

Agenda Item Details

Meeting	Oct 08, 2024 - Bryan City Council Second Regular Meeting
Category	4. Public Hearings and First and Only Readings of Ordinances - Open public hearing, hear citizen comments, close public hearing, staff presentation, and consider first and only reading of ordinance.
Subject	B. Owner-requested annexation case no. ANNEX23-07, public hearing, presentation, and consideration of the first and only reading of an ordinance of the City of Bryan, Texas, annexing territory generally described as being 51.59 acres of land out of the James McMillian Survey, Abstract No. 176, located about 4,000 feet north of the intersection of Pleasant Hill and Fred Hall Roads, 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.
Type	Action
Preferred Date	Oct 08, 2024
Absolute Date	Oct 08, 2024
Fiscal Impact	Yes
Dollar Amount	2,579.50
Budgeted	No
Budget Source	General Fund - Development Services budget
Goals	Public Safety Service Economic Development Infrastructure Quality of Life

Summary:

On July 12, 2023, the City of Bryan received an application for annexation from Max Turner, of WBW Development, LLC, for an owner-requested annexation of 51.59 acres of land out of the James McMillian Survey, Abstract No. 176, located about 4,000 feet north of the intersection of Pleasant Hill and Fred Hall Roads. The applicant requests the subject property be assigned Planned Development – Housing District (PD-H) zoning upon annexation.

While the subject 51.59 acres will be an addition to the ongoing development of the Pleasant Hill Subdivision, please note the zoning standards requested to be applied to the subject property are different than the standards of the Planned Development – Mixed Use District (PD-M) of the other sections of Pleasant Hill. The applicant made modifications based on concerns recently expressed by the Planning and Zoning Commission. The proposed development plan will differ substantially in the following areas:

- Land uses not specific to detached residential housing have been removed.
- Set a requirement that street widths shall be built to a standard of 30-feet, measuring from the back of curb.
- All lots shall have a minimum area of 6,000 square feet, with 30% of lots being 7,000 square feet or larger.
- Average lot size shall be at least 6,900 square feet.
- Installation of a minimum of two canopy trees required.

- 17 acres of land to be placed in a conservation zone.

In accordance with Texas Local Government Code §43.0672, the City of Bryan entered into a municipal services agreement with the property owners, WBW Development, LLC on August 29, 2023. Staff anticipates no extraordinary new services, facilities, or expenses as a result of this annexation. Services to be provided immediately upon annexation include, but are not limited to, domestic water, sanitary sewer, police and fire protection, solid waste collection, and building services. Any new services will be constructed at the cost of the developer. A copy of this service agreement is attached to this Council Action Form.

Pursuant to Texas Health and Safety Code Section 775.022, upon annexation, the City of Bryan will have to reimburse Emergency Services District 4 (ESD) to remove this land from the District's service area and become the sole provider of emergency services. The exact reimbursement cost has yet to be determined and will require the ESD to submit information about its amount of bonded debt and its overall service area.

This annexation request was scheduled for consideration by the City Council during its November 14, 2023, and April 9, 2024 meetings. At the request of the applicants, the City Council postponed consideration of this request both times, most-recently until the City Council's October 8, 2024 second regular meeting.

On September 10, 2024, staff was informed that, due to pending environmental test results, the applicants are again seeking to postpone consideration of this request until the City Council's February 11, 2025 second regular meeting.

Analysis and Recommendation:

During its regular meeting on October 5, 2023, the Planning and Zoning Commission concurred with staff and unanimously voted to recommend approval of the owner-requested annexation of these 51.59 acres, and to assign Planned Development – Housing District (PD-H) zoning to the property upon annexation.

- Approving the requested annexation will bring 51.59 acres of land under the full regulatory control of the City; annexation of this acreage can therefore help promote orderly urban growth in west Bryan.
- The Planning and Zoning Commission anticipates no extraordinary new services, facilities, or expenses as a result of this annexation.
- The Planning and Zoning Commission contends the proposed PD-H zoning district is most appropriate and efficient for the land in this specific case.
- BluePrint 2040 recommends this location as being appropriate for low density residential development. Assigning the proposed PD-H zoning will promote orderly development and urban growth, while also protecting future development for surrounding residential properties.

Options:

1. approve the proposed owner-initiated annexation; or
2. approve the proposed owner-initiated annexation with modifications, which may require rescheduling the request for consideration on a future City Council meeting agenda, re-notification and/or newspaper publication; or
3. postpone consideration of this request to the City Council's second regular meeting on February 11, 2025; or
4. not approve this proposed owner-initiated annexation at this time and provide direction to staff.

Attachments:

1. location maps;
2. draft annexation ordinance and exhibits with service plan;
3. email from applicants dated September 10, 2024, requesting postponement;
4. excerpt from April 9, 2024, City Council second regular meeting minutes;
5. excerpt from November 14, 2023, City Council second regular meeting minutes;
6. email from applicant dated November 7, 2023 requesting postponement;
7. excerpt from October 5, 2023 Planning and Zoning Commission regular meeting draft minutes;
8. staff report to the Planning and Zoning Commission; and
9. attachments to staff report to the Planning and Zoning Commission.

[CAF ATTACHMENTS ANNEX23-07, Pleasant Hill Section 4.pdf \(10,092 KB\)](#)