILL BE IN ACCORDANCE WITH THE CITY OF BRYAN DESIGN STANDARDS.

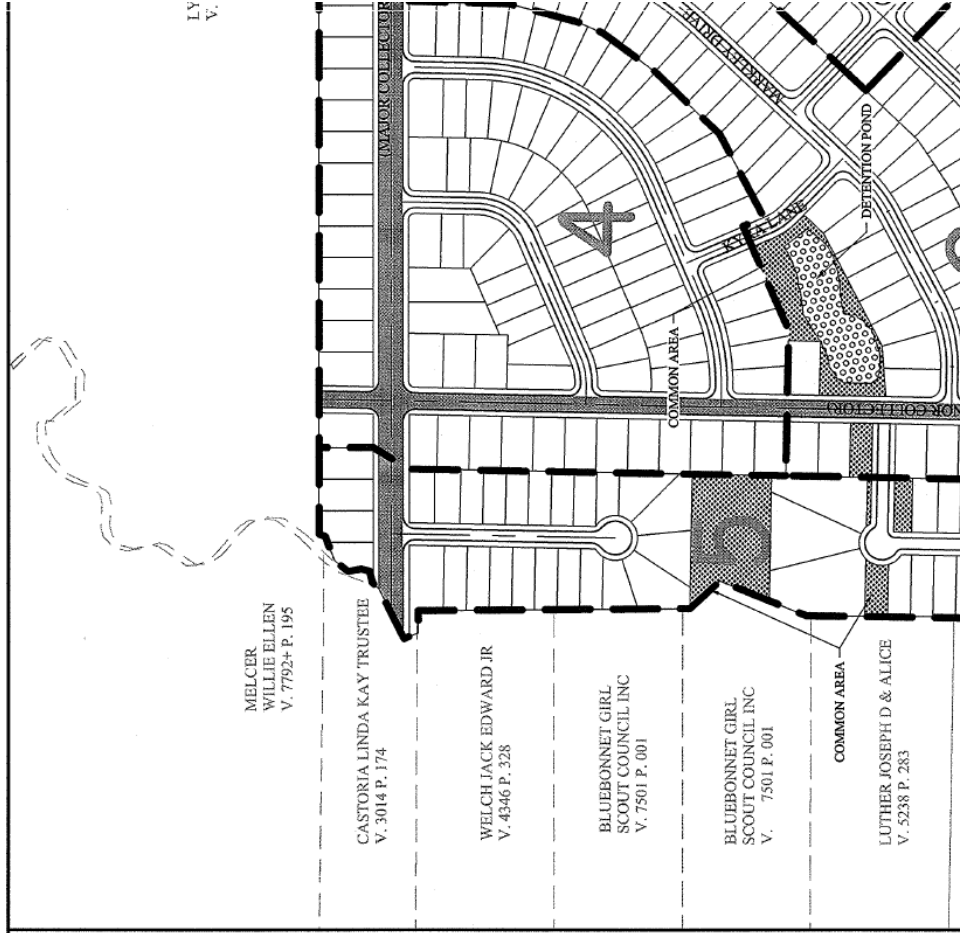
**Value, LLC**  
 1000 HILLMAN AVE, SUITE 100  
 FORT WORTH, TEXAS 76104  
 TEL: 817.339.3333  
 FAX: 817.339.3333  
 www.valuellc.com  
 Prepared by: [Signature]  
 Date: 11/15/2011

**PLANNED DEVELOPMENT EXHIBIT**  
**EDGEWATER PROPERTY**  
 CITY OF BRYAN, BRAZOS COUNTY, TEXAS



REV	DESCRIPTION	DATE	BY
1	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
2	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
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59	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
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61	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
62	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
63	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
64	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
65	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
66	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
67	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
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74	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
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76	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
77	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
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96	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
97	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
98	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
99	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE
100	AWARDED STREET AND LOT ASSIGNMENT FROM BROWNSBERG & WITTE	8/3/2011	WITTE

## Exhibit "B-2": Development Plan Close-Up A



L.Y.  
V.

MELCER  
WILLIE ELLEN  
V. 7792+ P. 195

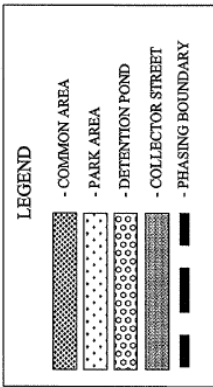
CASTORIA LINDA KAY TRUSTEE  
V. 3014 P. 174

WELCH JACK EDWARD JR  
V. 4346 P. 328

BLUEBONNET GIRL  
SCOUT COUNCIL INC  
V. 7501 P. 001

BLUEBONNET GIRL  
SCOUT COUNCIL INC  
V. 7501 P. 001

LUTHER JOSEPH D & ALICE  
V. 5238 P. 283



**LOT MATRIX**  
100% OF LOTS SHALL EXCEED 45 FT IN WIDTH  
40% OF LOTS SHALL EXCEED 50 FT IN WIDTH  
10% OF LOTS SHALL EXCEED 55 FT IN WIDTH  
5% OF LOTS SHALL EXCEED 70 FT IN WIDTH

**SETBACKS**  
MINIMUM 5' SIDE YARD SETBACKS  
MINIMUM 7.5' REAR YARD SETBACKS (SAME AS RD-5)  
MINIMUM 25' FRONT YARD SETBACKS (SAME AS RD-5)  
MINIMUM 15' STREET SIDE YARD SETBACKS (SAME AS RD-5)  
MINIMUM 15' SIDE YARD SETBACKS ADJACENT TO COLLECTOR (SAME AS RD-5)

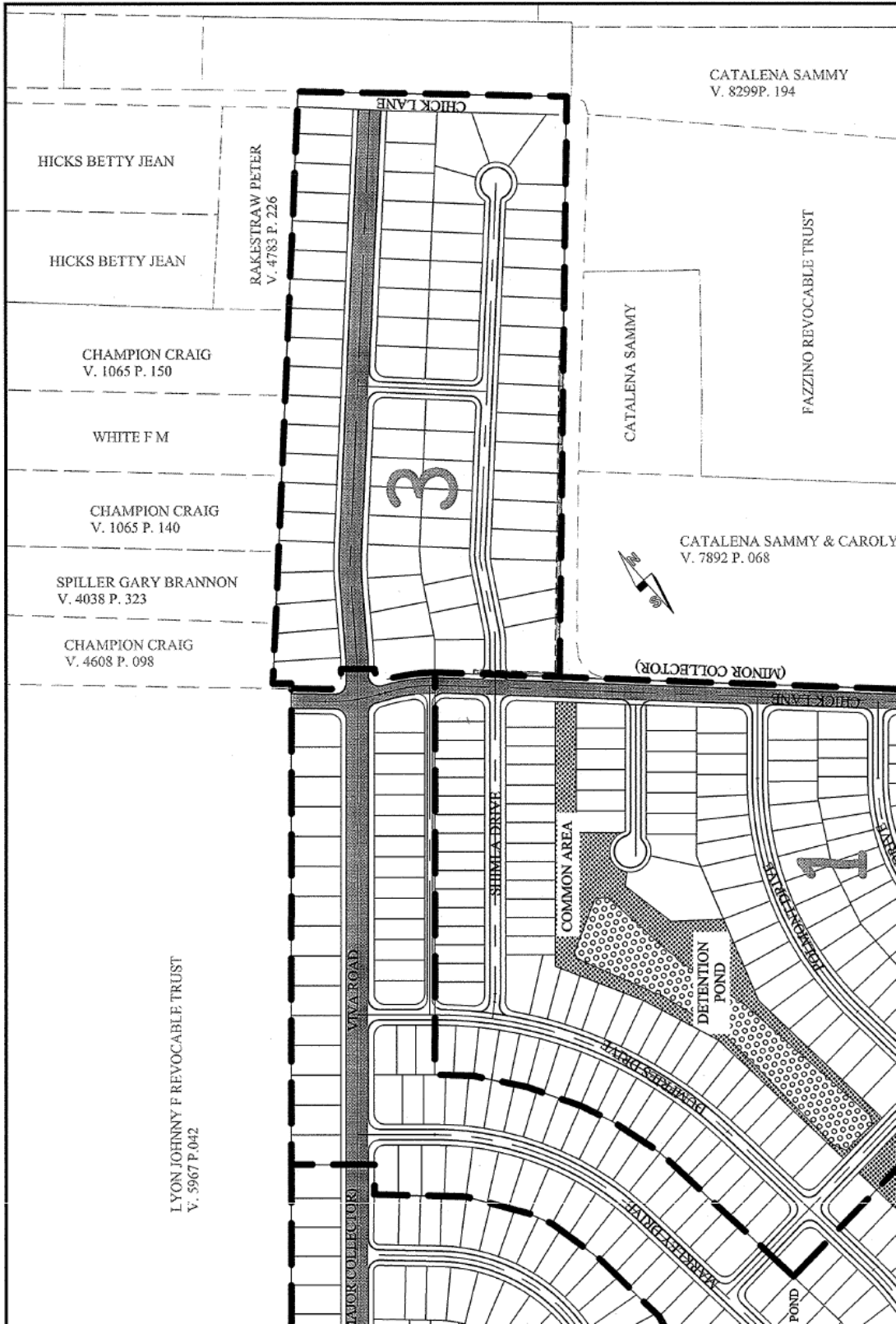
**DUPLEX SETBACKS (PHASE 3)**  
MINIMUM 5' SIDE YARD SETBACKS  
MINIMUM 7.5' REAR YARD SETBACKS (SAME AS RD-5)  
MINIMUM 15' FRONT YARD SETBACKS  
MINIMUM 15' STREET SIDE YARD SETBACKS (SAME AS RD-5)  
MINIMUM 15' SIDE YARD SETBACKS ADJACENT TO COLLECTOR (SAME AS RD-5)

**DENSITY**  
TOTAL COMMON AREA AND DETENTION FACILITY = 19.14 ACRES  
TOTAL PARK LAND = 9.67 ACRES  
TOTAL RESIDENTIAL LAND = 137.39 ACRES  
DENSITY = 610 LOTS / 166.2 ACRES = 3.67 LOTS/ACRE  
TOTAL LAND = 166.2 ACRES  
PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL

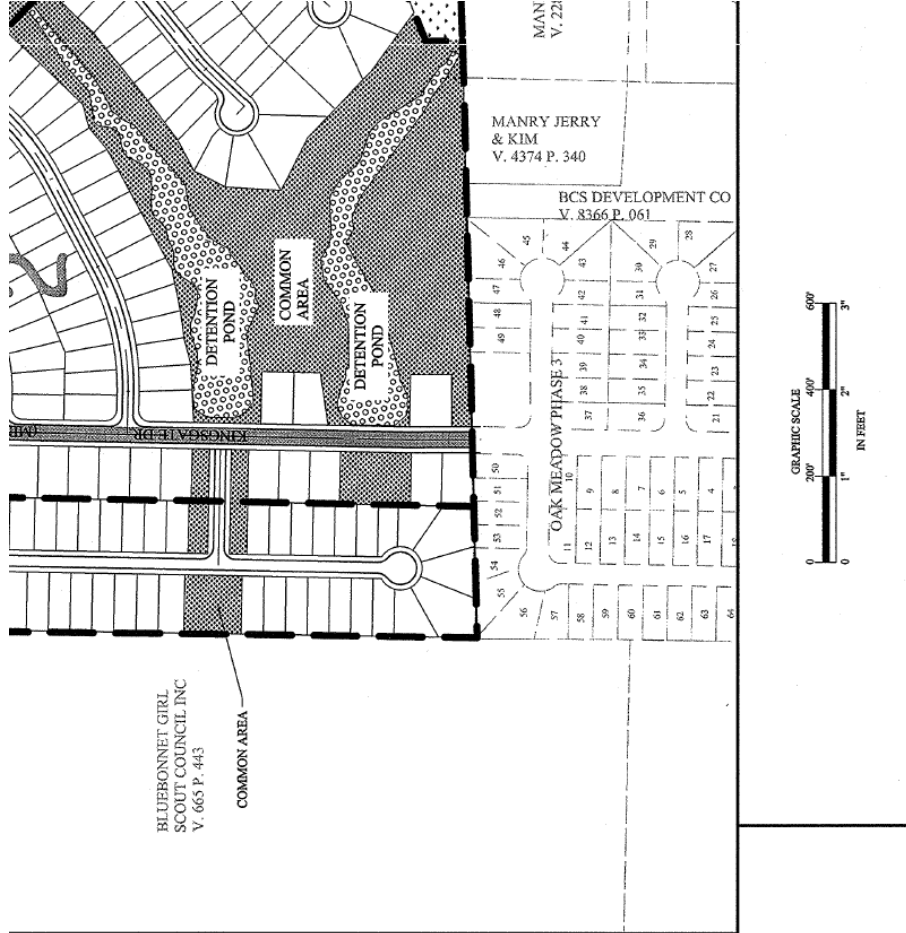
**ROADS**  
ROAD WIDTH  
MINOR COLLECTORS = 60' ROW, 38' BOC-BOC (KINGSGATE AND CHICK LANE)  
MAJOR COLLECTOR = 80' ROW, 54' BOC-BOC (VIVA ROAD)  
LOCAL STREETS = 50' ROW, 27' BOC-BOC



**Exhibit "B-3":  
Development Plan Close-Up B**



## Exhibit "B-4": Development Plan Close-Up C



LOTS SHALL NOT HAVE DIRECT ACCESS TO CHICK LANE.  
LOTS FRONTING KINGSGATE DRIVE AND VIVA ROAD SHALL HAVE ADEQUATE  
MANEUVERING SPACE SO VEHICLES WILL NOT BE ALLOWED TO BACK DIRECTLY  
INTO THESE STREETS.

**GENERAL NOTES**

LOT WIDTHS ARE NOT TO SCALE.

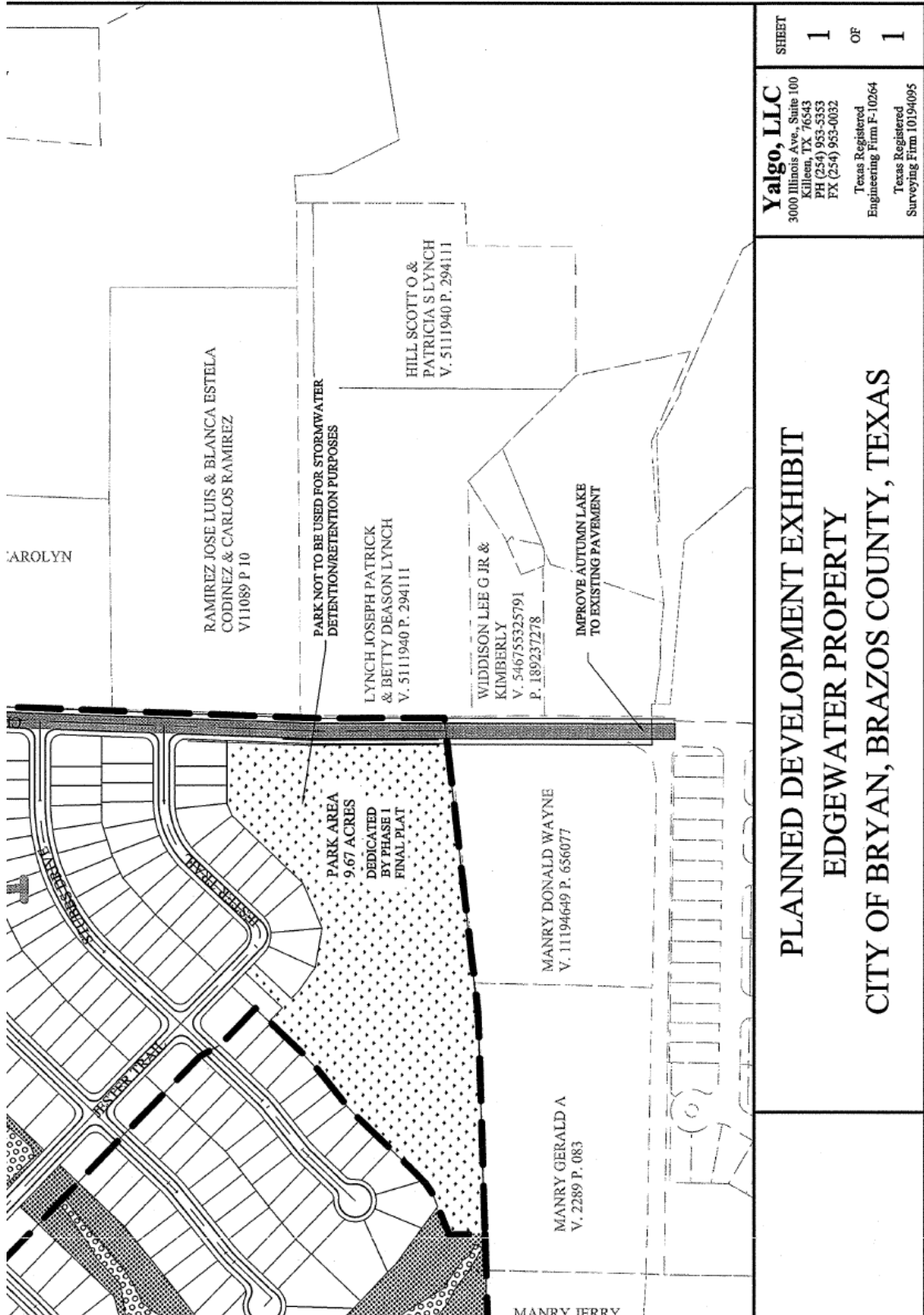
HOA TO MAINTAIN THE DETENTION PONDS AND COMMON AREAS.

UNLESS NOTED HEREIN, ALL DEVELOPMENT AND CONSTRUCTION SHALL BE IN  
ACCORDANCE WITH THE CITY OF BRYAN STANDARDS, ORDINANCES AND  
REGULATIONS.

ALL THE INFRASTRUCTURE INCLUDING SIDEWALKS WILL BE IN ACCORDANCE  
WITH THE CITY OF BRYAN DESIGN STANDARDS.

REV.	DESCRIPTION	DATE	BY
3	ADJUSTED STREET AND LOT ALIGNMENTS PHASE BOUNDARIES & NOTES	9/8/2016	DRW
2	ADJUSTED STREET AND LOT ALIGNMENTS	4/23/2013	EU
1	ORIGINAL RELEASE	11/22/2012	EU
CLIENT NAME: W & B DEVELOPMENT			
CLIENT LOCATION: KILLEEN, TX			

**Exhibit "B-5":  
Development Plan Close-Up D**



**Yalgo, LLC**  
3000 Illinois Ave., Suite 100  
Killeen, TX 76543  
PH (254) 953-5353  
FX (254) 953-0032  
Texas Registered  
Engineering Firm F-10264  
Texas Registered  
Surveying Firm 10194095

**PLANNED DEVELOPMENT EXHIBIT  
EDGEWATER PROPERTY  
CITY OF BRYAN, BRAZOS COUNTY, TEXAS**

SHEET  
1 OF 1

**EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES  
OF JANUARY 5, 2017:**

**10. REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).**

**a. Rezoning RZ16-18: WBW Land Investments LP**

*A request to amend the development plan of a previously-approved Planned Development – Housing District (PD-H), on 166.2 acres of land located generally north of the Oak Meadow and Autumn Lake Subdivisions and along the west side of Chick Lane between West Villa Maria Road and Leonard Road, being Edgewater Subdivision - Phase 1, and 116.10 acres of as-of-yet unsubdivided acreage out of T.J. Wooten League, Abstract 59 in Bryan, Brazos County, Texas. (M. Zimmermann)*

Mr. Zimmermann presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

In response to questions from the Commission, Mr. Zimmermann stated that this amendment will reduce the total number of proposed lots by three.

The public hearing was opened.

No one came forward.

The public hearing was closed.

**Commissioner Brisby moved to recommend approval of Rezoning RZ16-18 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Incardona seconded the motion, and the motion passed unanimously.**



**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

January 5, 2017



**Rezoning case no. RZ16-18: WBW Land Investments, LP**

**CASE DESCRIPTION:** a request to amend the development plan of a previously-approved Planned Development – Housing District (PD-H)

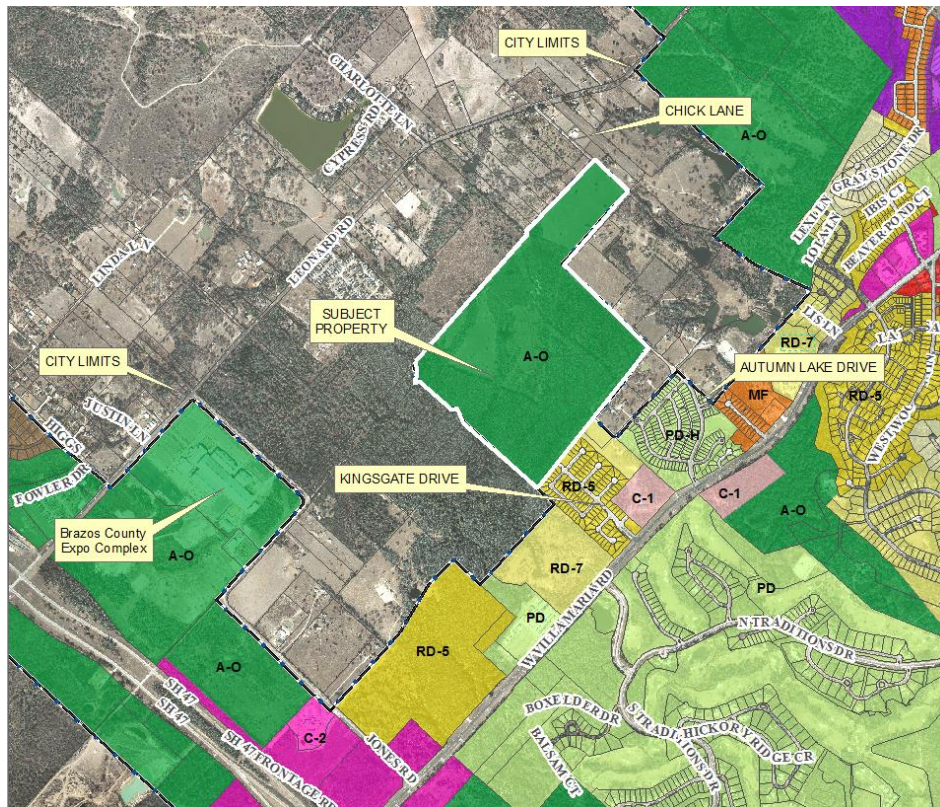
**LOCATION:** 166.2 acres of land located generally north of the Oak Meadow and Autumn Lake Subdivisions and along the west side of Chick Lane between West Villa Maria Road and Leonard Road, being Edgewater Subdivision - Phase 1, and 116.10 acres of as-of-yet un-subdivided acreage out of T.J. Wooten League, Abstract 59

**APPLICANT(S):** Bruce Whitis of WBW Development, LTD

**AGENT(S):** Scott Brooks of Yalgo, LLC

**STAFF CONTACT:** Martin Zimmermann, AICP, Planning Manager

**SUMMARY RECOMMENDATION:** Staff recommends **approving** the requested amendments to the previously-approved PD-H District.



## **BACKGROUND:**

The subject property, commonly known as Edgewater Subdivision, is 166.2 acres in size and located just north of the Oak Meadow and Autumn Lake Subdivisions and along the west side of Chick Lane between West Villa Maria Road and Leonard Road. The portion of the subject property impacted by this request is owned by WBW Land Investments, LP (WBW). The 166.2-acre Edgewater tract was annexed to the City of Bryan at the request of WBW in April 2012. On June 25, 2013 City Council approved Ordinance no. 1998 which established a Planned Development – Housing District (PD-H) to regulate subdivision and development as a master-planned, single-family residential subdivision.

A Planned Development (PD) zoning district is one in which the type and extent of activities allowed there (as well as standards for their development) are tailor-made to meet the particular characteristics of a specific site. PD Districts may successfully be used to guarantee site-specific features which City Council finds necessary for certain developments to be compatible and practical in particular environments.

The applicant, WBW, is now requesting to amend the previously-approved development plan. WBW states that the new development plan as submitted proposes no changes to the lot matrix or the proposed lot density of the property. Proposed changes with this request include changes to:

1. addition of two new local streets and general lot layout
2. reduction in number of lots (from 613 to 610)
3. reduction of common area open space (from 22.9 ac. to 19.14 ac.) and addition of 3 additional storm water detention facilities within open space areas
4. boundary of the common areas
5. subdivision phasing (from 9 to 5)

In addition, WBW has revised the development plan to reflect collector street names approved by the City during development of the first two phases of the Edgewater Subdivision. Construction of Phase I has been completed and construction of Phase II is currently ongoing.

One feature of the current PD-H development plan as defined within Ordinance no. 1998 is the reduction of the minimum required side building setbacks from 7.5 feet to 5 feet. During the review and approval process of the current Edgewater PD-H ordinance, the suitability of reduced building setback standards within the Edgewater Subdivision and City-wide came into question.

Following the approval of the Edgewater PD-H rezoning request on June 23, 2013, which now allows 5-foot side building setbacks on most lots in this subdivision (the exception being those located at corner lots which must still observe 15-foot setbacks), the Planning and Zoning Commission decided to study the issue more closely. A Planning and Zoning Commission subcommittee was appointed to study the issue and report its findings. Specifically, at issue was the requirement that no structure may be within 7.5 feet from a side property line.

The 7.5 -foot setback standard was adopted March 10, 1998. Previously the standard required a minimum 5-foot setback between any portion of the structure and the adjacent side property line. The subcommittee recommended that (emphasis added):

- No changes should be made to the currently adopted 7.5-foot side building setback standard;
- An exception made in 2000 to the City's adopted building code granting relief from providing proper fire rated design and materials should be removed; and,

- *Future requests for reduction of side building setbacks clearly address the issue of fire safety and employ specific measures to mitigate against the resulting lack of open space and increased fire danger.*

The subcommittee's findings and recommendations were adopted by the Planning and Zoning Commission by resolution on March 16, 2014.

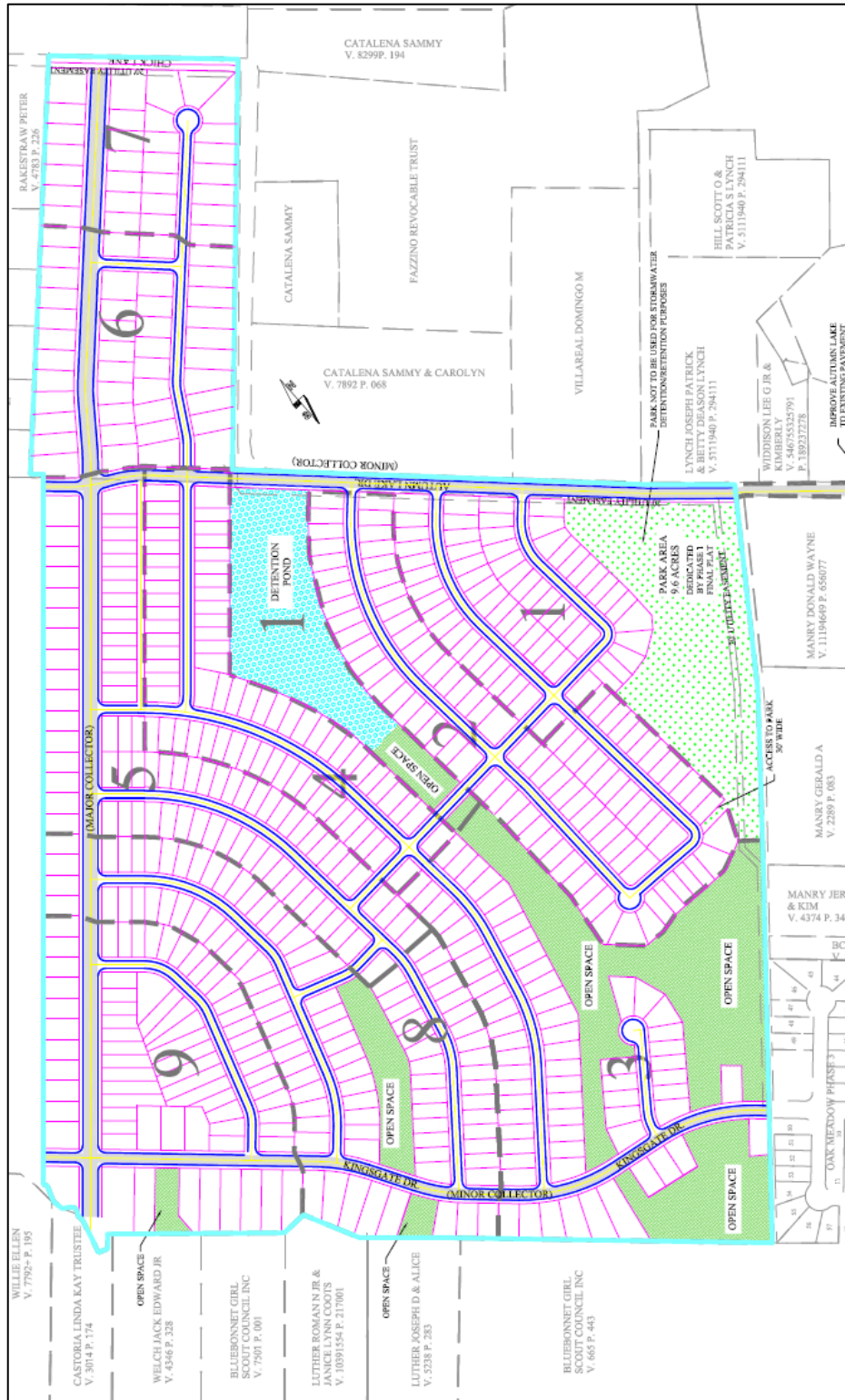
Earlier this year, on June 7, 2016, the City Council adopted an amendment to another master-planned residential subdivision (Greenbrier) where the applicant sought to reduce the minimum building setback to 5 feet in two subdivision phases. The Council approved that proposal, subject to the following requirements:

- All mechanical equipment (air conditioning condensers, gas meters, electric meters, etc.) shall not be allowed within the minimum side building setback and shall be located to the rear of the house.
- The wall along the 5-foot side setback shall be constructed of masonry.
- Eaves may project a maximum of 18-inches into the setback, but must be constructed to have a one-hour fire rating.

These measures are intended to alleviate the potential for increased fire danger had been reviewed and deemed acceptable by the City's Fire Marshal and in conformance with the Planning and Zoning Commission's resolution of March 2014.

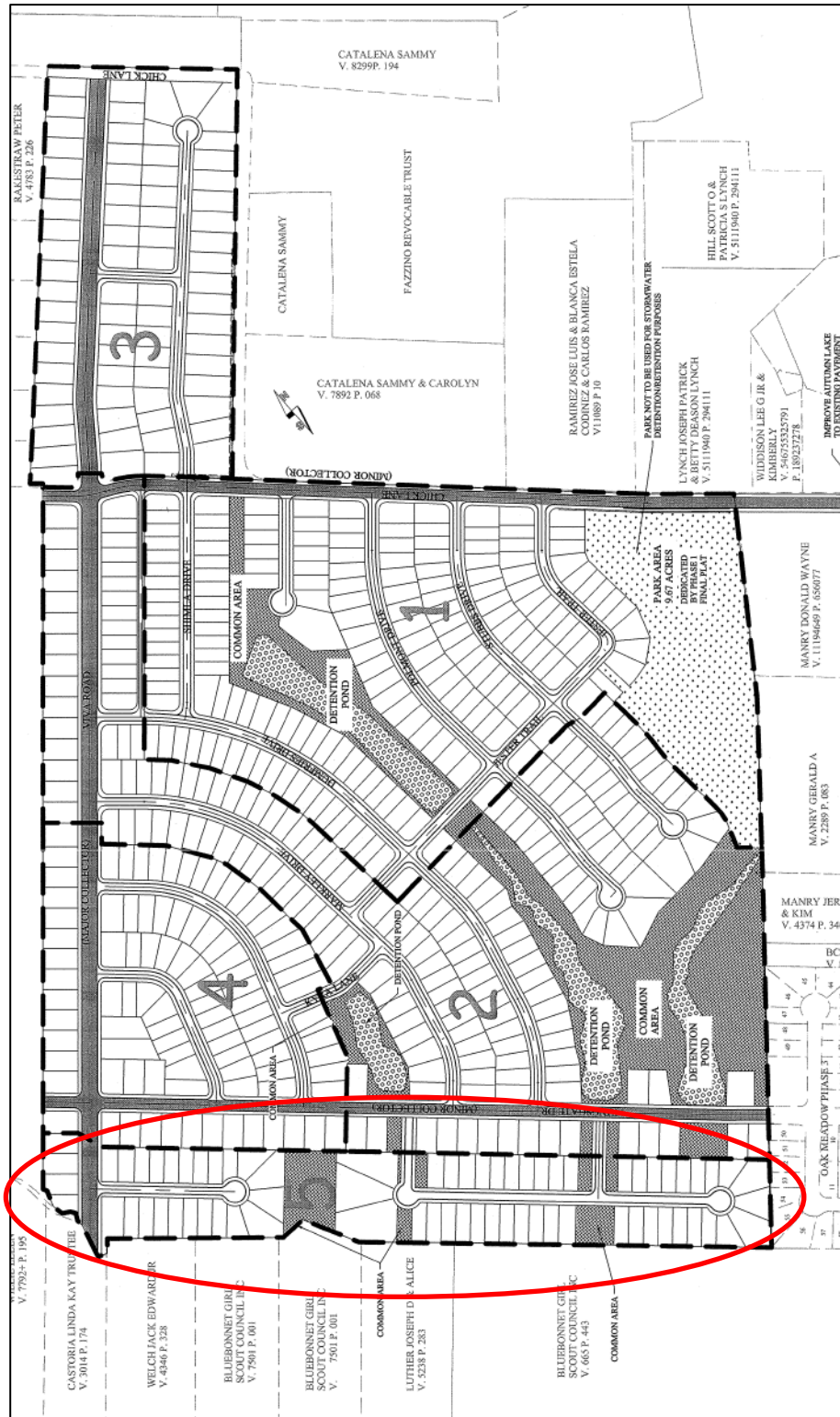
The proposed amendment to the Edgewater PD-H District amendment does not propose any of the aforementioned measures, but still proposes 5-foot building setbacks from property lines.

# EXISTING EDGEWATER PD-H DISTRICT DEVELOPMENT PLAN DRAWING:





**PROPOSED AMENDED EDGEWATER PD-H DISTRICT DEVELOPMENT PLAN DRAWING:**



## **PROPOSED EDGEWATER SUBDIVISION DEVELOPMENT STANDARDS:**

### Bulk Regulations

Bulk regulations are the combination of controls (lot size, lot coverage, open space, yards, height and setback) that determine the maximum size and placement of a building on a lot. WBW proposes to adhere to bulk regulations that generally apply to lots zoned Residential District – 5000 (RD-5), with the following exceptions:

1. minimum lot width for 25% of the lots in this development: 45 feet (regularly 50 feet); of the remaining lots, 60% are proposed to be at least 50 feet wide, 10% are proposed to be at least 55 feet wide and 5% are proposed to be at least 70 feet in width.
2. minimum side building setback: 5 feet (regularly 7.5 feet).
3. minimum front building setbacks on lots in proposed Phases 6 and 7: 15 feet (regularly 25 feet)

Staff has no objections to allow 25% of the lots in this now 610-lot development to have lot widths of only 45 feet (approximately 154 lots) so long as other minimum bulk regulations (lot size and building setbacks) will help assure that the lots are large enough for reasonable development with single-family homes.

Staff also has no objections to still allow the reduction of the minimum front building setbacks of the lots proposed in Phase 3 (potential duplex lots) to 15 feet. This will allow for a planned flexibility in the design and build out of these two subdivision phases, and allow potential variety of housing types as part of this development, while still maintaining a minimum degree of open space. The location of duplexes on these lots will still require approval of a Conditional Use Permit from the Planning and Zoning Commission in the future. Land and Site Development Ordinance Section 62-169 generally requires that lots to be developed with duplexes shall have a minimum lot width of 70 feet and minimum area of 7,000 square feet.

### Thoroughfare Plan, Collector Streets, Local Streets

The development plan proposes a network of local streets, which, once fully built-out, will connect all phases of this subdivision with local streets with a 50-foot right-of-way and at least 27 feet of pavement. The development plan also still proposes three collector-type streets transecting the subject property, as envisioned by the City's adopted Thoroughfare Plan:

1. a northward extension of Autumn Lake Drive in general alignment with parts of Chick Lane;
2. a northward extension of Kingsgate Drive; and
3. an east-west major collector between Chick Lane and a tributary to Turkey Creek.

Given these land dimensions and the scale of the proposed development, the three collector streets envisioned by the Comprehensive Plan will help establish an adequate roadway system to support the proposed 610 lot residential subdivision.

While no lots are proposed to take direct access from the Autumn Lake Drive/Chick Lane extension, single-family lots are proposed to front the extension of Kingsgate Drive and the new east-west major collector, Viva Road, that is proposed to be constructed with Phases 2, 4, and 5. This is not ideal from a transportation planning standpoint because residential homes will be fronting a busy street and multiple driveway accesses can inhibit the flow of traffic on that street. Ideally, collector streets provide a mix of mobility and access: good mobility for motorists on that street and good access to more minor streets (i.e., residential streets). Driveway access on collector streets is purposefully limited so as to not inhibit the flow of traffic. The development plan therefore includes a note that requires "Lots fronting Kingsgate Drive and Viva Road shall have adequate maneuvering space so vehicles will not be allowed to back directly into these streets."

### Sidewalks

WBW proposes to provide sidewalks on both sides of all public streets as required by subdivision regulations.

### Traffic Signal/Turn Lane Analysis

At the request of City staff when the original Edgewater PD-H proposal was being considered in 2012-13, the developer retained Alliance Transportation Group, Inc. of Austin, Texas to perform a traffic signal/turn lane analysis for the intersections of West Villa Maria Road and Kingsgate Drive and West Villa Maria Road and Autumn Lake Drive (see attached). The purpose of this analysis was to determine if traffic signals and/or turn lanes would be warranted at these intersections with the development of this new subdivision in the future. The study concluded the following:

1. That neither left nor right turn deceleration lanes need to be constructed for existing conditions.
2. That approximately 80% of the subdivision (i.e., at least Phases 1 – 7) could be developed before the intersection of West Villa Maria Road and Autumn Lake Drive would meet signal warrants. At such time that the signal is installed, the study suggests adding turn lanes.

Neither of these off-site improvements to mitigate traffic-related concerns will be the responsibility of the developer under current City ordinances or policies. Instead, any such traffic system improvements will likely have to be funded as part of future Capital Improvement Plan projects, in cooperation with the Texas Department of Transportation (TxDOT) as West Villa Maria Road (F.M. 1179) is a state roadway.

### Parkland and Common Area/Open Space/Detention Pond Maintenance

On February 21, 2012, the City's Parks and Recreation Advisory Board accepted the proposed 9.6-acre parkland area for dedication by the developer, as shown on the development plan. The Board's approval was made subject to the following conditions:

1. that the minimum acreage required by subdivision regulations (1 acre for every 74 lots) be dedicated;
2. that a secondary means of access be provided along the western side of the park, either by means of a drive or a non-motorized path; and
3. that the parkland shall not be used for stormwater detention/retention purposes.

The entire parkland was with the recording of the final plat for Phase 1 of the development. It is important to note that subdivision regulations in addition to parkland dedication also require the payment of parkland development fees. The parkland development fees due for a development with 610 single-family residential lots would be \$218,380 (\$358 per lot).

The amended development plan also shows the reservation of 19.14 acres (down from 22.9 acres in the original plan) of open space and storm water detention pond areas. The natural vegetation and unbuildable creeks in these open space areas are proposed to be preserved. The Edgewater Homeowners Association (HOA) will be responsible for continued maintenance of common areas, open spaces and private stormwater detention facilities.

## RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan's Comprehensive Plan states that it is a goal of the City to achieve a balanced and sustainable mix of land uses within the City by planning for a mix of land use types in suitable locations, densities and patterns. City-wide land use policies articulated in the Comprehensive Plan suggest that single-family residential land uses should be located in areas that are: (1.) protected from but accessible to major roadway network, commercial establishments, work places and entertainment areas; (2.) accessible to collector and arterial streets, but directly accesses local streets; and (3.) not adjacent to major arterials or freeways without adequate buffering and access management.

## ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

**The subject property is located in an area that is sparsely developed. Adjacent properties are either vacant or developed with single-family homes on estate-type lots of at least one acre in size. Staff believes that a master-planned, low-density single-family residential subdivision will be compatible with existing and anticipated land uses in the surrounding area. The proposed variations in lot widths throughout this development and with only 25% (=154 lots) of the lots being 45 feet in width it is more likely that a diverse mix of single-family housing types will be attracted by this subdivision, rather than just lower priced units. Allowing duplexes on up to 71 lots in this 610-lot development by right, as proposed by the developer, will add to the potential for a variety of housing types. A single-family residential subdivision here would therefore be consistent with land use recommendations of the Comprehensive Plan and the Southwest Bryan Highest and Best Use Study.**

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

**City of Bryan utilities will be available for this development for point-of-use extension based on applicable utility extension polices and/or ordinances. Staff has not received any feedback from franchised utility companies that any utility services would not be available in this proposed subdivision. WBW have been made aware of the existing utility capacities and the requirement to extend public infrastructure to and through this property in accordance with existing standards. Staff is not aware of any circumstances that would prevent this property from having access to required utilities.**

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

**The closest vacant land zoned for single-family residential development is located immediately south of the subject property in the Autumn Lake Subdivision. Staff believes that if a zoning proposal for a single-family residential subdivision were approved for this property, then this**



**would not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.**

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

**Staff contends that single-family residential developments are developing at an average pace in this general vicinity and elsewhere in the City.**

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

**Staff believes that if a zoning proposal for a single-family residential subdivision were approved for this property, there would be no need to modify the zoning designation for other areas designated for similar developments.**

6. Any other factors affecting health, safety, morals, or general welfare.

**Staff is still concerned that the reduced side building setbacks proposed for this development could increase the risk of conflagration of fire. Staff believes that measures intended to alleviate the potential for increased fire danger, perhaps similar to those that were approved for the Greenbrier Subdivision earlier this year, could significantly reduce these safety risks.**

In addition, the Planning and Zoning Commission shall not approve a planned development if it finds that the proposed planned development does not conform to applicable regulations and standards established by Section 130-125 of the Zoning Ordinance:

1. Is not 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, within the standards established by this section.

**Staff believes that if the amendments to the development standards for portions of this mixed-use master-planned development are approved the planned development will remain compatible with existing and anticipated uses surrounding this property and in accordance with the land use recommendations of the Comprehensive Plan. Staff believes that the proposed use and development of this property should have minimal (if any) adverse impacts on nearby properties or the City as a whole and may spur additional development interest in this vicinity.**

2. Potentially creates unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of this section.

**If the development plan were approved as now proposed, the most notable and potentially unfavorable effect from this development on abutting sites would stem from the inevitable increase in automobile traffic in this vicinity. However, any new residential development at this location would have a similar effect making adequate collector street access for the orderly subdivision of this property and adjoining land so important. Staff is unable to identify any potentially adverse effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of the proposed PD-H District.**

3. Adversely 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.

**As mentioned above, the development plan proposes a network of local streets, which, once fully built-out, will connect all phases of this subdivision with local streets with a 50-foot right-of-way and at least 27 feet of pavement. The development plan also shows the dedication and improvement of collector-type streets transecting the subject property. A traffic study commissioned by the developers at the request of City staff concluded that no immediate off-site transportation system improvements are warranted in conjunction with this proposed subdivision. Staff therefore believes that the proposed development would not more adversely affect vehicular circulation in this vicinity than any other low density residential subdivision built on the subject property.**

4. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

**Staff contends that the amendments to the development standards for portions of this mixed-use master-planned development will not adversely affect traffic control or adjacent properties by inappropriate location, lighting, or types of signs.**

5. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

**Staff contends that the existing development plan will reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts, in conformance with applicable city ordinances and that the proposed amendments to the development standards for portions of this mixed-use master-planned development have no measurable effect.**

6. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the commission.

**Staff is unable to discern any additional detrimental impacts not already identified in this staff report.**

#### **RECOMMENDATION:**

Based on all of aforementioned considerations, staff recommends that the Planning and Zoning Commission recommend to the City Council to **approve** the requested amendments to PD-H zoning district for the Edgewater Subdivision.