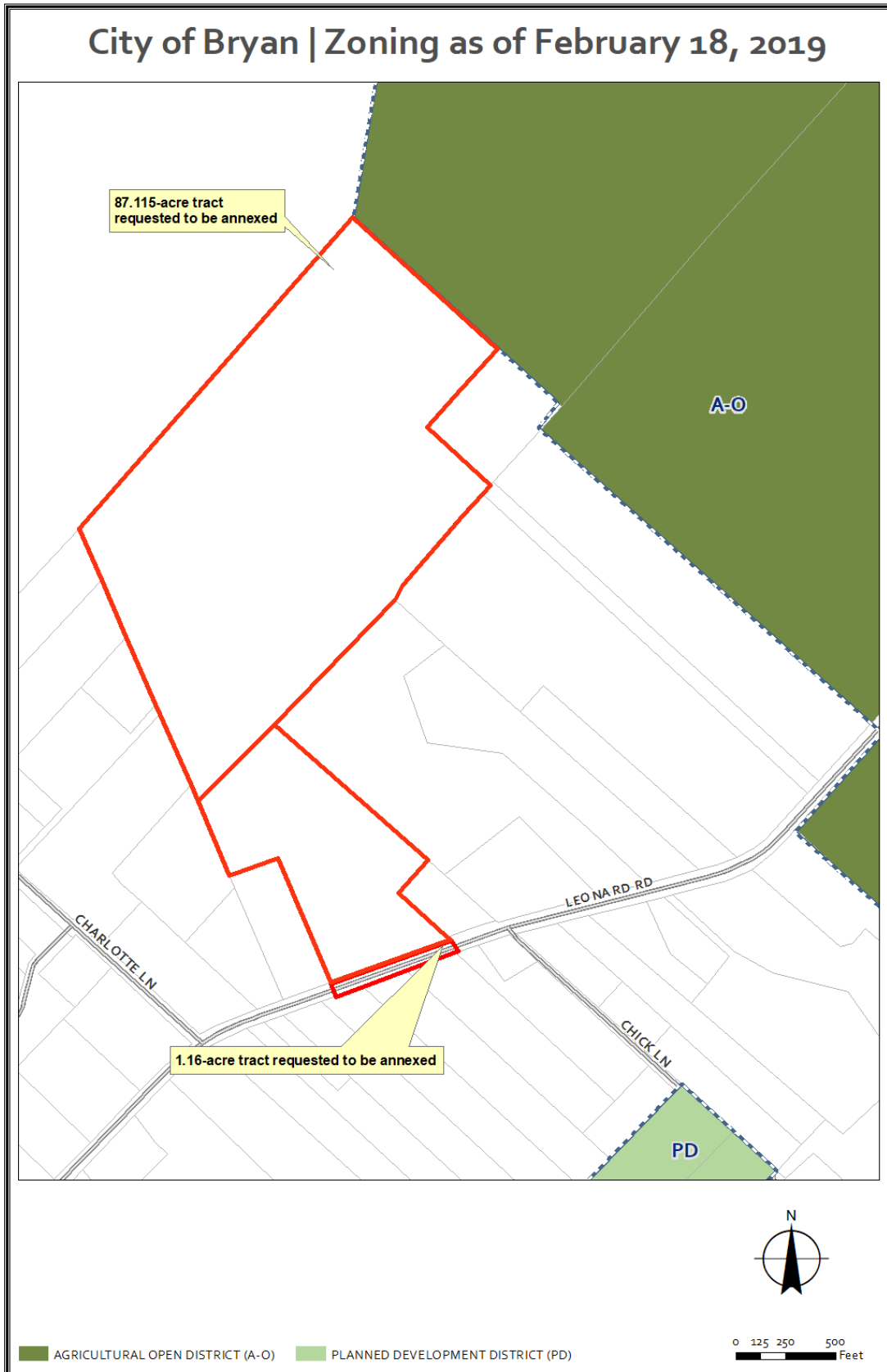
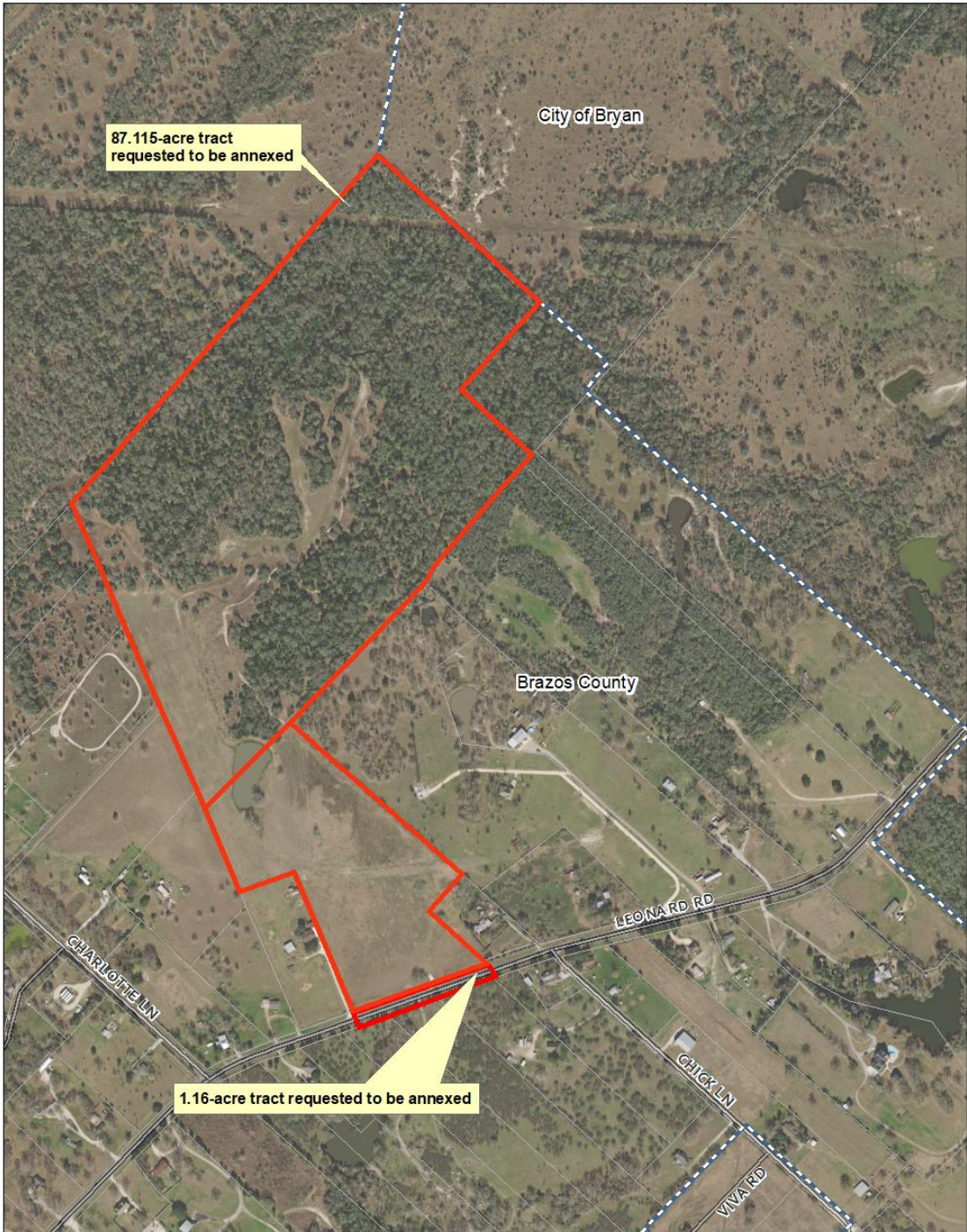


LOCATION MAPS:





0 125 250 500 Feet

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, ANNEXING APPROXIMATELY 87.115 ACRES OF VACANT LAND OUT OF THE ZENO PHILLIPS SURVEY, ABSTRACT NO. 45, AND THE T.J. WOOTEN LEAGUE, ABSTRACT 59, ADJOINING THE NORTH SIDE OF THE 4600 BLOCK OF LEONARD ROAD (FM1688) APPROXIMATELY 275 FEET TO 900 FEET WEST FROM ITS INTERSECTION WITH CHICK LANE, AS WELL AS 1.16 ACRES OF ADJOINING RIGHT-OF-WAY FOR LEONARD ROAD, FOR A TOTAL AREA OF 88.275 ACRES OF LAND IN BRYAN'S EXTRATERRITORIAL JURISDICTION (ETJ) IN BRAZOS COUNTY, TEXAS, LYING ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF BRYAN; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; DESCRIBING THE TERRITORY ANNEXED AND PROVIDING A SERVICE PLAN THEREFORE; OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City of Bryan, Texas; and

WHEREAS, Bryan City Council approved a resolution directing city staff to initiate municipal annexation proceedings for 87.115 acres of vacant land out of the Zeno Phillips Survey, Abstract No. 45, and the T.J. Wooten League, Abstract 59, adjoining the north side of the 4600 block of Leonard Road (FM1688) approximately 275 feet to 900 feet west from its intersection with Chick Lane, as well as 1.16 acres of adjoining right-of-way for Leonard Road, for a total area of 88.275 acres of land in Bryan's extraterritorial jurisdiction (ETJ) in Brazos County, Texas; and

WHEREAS, two public hearings have been held, the first during a regular meeting on May 14, 2019 and the second during a regular meeting on May 14, 2019, as required by law, in the Council Chambers of Bryan's Municipal Office Building located at 300 South Texas Avenue, Bryan, Texas where all interested persons were provided an opportunity to be heard on the requested annexation of property and territory hereinafter described; and

WHEREAS, all notices of such public hearings have been issued as required by law and all hearings held within the time required by law; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the area hereinafter described, which plan is attached hereto, and the City of Bryan is able to provide such services; and

WHEREAS, the hereinafter described property and territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City of Bryan, Texas, and lies adjacent to and adjoins the present boundaries of said City of Bryan;

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

1.

That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

2.

That the property described in Exhibits “A” and “B” and depicted in Exhibits “A-1” and “B-1” which are attached hereto and incorporated herein for all purposes, said territory lying adjacent to and adjoining the present boundaries of the City of Bryan, Texas, be and is hereby added and annexed to the City of Bryan, and said territory hereinafter described shall hereafter be included within the corporate limits of the City of Bryan, and the present boundary lines of said City are altered and amended so as to include said area within the corporate limits of the City of Bryan.

3.

That the municipal service plan attached hereto as Exhibit “C” is hereby approved and is incorporated into this ordinance as if it were recited herein.

4.

That the annexed territory described above is a part of the City of Bryan for all purposes, and the property situated therein shall bear its pro rata part of taxes levied by the City of Bryan, and shall be entitled to the same rights and privileges, bound by the same duties and responsibilities as other property within the corporate limits.

5.

That the inhabitants residing and owners of property within the confines of the annexed territory shall be entitled to all the rights and privileges of all the other citizens and property owners of Bryan and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Bryan.

6.

That the official map and boundaries of the City of Bryan, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned territory as part of the City of Bryan, Texas.

7.

That Chapter 130 of the City of Bryan Code of Ordinances shall be and is hereby amended so as to zone the aforementioned territory Planned Development – Mixed Use District (PD-M) upon annexation, subject to development requirements specified in attached Exhibit “D” and further depicted in Exhibit “D-1” which are herein fully incorporated by reference for all purposes as if they were set forth in the text of the ordinance.

8.

That if any portion, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this

ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

9.

That this ordinance shall take effect immediately upon its first and only reading and passage.

PASSED, ADOPTED, AND APPROVED on the 11th day of June 2019, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote of ___ yeses and ___ noes.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Andrew Nelson, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

Exhibit "A":

A METES & BOUNDS description of a certain 87.115 acre tract situated in the Zeno Phillips Survey, Abstract 45, and the Thomas J. Wootton Survey, Abstract No. 59 in Brazos County, Texas, being the remainder of a called 113 acre tract and the remainder of a called 36 1/3 acre tract conveyed to Karen K. Rogers by Gift Deed recorded in Volume 2973, Page 199 of the Official Public Records of Brazos County, Texas (OPRBC), and to Mark Clarence Konecny by Gift Deed recorded in Volume 2973, Page 201 OPRBC, said 87.115 acre tract being more particularly described as follows with all bearings based on the Texas Coordinate System of 1983, Central Zone;

COMMENCING at a found 5/8-inch iron rod (with cap stamped 'KERR') marking the east corner of Lot 1, Block 1 of the J. McNichols Addition Recorded in Volume 7959, Page 260 OPRBC, conveyed by Warranty Deed with Vendor's Lien to Jeremiah D.F. McNichols and Jennifer L.F. McNichols recorded in Volume 8130, Page 263 OPRBC, and being in the northwest right-of-way of Leonard Road (80-foot wide right-of-way) and marking the beginning of a curve to the left;

THENCE along said northwest right-of-way line of Leonard Road, along said curve to the left, having a radius of 2907.95 feet, an arc length of 139.85 feet, delta angle of 2°45'20", and a chord bearing of South 71°33'17" West, 139.83 feet to a found broken concrete monument;

THENCE South 70°15'20" West, continuing along said northwest right-of-way of Leonard Road, 116.45 feet to a set 5/8-inch iron rod (with cap stamped 'JONES|CARTER') marking the POINT OF BEGINNING and the southeast corner of the herein described subject tract being common with the south corner of said Lot 1, Block 1;

THENCE South 70°15'20" West, continuing along said northwest right-of-way of Leonard Road, 631.04 feet to a set 5/8-inch iron rod (with cap stamped 'JONES|CARTER') marking the south corner of the herein described subject tract being common with the southeast corner of a called 3.98 acre tract conveyed by Special Warranty Deed with Vendor's Lien to Jerry Lee Cotrone and wife, Marolyn Sue Cotrone recorded in Volume 1166, Page 463 of the Official Records of Brazos County, Texas (ORBC), from which a found 5/8-inch iron rod marking the east corner of said 3.98 acre tract bears South 70°15'20" West, 253.16 feet;

THENCE North 22°52'34" West, departing said northwest right-of-way line of Leonard Road, along the east line of said 3.98 acre tract, 675.19 feet to a set 5/8-inch iron rod (with cap stamped 'JONES|CARTER'), marking an interior corner of the herein described subject tract and the northeast corner of said 3.98 acre tract;

THENCE South 70°20'02" West, along said the north line of said 3.98 acre tract, 259.83 feet to a found 5/8-inch iron rod marking a southwest corner of the herein described subject tract being common with the northwest corner of said 3.98 acre tract and the southwest corner of a portion of a called 5.00 acre tract conveyed by Deed of Exchange to Marcel Konency recorded in Volume 478, Page 818 DRBC, and being in the northeast line of a called 5.645 acre tract conveyed by Warranty Deed to Laura Lee Kitzmiller recorded in Volume 459, Page 167 ORBC;

THENCE North 23°26'27" West, along the common line the herein described subject tract and said 5.645 acre tract, passing at 62.51 feet to a 1/2-inch iron rod (with cap stamped 'STRONG RPLS 4961'), passing at 118.76 feet a found 1/2-inch iron rod (with cap stamped 'STRONG RPLS 4961'), passing at 490.40 feet a found 1/2-inch iron pipe marking the north corner of said 5.645 acre tract and the east corner of a called 9.50 acre tract conveyed by Warranty Deed with Vendor's Lien to Laura Lee Kitzmiller recorded in Volume 411, Page 156 DRBC, passing at 1292.95 feet, 0.47 feet to the right, a found 3/8-inch iron rod marking the north corner of a called 2.00 acre tract conveyed by Warranty Deed to Samuel Roger Bridgwater, III and Maryann T. Bridgwater recorded in Volume 513, Page 812 DRBC, and the east corner of a called 8.50 acre tract conveyed by Warranty Deed to Clyde Berger recorded in Volume 304, Page 386 DRBC, continuing in all a total distance of 1609.44 feet to a found 3/8-inch iron rod for angle marking the north corner of said 8.50 acre tract, and the east corner of a called 8.384 acre tract conveyed by Warranty Deed with Vendor's Lien to Dennis L. Hunt and Paulette Hunt recorded in Volume 2258, Page 161 OPRBC;

THENCE North 23°36'11" West, along the east line of said 8.384 acre tract, passing at 274.54 feet to a found 1 1/2-inch iron pipe with a 5/8-inch iron rod inside marking the north corner of said 8.384 acre tract, continuing in all a total distance of 291.80 feet to a set 5/8-inch iron rod (with cap stamped 'JONES|CARTER'), marking the west corner of the herein described subject tract being in the southeast line of a called 101.3 acre tract conveyed by Special Warranty Deed to William A. Stasney, Jr. recorded in Volume 2239, Page 44 OPRBC 'Tract Three', and being in the northwest line of the Thomas J. Wooten Survey, Abstract No. 59, and southeast line of the Stephen F. Austin Survey, Abstract No. 62, from which a found 3/8-inch iron rod marking the west corner of said 8.384 acre tract being common with the original west corner of a called 113 acre tract conveyed by Deed to Karel Konency and Maria Konency recorded in Volume 42, Page 381 DRBC bears South 42°16'04" West, 1469.05 feet;

THENCE North 42°16'04" East, along the common line of aforementioned remainder of said 113 acre tract and said 101.3 acre tract, being the common line of said Wooten Survey and said Austin Survey, 2050.92 feet to found 8-inch fence post for corner marking the north corner of the herein described subject tract being common with the north corner of said remainder of said 113 acre tract and being in the southwest line of a called 103.54 acre tract conveyed by Special Warranty Deed to William A. Stasny, Jr. recorded in Volume 2239, Page 44 ORBC 'Tract Six';

THENCE South 47°42'46" East, along the common line of the remainder of said 113 acre tract and said 103.54 acre tract, 950.04 feet to found 1/2-inch iron rod (with cap stamped 'STRONG') marking the most northerly northeast corner of the herein described subject tract being common with the north corner of a called 5.75 acre tract conveyed by General Warranty Deed to the City of Bryan recorded in Volume 13773, Page 180 OPRBC;

THENCE South 42°09'02" West, along the northwest line of said 5.75 acre tract, 561.99 feet to a found 1/2-inch iron rod (with cap stamped 'STRONG') marking a northerly interior corner of the herein described subject tract being common with the west corner of said 5.75 acre tract;

THENCE South 47°17'23" East, along the southwest line of said 5.75 acre tract, 444.17 feet to a 4-inch metal post for corner marking an easterly corner of the herein described subject tract being common with the south corner of said 5.75 acre tract and being in the northwest line of a called 32.63 acre tract conveyed by Cash Deed to Bynum's Plumbing Service, Inc. recorded in Volume 983, Page 576 ORBC and being in the common line of aforementioned Wooten Survey and the Zeno Phillips Survey, Abstract No. 45;

THENCE South 42°09'02" West, along the common line of said Wooten Survey and said Phillips Survey, 1558.19 feet to a set 5/8-inch iron rod (with cap stamped 'JONES|CARTER') at the base of an 8-inch fence post marking an easterly interior corner of the herein described subject tract being common with the west corner of a called 20.334 acre tract conveyed by Special Warranty Deed to Brian Kapavik and Sonja Kapavik recorded in Volume 13976, Page 47 OPRBC being common with the north corner of aforementioned 36 1/3 acre remainder tract;

THENCE South 48°28'07" East, along the southwest line of said 20.334 acre tract, 1011.52 feet to a found 5/8-inch iron rod (with cap stamped 'KERR') marking an easterly exterior corner of the herein described subject tract being common with the north corner of aforementioned Lot 1, Block 1;

THENCE South 41°30'13" West, along the northwest line of said Lot 1, Block 1, 223.04 feet to a found 5/8-inch iron rod marking an easterly interior corner of the herein described subject tract being common with the west corner of said Lot 1, Block 1;

THENCE South 48°26'41" East, along the southwest line of said Lot 1, Block 1, passing at 328.56 feet a found 5/8-inch iron rod (with cap stamped 'KERR'), continuing in all a total distance of 351.37 feet to the POINT OF BEGINNING, CONTAINING 87.115 acres of land in Brazos County, Texas, as shown on Drawing No. 1892 filed in the offices of Jones|Carter in College Station, Texas.

Exhibit "B":

A **METES & BOUNDS** description of a certain 1.16 acre right-of-way tract situated in the Zeno Phillips Survey, Abstract No. 45 in Brazos County, Texas, being a portion of Farm to Market Highway No. 1688 (Leonard Road) as shown on TxDOT Project No. S 1723 (1) and C 1560-2-2, said 1.16 acre right-of-way tract being more particularly described as follows with all bearings based on the Texas Coordinate System of 1983, Central Zone;

BEGINNING at a previously set 5/8-inch iron rod (with cap stamped "Jones|Carter") marking the southeast corner of the remainder of a called 36 1/3 acre tract (second tract) conveyed by Gift Deed to Karen K. Rogers, recorded in Volume 2973, Page 199 of the Official Records of Brazos County, and conveyed by Gift Deed to Mark Clarence Konecny, recorded in Volume 2973, Page 201 of the Official Records of Brazos County, being common with the southwest corner of Lot 1, Block 1 of the Final Plat of the J. McNichols Addition, recorded in Volume 7959 Page 260 of the Official Public Records of Brazos County, being in the northerly right-of-way line of said Farm to Market Highway No. 1688, and marking the northeast corner of the herein described right-of-way tract;

THENCE South 19°44'40" East, crossing said right-of-way of Farm to Market Highway No. 1688, 80.00 feet to a point for corner in the north line of a called 6.826 acre tract conveyed by Affidavit to Betty Jean Hicks, recorded in Volume 1441, Page 274 of the Official Public Records of Brazos County and being the southerly right-of-way line of said Farm to Market Highway No. 1688;

THENCE South 70°15'20" West, along the southerly right-of-way line of Farm to Market Highway No. 1688, 631.04 feet to a point for corner in the north line of a called 6.826 acre tract conveyed by Affidavit to F. M. White, recorded in Volume 11187, Page 33 of the Official Public Records of Brazos County;

THENCE North 19°44'40" West, crossing said right-of-way of Farm to Market Highway No. 1688, 80.00 feet to a previously set 5/8-inch iron rod (with cap stamped "Jones|Carter"), marking the southwest corner of aforementioned 36 1/3 acre tract being common with the southeast corner of a called 3.98 acre tract conveyed by Special Warranty Deed to Jerry Lee Cotrone and wife, Marolyn Sue Cotrone, recorded in Volume 1166, Page 463 of the Official Records of Brazos County and being in the northerly right-of-way line of said Farm to Market Highway No. 1688;

THENCE North 70°15'20" East, along the common line of said Farm to Market Highway No. 1688 right-of-way line and said 36 1/3 acre tract, 631.04 feet to the **POINT OF BEGINNING, CONTAINING** 1.16 acres (50,308 sq. feet) of land in Brazos County, Texas, filed in the offices of Jones|Carter in College Station, Texas.

Exhibit “C”:

**MUNICIPAL SERVICE PLAN
4600 LEONARD ROAD
ANNEXED TO THE CITY OF BRYAN, TEXAS
EFFECTIVE JUNE 11, 2019**

A. SERVICES PROVIDED UPON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Bryan, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. The City’s adopted ordinances extend to the newly annexed area and are applied equally to all areas of the City based on the policy and wording of such ordinances. The average dispatch and delivery time, equipment dedication to service areas, and staffing requirements are comparable to the average provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

The City of Bryan, Texas and its Fire Department will provide fire protection and ambulance service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. Furthermore, the City of Bryan Fire Department will respond to all dispatched calls (including emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of Bryan. The City’s adopted Fire Code shall extend to the newly annexed area and is equally applicable to all areas of the City.

3. SOLID WASTE COLLECTION

The City of Bryan, Texas and its Environmental Services Department will provide solid waste collection and disposal service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. As a fee-for-service the providing of this service shall be applied to the newly annexed area on an equal basis to that provided to the average and typical comparable area of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

4. WATER DISTRIBUTION SERVICE

The City of Bryan, Texas and its Water Services Department will provide water distribution service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas, which exhibit land use and population densities similar to that of the newly annexed area.

Existing City of Bryan water mains will be available for point-of-use extension based on applicable utility extension polices and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Residents and businesses in the newly annexed area will be subject to the same service policies and procedures as apply to other areas of the City of Bryan. As applied to all

properties within the City, the owner(s) of the newly annexed property will be responsible for costs to install water service to their property. All such water service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected in accordance with established policies and procedures. The comparable nature of any areas are at the discretion of the City of Bryan but are evaluated based on the characteristics of the newly annexed area on the date of annexation.

5. WASTEWATER SERVICE

The newly annexed area falls within the City of Bryan sewer CCN, which allows the City of Bryan, Texas and its Water Services Department to provide wastewater service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. The comparable nature of any areas are at the discretion of the City of Bryan but are evaluated based on the characteristics of the newly annexed area on the date of annexation.

Existing City of Bryan sewer mains at their present locations shall be available for point-of-use connections, based on applicable utility extension polices and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. The City of Bryan will assess the adequacy of existing septic systems for accommodating raw sewage in less developed areas and will determine the need to provide centralized wastewater collection and treatment service to particular areas, along with lift stations or any other necessary capital improvements, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. As applied to all properties within the City, residents and/or developers will be responsible for costs to install sewer service to their property.

All sewer service facilities that may come under the City of Bryan's direct jurisdiction in the future, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

6. STORM WATER MANAGEMENT

City of Bryan regulations concerning storm water management will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended, and in accordance with similarly situated properties within the City.

7. BUILDING SERVICES

The Development Services Department's responsibility for regulating building construction will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Bryan.

8. PLANNING AND DEVELOPMENT

The Development Services Department's responsibility for regulating development and land use through the administration of the City of Bryan Zoning Ordinance, Land and Site Development Ordinance and

all other development-related ordinances will extend to the newly annexed territory. The newly annexed area will also continue to be regulated under the requirements of the City of Bryan Subdivision Ordinance.

9. ELECTRICITY SERVICE

Bryan Texas Utilities (BTU), a municipal electric utility, will provide electricity service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. As a fee-for-service the providing of this service shall be applied to the newly annexed area on an equal basis to that provided to the average and typical comparable area of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

10. ROADS, STREETS, ALLEYWAYS AND TRAFFIC ENGINEERING

Any and all roads, streets or alleyways in the newly annexed territory which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas of the City of Bryan, Texas with similar land use, population density and topography. Construction of new roads and streets is the responsibility of the developer or property owner desiring them and must be designed and built in accordance with applicable City of Bryan codes and standards.

Municipal maintenance of properly dedicated roads, streets and alleyways (which may be installed by developers of land within this newly annexed territory) will be consistent with such maintenance provided by the City of Bryan to other roads, streets and alleyways in areas exhibiting land use, population densities and topography similar to that of the newly annexed area.

As part of this annexation, the City will also be annexing approximately 630 linear feet of Leonard Road (FM 1688). Leonard Road is a TXDOT maintained roadway, and will continue to be maintained by TXDOT post-annexation. However, the City of Bryan will maintain relative aspects in accordance with the approved Municipal Maintenance Agreement with TXDOT.

The City of Bryan Public Works Department will install traffic signs, street markings and other traffic control devices in the newly annexed area as the need is established by appropriate study, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

The City of Bryan Public Works Department will install street name signs in the newly annexed area. Under current City of Bryan ordinances, developers are responsible for the cost of street name signs for new public and private streets.

Bryan Texas Utilities (BTU), a municipal electric utility, will install streetlights in accordance with the utility standards of BTU, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Under current City of Bryan ordinances, developers are responsible for the cost of streetlights in new subdivisions.

11. PARKS AND RECREATION

The newly annexed territory does not include any known existing public parks, playgrounds or swimming pools which would come under the City of Bryan's jurisdiction as a result of annexation. Residents of the newly annexed territory may use any and all existing City of Bryan parks, playgrounds and recreational facilities and participate in any and all programs, events, activities and services of the

City of Bryan Parks and Recreation Department. Expansion of recreational facilities and programs to the newly annexed territory would be governed by applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

12. MAINTAINING OTHER PUBLICLY-OWNED FACILITIES OR BUILDINGS

The City of Bryan, Texas is not aware of the existence of any publicly-owned facility or building now located in the newly annexed territory. In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of Bryan shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of Bryan, Texas.

B. CONSTRUCTION OF CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2½ YEARS FOLLOWING THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2½ years following the effective date of annexing the subject territory, for the purpose of providing police and fire protection, emergency medical services and solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide comparable levels of protection and service to what is presently being provided to other areas already incorporated in the City of Bryan, Texas, having the same or similar land use, population density and topography as that of the newly annexed territory. The City of Bryan finds that the current level of services and facilities can sufficiently provide comparable services to the newly annexed area without reducing the fire, police, and emergency medical services currently provided to areas already within the municipal boundaries of the City of Bryan.

2. WATER AND WASTEWATER FACILITIES

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2½ years following the effective date of annexing the subject territory, for the purpose of providing water and wastewater service.

During the next 2½ years, the City Council of the City of Bryan, Texas believes that adequate capacity and municipal water and sewer mains exist for point-of-use connections and serviceable extensions, to provide water and/or sewer service within the newly annexed territory, pursuant to applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. The development and expansion of facilities as the City grows are expected to use the City's Master Plan and/or Comprehensive Plan, as they are amended from time to time, as a guide to know when expansion facilities become necessary.

As applied to all properties within the City, residents and/or developers will be responsible for costs to install and/or connect water and/or sewer service to their property.

The area to be annexed is currently under City of Bryan wastewater CCN. Extension of existing wastewater mains to the property may be done at the developer's cost. The comparable nature of any areas are at the discretion of the City of Bryan.

As applied to all properties within the City, residents and/or developers will be responsible for costs to install water and/or sewer service to their property.

3. ROADS AND STREETS

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of Bryan, and such street improvements shall comply with specifications required by the City of Bryan, for properly dedicated streets.

4. PARKS, PLAYGROUNDS AND SWIMMING POOLS, AS WELL AS OTHER PUBLIC FACILITIES OR BUILDINGS

To the extent that it becomes necessary because of development demands, population growth and bona fide needs, the City Council of the City of Bryan, Texas will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of citizens in the newly annexed territory, based upon standard considerations of land use, population density and topography.

C. SPECIFIC FINDINGS

The City Council of the City of Bryan, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the newly annexed territory, than were in existence at the time immediately preceding this territory's annexation to the City of Bryan, Texas.

As the development and growth of a municipality is not known but only anticipated conditions and subsequent occurrences may change making the current service plan unworkable or obsolete. In such a case, the City Council may amend the service plan to conform to the changed conditions and/or occurrences. Such amendments will be in conformity with state law.

Texas law does not require a uniform level of municipal services to an area if different characteristics of topography, land use, and population density constitute a sufficient basis for providing a different level of services. As a result, the levels of services provided in this plan are all linked to comparable services of areas similar in characteristic, topography, land use, and population density as the newly annexed area. For areas where no comparable location exists, the City Council finds that City staff utilized its best efforts to calculate a comparable level of serviced based on the known characteristics and incorporated such into this plan based on the characteristics of the newly annexed territory on the date of annexation.

**Exhibit “D”:
Development requirements for Planned Development – Mixed Use District (PD-M)**

GENERAL PURPOSE AND DESCRIPTION

The Great Escapes RV Resort development plan is intended to guide planning of land use and physical development on the subject property. This PD-M development plan is envisioned as a tool to help stabilize and improve property utilization, to facilitate appropriate use of the property, ensure protection of surrounding properties from foreseeable negative impacts resulting from permitted uses by serving as a land use buffer, to strengthen the area economy, and to promote the general welfare of the community.

The development will serve as a community gathering place, attracting out of town guests to the City of Bryan and bolstering the local economy. Leonard Road is strategically located for a Recreational Vehicle Park, serving as a main thoroughfare directly into the city or to surrounding attractions, including downtown Bryan and the Brazos County Expo Complex.

The development plan is intended to create a luxury, resort style park with high-end amenities and gathering areas. It will serve not only as a catalyst to the surrounding economy, but will also be an attraction to the area with resort style pools, sport-courts, pavilions, and recreation facilities. The development will have the ability to host events for guests of the park, as well as outside guests from the local community.

The development plan calls for multiple lodging options, including back-in spaces, pull through spaces, and cabins. Lodging options will cater to a diverse clientele, from weekend RVers to guests looking for a secluded cabin getaway. The park will be fully functional for the guests’ convenience with bath and laundry facilities, workout rooms, work spaces, and gathering areas.

The development plan will incorporate the natural beauty of the area into the site. There will be multiple ponds, ample open space, and as many trees as possible will be conserved. The plan will incorporate the natural topography, with one of the main draws of the park being its greenspace.

The development plan will create a new RV Resort experience that is not currently available in Bryan. The plan calls for spacious sites, open greenspace, multiple resort-style pools, high-end amenity buildings, sport-courts, and excellent customer service. The Resort intends to become a destination that creates an experience for the guests.

SECTION 1: PERMITTED USES

The following range of land uses shall be permitted by right in the PD-M District

- Recreational Vehicle Park
- Park Model RV
- Commercial amusement (outdoor) – possible future water amenity/park
- Accessory/incidental uses to the main use
- Retail sales, less than 2,000 square feet
- Temporary structures for uses incidental to construction on the premises which said buildings shall be removed upon the completion or abandonment of construction work.

SECTION 2: DEFINITIONS

The following section provides an additional definition to items that are not included within the City of Bryan's zoning code.

1. Park Model RV – means a type of towable RV designed to provide temporary living quarters for recreational, seasonal, camping or travel use. Park Models are built on a single trailer chassis, mounted on wheels and have a gross trailer area not exceeding 600 square feet of floor space. Park Models are certified by their manufacturers to comply with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard. In addition to the aforementioned items, these additional standards shall apply:
 - a. The maximum width of a Park Model RV is 15'.
 - b. The maximum length of a Park Model RV is 40'.
 - c. The maximum height of a Park Model RV is 16'.
 - d. Park models may include a deck or porch built outside of the maximum floor space.

SECTION 3: LOT AREA, HEIGHT, AND SETBACK REQUIREMENTS

Physical development in the PD-M District shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to the C-3 Commercial District, which allows for Recreational Vehicle Parks and the associated accessory uses. The following additional standards shall be applicable:

1. The minimum side setbacks shall be 15 feet.
2. The minimum front setback shall be 25 feet.
3. The minimum rear setback shall be 15 feet.
4. The maximum impervious cover shall be limited to 65%.
5. The maximum height of any one building shall be limited to 30 feet.
6. Should there arise a circumstance where these PD-M development standards are silent, then the same standards that apply to properties in Bryan zoned for commercial C-3 use.

SECTION 4: PARKING REQUIREMENTS

1. The following section provides additional parking requirements definition to items that are not included within the City of Bryan's zoning code, Section 62-297.
 - a. Campground Store: One space for 300 square feet of office area.
 - b. Bathhouses: Bathhouses are considered accessory to the primary use. No parking is required.
 - c. RV spaces: One space for each RV + One space per guest. Parking for RV maybe incorporated into the RV pad.
 - d. Park Models RVs: Two spaces for each Park Model.

SECTION 5: SPECIAL REQUIREMENTS

- a. A monument sign shall be allowed on the property within the building setback along Leonard Road. The sign shall be a maximum of 10' long and a maximum of 6' tall measured from the finished ground elevation.
- b. All beer and wine sales shall be limited to the campground store and shall comply with the Texas Alcoholic Beverage Code.

- c. A secondary access point will be required once the number of park model RVs exceeds 30 units. Additional access point is allowed to be used as an emergency access only.
- d. Landscaping areas shall comprise of a minimum of 15% of the total site area. Landscaping shall meet the requirements of the Bryan Code of Ordinances "Section 62-429-Landscape Requirements" excluding the requirements outlined in paragraph "B. Parking Areas". Newly installed landscaping shall incorporate the use of an underground irrigation system. All landscaping, including trees, shrubs and ground cover, shall be selected from the City of Bryan's approved list. Nature or preserved tree canopy shall count towards the 15% area.
- e. Individual mailboxes for any RV space or Park Model RV is prohibited. One mailbox for the registration building / campground store is permitted.
- f. Individual landscaping installed by guest for any RV space or Park Model RV is prohibited. Only landscaping installed by the owner and/or manager of RV park is allowed.
- g. Individual porches or decks attached to any RV is prohibited unless required by ADA. RV Park models may include porches or decks.
- h. Internal roadways within the development shall be concrete or asphalt. No gravel roads are permitted.
- i. Existing residential structures located within 50 feet of the property line will require an 8' wooden privacy fence along a shared property line with the development.
- j. Existing residential structures located within 150 feet of the property line will require either a 3' landscape berm with evergreen trees spaced at 10 feet on top of the berm or a 15' natural tree preservation area along a shared property line with the development.
- k. No rental structures shall be permanently affixed to the ground with a foundation.

EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF APRIL 4, 2019:

8. REQUESTS RELATED TO 88.275 ACRES OF LAND ADJOINING THE NORTH SIDE OF THE 4600 BLOCK OF LEONARD ROAD, APPROXIMATELY 275 FEET TO 900 FEET WEST OF ITS INTERSECTION WITH CHICK LANE IN BRYAN, BRAZOS COUNTY, TEXAS (Commission makes recommendation on the annexation and rezoning requests; City Council has final approval).

a. Annexation ANNEX19-07: 4600 Leonard Road

An owner-requested annexation of 87.115 acres of vacant land out of the Zeno Phillips Survey, Abstract No. 45 and the T.J. Wooten League, Abstract 59, adjoining the north side of the 4600 block of Leonard Road (FM1688) approximately 275 feet to 900 feet west from its intersection with Chick Lane, as well as 1.16 acres of adjoining right-of-way for Leonard Road, for a total area of 88.275 acres of land in Bryan's extraterritorial jurisdiction (ETJ) in Brazos County, Texas. (K. Williams)

Ms. Williams presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

In response to questions from the Commission, Ms. Williams stated that the park model RVs proposed with this development would not be permanently affixed to the ground.

The public hearing was opened.

Mr. Brian Kapavik, 4464 Leonard Rd, Bryan, TX, Ms. Frances DeGelia, 4492 Leonard Rd, Bryan, TX, Mr. Gerald Anderson, 4469 Leonard Rd, Bryan, TX, Mr. Jerry Controne, 4692 Leonard Rd, Bryan, TX, Mr. Jeremiah McNichols, 4588 Leonard Rd, Bryan, TX, and Ms. Lisa McDonald, 4492 Leonard Rd, Bryan, TX, came forward to speak in opposition to this request, citing the following concerns:

- Decrease in security and privacy for surrounding properties.
- Access to adequate sewer infrastructure.
- Additional traffic and safety concerns along Leonard Road.
- Increase in noise and air pollution.
- Negative impact on quality of life for Brazos County residents.
- Groundwater quality.
- Decrease in property values.
- Proposed density and land use not compatible with surrounding development.
- Drainage and flooding concerns.

In response to questions from the Commission, Ms. Williams stated that:

- If the property were not annexed, an RV park could still be developed by right.
- Annexation allows the property owner to access City utilities.
- The applicant is coordinating with the Public Works department to extend sewer utilities to this property.
- The Future Land Use Plan recommends a variety of residential land uses for this property.
- Leonard Road is maintained by TxDOT.
- The proposed PD-M zoning is customized for this RV park development specifically, and any other land use would likely require rezoning of the property.
- There is currently no zoning on the subject property, as it is located within the City's ETJ.

In response to questions from the Commission, Mr. Leeper clarified that:

- Typically, annexation and the assignment of zoning are considered as a single request.
- These items were posted separately, so agenda item 8.a. addresses only annexation of the property, and item 8.b. specifically addresses the assignment of zoning.
- For item 8.b., the Commission could move to recommend any zoning considered less intensive than the proposed PD-M district.

Mr. Troy Moore, M3 Engineering, agent for the applicant, came forward and stated the following:

- If needed, sewer service could be connected to the nearby Edgewater development.
- If the property were not annexed, the owner could pursue a TCEQ Discharge Permit to allow an on-site wastewater treatment facility.
- This annexation is being requested in order to access City utilities.
- Manufactured homes are not proposed for this development.
- This will be a low-density, resort-style RV park with several amenities.
- The site plan review process will require traffic and trip-generation data.
- A TxDOT permit will be required, which may include the construction of a decel lane.
- The RV park would include on-site security, a gated entrance, and established quiet hours.

Mr. Kyle Jenkins, applicant in favor of the request, came forward and stated:

- The maximum occupancy projected for the 30-day rental section of the RV Park is 35%.
- Full occupancy of the park is not expected, with the exception of gameday weekends.
- Approximately 15-20 park model RVs are proposed for Phase I of the development.
- Phase II is expected approximately two or three years after development of Phase I.

The public hearing was closed.

Commissioner Beckendorf moved to recommend approval of owner-requested annexation ANNEX 19-07 to the Bryan City Council, and to adopt the written staff report and analysis as the report, findings and evaluation of this Commission. Commissioner Bush seconded the motion.

Commissioners commented that annexation is appropriate in this growing area of Bryan.

The motion passed unanimously.

b. Rezoning RZ19-10: Karen Rogers & Mark Konecny

A request to change the zoning classification from Agricultural - Open (A-O) District to Planned Development – Mixed Use (PD-M) upon annexation of 87.115 acres of vacant land out of the Zeno Phillips Survey, Abstract No. 45, and the T.J. Wooten League, Abstract 59, adjoining the north side of the 4600 block of Leonard Road (FM1688) approximately 275 feet to 900 feet west from its intersection with Chick Lane, as well as 1.16 acres of adjoining right-of-way for Leonard Road, for a total area of 88.275 acres of land in Bryan's extraterritorial jurisdiction (ETJ) in Brazos County, Texas. (K. Williams)

Ms. Williams presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

Mr. Leeper clarified that while this item was posted as a rezoning request, it is actually the initial assignment of zoning to a property currently located outside of the Bryan city limits.

Mr. Zimmermann clarified that the Commission can recommend assignment of any standard zoning district in Bryan, and that Planned Development districts require specific standards.

Commissioner Bush moved to accept the public testimony from agenda item 8.a. as public testimony for item 8.b. as well. Commissioner Gonzalez seconded the motion, and the motion passed unanimously.

The public hearing was opened.

Mr. Brian Kapavik and Ms. Sonya Kapavik, 4464 Leonard Rd, Bryan, TX, came forward to speak in favor of the request, citing that a Planned Development can protect the interests of surrounding property owners and is more favorable than other uses currently allowed by right on the property.

Mr. Troy Moore, M3 Engineering, agent for the applicant, came forward and stated the following:

- The proposed PD-M zoning includes setback and impervious cover standards that are more restrictive than most other zoning districts in Bryan.
- An RV park could still be developed if the property were not annexed.

In response to questions from the Commission, Mr. Zimmermann stated that the City's only regulatory control for properties located in the ETJ are subdivision regulations.

Ms. Lisa McDonald, 4492 Leonard Rd, Bryan, TX, came forward to speak in opposition to this request, citing concerns about inadequate electrical infrastructure in this area.

Ms. Karen Rodgers, 3313 Bahia Dr, College Station, TX, came forward and stated that BTU is aware of existing electrical infrastructure issues in this area and is working to address them.

The public hearing was closed.

Commissioner Bush moved to recommend approval of Rezoning RZ19-10, with the added condition that no rental structures are permanently affixed to the ground with a foundation, to the Bryan City Council, and to adopt the written staff report and analysis as the report, findings, and evaluation of the Commission. Commissioner Conlee seconded the motion.

Commissioners Bush, Gutierrez, Conlee, Incardona, and Rayford commented that:

- An RV park could be developed on this land whether the property is annexed or not.
- Granting this request would provide the City with regulatory control of the property.
- The proposed development is well-designed and could be a great project for Bryan.
- An extension of utilities to this area could promote other residential development.

Commissioner Gonzalez, Beckendorf, Rodriguez, and Torres commented that:

- Traditional residential development could be more appropriate in this location.
- It is unlikely that an RV park would eventually transition to a residential subdivision.

In response to questions from the Commission, Mr. Kyle Jenkins, applicant, stated that this development would not allow livestock, but empty trailers could likely be stored on site.

In response to questions from the Commission, Mr. Troy Moore, agent for the applicant, stated that an on-site wastewater treatment facility would likely cost approximately \$250,000.00.

The motion passed by a vote of 5-4, with Commissioners Beckendorf, Gonzalez, Rodriguez, and Torres casting the votes in opposition.

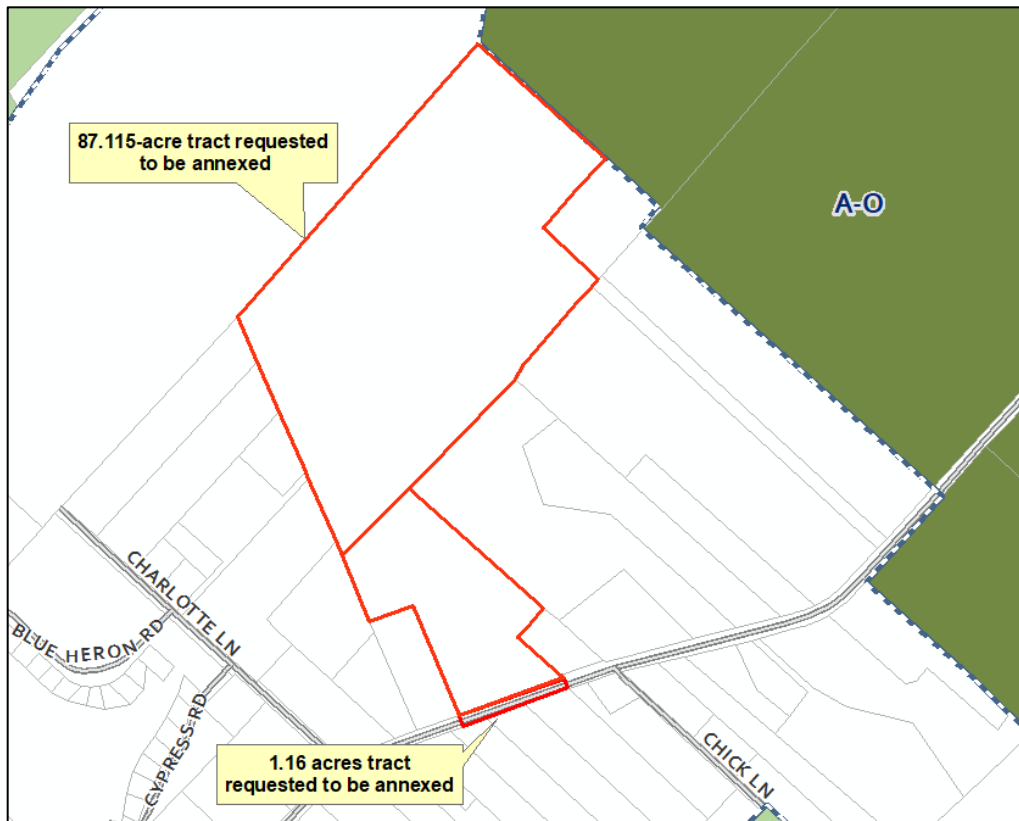
**PLANNING AND ZONING COMMISSION
STAFF REPORT**

April 4, 2019

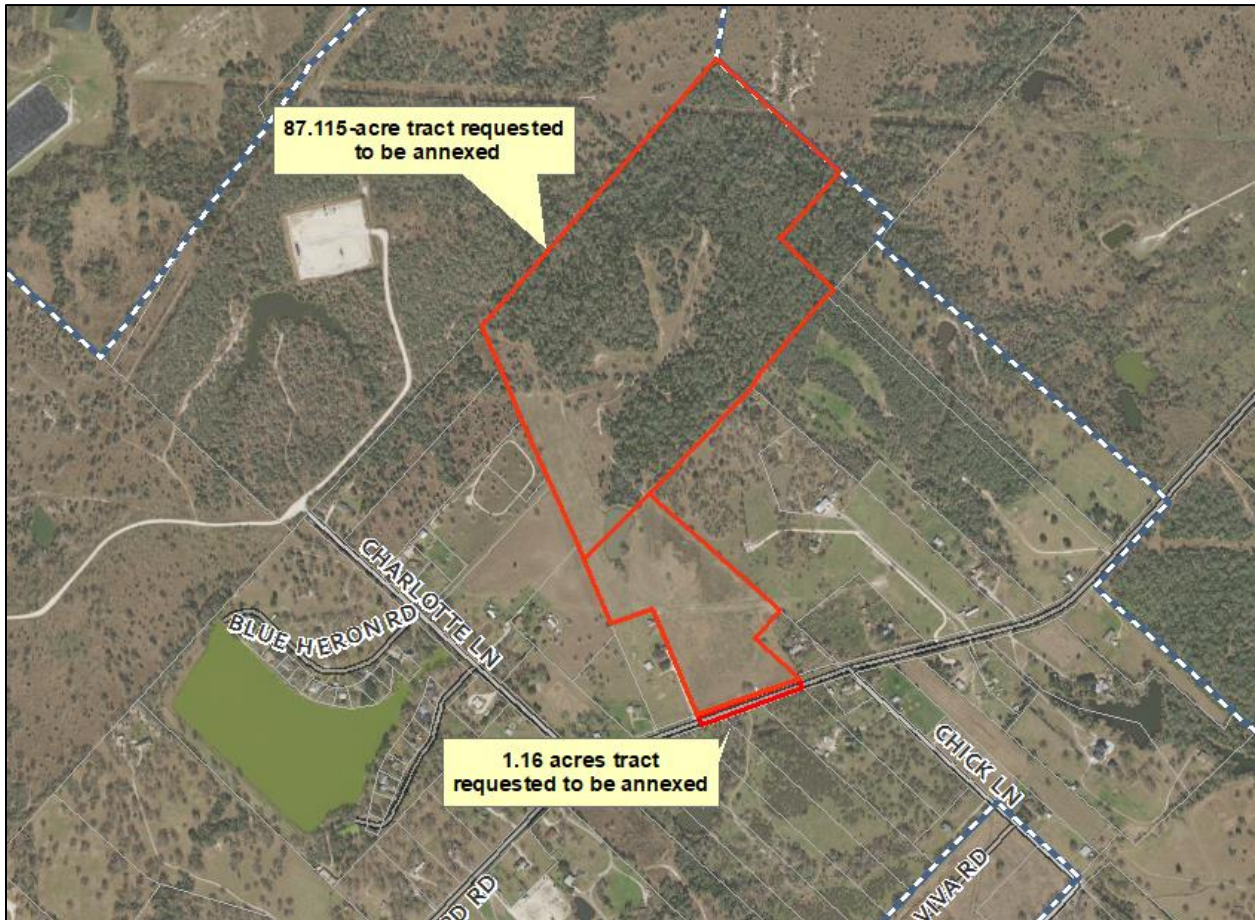


Annexation case no. ANNEX19-07: 4600 Leonard Road

- CASE DESCRIPTION:** an owner-requested annexation of 87.115 acres of land
- LOCATION:** 87.115 acres of vacant land out of the Zeno Phillips Survey, Abstract No. 45, and the T.J. Wooten League, Abstract 59, adjoining the north side of the 4600 block of Leonard Road (FM1688) approximately 275 feet to 900 feet west from its intersection with Chick Lane, as well as 1.16 acres of adjoining right-of-way for Leonard Road, for a total area of 88.275 acres of land in Bryan’s extraterritorial jurisdiction (ETJ) in Brazos County, Texas
- EXISTING LAND USE:** vacant acreage
- PROPERTY OWNER:** Mark Konecny and Karen Rogers
- APPLICANT(S):** Troy Moore, PE, M3 Engineering
- STAFF CONTACT:** Katie Williams, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** the requested annexation and assigning PD-M zoning upon annexation.



2017 AERIAL PHOTOGRAPH:



BACKGROUND:

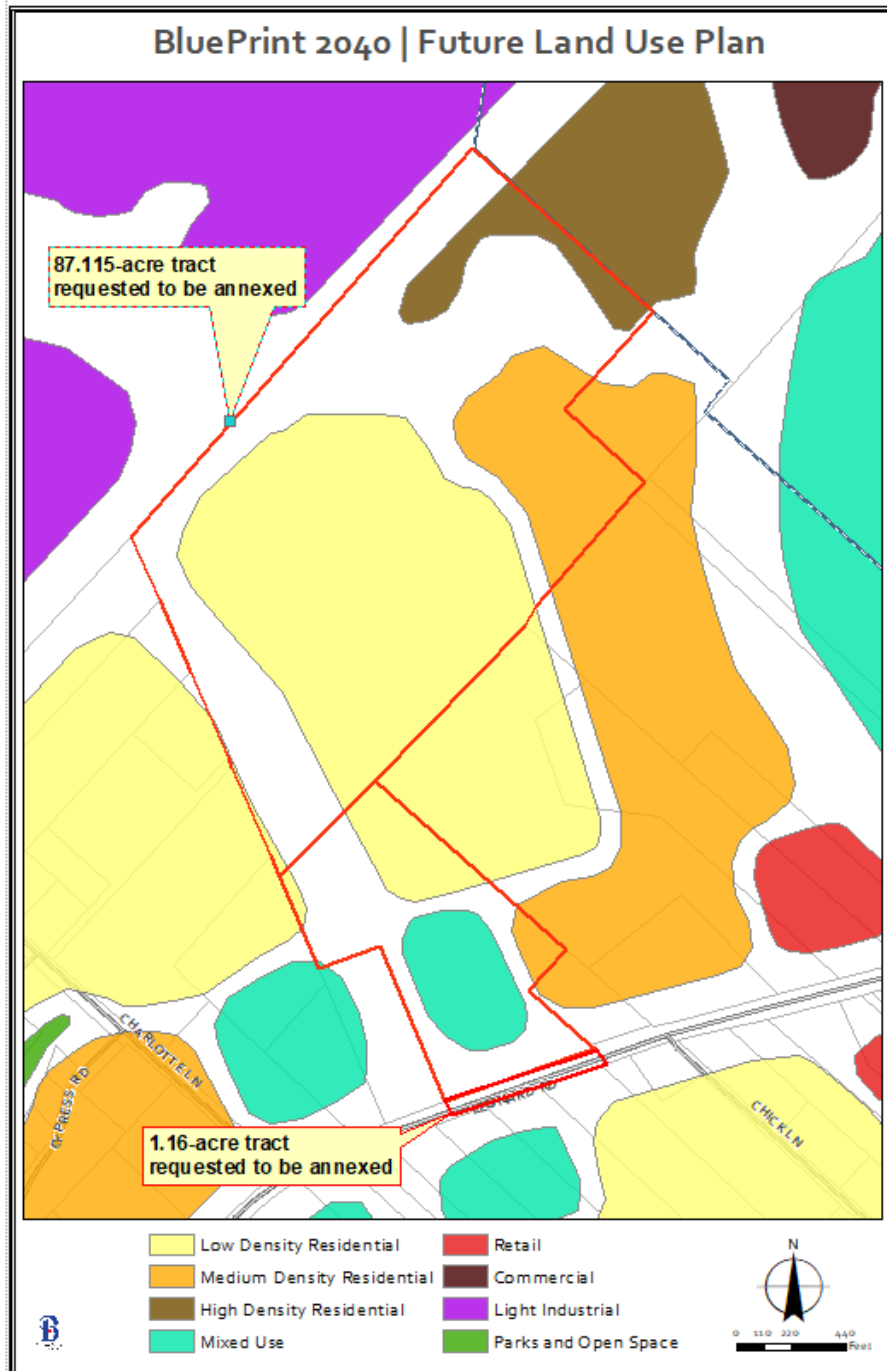
On February 7, 2019, the City of Bryan received an annexation petition from Mr. Troy Moore, PE of M3 Engineering, for an 87.115-acre tract of land adjoining the north side of Leonard Road, approximately 275-foot to 900-foot from the intersection of Chick Lane. The petition requests that the subject property be assigned Planned Development – District Mixed-Use (PD-M) zoning upon annexation.

The subject property requested for annexation is contiguous to the Bryan City limits. However, Texas Local Government Code Section 43.106 requires annexation of the county road right-of-way adjacent to the land proposed to be annexed. Therefore, the proposed annexation petition includes an approximately 1.16 acre tract of land, which is the right-of-way of Leonard Road adjacent to the 87.115-acre tract proposed for annexation, for a total of 88.275 acres.

Mr. Troy Moore has formally requested that the City of Bryan annex these 88.275 acres and assign Planned Development District – Mixed-Use (PD-M) zoning upon annexation. Within said PD-M District, the land will be established with development regulations that allow for a resort-style recreational vehicle park. This RV park is proposed to contain 400 units, 60 of which will be “park model” RVs, available for short-term rental. The RV park is also proposed to contain a bath house, pool area, dog park, sports courts, a fishing pond, walking trails, and 12.1 acres of conservation area.

On March 5, 2019, the Bryan City Council granted the annexation petition and adopted a timetable for completing the annexation by June 2019 (Resolution No. 3814). The City of Bryan Code of Ordinances requires the Planning and Zoning Commission to review and make recommendations to the City Council concerning annexations. Zoning Ordinance Section 130-7 prescribes that all territory brought within Bryan’s corporate limits must be assigned a zoning classification upon annexation. With a recommendation from the Planning and Zoning Commission, the request will be forwarded to the City Council for final approval.

EXCERPT FROM FUTURE LAND USE PLAN MAP:



RELATION TO BRYAN'S COMPREHENSIVE PLAN (BLUEPRINT 2040):

Blueprint 2040, the City of Bryan's Comprehensive Plan, is the framework for the establishment of zoning and other regulatory tools. The current plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. The Future Land Use Plan, as shown above, identifies the subject 87.115 acres as an area where both high, medium, and low-density residential, as well as mixed-use development are appropriate. With tracts of land this large, it's not unusual for a parcel to contain multiple future land use designations. Staff finds that the proposed PD-M zoning and the resort-style RV park is a good blend of the various future land uses which have been designated for the subject property.

In addition to land use policies, BluePrint 2040 provides annexation guidelines and recommended areas for expansion. The annexation portion of the Plan suggests the subject property and areas surrounding the subject property should be considered for annexation to ensure quality development and confirm that the city is able to adequately serve the areas to be annexed without negatively impacting the existing community.

The following excerpts from the Blueprint 2040 may be relevant for consideration of this request:

Land Use Policies

- Appropriate buffers should be used to separate dissimilar uses, including the use of transitional land uses, floodplain areas, parks, increased landscaping or natural and man-made features.
- Floodplain areas should be preserved but may be incorporated into recreational areas where appropriate and/or reclaimed for development in accordance with the City of Bryan's drainage regulations.

Annexation Policies

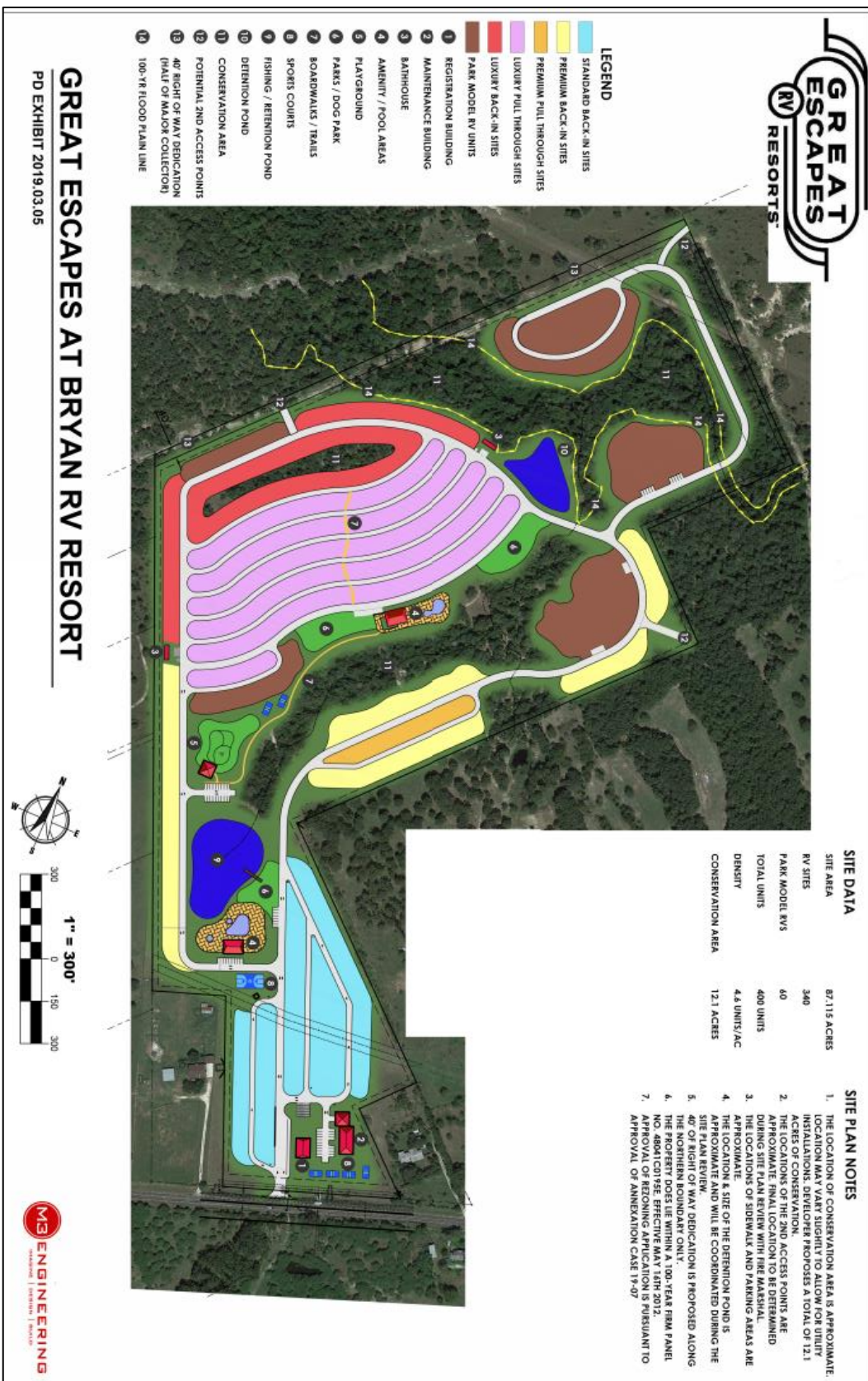
- The City should focus short-term annexation along roadway corridors with high visibility and areas anticipated for growth in the near future.
- Areas that can easily be served by extending public services or by the reasonable extension of utility lines should be pursued first

PROPOSED ANNEXATION:

Staff recommends approving the requested annexation of these 88.275 acres. Approving the requested annexation will bring 87.115 acres of vacant undeveloped land, as well as 1.16 acres of right-of-way for Leonard Road, under the full regulatory control of the City. Annexation of this acreage can therefore help promote orderly urban growth and development in southwest Bryan. The area requested to be annexed adjoins the current city limits, has regular, logical boundaries and is proposed for urban development. The area requested to be annexed therefore meets annexation criteria, adopted by Council with Resolution No. 3128 on November 13, 2007, which were established to provide guidance on annexation decisions.

A draft municipal service plan that details the specific municipal services that will be provided to the area after it has been annexed is attached to this staff report. **Staff anticipates no extraordinary new services, facilities or expenses as a result of annexing these 88.275 acres.** The City is able to provide municipal services upon annexation in accordance with State law without negatively impacting service provisions within the City.

PROPOSED DEVELOPMENT PLAN DRAWING:



PARK MODEL RV EXAMPLES:



PROPOSED PD-M DISTRICT ZONING:

Assigning PD-M District zoning to the 87.115 acres of the subject property upon annexation will allow for the development of mixed-use development, resulting in a resort style recreational vehicle park. Staff contends that PD-M District zoning on the subject property is appropriate and in conformance with the land use recommendations of the Comprehensive Plan (BluePrint 2040). The Comprehensive Plan suggests 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. Staff believes that the subject property provides opportunity to meet these criteria. **Therefore, staff recommends that upon annexation of the subject 87.115 acres, PD-M District zoning be assigned.**

ATTACHMENTS:

1. property survey
2. petition requesting annexation
3. Planned Development District development plan
4. draft annexation service plan
5. Council Resolution No. 3814