



Council questions and staff responses for items on City Council Meeting October 14, 2021

Item 7.7- Presentation, discussion, and possible action regarding an ordinance approving a participation agreement by and between the City, Costco Wholesale Corporation and RSR Construction Company for the development of certain public infrastructure including a detention pond and authorization of public funds in the amount of \$1, 239,660 for property generally located near the intersection of Earl Rudder Freeway and Corporate Drive in Midtown Business Park.

Sponsor: Natalie Ruiz

Item 7.8- Presentation, discussion, and possible action regarding a Declaration of Restrictive Covenants by and between the City of College Station and Costco Wholesale Corporation for property generally located near the intersection of Earl Rudder Freeway and Corporate Drive in the Midtown Business Park.

Sponsor: Natalie Ruiz

Question: The list of what we cannot allow to be built next to Costco is long and broad: heavy industrial, adult oriented, theatres, health clubs, single family homes, condos, churches, schools, grocers, alcohol sales, Walmart, car wash, nor fueling. Can you please provide some examples of what we CAN allow to be built next to Costco?

Response: Examples of land uses that are allowed on the 28 acres abutting Costco.

- Retail Sales & Service, more specifically
 - Specialty Grocers under 20,000 square feet (such as Trader Joe's, Whole Foods)
 - Sporting Goods (such as Academy, Dick's, Nike)
 - Home Improvement (such as Ace Hardware, Lowe's, Home Depot)
 - Apparel (such as Banana Republic, Loft, Ross, White House/Black Market, J. Crew)
 - Specialty Retail (such as toys, pet supplies, shoes, cosmetics, home décor, books, office supplies, crafts)
 - Traditional Department Stores (such as Kohl's, Target, Kmart, TJ Maxx, Belk, Dillard's)
 - Furniture Sales
 - Appliances & Electronics
- Restaurants
- Bars/Night Clubs (with conditional use permit)
- Entertainment Uses (such as Dave & Buster's and Main Event)
- Hotels
- Health Club/Sports Facility less than 5,000 sq. ft.
- Micro-Brewery
- Personal Service (such as salons)

Additional uses allowed 250' away from the Costco tract:

- Theaters/Cinemas
- Additional Entertainment Uses (such as a skating rink, pool room, dance hall, video gaming, arcades)
- Health Club/Sports Facility greater than 5,000 sq. ft.

Item 7.9- Presentation, discussion, and possible action on the second reading of a ten (10) year franchise agreement with the City of Bryan for retail sale of electricity within the City of College Station as certified to Bryan by the Public Utility Commission of Texas.

Sponsor: Brian Piscacek

Question: Please note that the agenda caption for 7.9 says this is a second reading, but recommendation(s) is approval of the first reading. Is there a staff rec on the 2nd reading?

Response: Staff recommends approval of the second reading of the franchise agreement. The first reading of the proposed franchise agreement was brought to the City Council as recommended by staff on the consent agenda at the September 23, 2021, meeting and approved unanimously by Council. This is now the second and final approval as required by the City's Charter. Apologies for the oversight in the recommendation section of the cover sheet.

Question: The City of Bryan agrees to pay College Station a sum of money equal to five percent (5%) of annual "Gross Receipts" (as defined therein) from its retail sales to electric customers served within the City of College Station. This percentage remains unchanged from the previous agreement. These payments will be made quarterly. How does this 5% compare to the percent we receive to the general fund from our own CS Electric Enterprise Fund?

Response: Except for state franchises, such as the cable tv and telecom franchises, local franchises granted by the City are governed under the City's home rule authority and City Charter unless otherwise preempted by state law. The City's Charter in Section 106 provides, among other things, that City Council shall have the right to impose certain conditions on franchises, including, but not limited to, the ability "[t]o require such compensation and rental as may be permitted by the laws of the State of Texas."

The Charter does not specify a certain percentage that must be charged, and apart from certain state franchises, neither does state statute. The City has historically charged a 5% franchise fee for most City-granted franchises, including franchises with Atmos, various waste/medical waste/roll-off container haulers, and BTU.

The City's electric utility pays a Payment in Lieu of Franchise Fees transfer to the General Fund of 9%.

Item 8.1- Public Hearing, presentation, discussion, and possible action regarding an ordinance repealing the official City of College Station Comprehensive Plan (adopted by Ordinance No. 3186) and adopting a new Comprehensive Plan as part of the 10-year update to the City of College Station Comprehensive Plan, and all associated map updates within the Bicycle, Pedestrian, and Greenways Master Plan, the Water System Master Plan, and the Wasterwater System Master Plan, as the Official City of College Station Comprehensive Plan.

Question: Our packet indicates 18 people participated in the online survey. How many people participated in the in-person meetings this fall? Also, can you please have an example ready of when input from those recent public meetings changed something in the actual comprehensive plan?

Sponsor: Alyssa Halle-Schramm

Response: There were multiple ways for the public to provide input throughout Aug.-Sept. 2021 including open houses, participating in the virtual maps, or taking the online survey. There were approximately 100 attendees at the open houses, 18 survey participants, and 98 total comments on the virtual maps (Future Land Use, Thoroughfare, and Bicycle/Pedestrian maps). Staff consolidated all written comments from the open houses and the virtual maps and included those within the Council packets, along with the survey results from the 18 respondents.

Staff also received comments and edit requests from Comprehensive Plan Evaluation Committee members, Planning & Zoning Commissioners, and some of our regional partners (such as Brazos Transit District). Staff made text and map edits based on the collective feedback and will highlight some of the more significant edits during the presentation before City Council.