

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, July 1 2021 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Clint Kolby
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Atwood Kenjura
Councilmember Adonna Saunders
Councilmember Albert Wright

Members absent:

None

City of Brenham Staff present:

City Manager James Fisher, Assistant City Manager – Chief Financial Officer Carolyn Miller, Assistant City Manager – Public Services/Utilities Donald Reese, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Director of Public Works Dane Rau, Director of Development Services Stephanie Doland, Director of Public Utilities Alton Sommerfield, Director of Economic Development Susan Cates, Police Chief Ron Parker, Human Resources Director Susan Nienstedt, Strategic Budget Officer Debbie Gaffey, Deputy City Secretary Karen Stack, Roger Williams, Greg Nienstedt, Dant Lange, Lloyd Powell, Jason Kasprowicz, Ashley Burns, Curtiss Schoen, Steven Eilert, Kejan Mehlhorn-Hock, Kelvin Raven, Jean Luera, Casey Redman, Tammy Jaster, Kelsey Toy, Victor Ortiz, Larry Moreno, Jody Kapchinshki, Crystal Locke, Kevin Boggus, and Shauna Laauwe.

Citizens/Others Present:

James Kowis, Dabney Kowis, Kimberly Hickson Spaw, Jean Hickson and Leigh Linden.

Media Present:

Alyssa Faykus, Brenham Banner Press; and Josh Blaschke, KWHI

1. Call Meeting to Order

2. **Invocation and Pledges to the US and Texas Flags – Councilmember Shannan Canales**
3. **Service Recognitions**
 - Casey Redman, Parks Department – 20 Years
 - Kelvin Raven, Police Department – 25 Years
4. **Special Recognitions**
 - American Legion Office of the Year – Detective Ashley Burns
 - Presentation by Leigh Linden, Deputy District Director on Behalf of State Representative Ben Leman
 - Police Department Promotion – Jason Kasprowicz, Corporal
5. **Proclamations**
 - National Parks and Recreation Month
6. **Citizens Comments**

No citizen comments were heard.

CONSENT AGENDA

7. **Statutory Consent Agenda**
 - 7-a. **Approve the Minutes from the April 21, 2021 Special City Council Meeting and the June 3, 2021 and the June 17, 2021 Regular City Council Meetings**

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve the Statutory Consent Agenda Item 7-a. as presented.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

PUBLIC HEARING AND ASSOCIATED ACTION ITEMS

- 8. Public Hearing, Discussion and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham to Change the Zoning District from a Single-Family Residential Use District (R-1) to a Local Business/Residential Mixed-Use District (B-1) on the Following (Case No. P-21-013):**
 - a. A Tract of Land Being Addressed as 1207 E. Tom Green Street, Being Further Described as Tract 69, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R14381)**
 - b. A Tract of Land Being Addressed as 1401 E. Tom Green Street, Being Further Described as Tract 82, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R14394)**
 - c. A Tract of Land Being Addressed as 1209 E. Tom Green Street, Being Further Described as Tract 109, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R14428)**
 - d. A Tract of Land Being Addressed as 1205 E. Tom Greet Street, Being Further Described as Tract 200, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R14519)**
 - e. Approximately 5.3433 Acres of Land, Being Further Described as Tract 137, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R36669)**
 - f. A Tract of Land Being Addressed as 1306 Loesch Street, Being Further Described as Section 1, Block 1, Lot 1, Out of the Kenjura Subdivision in Brenham, Washington County, Texas (R64466)**
 - g. A Tract of Land Being Addressed as 1304 Loesch Street, Being Further Described as Section 1, Block 1, Lot 2, Out of the Kenjura Subdivision in Brenham, Washington County, Texas (R64467)**
 - h. A Tract of Land Being Addressed as 1302 Loesch Street, Being Further Described as Section 1, Block 1, Lot 3, Out of the Kenjura Subdivision in Brenham, Washington County, Texas (R64468)**
 - i. A Tract of Land Being Addressed as 1300 Loesch Street, Being Further Described as Section 1, Block 1, Lot 4, Out of the Kenjura Subdivision in Brenham, Washington County, Texas (R64469)**
 - j. A Tract of Land Being Addressed as 1301 E. Tom Green Street, Being Further Described as Section 1, Block 1, Lot 5, Out of the Kenjura Subdivision in Brenham, Washington County, Texas (R64470)**
 - k. A Tract of Land Being Addressed as 1200 E. Tom Greet Street, Being Further Described as Tract 189, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R14510)**
 - l. A Tract of Land Being Addressed as 1204 E. Tom Greet Street, Being Further Described as Tract 344, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R45333)**

- m. A Tract of Land Being Addressed as 1301 Niebuhr Street, Being Further Described as Tract 178, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R14502)**
- n. A Tract or Land Being Addressed as 1800 E. Tom Green Street, Being Further Described as Tract 326, Out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas (R55363)**

Project Planner Shauna Laauwe presented this item. Laauwe explained that the subject area is comprised of fourteen (14) lots and approximately 87.24 acres of land generally bounded by E. Tom Green to the north, Woodson Lane to the west, Niebuhr Street to the south and South Blue Bell Road to the east. The subject area is currently zoned Single-Family Residential District (R-1).

Laauwe stated that within the last several months, staff has received numerous calls from potential buyers of 1209 E Tom Green Street, to determine what commercial uses are permitted for the site and while this property has been zoned R-1, Single-Family Residential since zoning was implemented in the City in 1968, the property has received six (6) Specific Use Permits (SUPs) for nonresidential uses over the last 44 years. Laauwe advised the Council that when researching this property and the adjacent and surrounding uses, it was found that of the fourteen (14) lots that encompass the approximate 87-acre area:

- Only four (4) were permitted uses (single-family);
- One (1) lot use, the WC Healthy Living Association (Senior Center) located at 1301 E Tom Green, having an approved SUP as a philanthropic use;
- Five (5) lots are vacant, with four (4) of the vacant lots being owned by the Senior Center who received an additional SUP in June 2020 for the expansion of their parking area; and
- The four (4) other uses within the area are state and local governmental public uses to include the VFW, Texas National Guard, Brenham ISD, and Blue Bell Aquatic Center (BBAC).

Laauwe further explained that the proposed zoning change would allow for the existing specific uses and institutional uses to make improvements within the B-1 specifications that include bufferyard and landscaping requirements and for neighborhood commercial uses to potentially develop on East Tom Green Street.

Laauwe stated that this zoning change was presented to the Planning and Zoning Commission (P&Z) on June 28, 2021 and they recommended the ordinance be approved with the removal of two tracts (R14381 and R14519) being addressed as 1207 E. Tom Green Street and 1205 E. Tom Green Street. Laauwe advised Council that staff is in support of P&Z's recommendation and request the ordinance be approved with P&Z's recommended change.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Canales to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham to change the Zoning District from a Single-Family Residential Use District (R-1) to a Local Business/Residential Mixed-Use District (B-1) on multiple tracts of land as shown on the agenda and with the removal of 1207 E. Tom Green Street (R14381) and 1205 E. Tom Green Street (R14519) as recommended by the Planning and Zoning Commission.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. Public Hearing, Discussion and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham to Change the Zoning District from a Mixed Residential Use District (R-2) to a Commercial, Research and Technology Use District (B-2) on Approximately 0.99 Acres of Land Being Further Described as Part of the P & A Hope Survey, A-62, in Brenham, Washington County, Texas (Case No. P-21-011)

Project Planner Shauna Laauwe presented this item. Laauwe explained that the subject property is an existing 0.9903-acre vacant property addressed as 1408 N. Park Street and generally located on the east side of N. Park Street, south of AH Ehrig Drive and adjacent to the Hasskarl Tennis Court Center to the north and east. The subject property and the adjacent Hasskarl Park complex are currently zoned R-2, Mixed Residential Use District.

Laauwe advised that the applicant is requesting to rezone the property to be consistent with the abutting property to the south that is zoned B-2, Commercial Research and Technology Use District and to facilitate future development. Laauwe stated that this zoning change was presented to the Planning and Zoning Commission (P&Z) on June 28, 2021 and they approved it unanimously with no changes.

A motion was made by Councilmember Kenjura and seconded by Councilmember Saunders to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham to change the Zoning District from a Mixed Residential Use District (R-2) to a Commercial, Research and Technology Use District (B-2) on approximately 0.99 acres of land being further described as part of the P & A Hope Survey, A-62, in Brenham, Washington County, Texas (Case No. P-21-011).

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Public Hearing, Discussion and Possibly Act Upon an Ordinance on Its First Reading Amending the Planned Development District Ordinance No. O-20-028 Regarding Neighborhood Amenities and Improvements for Section II of the Lakes at Vintage Farms, Being Approximately 52.428 Acres of Land Being Located South and West of Dixie Road and Further Described as Tract 7 of the Phillip Coe Survey, A-31, in Brenham, Washington County, Texas (Case No. P-21-014)

Director of Development Services Stephanie Doland presented this item. Doland explained that Stephen Grove, with Stylecraft Builders has submitted an application requesting to amend the existing Planned Development (PD) zoning on approximately 52.428 acres of land being located south and west of Dixie Road. Doland explained that the existing PD includes the amenity of a four-acre retention pond (wet pond) to serve as an amenity pond for the Vintage Farms Subdivision; however, it has been brought to Stylecraft's attention that a surface water permit must be obtained from TCEQ to continue the use of the retention pond for "commercial use." Doland stated that with the proposed change in use classification from agricultural to a residential subdivision development TCEQ no longer allows the pond to remain in the existing configuration.

Several residents of Vintage Farms subdivision addressed the City Council and expressed their concerns related to traffic in the subdivision and the speed of vehicles that are using the subdivision as an alternative route to Highway 36 and/or Berlin Road.

Doland explained that with the proposed PD amendment, the subject 52-acre tract of land will now include 13 acres of greenspace to include a deeper dry detention pond to hold storm water runoff and drainage capacity associated with the development of streets, sidewalks, public infrastructure, and all residential homes. Within the 13-acre dedicated greenspace Stylecraft proposes to include covered playground equipment, a pavilion, dog park, park benches, and walking trails all to be maintained by the HOA.

Doland stated that this zoning change was presented to the Planning and Zoning Commission (P&Z) on June 28, 2021 and they recommended the ordinance be approved with the requirement that the developer secure access to the dog park by installing a locking gate with a keypad entry.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve an Ordinance on its first reading amending the Planned Development District Ordinance No. O-20-028 regarding neighborhood amenities and improvements for Section II of the Lakes at Vintage Farms, being approximately 52.428 acres of land being located South and West of Dixie Road and further described as Tract 7 of the Phillip Coe Survey, A-31, in Brenham, Washington County, Texas (Case No. P-21-014) with a requirement that the developer secure access to the dog park by installing a locking gate with a keypad entry as recommended by P&Z.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

WORK SESSION

11. Discussion and Presentation of the City of Brenham’s Pavement Management Analysis Report Prepared by IMS Infrastructure Management Services

Assistant City Manager – Public Services/Utilities Donald Reese presented this item. Reese explained that on October 1, 2021, Council approved a Professional Services Agreement with Infrastructure Management Services (IMS) to perform a pavement analysis on all the streets within the city.

Reese advised that prior to this analysis, the City typically collected street condition data by staff conducting “windshield observations” and judging conditions by viewing the top surface only of the street with no method of collecting data on the subsurface. Reese stated that IMS used a Laser Crack Measurement System that completes a 3D millimeter-level scanning of the pavement surfaces and collects data on pavement distresses and structural strength as well as pavement elevation (range and intensity) and identifies cracking, rutting, roughness, potholes, and bleeding.

Reese explained that the analysis performed by IMS indicated an overall street rating of 59 with 50 to 60 being considered “Fair”. Additionally, the city has 13.16 miles of streets that fall in the “Poor” or “Very Poor” category.

12. Presentation and Discussion Related to a Possible Amendment to Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas to Allow an Automobile (Car) Wash as a Specific Use in the Local Business/Residential Mixed-Use District (B-1)

Director of Development Services Stephanie Doland presented this item. Doland explained that staff received a request for the construction of a car wash to be located at 1413 W. Main Street. The property is 0.61-acres and is currently zoned B-1, Local Business/Mixed Residential District, and the B-1 zone does not allow car washes as either a permitted use or a specific use.

Doland explained that staff met with the property owners and explained the B-1 zoning requirements and that the only way that a car wash would be considered for the site would be if a text amendment to the zoning ordinance was approved to allow automatic car washes as a specific use in the B-1 District. Doland further advised that should the zoning ordinance be amended, and a specific use permit applied for the subject property, staff would ask the applicant to address noise levels, bufferyard requirements, and all applicable site development factors for consideration by the Planning and Zoning Commission (P&Z) and for final approval by City Council.

Doland advised the Council that staff is seeking feedback and direction from the Council concerning the proposed amendment to the City’s Zoning Ordinance to allow an automobile car wash as a specific use permit in the B-1 district.

After further discussion, it was the consensus of the City Council to amend to the City’s Zoning Ordinance to allow an automobile car wash as a specific use permit in the B-1 district.

REGULAR SESSION

13. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 21, Signs, of the Code of Ordinances of the City of Brenham, Texas Regarding Major Multi-Tenant Shopping Center Sign Regulations

Project Planner Shauna Laauwe presented this item. Laauwe explained that the current sign ordinance does not address sign standards or the need for a master sign plan for major multi-tenant shopping centers and mixed-use developments that have more than five (5) retail tenants/businesses that collectively occupy a minimum of 100,000 square feet of retail use gross floor area. Laauwe stated that the proposed change to the sign ordinance would resolve confusion in how to regulate, but provide flexibility to, large developments that have several tenants and potential pad sites that require signage. The amendment to the ordinance would also accommodate an orderly and unified presentation of signage in a master sign plan that would benefit the developer, consumer, and community.

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve an Ordinance on its first reading amending Chapter 21, Signs, of the Code of Ordinances of the City of Brenham, Texas regarding major multi-tenant shopping center sign regulations.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

14. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- City Hall will be closed on Monday, July 5th in observance of the Independence Day Holiday.
- Dedication of bench at the Fire Museum by the 2021 Washington County Leadership Class on Wednesday, July 7th at 6:00 p.m.

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary



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