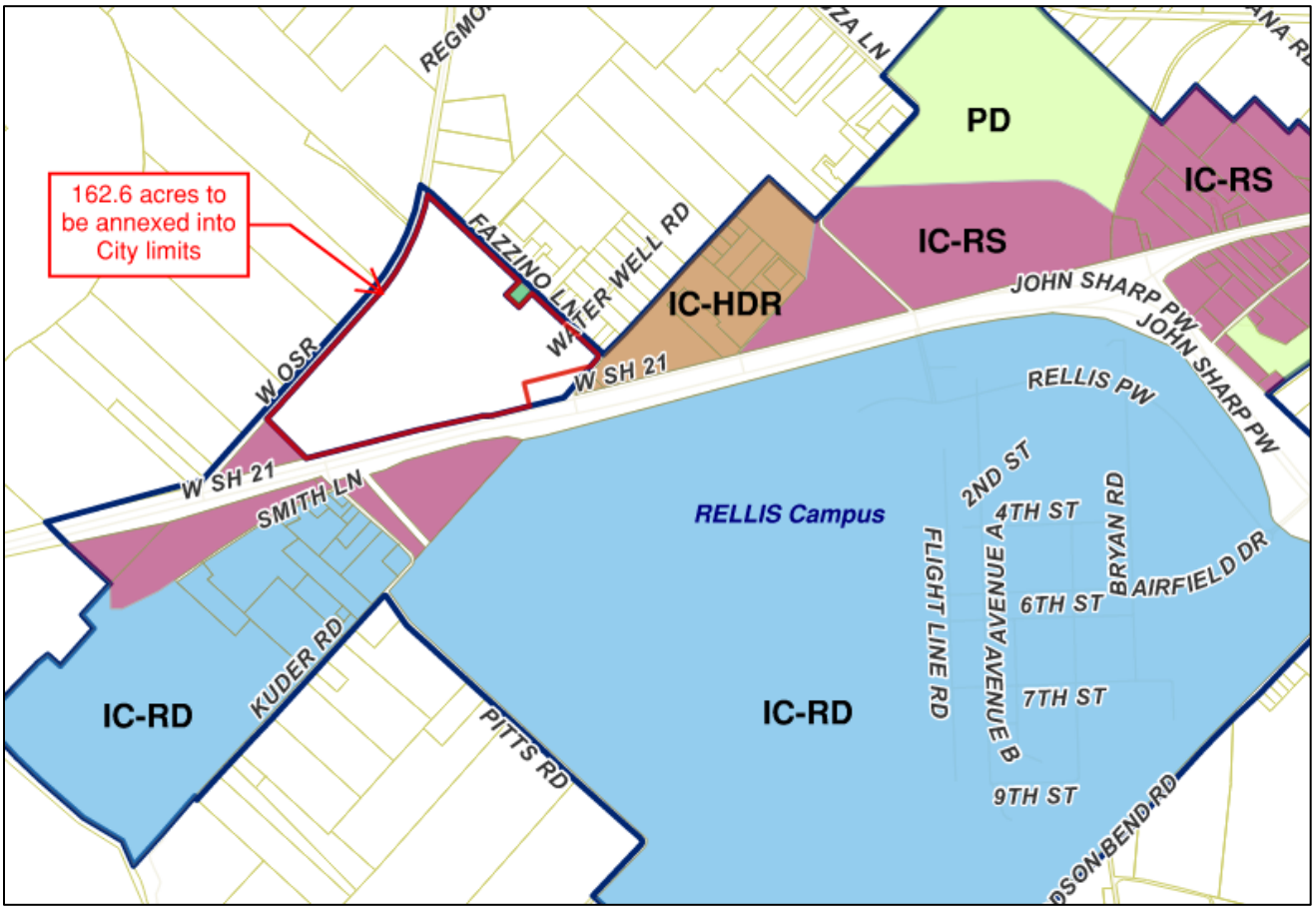
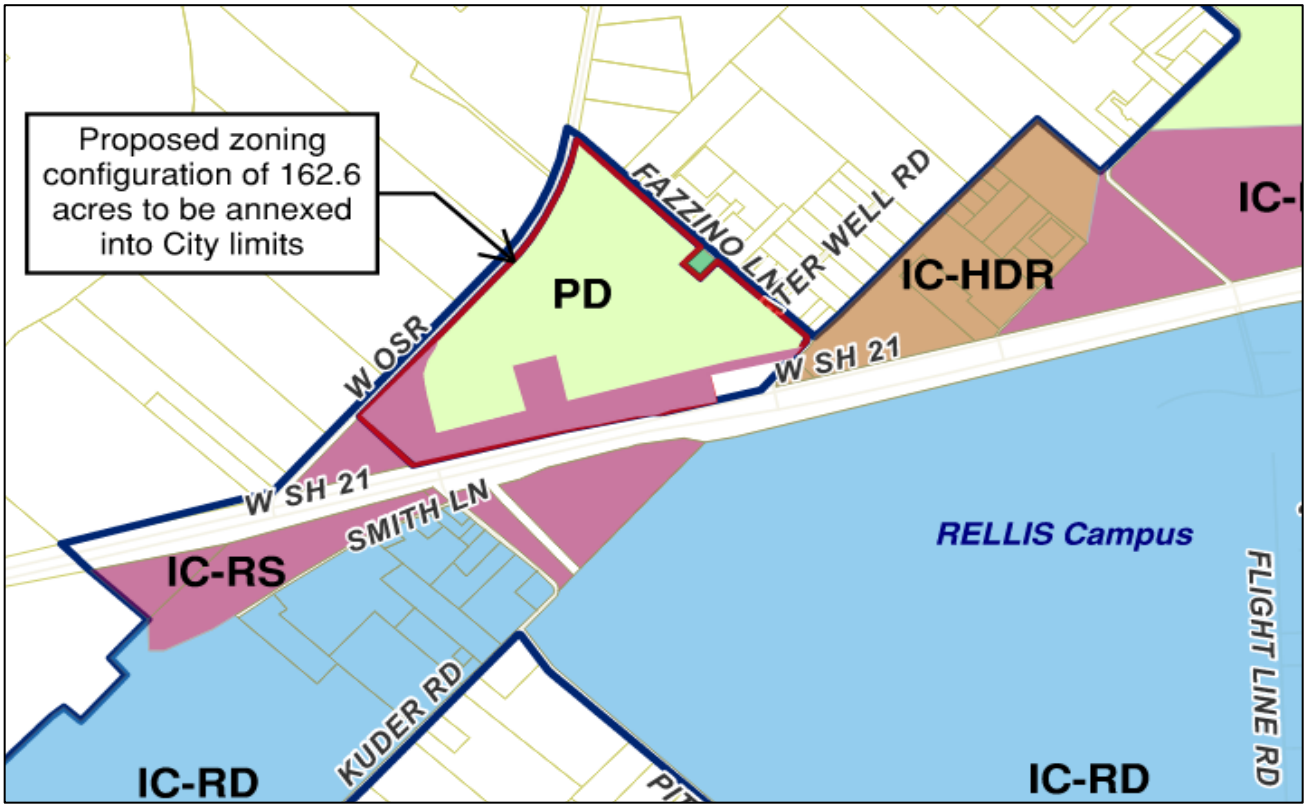
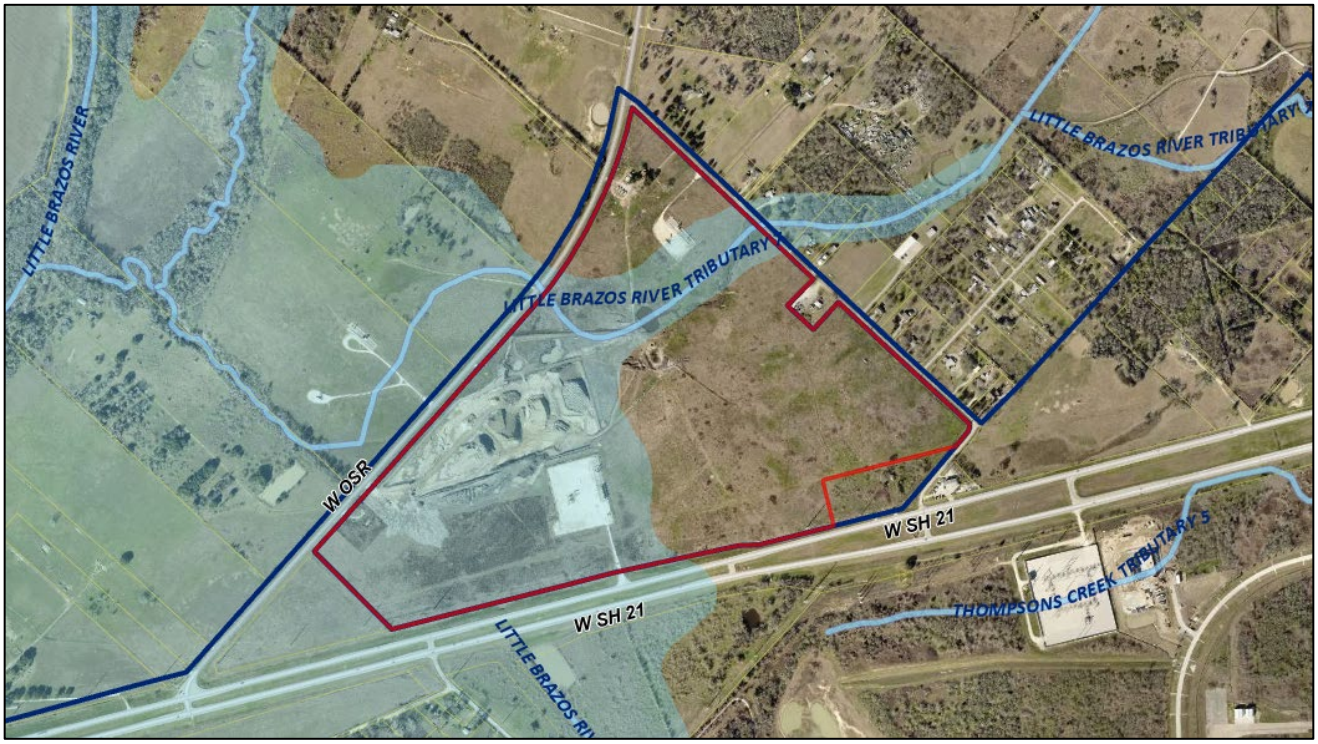
ZONING AND LOCATION MAPS:




Proposed zoning configuration of 162.6 acres to be annexed into City limits
PD
FAZZINO LN
WINTER WELL RD
IC-HDR
IC-
W OSR
W SH 21
W SH 21
SMITH LN
IC-RS
RELLIS Campus
FLIGHT LINE RD
KUDER RD
IC-RD
IC-RD


LITTLE BRAZOS RIVER
LITTLE BRAZOS RIVER TRIBUTARY
LITTLE BRAZOS RIVER TRIBUTARY
W OSR
W SH 21
W SH 21
THOMPSONS CREEK TRIBUTARY 5

ORDINANCE NO. _____

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 W. OSR AND FAZZINO LANE, IN BRAZOS COUNTY, TEXAS, LYING ADJACENT AND CONTIGUOUS TO THE PRESENT OBSERVED 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, a service plan has been prepared that provides for 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, a public hearing was held during the Special City Council meeting on September 16, 2025, and 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 hearing have been issued as required by law and the hearing was held within the time required by law; 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 properties described by metes-and-bounds on Exhibits "A-1", "A-2", and "A-3" and depicted on Exhibit "A-4" are attached hereto and incorporated herein for all purposes, said territory lying adjacent to and adjoining the present observed boundaries of the City of Bryan, Texas, and are 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 assign Innovation Corridor – Retail Services District (IC-RS) to 37.95 acres of the subject property and Planned Development – Mixed Use District (PD-M) zoning to 124.65 acres of the subject property upon annexation, subject to development requirements specified in Attached Exhibit "B" which is 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 final reading and passage.

PASSED, ADOPTED, AND APPROVED on the 16th day of September 2025, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote of ___ yeses and ___ noes.

ATTEST:

_____
Melissa Brunner, City Secretary

CITY OF BRYAN:

_____
Bobby Gutierrez, Mayor

APPROVED AS TO FORM:

_____
Thomas A. Leeper, City Attorney

Exhibit "A-1":
Metes-and-bounds description of 37.95 acres of land proposed to be zoned IC-RS District

A FIELD NOTES DESCRIPTION OF 37.95 ACRES IN THE JAMES CURTIS JR LEAGUE SURVEY, ABSTRACT 12, IN BRAZOS COUNTY, TEXAS, BEING A PORTION OF A 162.6 ACRE TRACT OF LAND DESCRIBED IN A DEED TO DODD FAMILY HOLDINGS, LLC RECORDED IN VOLUME 18816, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 37.95 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped 'KERR 4502' found in the north right-of-way line of State Highway 21 (right-of-way width varies), at the most southerly corner of said 162.6 acre tract and the east corner of a called 10.223 acre tract of land described in a deed to Steele Brook Minerals & Royalties Limited recorded in Volume 9900, Page 32 (OPRBCT);

THENCE, with the common line of said 162.6 acre tract and said 10.233 acre tract, **N 47° 06' 23" W**, for a distance of **727.08 feet** to a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found on the southeast side of OSR (Old San Antonio Road - a 120' wide right-of-way per TXDOT plans) at the north corner of said 10.223 acre tract, the west corner of said 162.6 acre tract and the west corner hereof;

THENCE, with the southeast line of OSR, same being the northwest line of said 162.6 acre tract, **N 41° 52' 43" E**, for a distance of **1,180.16 feet** to a 1/2 inch iron rod set (all rods set with blue plastic cap stamped 'KERR SURVEYING') for the northwest corner hereof, from which a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found bears N 41° 52' 43" E, a distance of 1,047.94 feet;

THENCE, through said 162.6 acre tract, the following eight (8) courses and distances:

1) with a curve to the left, having a radius of **690.00 feet,** an arc length of **673.01 feet,** a delta angle of **55° 53' 07",** and a chord which bears **S 13° 56' 10" W,** a distance of **646.65 feet,** to a 1/2 inch iron rod set;

2) **S 14° 00' 24" E,** a distance of **457.17 feet** to a 1/2 inch iron rod set;

3) **N 73° 49' 16" E,** a distance of **947.18 feet** to a 1/2 inch iron rod set;

4) **N 14° 00' 24" W,** a distance of **533.12 feet** to a 1/2 inch iron rod set;

5) **N 75° 49' 51" E,** a distance of **444.50 feet** to a 1/2 inch iron rod set;

6) **S 14° 00' 24" E,** a distance of **517.52 feet** to a 1/2 inch iron rod set;

7) **N 73° 49' 16" E,** a distance of **1,810.60 feet** to a 1/2 inch iron rod set; and

8) **N 77° 43' 54" E,** a distance of **629.35 feet** to a 1/2 inch iron rod set on the occupied northwest margin of Fazzino Lane, same being the southeast line of said 162.6 acre tract, for the northeast corner hereof, from which a magnail with shiner found in the paved roadway of Fazzino Lane at the east corner of said 162.6 acre tract bears N 39° 26' 04" E, a distance of 83.32 feet;

THENCE, with the southeast line of said 162.6 acre tract, along the occupied northwest margin of Fazzino Lane, **S 39° 26' 04" W**, for a distance of **118.44 feet** to a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the northeast corner of a called 5.10 acre tract of land described in a deed to Rising Harvey, LLC recorded in Volume 17400, Page 1 (OPRBCT);

THENCE, with the common line of said 162.6 acre tract and said 5.10 acre tract, **S 75° 48' 38" W**, for a distance of **910.50 feet** to a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the west corner of said 5.10 acre tract;

THENCE, continuing with said common line, **S 14° 11' 52" E**, for a distance of **320.83 feet** to a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found in the northwest right-of-way line of State Highway 21 at the southwest corner of said 5.10 acre tract, from which another 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the southeast corner of said 5.10 acre tract bears N 75° 48' 19" E, a distance of 474.96 feet;

THENCE, with the northwest line of State Highway 21, same being the southeast line of said 162.6 acre tract, the following five (5) courses and distances:

1) **S 75° 48' 10" W,** a distance of **480.56 feet** to 1/2 inch iron rod with yellow plastic cap found;

2) **S 83° 24' 27" W,** a distance of **302.74 feet** to 1/2 inch iron rod found;

3) **S 75° 51' 15" W,** a distance of **400.20 feet** to type 1 TXDOT concrete right-of-way marker found;

4) **S 79° 46' 07" W,** a distance of **196.36 feet** to type 1 TXDOT concrete right-of-way marker found; and

5) **S 75° 59' 36" W,** a distance of **1,724.90 feet** to the **POINT OF BEGINNING** hereof and containing **37.95 acres**, more or less.

Surveyed on the ground January 2024 under my supervision. See plat prepared July 2024 for other information. The bearing basis for this survey is based on the Texas State Plane Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from GPS observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not grid areas) divide by a combined scale factor of 1.00010730366103 (calculated using GEOID12B).

7/22/24

Michael Konetski

Registered Professional Land Surveyor No. 6531

STATE OF TEXAS
REGISTERED
MICHAEL KONETSKI
6531
PROFESSIONAL
LAND SURVEYOR

Exhibit "A-2":
Metes-and-bounds description of 20.05 acres of land proposed to be zoned PD-M District

A FIELD NOTES DESCRIPTION OF 20.05 ACRES IN THE JAMES CURTIS JR LEAGUE SURVEY, ABSTRACT 12, IN BRAZOS COUNTY, TEXAS, BEING A PORTION OF A 162.6 ACRE TRACT OF LAND DESCRIBED IN A DEED TO DODD FAMILY HOLDINGS, LLC RECORDED IN VOLUME 18816, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 20.05 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod with yellow plastic cap stamped 'KERR 4502' found in the north right-of-way line of State Highway 21 (right-of-way width varies), at the most southerly corner of said 162.6 acre tract and the east corner of a called 10.223 acre tract of land described in a deed to Steele Brook Minerals & Royalties Limited recorded in Volume 9900, Page 32 (OPRBCT);

THENCE, with the common line of said 162.6 acre tract and said 10.233 acre tract, N 47° 06' 23" W, for a distance of 727.08 feet to a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found on the southeast side of OSR (Old San Antonio Road - a 120' wide right-of-way per TXDOT plans) at the north corner of said 10.223 acre tract, the west corner of said 162.6 acre tract and the west corner hereof;

THENCE, with the southeast line of OSR, same being the northwest line of said 162.6 acre tract, N 41° 52' 43" E, for a distance of 1,180.16 feet to a 1/2 inch iron rod set (all rods set with blue plastic cap stamped 'KERR SURVEYING') for the **POINT OF BEGINNING** hereof;

THENCE, continuing with the southeast line of OSR, the following two (2) courses and distances:

1) **N 41° 52' 43" E**, a distance of **1,047.94 feet** to a 1/2 inch iron rod set for a point of curvature; and

2) with a curve to the left, having a radius of **2,924.71 feet**, an arc length of **75.01 feet**, a delta angle of **01° 28' 10"**, and a chord which bears **N 41° 08' 38" E**, a distance of **75.01 feet**, to a 1/2 inch iron rod set for the north corner hereof, from which a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the end of said curve for the north corner of said 162.6 acre tract bears N 25° 52' 49" E, a chord distance of 1,467.42 feet;

THENCE, through said 162.6 acre tract, the following four (4) courses and distances:

1) **S 48° 07' 17" E**, a distance of **346.03 feet** to a 1/2 inch iron rod set;

2) **S 16° 16' 09" E**, a distance of **685.21 feet** to a 1/2 inch iron rod set for the east corner hereof;

3) **S 73° 43' 51" W**, a distance of **1,432.07 feet** to a 1/2 inch iron rod set for the south corner hereof, from which a 1/2 inch iron rod set bears S 06° 41' 48" E, a distance of 175.59 feet; and

4) with a non-tangent curve to the right, having a radius of **690.00 feet**, an arc length of **496.95 feet**, a delta angle of **41° 15' 55"**, and a chord which bears **N 21° 14' 45" E**, a distance of **486.28 feet**, to the **POINT OF BEGINNING** hereof and containing **20.05 acres**, more or less.

Surveyed on the ground January 2024 under my supervision. See plat prepared July 2024 for other information. The bearing basis for this survey is based on the Texas State Plane Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from GPS observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not grid areas) divide by a combined scale factor of 1.00010730366103 (calculated using GEOID12B).

7/22/24

Michael Konetski
Registered Professional Land Surveyor No. 6531

STATE OF TEXAS
REGISTERED
MICHAEL KONETSKI
6531
PROFESSIONAL
LAND SURVEYOR

Exhibit "A-3":
Metes-and-bounds description of 104.6 acres of land proposed to be zoned PD-M District

A FIELD NOTES DESCRIPTION OF 104.6 ACRES IN THE JAMES CURTIS JR LEAGUE SURVEY, ABSTRACT 12 AND THE H. MITCHELL SURVEY, ABSTRACT 180, IN BRAZOS COUNTY, TEXAS, BEING A PORTION OF A 162.6 ACRE TRACT OF LAND DESCRIBED IN A DEED TO DODD FAMILY HOLDINGS, LLC RECORDED IN VOLUME 18816, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 104.6 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found on the southeast side of OSR (Old San Antonio Road - a 120' wide right-of-way per TXDOT plans), in the southwest margin of Fazzino Lane (right-of-way appears to be prescriptive in nature), at the north corner of said 162.6 acre tract;

THENCE, with the northeast line of said 162.6 acre tract, along the occupied southwest side of Fazzino Lane, **S 46° 25' 37" E**, for a distance of **1,667.16 feet** to a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the north corner of a called 1.50 acre tract of land described in a deed to Joann Fazzino Sloan recorded in Volume 1569, Page 156 of the Official Records of Brazos County, Texas (ORBCT);

THENCE, with the common lines of said 162.6 acre tract and said 1.50 acre tract, the following three (3) courses and distances:

1) **S 41° 53' 40" W,** a distance of **255.63 feet** to 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the west corner of said 1.50 acre tract;

2) **S 48° 05' 53" E,** a distance of **255.55 feet** to 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the south corner of said 1.50 acre tract; and

3) **N 41° 54' 18" E,** a distance of **255.76 feet** to 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found on the southwest margin of Fazzino Lane at the east corner of said 1.50 acre tract;

THENCE, continuing with the northeast line of said 162.6 acre tract, along the occupied southwest side of Fazzino Lane, **S 48° 04' 45" E**, for a distance of **1,224.33 feet** to a magnail with shiner found in the paved roadway of Fazzino Lane, at a bend to the right, for the east corner of said 162.6 acre tract and the east corner hereof;

THENCE, with the southeast line of said 162.6 acre tract, along the occupied northwest margin of Fazzino Lane, **S 39° 26' 04" W**, for a distance of **83.32 feet** to a 1/2 inch iron rod set (all rods set with blue plastic cap stamped 'KERR SURVEYING'), from which a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the northeast corner of a called 5.10 acre tract of land described in a deed to Rising Harvey, LLC recorded in Volume 17400, Page 1 (OPRBCT) bears S 39° 26' 04" W, a distance of 118.44 feet;

THENCE, through said 162.6 acre tract, the following eleven (11) courses and distances:

1) **S 77° 43' 54" W,** a distance of **629.35 feet** to a 1/2 inch iron rod set;

2) **S 73° 49' 16" W,** a distance of **1,810.60 feet** to a 1/2 inch iron rod set;

3) **N 14° 00' 24" W,** a distance of **517.52 feet** to a 1/2 inch iron rod set;

4) **S 75° 49' 51" W,** a distance of **444.50 feet** to a 1/2 inch iron rod set;

5) **S 14° 00' 24" E,** a distance of **533.12 feet** to a 1/2 inch iron rod set;

6) **S 73° 49' 16" W,** a distance of **947.18 feet** to a 1/2 inch iron rod set for the southwest corner hereof;

7) **N 14° 00' 24" W,** a distance of **457.17 feet** to a 1/2 inch iron rod set for a point of curvature;

8) with a curve to the right, having a radius of **690.00 feet,** an arc length of **176.06 feet,** a delta angle of **14° 37' 12",** and a chord which bears **N 06° 41' 48" W,** a distance of **175.59 feet,** to a 1/2 inch iron rod set for the west corner hereof, from which a 1/2 inch iron rod set on the southeast side of OSR, at the end of said curve, bears N 21° 14' 45" E, a distance of 486.28 feet;

9) **N 73° 43' 51" E,** a distance of **1,432.07 feet** to a 1/2 inch iron rod set;

10) **N 16° 16' 09" W,** a distance of **685.21 feet** to a 1/2 inch iron rod set; and

11) **N 48° 07' 17" W,** a distance of **346.03 feet** to a 1/2 inch iron rod set in a curve on southeast side of OSR for the northwest corner hereof, from which a 1/2 inch iron rod with yellow plastic cap stamped 'STRONG RPLS 4961' found at the beginning of said curve bears S 41° 08' 38" W, a distance of 75.01 feet;

THENCE, with the southeast line of OSR, same being the northwest line of said 162.6 acre tract, with a curve to the left, having a radius of **2,924.71 feet,** an arc length of **1,483.26 feet,** a delta angle of **29° 03' 27",** and a chord which bears **N 25° 52' 49" E,** a distance of **1,467.42 feet** to the **POINT OF BEGINNING** hereof and containing **104.6 acres**, more or less.

Surveyed on the ground January 2024 under my supervision. See plat prepared July 2024 for other information. The bearing basis for this survey is based on the Texas State Plane Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from GPS observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not grid areas) divide by a combined scale factor of 1.00010730366103 (calculated using GEOID12B).

7/22/24

Michael Konetski

Registered Professional Land Surveyor No. 6531

STATE OF TEXAS
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MICHAEL KONETSKI
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LAND SURVEYOR

Exhibit "A-4":
Survey of 162.6 acres to be annexed into Bryan city limits

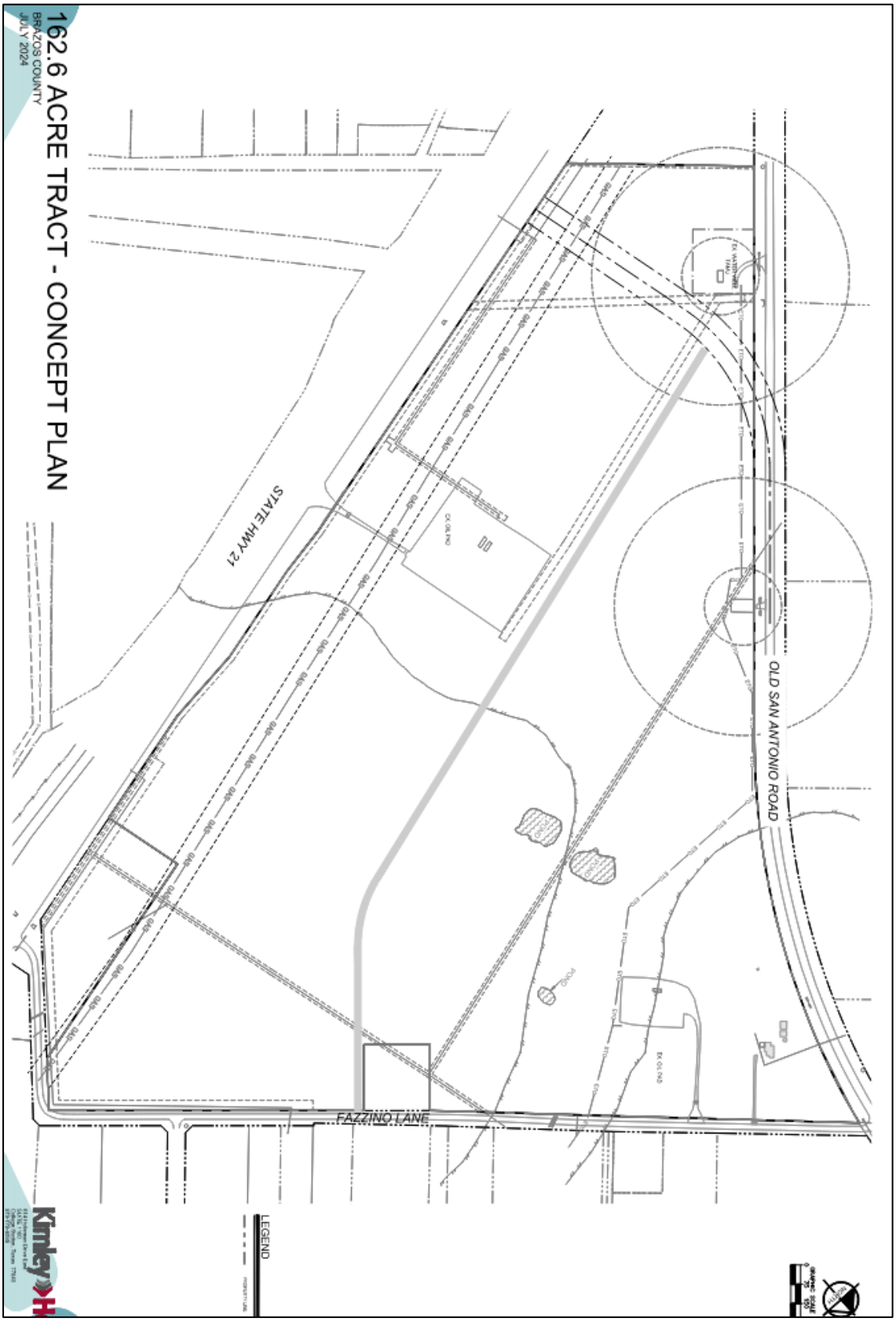


Exhibit "B":

Development Requirements for Planned Development – Mixed Use District (PD-M) on 124.65 acres of land out of the James F. Curtis Jr. Survey, Abstract No. 12 and the H. Mitchell Survey, Abstract No. 181, in Bryan, Brazos County, Texas

GENERAL PURPOSE AND DESCRIPTION

This development plan is intended to guide planning of land use and physical development on the subject property. Herein called "the District" or "this District", this District development plan is envisioned as a tool to help strengthen the area's economy and promote the general welfare of the community, and to facilitate appropriate future development of the property by mitigating any possible negative effects to future residential or retail development within the City's Innovation Corridor along SH21.

SECTION 1: DEFINITIONS

Words, terms and phrases in these development requirements shall have the meanings ascribed to them in Bryan Code of Ordinances Chapter 130, Zoning.

When not inconsistent with the context, words used in the present tense include the future; and words used in the plural number include the singular. Definitions not expressly prescribed herein are to be determined according to definitions found in the Zoning Ordinance, and failing that, customary usage based on the latest edition of Merriam-Webster's Unabridged Dictionary.

Acoustical barrier shall mean an exterior solid or louvred wall containing sound-proofing materials designed to absorb noise and protect neighboring properties from noise pollution.

Data center shall mean an establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations, including associated infrastructure. Cryptocurrency mining shall be prohibited in data centers in this District.

Mechanical equipment shall include, but is not limited to, generators, uninterruptable power systems (UPS), power distribution units (PDUs), cooling systems, chillers, cooling towers, HVAC condensers, humidifiers, fans, and air handlers.

SECTION 2: LAND USE

The following land uses shall be permitted by right within this District:

- Data center;
- Essential municipal uses;
- General office (professional, administrative);
- General outdoor storage (with site plan approval by the Site Development Review Committee).

SECTION 3: PHYSICAL DEVELOPMENT

Physical development in this District shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to development on properties zoned Commercial District (C-3). The following additional standards, modifications, or exceptions to those standards shall be applicable in this District:

1. **Building Design.** Facades of a building adjacent to an existing or planned public right-of-way must incorporate a change in one of the following design elements every 150 linear feet.

    a. Building material;
    b. Pattern;
    c. Texture;
    d. Color; or
    e. Accent materials.

2. **Screening.** Mechanical equipment located at ground level, rooftop, or attached to or mounted on the building façade, must be fully visually screened from view at the ground level from all existing and planned public rights-of-way and adjoining parcels using mesh, lattice, cladding, or grillwork or a combination of these methods, or similar methods so as to ensure that the mechanical equipment is fully screened to the maximum extent that permits necessary ventilation for any equipment.

    a. **Screening requirements when adjacent to essential municipal uses.** As determined by the City's Planning Administrator or his/her designee, mechanical equipment located adjacent to essential municipal uses shall not require screening, except that such mechanical equipment must be screened from any existing or planned public right-of-way.

    b. **Screening requirements for essential municipal uses.** Essential municipal uses shall be screened from any existing or planned public rights-of-way with a masonry wall no less than eight feet in height.

    c. **Loading and unloading areas.** Any vehicular loading or unloading area located within 100 feet of any property line shall be screened by a solid visual barrier not less than six feet in height.

    d. **Sound proofing.** When located within 400 feet of a residential structure, data center mechanical equipment located on the property, whether on a roof top, on the ground level, or elsewhere on the exterior of the property, must be screened on all four sides by an acoustical barrier.

3. **Building Setbacks.**

    a. Data centers shall be set back at least 35 feet from property lines adjacent to public rights-of-way and at least 15 feet from all other property lines.

    b. Essential municipal uses shall be set back at least 75 feet from property lines adjacent to public rights-of-way and at least 15 feet from all other property lines.

    c. All other land uses in this District shall be set back at least 25 feet from property lines adjacent to public rights-of-way and at least 5 feet from all other property lines.

4. **Buffers.** Data centers shall not be located within 200 feet of any residential structure.

5. **Landscaping.** Landscaping requirements shall comply with the requirements for the Innovation Corridor Overlay District of the City of Bryan's Code of Ordinances.

6. **Lighting.** Lighting standards shall comply with the requirements for the Innovation Corridor Overlay District of the City of Bryan's Code of Ordinances.

7. **Signs.** Sign standards in this District shall comply with the requirements for the Innovation Corridor – Retail Services District (IC-RS) of the City of Bryan's Code of Ordinances.

8. **Transportation.**

    a. **Off-street parking.** All off-street parking areas, including structured parking facilities, within this District shall comply with the Innovation Corridor Overlay District regulations of the City of Bryan's Code of Ordinances.

        i. **Off-street parking counts.** For the Data Center land use, required off-street parking shall be a minimum of two (2) off-street parking spaces plus one (1) off-street parking space per each two employees on the largest work shift. All other land uses shall comply with the minimum off-street parking requirements of the City of Bryan's Code of Ordinances.

        ii. **Vehicle idling areas.** In the event that the data center is gated, sufficient on-site idling areas shall be provided. These areas shall be indicated on a site plan and shall serve as a location for vehicles to wait for entry to the data center while located out of the public right-of-way and private drives.

    b. **Driveways.** Any public and/or private access networks or driveways shall, at a minimum, meet standards as set forth in the Bryan/College Station Unified Design Guidelines Manual and adopted City of Bryan Thoroughfare Plan.

9. **FEMA Designated Floodplains.** Where the upper reaches of a FEMA-designated watercourse are not adequately mapped, engineering studies shall be commissioned by the property owner for submission and review by the City.

10. **Utilities.** The extension of any public utilities from the closest available public line to and through the District shall be at the expense of the developer. All electric and/or communication lines serving a property within this District shall be installed underground, including private lines from the property line to any structures.

SECTION 4: SUBDIVISION OF LAND

The subdivision of land in this District shall be allowed in accordance with Chapter 110, Subdivisions, of the City of Bryan Code of Ordinances and the applicable requirements within this District.

Exhibit "C"

Municipal Services Agreement between the City of Bryan, Texas and Dodd Family Holdings LLC

(See separate attachment)

EXCERPT FROM PLANNING AND ZONING COMMISSION DRAFT REGULAR MEETING MINUTES OF SEPTEMBER 4, 2025:

3. Request for Annexation (Commission makes recommendation; City Council has final approval).

A. Annexation ANN25-002: Dodd Family Holdings, LLC

ANN25-02: Dodd Family Holdings, LLC. - 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 W. OSR and Fazzino Lane in the City of Bryan's extraterritorial jurisdiction in Brazos County, Texas. (K. Williams)

Ms. Williams presented the staff report (on file in the Development Services Department). Staff recommends approval of this annexation request and assigning a combination of Planned Development – Mixed-Use District (PD-M) and Innovation Corridor – Retail Services District (IC-RS) zoning upon annexation. Ms. Williams advised that no written comments were received from the public in favor or against the request prior to the public hearing.

In response to Commissioners' questions, Ms. Williams stated that the development regulations proposed by the PD-M District had been based on standards adopted by Loudon County, Virginia, known as the 'Data Center Capital of the World'. Loudon County is one of the only places in the country that has successfully implemented zoning and development standards specifically for data centers.

In response to Commissioners' questions, Ms. Williams stated that the utility requirements for any structures would be analyzed during the future site review process. The annexation of the property would not require the City to provide access to utilities that the City did not have the capacity to serve.

In response to Commissioners' questions, Ms. Williams stated that the existing Little Brazos River Tributary located on the subject property would be studied prior to the development of the site and that any development, including setbacks, would need to adhere to the standards found within the proposed development regulations.

The public hearing was opened.

Mac Martinez, General Council on behalf of the property owner, Dodd Family Holdings, LLC, stated that they were excited to bring the first data center to the City and would be ensuring that any development complies with floodplain requirements.

The public hearing was closed.

Commissioner Watson moved to recommend approval of ANN25-02, annexing the subject 162.6 acres of land into City of Bryan limits and assigning a combination of Planned Development – Mixed-Use (PD-M) and Innovation Corridor – Retail Services (IC-RS) zoning upon annexation to the Bryan City Council, and to adopt the written staff report and analysis as the report, findings, and evaluation of this Commission.

Commissioner Owens seconded the motion.

Commissioners discussed their enthusiasm and appreciation for what the applicant is bringing to the community.

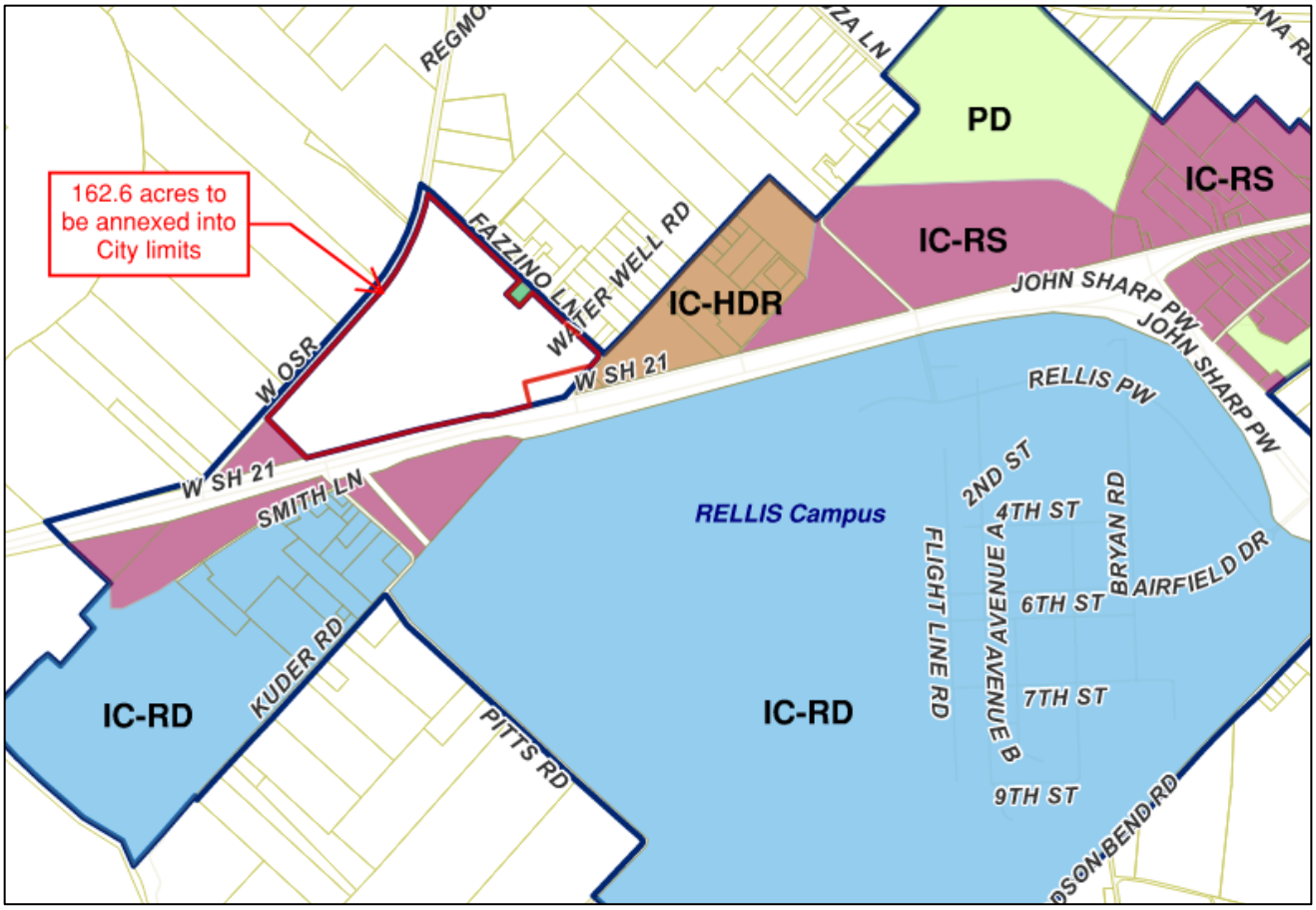
The motion passed unanimously.

PLANNING AND ZONING COMMISSION
STAFF REPORT

September 4, 2025

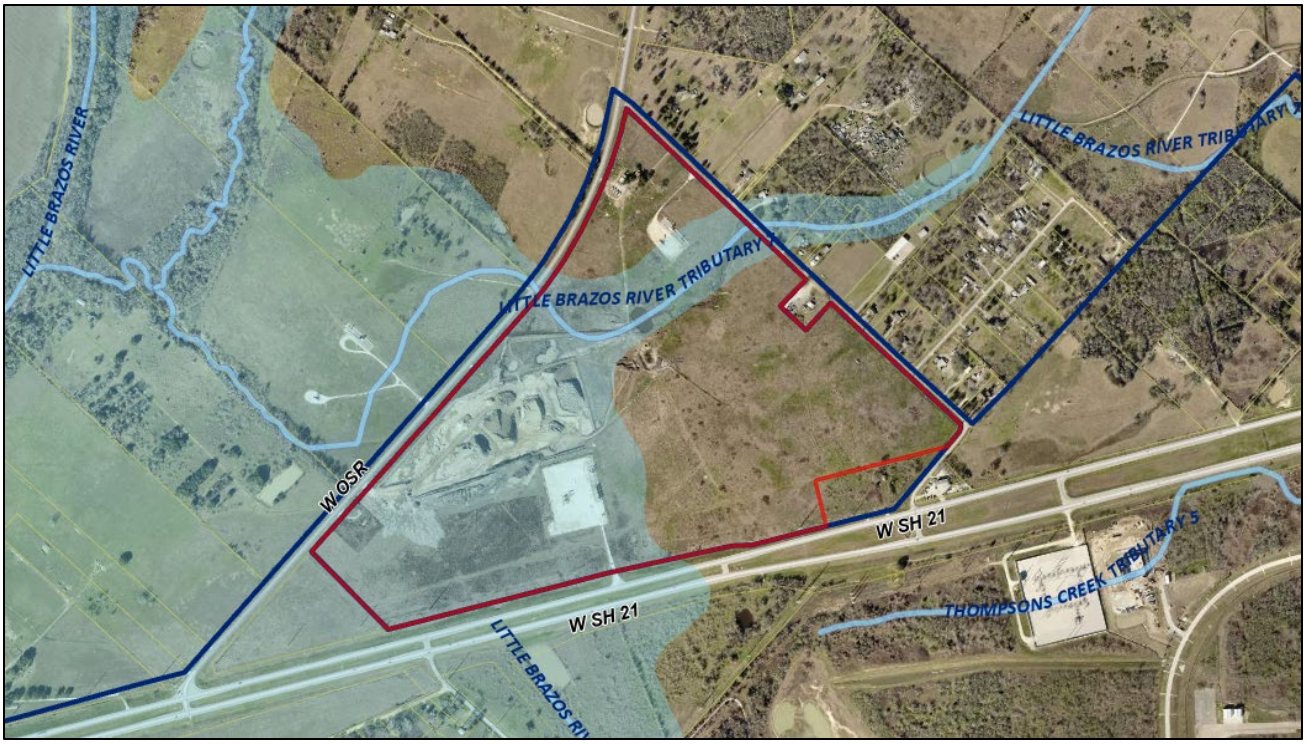
Annexation case no. ANN25-02: 3481 Fazzino Lane

CASE DESCRIPTION:	Owner-requested annexation of 162.6 acres of land
LOCATION:	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 W. OSR and Fazzino Lane in the City of Bryan's extraterritorial jurisdiction in Brazos County, Texas
EXISTING LAND USE:	detached residential dwelling, oil well
PROPERTY OWNER:	Dodd Family Holdings LLC
STAFF CONTACT:	Katie Williams, AICP, Senior Planner
SUMMARY RECOMMENDATION:	Staff recommends **approving** the requested annexation and assigning a combination of Planned Development – Mixed-Use District (PD-M) and Innovation Corridor – Retail Services District (IC-RS) zoning upon annexation.



2025 AERIAL PHOTOGRAPH:

AERIAL VIEW (2025) WITH FEMA FLOODPLAIN & CREEKS:



BACKGROUND:

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 W. OSR and Fazzino Lane. The property owner requests that 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.

A Planned Development (PD) District zoning classification provides the city with a way to ensure development with high-quality, innovative, and aesthetically pleasing designs and standards including, but not limited to, landscaping, tree preservation, building materials, building height, and signage. PD District zoning also typically allows for greater flexibility in development standards, typically not allowed in standard zoning districts.

The proposed PD-M regulations are attached to this staff report as Exhibit "A". 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 that are 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 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:

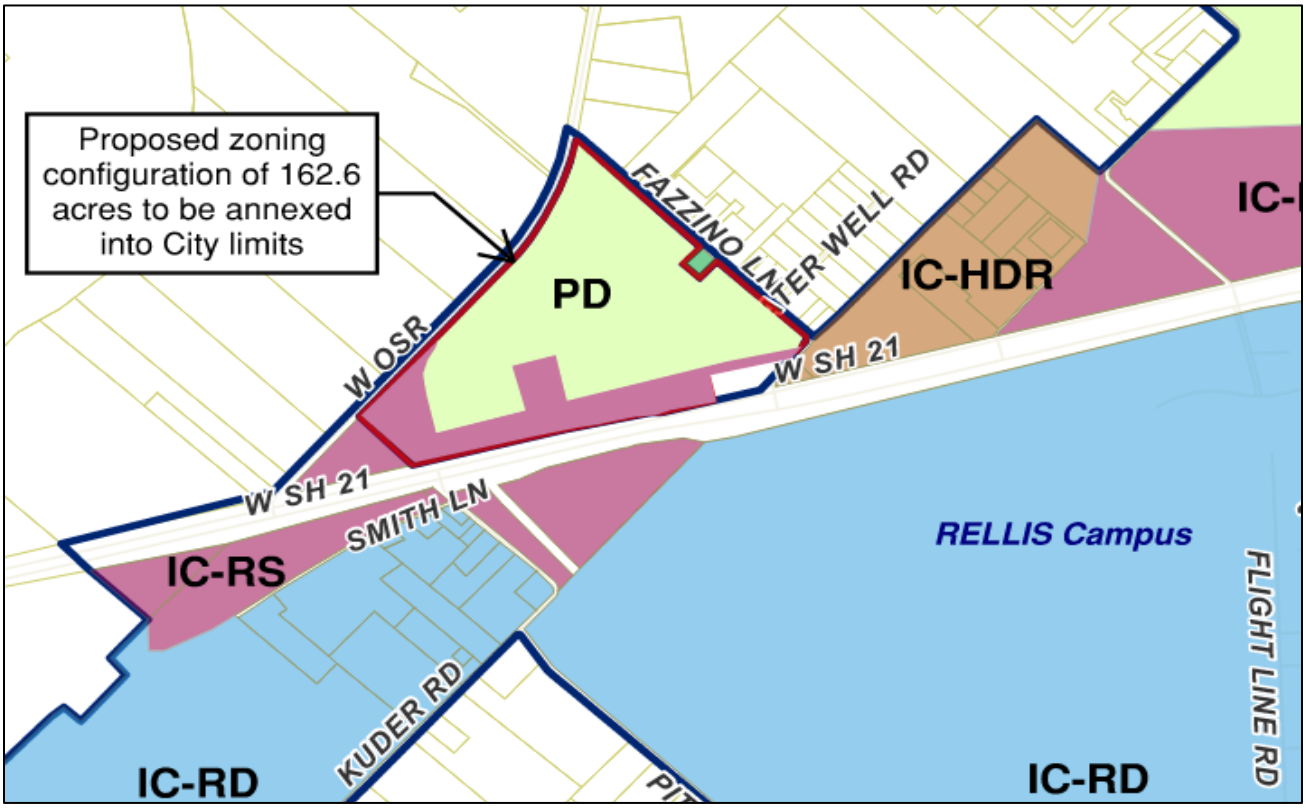
- Apparel and accessory stores;
- Child care;
- College or university support and auxiliary uses;
- Eating and Drinking places;
- Food stores;
- Hotel;

- Personal service shop or custom personal services.

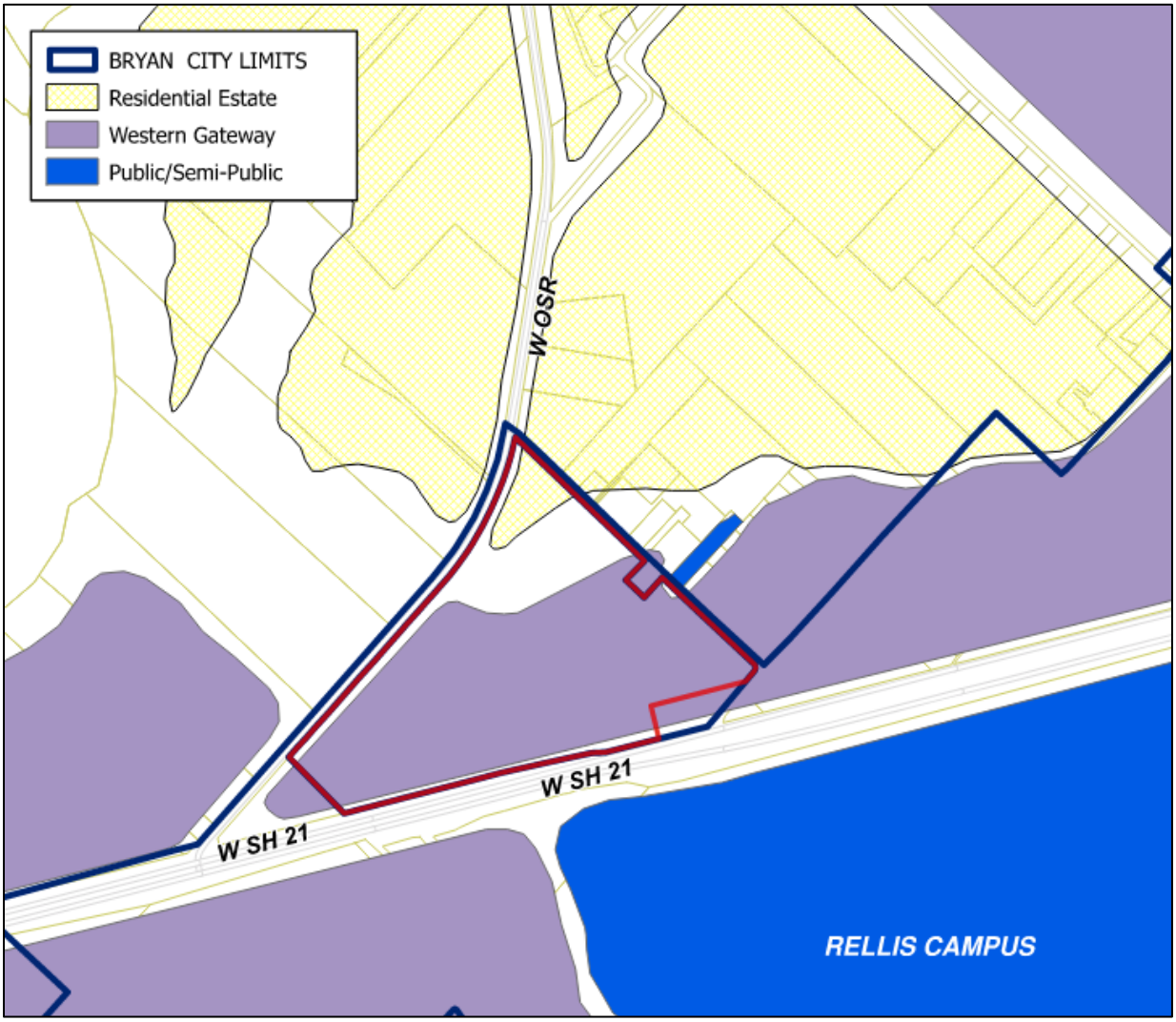
Adjacent properties located to the northwest, across OSR, and to the northeast, across Fazzino Lane, are located in the City of Bryan's extraterritorial jurisdiction (ETJ). Property located to the south, across W. State Highway 21 (W SH 21) is the location of RELLIS Campus, which is part of the Texas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

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.

PROPOSED ZONING DISTRICT ASSIGNMENT:



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, designates the subject 162+ acres as Western Gateway. The following are policies from the Blueprint 2040 to guide western gateway areas:

- The design and quality of development proposals should match the aspirational qualities of the design intent, consistency and quality of key developments in the area (The Traditions and Texas A&M University Health Science Center).
- Development should create maximum (highest and best use) land values so that the long-term stability and prosperity of the area can be realized.
- Developments that create local employment and jobs are of paramount importance.

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.

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 162.6 acres. Approving the requested annexation will bring these 162.6 acres of land under the full regulatory control of the City. Annexation of this acreage can therefore help promote orderly urban growth and development within this developing corridor. The area requested to be annexed adjoins the current city limits, and has regular, logical boundaries. 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 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 162.6 acres.** 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 that is currently under construction will be available for point-of-use connections or extension, as applicable, upon completion of its construction.

PROPOSED PD-M AND IC-RS DISTRICT ZONING:

Assigning a combination of PD-M and IC-RS District zoning to the subject property upon annexation will allow for a variety of development including a data center, office space, and retail and personal service shops. Staff contends that the specific configuration of IC-RS and 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. Assigning IC-RS District to the 37+ acres immediately adjacent to W. SH 21, of which the depth of the IC-RS District zoned acreage ranges from 300 to 1,100 feet, will provide for future retail development opportunities that necessitate frontage on super arterial roadways such as W. SH 21. The remaining 124+ acres of the subject property will be able to accommodate a data center and any incidental uses necessary for the operation of the land use. The specific development regulations proposed as part of this specific PD-M are designed to mitigate any potential negative impacts that may be associated with data centers.

Therefore, staff recommends that upon annexation, a combination of PD-M and IC-RS District zoning be assigned on the subject property.

ATTACHMENTS:

A. Proposed Planned Development – Mixed Use District (PD-M) regulations; and
B. Municipal services agreement with related attachments.