



# **IMPACT FEE APPEAL**

Development at Turkey Creek &  
Raymond Stotzer

# Who We Are

- **Who We Are:** Established in 1990 as a fully-integrated real estate firm specializing in commercial and residential investment and development.
  - **Vision Statement:** We honor God by stewarding resources, cultivating relationships, and creating extraordinary communities that Enrich lives.
  - **Mission Statement:** Doing it Right, Right now
- **Recent Awards:**
  - 2023 GHBA Prism Award for **Developer of the Year**
  - 2022 - 2023 Insite Magazine, A-List People's Choice for **Brazos Valley's Best Master Planned Community**
  - 2022 Houston Agent Magazine, Agents' Choice Awards for **Best Development in Houston** and **Developer of the Year**
  - 2021 GHBA Prism Award for **Best Landscaping, Best Sales Center, and Best Garden-Style Home Design**
  - 2021 Cy-Fair Chamber of Commerce **Small Business of the Year** (The Work Well)
  - 2020 Houston Business Journal **Landmark Award for Residential Community** (Towne Lake)
  - 2020 Houston Chronicle **Best Community in Houston** (Towne Lake)
  - 2013 – 2023 Houston Business Journal **Best Place to Work**



# College Station Developments

- **We have been a local College Station developer for 20+ years:**
  - **Mission Ranch**
    - 2022 - 2023 Brazos Valley's Best Community
    - Projected completion 2024
  - **Thomas Park Lofts**
    - Luxury, Class-A Multifamily units
    - Completed in 2014
  - **Research Park Office Building**
    - 4-Star Office Space
    - Completed in 2002



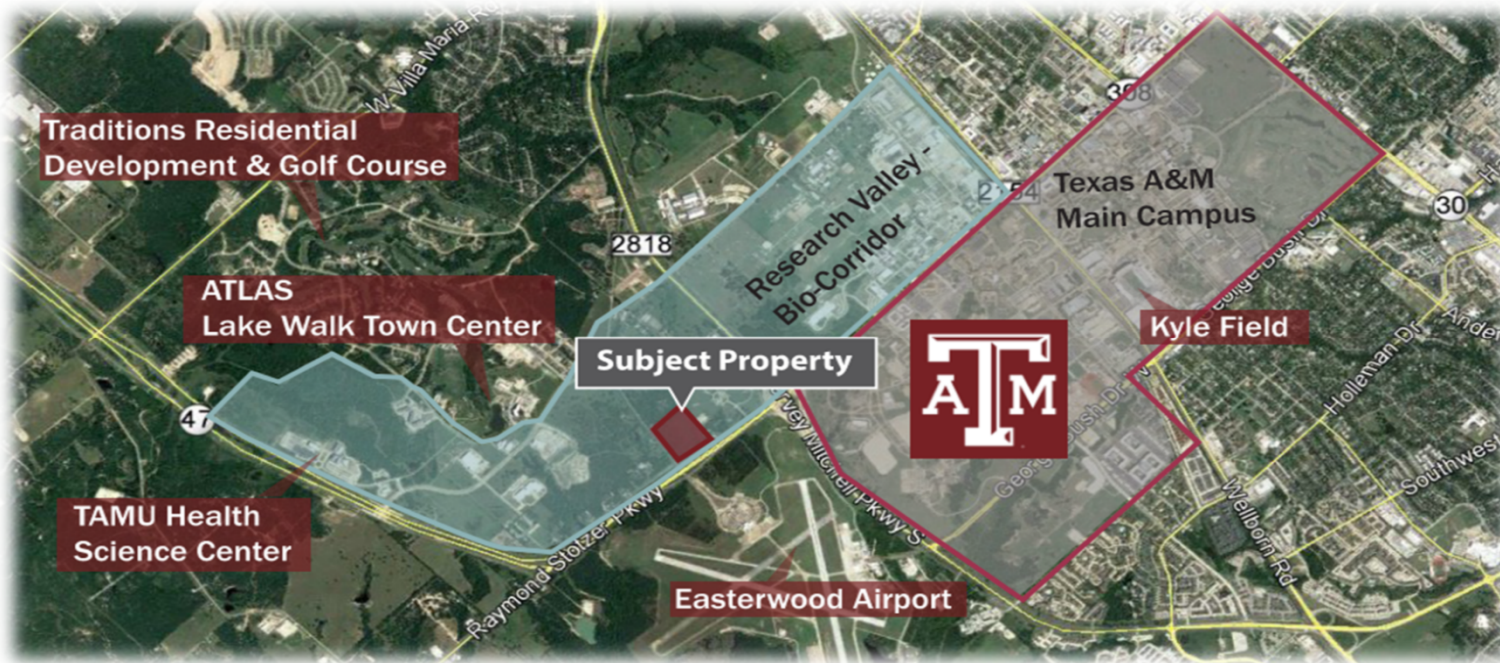
# Proposed Development

## Location & Zoning

- 17.79 acres of raw land at corner of Turkey Creek Road and Raymond Stotzer Blvd
- General Commercial (GC) and Multifamily (MF)

## Development Plan

- Mixed-use Development: Class-A+ Rental units adjacent to Commercial Retail
- Walking/biking distance of BioCorridor and Texas A&M campuses
- Professional adults of all ages as opposed to student housing



# Proposed Development

## General Commercial Programming:

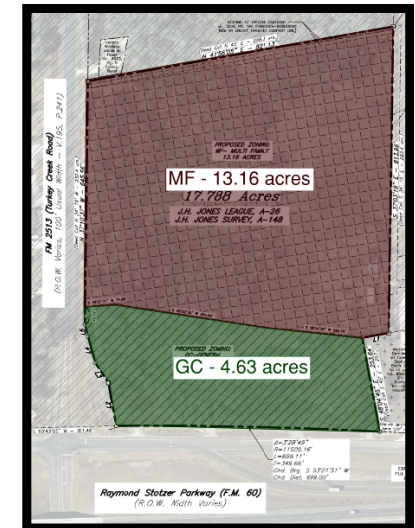
- 4.63 acres
- Commercial retail corner along Raymond Stotzer adjacent to luxury rental community
- Potential Retail Uses:
  - Retail Shopping
  - Quick Service Restaurants
  - Office



# Proposed Development

## Multifamily Programming:

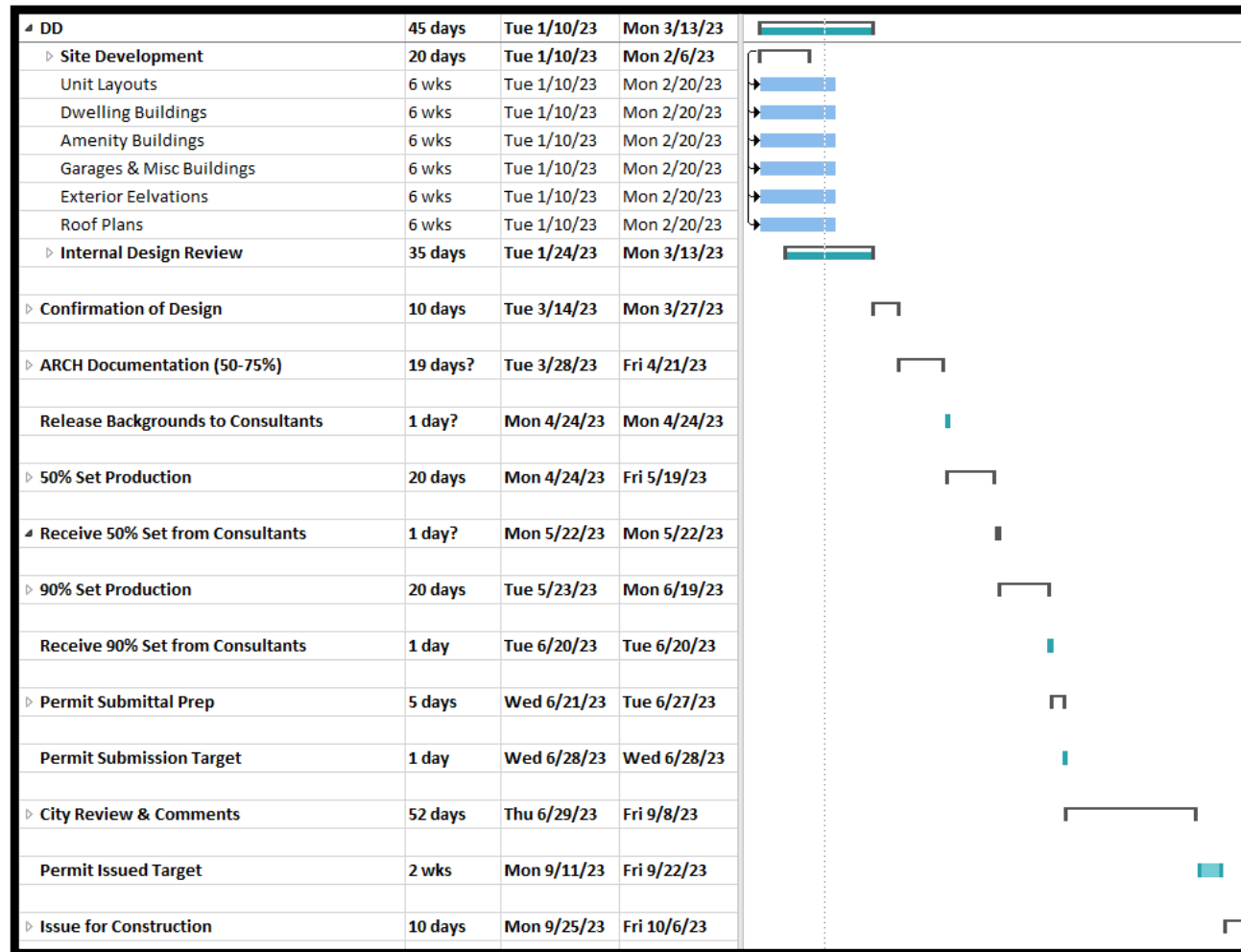
- 13.16 acres
- 279 Class-A, Luxury Multifamily:
  - 1- and 2-bedroom apartment units
  - 2- and 3-bedroom townhome units
- Amenities:
  - Highly-amenitized clubhouse
  - Gated community w/ access control
  - Garages and Carports
  - Access-controlled bike parking/storage



# Development Schedule

- Original target break ground date:

10/2023



## Subject to Appeal

- Water and Roadway Impact Fees associated with the new Asher Turkey Creek Multifamily Development





# Development History

- Initial Entitlements (CPA/RZ/PP/FP): 2015 – 2019
- CCN Swap: 2019 – 2021
- Preliminary Plan Submitted: Feb 2022
- Final Plat Submitted: Apr 2022
- Site Plan submitted: Sep 2023



# Development History

- Preconstruction Meeting for Final Plat: Oct 13, 2023
- Construction Plan Approval: Nov 7, 2023
- Start of Construction: Nov 20, 2023
- Building Permit (BP) Submittal: Dec 20, 2023
- City Refusal refuses BP b/c plat not approved by P&Z: Dec 20, 2023



# Development History

- Developer offered Letter of Credit (LC): Dec 20, 2023
- City denies LC b/c P&Z must approve Plat: Dec 20, 2023



# Impact of Building Permit Denial

- Original Impact Fees Due: \$213,655
- Additional Impact Fees Due: \$256,804



# Concurrent Reviews

- Ordinance states:
  - “Two (2) or more forms of review and approval are typically required in the development process. Development proposals that require applications for Official Zoning Map amendments are required to be acted upon by the City Council before plat and other development applications will be accepted for review by the City. In addition, preliminary plans are to be acted upon by the Planning and Zoning Commission or the Administrator before a subsequent final plat will be accepted for review by the City. At the discretion of the Administrator, plat and other applications for development approvals may be processed simultaneously, so long as the approval procedures for each application can be completed pursuant to the requirements of this UDO. Such processing shall occur at the applicant's own risk.”
- Says “at the discretion of the Administrator”, however BP and FP reviews occurred concurrently for years as a normal course of business



# Concurrent Reviews

- Projects with BP reviewed prior to FP filing:
  - Ariza
  - Broadstone Traditions Ph. 2
  - Ascend at Harvey Apartments
  - Ranch at Arrington
  - Huntington Senior Living
  - Sodalis College Station
- Concurrent Reviews: BP/FP were occurring as a normal course of business without Administrator discretion



# Summary

- Significant Development Progress:
  - Our Building Permit submission was a natural development progression
- Good Faith:
  - We were and have continued to act in good faith
- Lack of Communication:
  - We were never informed of a change in policy implementation
- Unjust Assessment of Fees:
  - We are asking the City Council to grant this appeal request





# APPENDIX

Development at Turkey Creek &  
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# UDO Chapter 107

Water Meter Size	Building Permit Application Date				
	Residential				Non-Residential
	3/01/2022 - 12/31/2023	01/01/2024 - 12/31/2024	01/01/2025 - 12/31/2025	On or After 01/01/2026	As of 12/1/2017
5/8" x 3/4"	\$550	\$1,950	\$2,150	\$2,325	\$500
1"	\$935	\$3,218	\$3,548	\$3,836	\$850
1-1/2"	\$5,885	\$20,865	\$23,005	\$24,878	\$5,350
2"	\$5,885	\$20,865	\$23,005	\$24,878	\$5,350
3"	\$14,685	\$52,065	\$57,405	\$62,078	\$13,350
4"	\$29,315	\$103,935	\$114,595	\$123,923	\$26,650
6"	\$58,685	\$208,065	\$229,405	\$248,078	\$53,350
8"	\$99,000	\$351,000	\$387,000	\$418,500	\$90,000
10"	\$146,685	\$520,065	\$573,405	\$620,078	\$133,350



# UDO Chapter 107

Service Areas	Maximum Assessable Roadway Impact Fee Per Service Unit	
	Final Plat Recorded Prior to 01/01/2022	Final Plat Recorded On or After 01/01/2022
Service Area A	\$ 1,061	\$ 499
Service Area B	\$ 1,072	\$ 1,261
Service Area C	\$ 2,556	\$ 2,127
Service Area D	\$ 4,004	\$ 3,452

Service Areas	Building Permit Application Date									
	03/01/2022 - 12/31/2023		01/01/2024 - 12/31/2024		01/1/2025 - 12/31/2025			On or After 01/01/2026		
	Land Use Type		Land Use Type		Land Use Type			Land Use Type		
	Residential	Non-Residential	Residential	Non-Residential	Residential		Non-Residential	Residential		Non-Residential
Platted Before 01/01/2022					Platted On or After 01/01/2022	Platted Before 01/01/2022		Platted On or After 01/01/2022		
Zone A	\$438.83	\$80	\$499	\$80	\$499	\$499	\$80	\$499	\$499	\$80
Zone B	\$438.83	\$80	\$897	\$80	\$1,072	\$1,163	\$80	\$1,072	\$1,261	\$80
Zone C	\$438.83	\$80	\$897	\$80	\$1,163	\$1,163	\$80	\$1,514	\$1,514	\$80
Zone D	\$438.83	\$80	\$897	\$80	\$1,163	\$1,163	\$80	\$1,514	\$1,514	\$80

