

**CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
November 27, 2017**

The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.

A regular meeting of the Brenham Planning and Zoning Commission was held on November 27, 2017 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Nancy Low, Chairman
Deanna Alfred, Vice Chairman
Keith Behrens
Calvin Kossie
Lynnette Sheffield

Commissioners absent:

Leroy Jefferson (knee surgery)

Staff present:

Lori Lakatos, City Engineer
Ryan Rapelye, Assistant City Manager
Kim Hodde, Planning Technician

Citizens present:

Marcus Wamble	Frank Lynch
Richard Heiges	April Hooks
John Beckendorf	Jon Majewski
Jerry Brown	Sam Vernon

1. Call Meeting to Order

Chairman Low called the meeting to order at 5:17 pm with a quorum of five (5) Commissioners present.

CONSENT AGENDA

2. Statutory Consent Agenda

The Statutory Agenda includes non-controversial and routine items that the Commission may act on with one single vote. A Commissioner may pull any item from the Consent Agenda in order that the Commission discuss and act upon it individually as part of the Regular Agenda.

2-a. Minutes from the September 25, 2017 Planning and Zoning Commission Meeting

Chairman Low asked for any corrections or additions to the minutes as presented. A motion was made by Commissioner Alfred and seconded by Commissioner Sheffield to approve the minutes from the September 25, 2017 meeting, as presented. The motion carried unanimously.

2-b. Minutes from the October 23, 2017 Planning and Zoning Commission Meeting

Chairman Low asked for any corrections or additions to the minutes as presented. Vice Chairman Alfred stated that in the top paragraph where it states what Board members were in attendance at the meeting, Nancy Low should be changed to Chairman instead of Vice Chairman. Kim Hodde noted that this would be corrected. A motion was made by Commissioner Sheffield and seconded by Commissioner Kossie to approve the minutes from the October 23, 2017 meeting, as amended. The motion carried unanimously.

PUBLIC HEARING

3. Public Hearing to consider a request for an Amendment to the Official Zoning Map of the Code of Ordinances, to change the zoning of an 8.07-acre tract of land, being a portion of the 32.16-acre tract of land located adjacent to Tiaden Lane, described as R#16649 (WCAD), Tract 2 of the Isaac Lee Survey A-77, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use District (B-1) and a Single Family Residential Use District (R-1) to an Industrial Use District (I).

Lori Lakatos, City Engineer, stated that this is a request from the Fritz W. Beckendorf Estate/Janet Schulze for rezoning of an 8.07 acre tract of undeveloped land from B-1 and R-1 Zoning Districts to an Industrial Zoning District. The future land use designation would be Commercial/Retail. The adjacent zoning is B-1, R-1 and Industrial Districts. The adjacent properties are to the west – Del Sol, to the east – additional Beckendorf property, to the north – Beckendorf property, and to the South – single family residential and business zoned properties. The property owners within 200 feet of the project site were mailed notifications of this proposal and the notice was published in the newspaper on November 16, 2017. As of 5:00 pm today, no public comments for or against the project have been received.

Staff has reviewed the request and recommends approved based on the following reasons:

- The request will meet the goals of the City’s Comprehensive Plan; and
- The request is generally appropriate with the surrounding land uses and zoning districts in the area.

The applicant is here if there are any questions.

April Hooks stated that she owns 3+ acres to the south of this property. She wants to know what this entails such as how it will affect her taxes, value of her property, and the resale of her property. She asked if property owners have any rights regarding this proposed zone change. Lori Lakatos stated that this public hearing as well as the public hearing at the City Council is the opportunity to voice any concerns or comments. She stated that the Planning and Zoning Commission is a recommending body and that City Council makes the final decision. Commissioner Sheffield asked if Ms. Hooks home is the only home in this area. Ms. Hooks stated that there are three homes in the area; however, she feels that she will be hit the hardest since her property is abutting this property. The other homes are further down Tiaden Lane. Jon Majewski stated that he talked to Justin Margist who lives at the end of Tiaden Lane and he didn’t feel that he would be directly affected by this proposed zone change. Ms. Hooks stated that she purchased her property knowing that the adjacent property was zoned R-1. Jon Majewski asked how this would affect property values and resale since the area was originally farmland and was annexed into the City of Brenham within the last few years and now you want to bring commercial activities in to the area. Chairman Low stated that these are questions that cannot be answered by this Board but would need to be address to Willy Dilworth at the Washington County Appraisal District. Mr. Majewski stated that, at this time, he and Ms. Hooks were against the rezoning.

Commissioner Sheffield asked the representatives from Del Sol how close the expansion would be to the Hooks property. Jerry Brown and Frank Lynch, Del Sol representatives, stated that there are no immediate plans for expansion of the plant. They are buying the property as a contingency for expansion at some point in the future. Ms. Hooks voiced concerns about increased traffic and commercial trucks using Tiaden Lane to access the east side of the property. Ms. Lakatos stated that Tiaden Lane cannot be used for commercial unless it is improved. Currently, Tiaden Lane is not an improved roadway. It provides access to the properties along Tiaden Lane but it can’t be used for commercial activities unless it is improved. Ultimately, Tiaden Lane is supposed to turn in to a road but the type of road has not been decided. At this point, it is considered a “network extension”. Mr. Brown stated that when expansion occurs, they will be mindful of their neighbors and would not be building right on the fence and will be cognizant of neighbors with regard to lighting. Ms. Lakatos stated that they would have to follow the zoning ordinance, which has buffer yard requirements between a commercial use, and a residential use as well as lighting standards (shielding lights to keep it on their property) that is required for all commercial buildings.

The public hearing was closed at 5:33 pm and the regular session was re-opened.

REGULAR MEETING

- 4. Discuss and possibly act upon a request for an Amendment to the Official Zoning Map of the Code of Ordinances, to change the zoning of an 8.07-acre tract of land, being a portion of the 32.16-acre tract of land located adjacent to Tiaden Lane, described as R#16649 (WCAD), Tract 2 of the Isaac Lee Survey A-77, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use District (B-1) and a Single Family Residential Use District (R-1) to an Industrial Use District (I).**

Commissioner Behrens asked if the City looked at this regarding the future street extension from US Highway 290 to State Highway 36 S. Ms. Lakatos stated that the collector street would go to the north of this property. Commissioner Alfred asked for clarification that this is only an 8.07 acre tract out of the 32.16 acre tract and not the entire tract. Ms. Lakatos stated that the rezoning request is just for the 8.07 acre portion of the tract to the west of Tiaden Lane.

A motion was made by Commissioner Behrens and seconded by Commissioner Kossie to make a recommendation to City Council for approval of the request, to change the zoning of an 8.07-acre tract of land, being a portion of the 32.16-acre tract of land located adjacent to Tiaden Lane from a Local/Business/Residential Mixed Use District (B-1) and a Single Family Residential Use District (R-1) to an Industrial Use District (I), as presented. The motion carried unanimously.

- 5. Discuss and possibly act upon a request for approval of a Final Plat to form the Vintage Farms Subdivision, Phase I, a Planned Development [per Ordinance No. O-17-005] being a subdivision of 86.664 acres of land containing 102 residential lots, 3 Blocks, and Reserves A-F, located on State Highway 36 N and Dixie Road, situated in the Phillip Coe Survey, A-31, in the City of Brenham, Washington County, Texas**

Lori Lakatos, City Engineer, stated that the Engineering and Development Services Departments have reviewed this plat for compliance with the City of Brenham's ordinances and recommends approval of this plat. She further stated that this plat is for Phase I. Phase II and possibly Phase III will be presented at some time in the future. There were no changes from the preliminary plat that was approved at the last P & Z meeting.

A motion was made by Commissioner Kossie and seconded by Commissioner Behrens to approve the final plat to form the Vintage Farms Subdivision, Phase I, as presented. The motion carried unanimously.

- 6. Discuss and possibly act upon a request for approval of a Final Plat to form The MCJ Division, being a subdivision of 50.96 acres of land containing 4 lots, located on State Highway 36 South and currently addressed as 4350 State Highway 36 South, situated in the J. Carrington Survey, A-120, in Brenham's Extraterritorial Jurisdiction (ETJ), Washington County, Texas**

Lori Lakatos, City Engineer, stated that the Engineering and Development Services Departments have reviewed this plat for compliance with the City of Brenham's ordinances and recommends approval of this plat. There were no changes from the preliminary plat approved at the last P & Z meeting.

A motion was made by Commissioner Alfred and seconded by Commissioner Sheffield to approve the final plat to form the MCJ Division, as presented. The motion carried unanimously.

- 7. Discuss and possibly act upon a request for approval of a Preliminary Plat to form the Jack in the Box at Brenham, being a subdivision of 0.8177 acres of land consisting of 1 lot located at 400 US Highway 290 West, situated in the Isaac Lee Survey, A-77 and the M.N. Combs Survey, A-124, in the City of Brenham, Washington County, Texas**

Lori Lakatos, City Engineer, stated that the Engineering and Development Services Departments have reviewed this plat for compliance with the City of Brenham's ordinances and recommends approval of this plat.

Chairman Low asked what this is being platted. Ms. Lakatos stated that our ordinance requires that any development must be on a platted piece of property. Jack in the Box wants to remodel and construct a small addition to their building. The property had never been platted; therefore, in order for them to be issued a building permit the property has to be platted. Ms. Lakatos stated that the term subdivision can be used in various ways. Most people live in a subdivision; however, this plat is just a subdivision of land consisting of one commercial lot. A preliminary and final plat is necessary instead of a minor plat since there were required dedications.

A motion was made by Commissioner Alfred and seconded by Commissioner Behrens to approve the preliminary to form Jack in the Box at Brenham, as presented. The motion carried unanimously.

- 8. Discuss and possibly act upon a request for approval of a Final Plat to form the Jack in the Box at Brenham, being a subdivision of 0.8177 acres of land consisting of 1 lot located at 400 US Highway 290 West, situated in the Isaac Lee Survey, A-77 and the M.N. Combs Survey, A-124, in the City of Brenham, Washington County, Texas**

Lori Lakatos, City Engineer, stated that the Engineering and Development Services Departments have reviewed this plat for compliance with the City of Brenham's ordinances and recommends approval of this plat.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to approve the final plat to form Jack in the Box at Brenham, as presented. The motion carried unanimously.

9. Administrative Report

Lori Lakatos asked if there were any questions on the administrative report for November that was included in the packet. Vice Chairman Alfred thanked Lori Lakatos for pulling "double-duty" while we are without a Development Services Director. Chairman Low asked how close the City is to finding a replacement. Lori stated that some applications have been received; however, the interview process will not start until after the holidays and probably after the hiring of the new City Manager. Chairman Low reminded the Board that the December meeting will be held on December 18th.

10. Adjourn

Chairman Low adjourned the Planning and Zoning Commission meeting at 5:50 p.m.

The City of Brenham appreciates the participation of our citizens, and the role of the Planning and Zoning Commissioners in this decision-making process.

Certification of Meeting Minutes:

_____	<u>Nancy Low</u>	_____
Planning and Zoning Commission	Chairman	Meeting Date

_____	<u>Kim Hodde</u>	_____
Attest	Staff Secretary	Meeting Date