

**March 9, 2023**  
**Item No. 9.1.**  
**211 Fidelity Street Rezoning**

**Sponsor:** Gabriel Schrum

**Reviewed By CBC:** Planning & Zoning Commission

**Agenda Caption:** Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from GS General Suburban to MH Middle Housing for approximately 0.27 acres at 211 Fidelity Street, being Lot 1 and 25' of Lot 2, Block 6 of the West Park Addition, generally located at the corner of Fidelity Street and Highland Street.

**Relationship to Strategic Goals:**

Diverse & Growing Economy

**Recommendation(s):** The Planning and Zoning Commission heard this item at their February 16, 2023 meeting and voted unanimously to recommend approval. Staff also recommends approval.

**Summary:** This request is to rezone approximately 0.27 acres of land from GS General Suburban to MH Middle Housing. This is the first rezoning request for the newly adopted MH Middle Housing zoning district. The subject property was platted in 1940 and is currently a vacant single-family lot. It is the applicant's intent to redevelop the plot to build small-lot single-family homes. Nearby properties include single-family residential homes.

**REZONING REVIEW CRITERIA**

1. Whether the proposal is consistent with the Comprehensive Plan:

The subject property is designated on the Comprehensive Plan Future Land Use & Character Map as Mixed Residential and is within the George Bush and Wellborn Redevelopment Area. For the Mixed Residential land use, the Comprehensive Plan provides the following:

Areas appropriate for a mix of moderate density residential development including, townhomes, duplexes, small multifamily buildings (3-12 unit), and limited small-lot single family. These areas are appropriate for residential infill and redevelopment that allows original character to evolve. These areas may serve as buffers between more intense multifamily residential or mixed-use development and suburban residential or neighborhood conservation areas.

The intent of the Mixed Residential land use is to accommodate a walkable pattern of small lots, small blocks, and well-connected street pattern that supports surrounding neighborhoods. Developments in this district should prioritize a mix of housing types and scales located near community facilities or adjacent to commercial or neighborhood centers. This development is aligned with that vision.

The zoning districts that are generally appropriate within this land use include: middle housing, duplex, townhouse, and limited-scale single-family zoning.

The Comprehensive Plan discusses residential infill and redevelopment in both Chapter 3, Strong

Neighborhoods and Chapter 8, Managed Growth. The plan states, “infill development offers the opportunity to mediate and enhance the identity of neighborhoods.” The plan goes on to mention that infill and redevelopment can create more viable and vibrant places throughout the city. Residential infill, especially in areas of the city designated for redevelopment, improves the efficiency of land use while enhancing the character of surrounding neighborhoods. As a tool for redevelopment, the request allows a mix of housing types with smaller lot sizes and is aligned with the Comprehensive Plan.

The new MH Middle housing zoning district is designed to be flexible and provide a variety of housing options by right. It allows for detached single-family residences, duplexes, townhomes, Courtyard houses, small and medium multiplexes, and live-work units. Within live-work units certain commercial uses are permitted with the requirement that the proprietor live on-site. Commercial uses within the live-work unit spaces may include art studios, daycares, retail shops, offices, and personal service shops such as hair salons or tailors.

2. Whether the uses permitted by the proposed zoning district will be appropriate in the context of the surrounding area:

The subject property is surrounded by single-family residential homes to the north, east, south, and west. Development pressure continues to grow as new generations of students, young professionals, families, and seniors move to College Station; allowing and encouraging redevelopment opportunities helps alleviate some of the pressure in the market. The MH Middle Housing zoning district enables redevelopment of this lot at an appropriate scale, enabling an incremental increase in residential density on this site. The residential uses permitted in MH Middle Housing zoning district are appropriate for the surrounding areas as it would allow for additional residential development in the area.

3. Whether the property to be rezoned is physically suitable for the proposed zoning district:

The size and location of the subject property is suitable for single-family, townhouse, duplex, and a small multiplex use although some uses would require replatting of the lots

4. Whether there is available water, sanitary sewer, storm water, and transportation facilities generally suitable and adequate for uses permitted by the proposed zoning district:

The existing water and wastewater infrastructure is adequate to support the needs of this development. Drainage and any other infrastructure required with the site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. The subject property fronts Fidelity St., but could be reoriented to face Highlands St. to allow for rear parking off Highlands St. The residential lot will be able to take access from either Highlands St. or Fidelity St., as they are local streets. Rear parking would be required if four or more spaces are needed for the lot per MH Middle Housing zoning standards. The proposed use is expected to generate less than 150 trips in any peak hour; therefore, a TIA was not required.

5. The marketability of the property:

The uses allowed by the proposed zoning district are generally marketable for the area. The applicant states that the currently allowed uses are marketable, but not the best use of the property. They mention the property is close to Texas A&M University and will serve the student population,

and their proposed use of small lot single-family homes are more appropriate and marketable for this lot.

**Budget & Financial Summary:** N/A

**Attachments:**

1. Ordinance
2. Vicinity Map, Aerial, and Small Aerial Map
3. Rezoning Exhibit
4. Background Information
5. Applicant's Supporting Information
6. Existing Future Land Use

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

**AN ORDINANCE AMENDING APPENDIX A “UNIFIED DEVELOPMENT ORDINANCE,” ARTICLE 4 “ZONING DISTRICTS,” SECTION 4.2, “OFFICIAL ZONING MAP” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING LOT 1 AND 25’ OF LOT 2, BLOCK 6 OF THE WEST PARK ADDITION, GENERALLY LOCATED AT THE CORNER OF FIDELITY STREET AND HIGHLAND STREET, AS DESCRIBED BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

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

**PART 1:** That Appendix A “Unified Development Ordinance,” Article 4 “Zoning Districts,” Section 4.2 “Official Zoning Map” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A” and Exhibit “B”**, attached hereto and made a part of this Ordinance for all purposes.

**PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

**PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

**PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

**PASSED, ADOPTED, and APPROVED this 9<sup>th</sup> day of March, 2023.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**City Secretary**

\_\_\_\_\_  
**Mayor**

**APPROVED:**

\_\_\_\_\_  
**City Attorney**

**Exhibit A**

That Appendix A “Unified Development Ordinance,” Article 4 “Zoning Districts,” Section 4.2, “Official Zoning Map” of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from GS General Suburban to MH Middle Housing:

Lot 1 and 25’ of Lot 2, Block 6 of the West Park Addition



**Exhibit B**

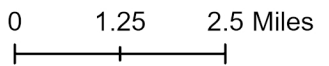


# VICINITY MAP

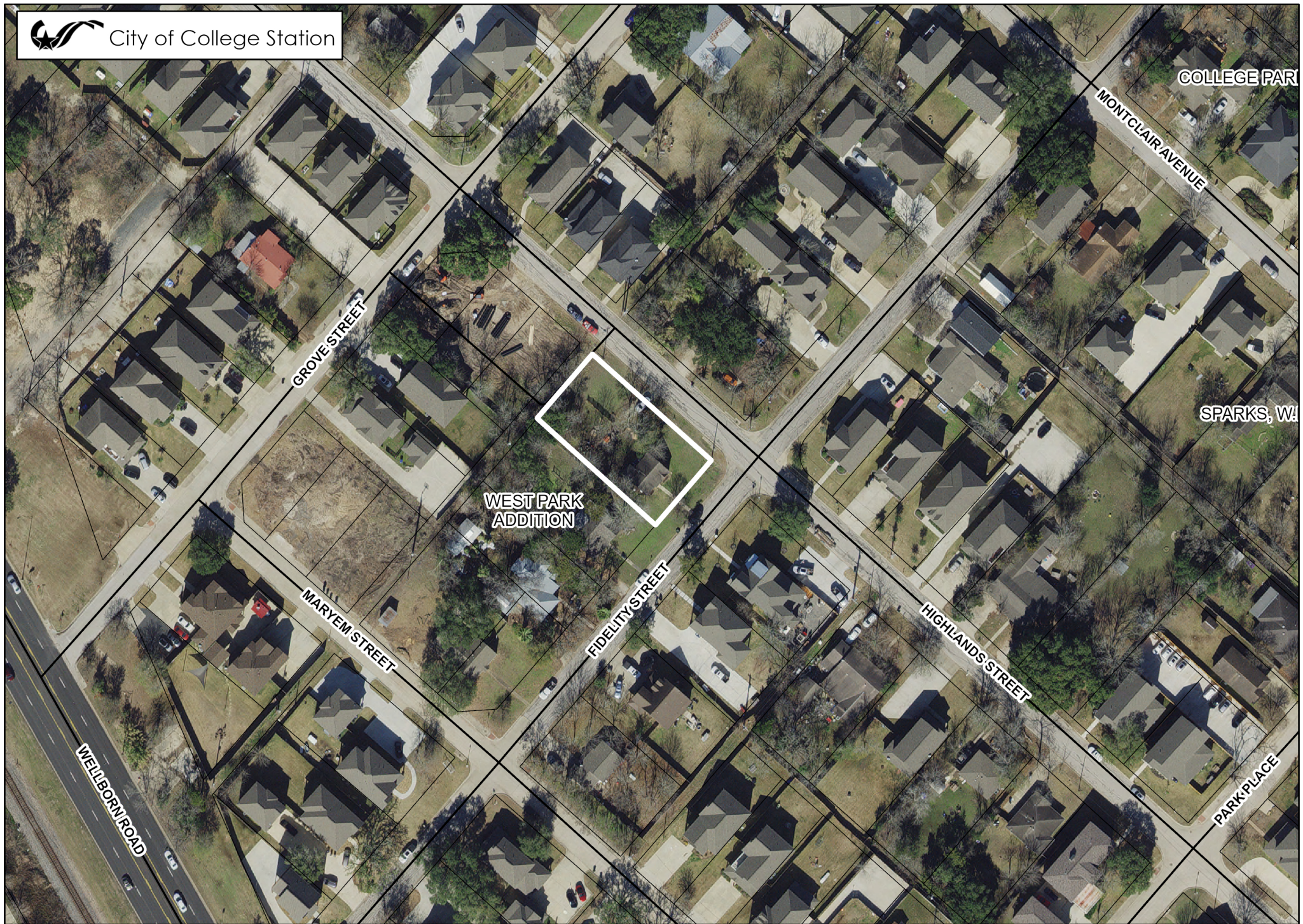
**211 FIDELITY STREET REZONING  
REZ2022-000028**

## Legend

-  City Limits
-  5 mile Extra Territorial Jurisdiction







COLLEGE PARK

MONTCLAIR AVENUE

SPARKS, WA

WEST PARK  
ADDITION

GROVE STREET

FIDELITY STREET

HIGHLANDS STREET

MARYEM STREET

PARK PLACE

WELDBORN ROAD

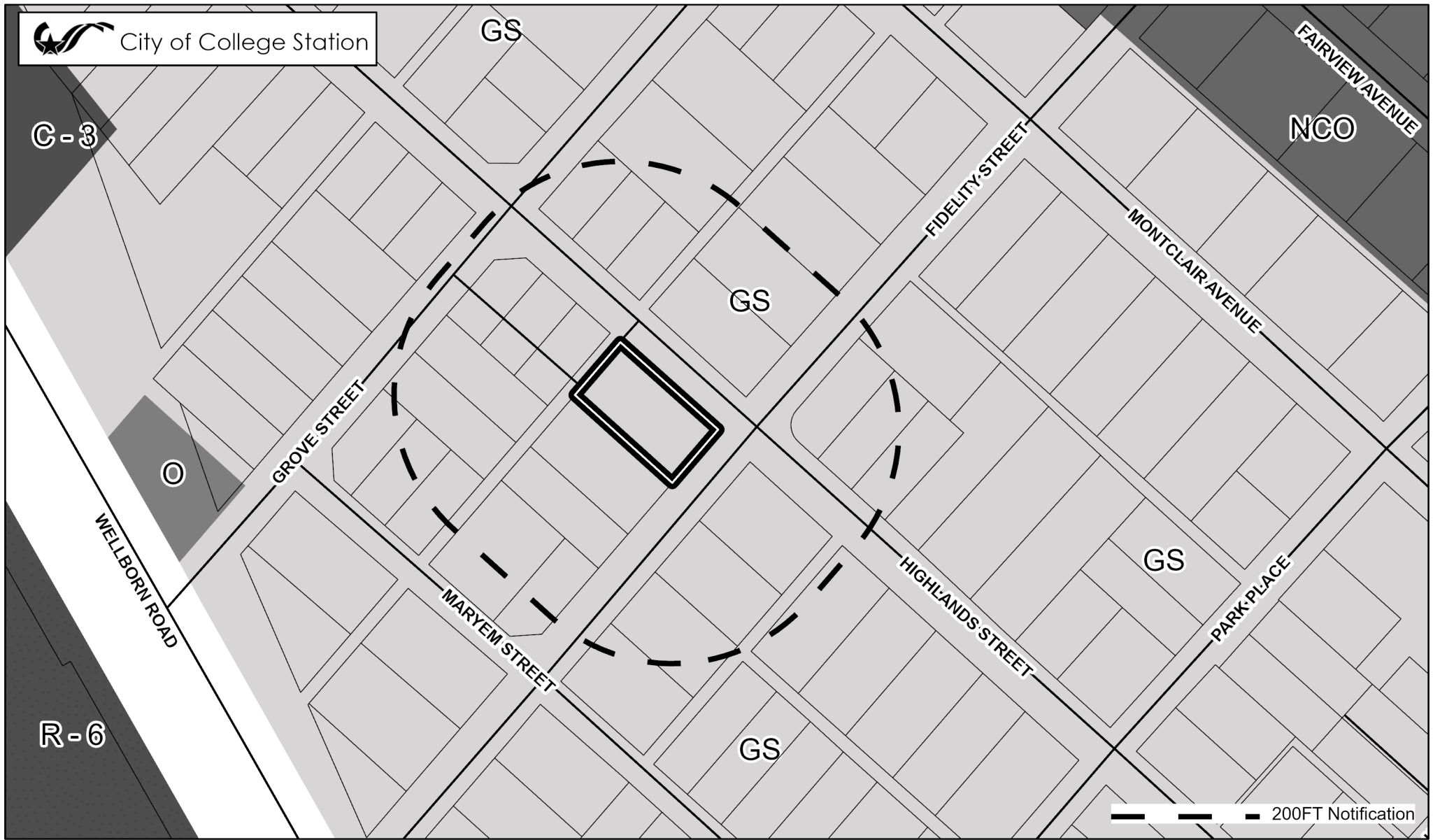


0 110 220 Feet

**211 FIDELITY STREET REZONING**

Case:  
REZ2022-000028

**REZONING**



 200FT Notification

**ZONING DISTRICTS (In Grayscale)**

Residential		Non-Residential	
R	Rural	NAP	Natural Area Protected
WE	Wellborn Estate	O	Office
E	Estate	SC	Suburban Commercial
WRS	Wellborn Restricted Suburban	WC	Wellborn Commercial
RS	Restricted Suburban	GC	General Commercial
GS	General Suburban	CI	Commercial Industrial
D	Duplex	BP	Business Park
T	Townhome	BPI	Business Park Industrial
		C-U	College and University

Planned Districts		Design Districts	
P-MUD	Planned Mixed-Use Dist.	WPC	Wolf Pen Creek Dev. Cor.
PDD	Planned Develop. Dist.	NG-1	Core Northgate
		NG-2	Transitional Northgate
		NG-3	Residential Northgate

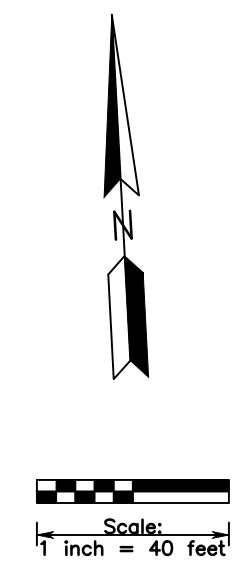
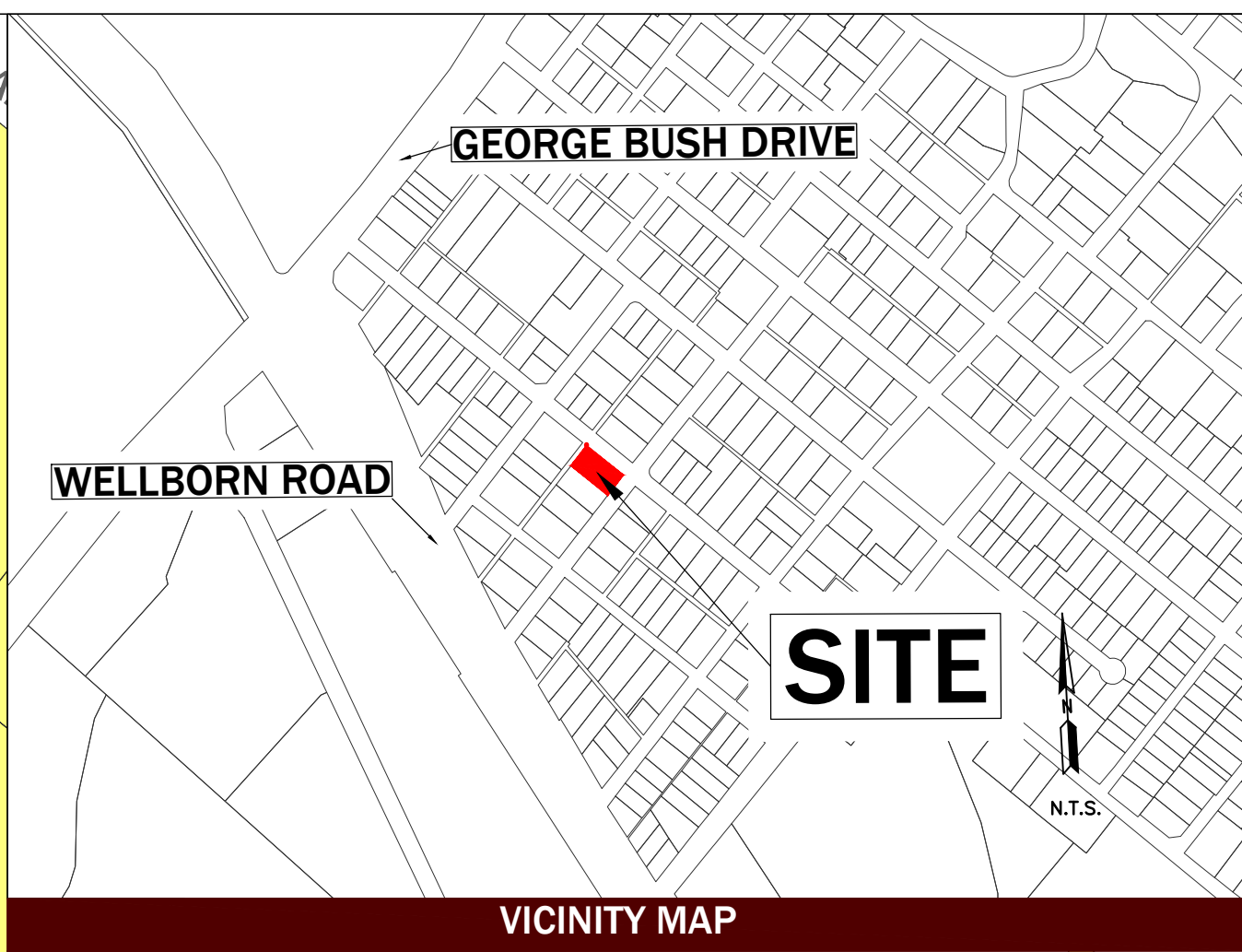
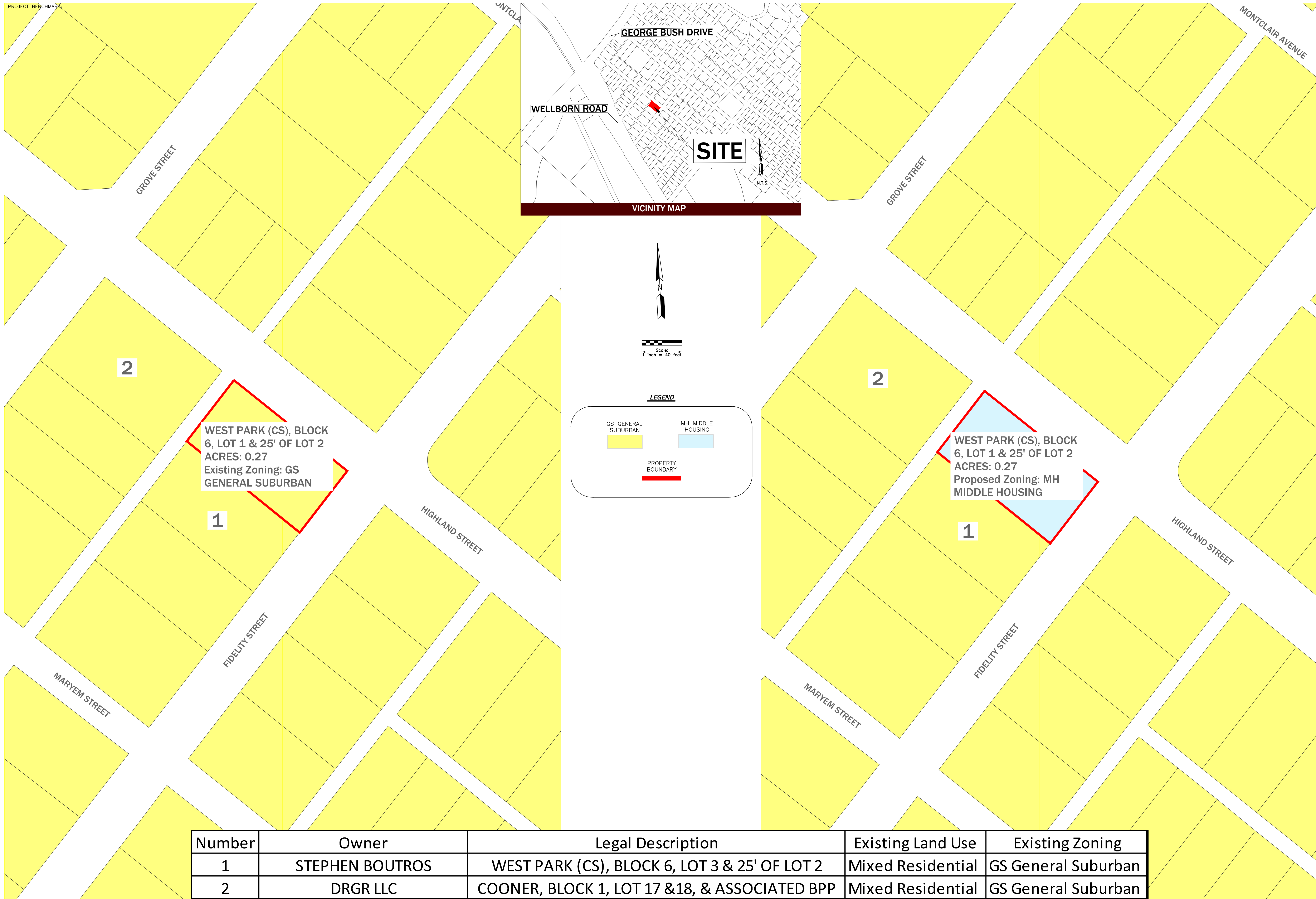
Overlay Districts	
OV	Corridor Ovr.
RDD	Redevelopment District
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts	
R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



**211 FIDELITY STREET REZONING**

Case: REZ2022-000028 **REZONING**



**LEGEND**

GS GENERAL SUBURBAN (Yellow box)

MH MIDDLE HOUSING (Light Blue box)

PROPERTY BOUNDARY (Red line)

WEST PARK (CS), BLOCK 6, LOT 1 & 25' OF LOT 2  
 ACRES: 0.27  
 Existing Zoning: GS  
 GENERAL SUBURBAN

WEST PARK (CS), BLOCK 6, LOT 1 & 25' OF LOT 2  
 ACRES: 0.27  
 Proposed Zoning: MH  
 MIDDLE HOUSING

Number	Owner	Legal Description	Existing Land Use	Existing Zoning
1	STEPHEN BOUTROS	WEST PARK (CS), BLOCK 6, LOT 3 & 25' OF LOT 2	Mixed Residential	GS General Suburban
2	DRGR LLC	COONER, BLOCK 1, LOT 17 & 18, & ASSOCIATED BPP	Mixed Residential	GS General Suburban

**EXISTING**

**PROPOSED**

**MITCHELL MORGAN**  
 T.979.260.6963  
 F.979.260.3564  
 TX. FIRM # F-1443  
 3204 EARL RUDDER FWY. S. COLLEGE STATION, TX 77845  
 PLAN & DESIGN SPECIALISTS IN CIVIL ENGINEERING • HYDRAULICS • HYDROLOGY • UTILITIES • STREETS • SITE PLANS • SUBDIVISIONS  
 www.mitchellandmorgan.com

For information only. These documents are not to be used for bidding or permit purposes. Wrentham, MA, Morgan, P.E. No. 7102

DECEMBER 2022  
 Drawn By: TTE  
 Checked By: WEM

Prepared For: Shobier Jaffar

Revisions

**REZONING MAP**  
**BLOCK 6, LOT 1 & 25' OF LOT 2 OF WEST PARK SUBDIVISION**  
**0.27 ACRES**

**RZ**

**BACKGROUND INFORMATION**

**NOTIFICATIONS**

Advertised Commission Hearing Date: February 16, 2023  
 Advertised Council Hearing Date: March 9, 2023

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

None

Property owner notices mailed: 24  
 Contacts in support: None at the time of this report  
 Contacts in opposition: None at the time of this report  
 Inquiry contacts: 1 at the time of this report

**ADJACENT LAND USES**

<b>Direction</b>	<b>Comprehensive Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Mixed Residential	GS General Suburban	Single Family Residential
<b>South</b>	Fidelity St (Local Street)	n/a	Fidelity St (Local Street)
<b>East</b>	Highlands St (Local Street)	n/a	Highlands St (Local Street)
<b>West</b>	Mixed Residential	GS General Suburban	Single Family Residential

**DEVELOPMENT HISTORY**

**Incorporated:** October, 1938  
**Zoning:** GS General Suburban (upon annexation)  
  
**Final Plat:** West Park Addition  
**Site Development:** Currently undeveloped; was previously Single Family Residential



## REZONING APPLICATION SUPPORTING INFORMATION

**Name of Project:** 211 FIDELITY STREET REZONING

**Address:** 211 FIDELITY ST

**Legal Description:** WEST PARK (CS), BLOCK 6, LOT 1 & 25' OF 2

**Total Acreage:** 0.27

**Applicant::** MITCHELL & MORGAN

**Property Owner:** JAFFAR SHABEER ISSA

**List the changed or changing conditions in the area or in the City which make this zone change necessary.**

As the student population at Texas A&M University continues to grow, the need for housing close to the University becomes more important. The Comprehensive Plan recognizes this need and includes a new land use designation ideal for infill redevelopment that will accommodate a variety of moderate density residential land uses. These properties are ideal for redevelopment and this rezoning to allow denser residential uses will further implement the Plan.

**Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.**

The Comprehensive Plan indicates these properties are designated for Mixed Residential uses. Mixed residential is intended for a mix of medium density uses. Many of the residential properties have redeveloped and Mixed Residential will encourage more redevelopment. There is a variety of housing in Area 5 and the proposed middle housing structures will further support the mix of housing types and is in accordance with the Comprehensive Plan.

These properties are also located within a Redevelopment area on the Comprehensive Plan. Redeveloping these properties will enhance the character and value of the neighborhood

**How will this zone change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?**

General Suburban is not suitable as this area is planned for Mixed Residential to encourage denser residential development.

**Explain the suitability of the property for uses permitted by the rezoning district requested.**

Duplexes contribute to the desired mix of densities and housing types specified in the Mixed Residential land use designation making this development very suitable for the property. Middle Housing is especially suitable due to the proximity to Texas A&M University.

**Explain the suitability of the property for uses permitted by the current zoning district.**

Duplexes contribute to the desired mix of densities and housing types specified in the Mixed Residential land use designation making this development very suitable for the property. Middle Housing is especially suitable due to the proximity to Texas A&M University.

**Explain the marketability of the property for uses permitted by the current zoning district.**

General suburban uses as permitted by the existing zoning district are probably marketable, but are not the highest and best use for the property. These properties are close in proximity to Texas A&M University and will serve the student population. Middle Housing is more appropriate and marketable for these lots and will better serve the student housing needs.

**List any other reasons to support this zone change.**

N/A

# EXISTING Future Land Use

