

Agenda Item Details

Meeting	Sep 16, 2025 - Bryan City Council Special Meeting
Category	4. Public Hearing - Open public hearing, hear citizen comments, close public hearing.
Subject	A. Owner-requested annexation case no. ANN25-02, 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 162.6 acres of land out of the James Curtis Jr. League, Abstract No. 12, and the H. Mitchell League, Abstract No. 180, located generally south of the intersection of West OSR and Fazzino Lane, 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	Sep 16, 2025
Absolute Date	Sep 16, 2025
Fiscal Impact	Yes
Budgeted	No
Budget Source	General Fund – Development Services budget
Goals	Economic Development Infrastructure Public Safety Quality of Life Service

Summary:

On July 1, 2025, the City of Bryan received an annexation request from property owners, Dodd Family Holdings LLC, for an owner-requested annexation of 162.6 acres of land out of the James Curtis Jr. League, Abstract No. 12, and the H. Mitchell League, Abstract No. 180, located generally south of the intersection of West OSR and Fazzino Lane. The property owner requests the subject property be assigned a combination of Planned Development – Mixed-Use District (PD-M) and Innovation Corridor – Retail Services District (IC-RS) zoning upon annexation. Specifically, 37.95 acres of the subject property are proposed to be zoned IC-RS District, and the remaining 124.65 acres are proposed to be zoned PD-M District.

The proposed PD-M regulations are attached to this Council Action Form as Attachment "B". The proposed development regulations represent several departures from standard non-residential site requirements, including:

1. **Building design and articulation requirements.** Facades of a building adjacent to an existing or planned public right-of-way must incorporate a change to the building material, pattern, texture, color, or accent material every 150 linear feet of the building.
2. **Screening requirements and sound proofing.** Mechanical equipment, essential municipal uses, and vehicular loading and unloading areas require complete screening from existing and planned public rights-of-way. Any mechanical equipment located within 400 feet of a residential structure must be screened on all four sides by an acoustical barrier.
3. **Building setbacks and buffers.** Data centers require a 35-foot setback from property lines adjacent to public rights-of-way and a 15-foot setback from all other property lines to allow for additional landscaping required by the Innovation Corridor Overlay District. Data centers also require a buffer of 200 feet from any residential structure.

The only primary land uses proposed within the boundaries of this PD District are data center, essential municipal uses, general office, and general outdoor storage. As 'data center' is not currently a defined land use within the City of Bryan's zoning ordinance, this PD defines the use in addition to providing specific physical development regulations. The proposed PD-M District is intended to encompass specific incoming development, while the 37.95 acres proposed to be assigned IC-RS District upon annexation have no specific end user. The assignment of IC-RS District will allow for appropriate future development that conforms with the purpose and appearance standards of the Innovation Corridor.

The Innovation Corridor zoning and overlay districts were adopted by the Bryan City Council in October 2022 (Ordinance Nos. 2585, 2586, 2587, 2588, and 2589). This 5,500-acre City initiated rezoning was inspired by the recommendations found within the Southwest Bryan Highest and Best Use Study (2009) and the West Area Plan (2016). The IC-RS District zoning on the subject property allow the following summary of land uses by right:

- Apparel and accessory stores;
- Child care;
- College or university support and auxiliary uses;
- Eating and Drinking places;
- Food stores;
- Hotel; and
- Personal service shop or custom personal services.

Adjacent properties located to the northwest, across OSR, and to the northeast, across Fazzino Lane, are located in the City of Bryan's extraterritorial jurisdiction (ETJ). Property located to the south, across West State Highway 21 (W SH 21) is the location of RELLIS Campus, which is part of the Texas A&M University System, and is zoned Innovation Corridor – Research and Development District (IC-RD). All properties within 1,500 feet of West State Highway 21 and State Highway 47 (SH 47) located within City limits also are within the Innovation Corridor Overlay District.

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, pursuant to Texas Health and Safety Code Section 775.022. The exact reimbursement cost the City will be responsible for has yet to be determined (estimated at around \$8,130) and will require the ESD to submit information about its amount of bonded debt and its overall service area.

In accordance with the amended subsection (a) of Texas Health and Safety Code Section 775.022, enacted through SB 2965, signed into law by Governor Greg Abbott during the 89th Regular Session of the Texas Legislature, and effective September 1, 2025, City staff will notify ESD 4 within thirty (30) days of the City Council's approval of the annexation. The property will remain within ESD 4's service territory until the District receives this notice and formally disannexes the area by resolution. If the ESD 4 Board determines the City's planned municipal services will not meet or exceed the current level of service provided by the District, it must adopt a resolution stating that finding and, in such case, may not disannex the territory. However, if the Board does not issue either an approval or disapproval resolution within thirty (30) days of receiving the City's annexation notice, the disannexation is deemed approved.

State law requires the annexation ordinance to include a municipal service plan detailing specific municipal services to be provided to the area after annexation. Staff anticipates no extraordinary new services, facilities, or expenses as a result of this annexation. The City is able to provide municipal services upon annexation in accordance with State law without negatively impacting service provisions within the City. Sanitary sewer and water infrastructure currently under construction will be available for point-of-use connections or extension, as applicable, upon completion of its construction. A copy of this service agreement is attached to this Council Action Form as Exhibit "C".

Analysis and Recommendation:

During its regular meeting on September 4, 2025, the Planning and Zoning Commission concurred with staff and **unanimously voted to recommend approval** of the owner-requested annexation of these 162.6 acres, and to assign a combination of Planned Development – Mixed Use District (PD-M) and Innovation Corridor – Retail Services (IC-RS) zoning to the property upon annexation. The Commission adopted the written staff report and analysis as the report, findings, and evaluation of the Commission.

- Approving the requested annexation will bring 162.6 acres of land under the full regulatory control of the City; annexation of this acreage can, therefore, help promote orderly urban growth in the Innovation Corridor area.

- 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 combination of PD-M and IC-RS zoning is most appropriate and efficient for the land in this specific case.

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. do 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;
3. service plan (Exhibit C, separate attachment);
4. excerpt from September 4, 2025 Planning and Zoning Commission regular meeting minutes;
5. staff report to the Planning and Zoning Commission; and
6. attachments to staff report to the Planning and Zoning Commission (separate attachment).

[Exhibit C, MUNICIPAL SERVICES AGREEMENT - Dodd Family Holdings LLC.pdf \(1,844 KB\)](#)

[ANN25-02 Staff Report Attachments to P&Z.pdf \(2,056 KB\)](#)

[CAF ATTACHMENTS ANN25-02, Dodd Family Holdings LLC.pdf \(2,734 KB\)](#)