



**NOTICE OF A REGULAR MEETING OF
THE BRENHAM CITY COUNCIL
THURSDAY, MARCH 23, 2017 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

**A PORTION OF THIS REGULAR CITY COUNCIL MEETING
(AGENDA ITEMS 4, 5, AND 6)
WILL BE HELD IN A JOINT SESSION WITH THE
CITY OF BRENHAM PLANNING AND ZONING (P&Z) COMMISSION**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Herring**
- 3. Discuss and Possibly Act Upon an Ordinance on Its First Reading Annexing the Hereinafter Described Territory into the City of Brenham and Adopting a Service Plan: (*City Council Action Item Only*)**
Pages 1-11

Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

**JOINT SESSION OF THE BRENHAM CITY COUNCIL AND
THE CITY OF BRENHAM PLANNING AND ZONING (P&Z) COMMISSION**

JOINT SESSION – PUBLIC HEARING

4. **Public Hearing to Consider Amending Appendix A – “Zoning” of the Code of Ordinances to Change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District Regarding the Property Being Annexed into the City of Brenham, Said Property Being More Specifically Described Below:** **Pages 12-18**

Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

JOINT SESSION – REGULAR AGENDA

5. **Discuss and Possibly Act Upon Recommendation to City Council Concerning Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to Change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District Regarding the Property Being Annexed into the City of Brenham and More Specifically Described Below: (*Planning & Zoning Commission Action Item Only*)** **Pages 19-20**

Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

6. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to Change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District Regarding the Property Being Annexed into the City of Brenham and More Specifically Described Below: *(City Council Action Item Only)* **Pages 21-28**

Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

(Note: The City of Brenham Planning & Zoning Commission will recess and reconvene in Conference Room 2A, 2nd Floor of City Hall for the Remainder of Their Special Meeting)

CITY COUNCIL – REGULAR AGENDA

7. **Retirements**
- Sgt. Judson Hall 32 Years
 - Karen Karsteter 20 Years
8. **Proclamations**
- Washington County Chamber of Commerce 100th Birthday
 - Judith Finke 50 Years in Business
- Pages 29-30**
9. **Citizens Comments**

WORK SESSION

10. Discussion and Update on a Possible Traffic Solution at the Intersection of S. Chappell Hill Street and Neibuhr Street **Pages 31-32**
11. Presentation of the Nancy Carol Roberts Memorial Library Statistics **Page 33**
12. Presentation and Discussion on a Removable Bollard Traffic System in the Downtown Area **Pages 34-49**

REGULAR SESSION

13. **Discuss and Possibly Act Upon Resolution No. R-17-005 Authorizing the Acceptance of a Grant in the Amount of \$72,800 from the Criminal Justice Division of the Governor's Office for Conversion to the National Incident-Based Reporting System (NIBRS)** **Pages 50-51**

14. **Administrative/Elected Officials Report**

Administrative/Elected Officials Reports: Reports from City Officials or City staff regarding items of community interest, including expression of thanks, congratulations or condolences; information regarding holiday schedules; honorary or salutory recognitions of public officials, public employees or other citizens; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that have arisen after the posting of the agenda.

Adjourn

Executive Sessions: The City Council for the City of Brenham reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiation

CERTIFICATION

I certify that a copy of the March 23, 2017 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on March 20, 2017 at **12:50 PM**.

Kacey A. Weiss

Deputy City Secretary

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2017 at _____ AM PM.

Signature

Title



AGENDA ITEM 3

DATE OF MEETING: March 23, 2017		DATE SUBMITTED: March 16, 2017
DEPT. OF ORIGIN: Development Services		SUBMITTED BY: Erik Smith
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☒ 1 ST READING
☐ SPECIAL	☐ CONSENT	☐ 2 ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Annexing the Hereinafter Described Territory into the City of Brenham and Adopting a Service Plan: <i>(City Council Action Item Only)</i> Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.		
SUMMARY STATEMENT: Staff has been working with Stylecraft Builders on a PD - Planned Development for the past year. The property itself is roughly 87 acres. The property is currently not located inside the city limits. The applicant has submitted a petition for voluntary annexation into the city limits. City Council has already held two public hearings and this is the first reading of the annexation ordinance.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Annex additional land into city limits adding additional tax base through a voluntary annexation process. B. CONS: Any new development strains existing services.		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance		
FUNDING SOURCE (Where Applicable):		

RECOMMENDED ACTION: Approve an Ordinance on its first reading annexing the hereinafter described territory into the City of Brenham and adopting a Service Plan for the Annexation of Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS FOR THE PURPOSE OF EXTENDING THE CORPORATE LIMITS OF THE CITY OF BRENHAM, TEXAS; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 86.664 ACRES OF LAND, HEREINAFTER MORE SPECIFICALLY DESCRIBED, TO THE CITY OF BRENHAM, TEXAS FOR ALL MUNICIPAL PURPOSES; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SERVICE PLAN; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL MAP OF THE BOUNDARIES OF THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham, Texas is a Texas home-rule municipality; and

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., authorizes municipalities to annex territory in accordance with the procedures provided for therein; and

WHEREAS, Article I, Section 3 of the Charter of the City of Brenham authorizes annexation of territory to the City, in accordance with the laws of this State; and

WHEREAS, the hereinafter described property lies within the extraterritorial jurisdiction of the City of Brenham; and

WHEREAS, the area hereinafter described contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract, in accordance with Subsection 43.052(h)(1), Texas Local Government Code; and

WHEREAS, notice of the appropriate public hearings was published in a newspaper having general circulation in the City of Brenham, Texas and the public hearings were conducted and held in accordance with applicable law; and

WHEREAS, the City of Brenham, Texas prepared a service plan for the extension of municipal services into the area to be annexed, said service plan being attached hereto as Exhibit "B" and incorporated herein for all purposes; and

WHEREAS, all notices, publication and hearings have been duly given and held as required by law; and

WHEREAS, institution of annexation proceedings and the presentation and introduction of this Ordinance in such form as it may be finally passed occurred within the periods of time as prescribed by law; Now Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS:

Section 1. That the hereinafter described tract of land is within the extraterritorial jurisdiction of, and is adjacent to and is contiguous to the present corporate limits of the City of Brenham, Texas, be, the same is hereby, annexed to the City of Brenham, Texas for all municipal purposes and the corporate boundaries and limits of the City of Brenham, Texas are hereby extended to embrace the said tract of land, which is more particularly described and attached hereto as Exhibits “A – Metes and Bounds Description,” and “C – Map” and incorporated herein for all purposes.

Section 2. That the inhabitants, if any, of the property hereby annexed to the City of Brenham, Texas shall be entitled to all the rights and privileges of said citizens of the City of Brenham, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Brenham, Texas.

Section 3. That the Service Plan which is attached hereto as Exhibit “A” is hereby approved and incorporated herein as part of this Ordinance for all purposes, and is applicable to the area annexed to the City as described herein.

Section 4. That the official map and boundaries of the City of Brenham, Texas, heretofore adopted and amended be and is hereby amended so as to include the aforementioned area as part of the City of Brenham, Texas.

Section 5. That the City Secretary is hereby directed and authorized to perform or cause to be performed all acts necessary to amend the official map of the City of Brenham, Texas to add the territory hereby annexed as required by law.

Section 6. If any section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City of Brenham, Texas, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and as to this end the provisions of this Ordinance are declared to be severable.

Section 7. That this Ordinance shall become effective upon its passage.

Section 8. That the meetings at which this Ordinance was enacted were open to the public as required by the Texas Open Meetings Act, and that notice of the time, place, and subject matter of said meetings was given as required by the Texas Open Meetings Act.

PASSED and APPROVED on its first reading this the ____ day of _____, 2017.

PASSED and APPROVED on its second reading this the ____ day of _____, 2017.

Milton Y. Tate, Jr.
Mayor

ATTEST

Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit "A"
Property Description

ALL THAT TRACT OR PARCEL OF LAND situated in Washington County, Texas out of the Phillip Coe Survey A-31 and being all or a portion of the tract of land called 88.12 acres in an executor's deed dated January 1, 2001 from Cheryl Jean Rubenstein Jenkins, Independent Executrix of the Estate of David P. Rubenstein, to Cheryl Jean Rubenstein Jenkins, Individually as recorded in Volume 980, Page 473 of the Official Records of Washington County and in an executor's deed dated May 8, 2002 from Adella Rubenstein, Independent Executrix of the Estate of Matthews Rubenstein to Adella Rubenstein, Individually as recorded in Volume 1032, Page 533 of the Official Records of Washington County, said 86.664 acre tract being more particularly described as follows:

BEGINNING at a found concrete monument marking the intersection of the Northwest line of State Highway 36 with the West line of Dixie Street for the upper Southeast corner of this tract;

THENCE with the West or Northwest line of State Highway 36 and the East or Southeast line of this tract, S 26° 54' 01" W, 636.99 ft. to a found concrete monument and S 18° 03' 55" W, 210.68 ft. to a found concrete monument marking the beginning of a curve to the left;

THENCE continuing with the West line of State Highway 36 and the East line of this tract in a curve to the left having a radius of 3,417.56 ft., a distance of 1,593.10 ft. (chord S 04° 42' 40" W, 1,578.72 ft.) to a set 1/2" iron for Northeast corner of the Charlotte Beth Woods Smith Tract II called 26.691 acres (588/861 O.R.W.C.) and lower Southeast corner of this tract;

THENCE with the North line of the Smith tract and the South line of this tract,

S 74° 46' 35" W, 396.64 ft. to a tree and fence angle;
S 88° 09' 33" W, 29.76 ft. to a found 1/2" iron pin;
N 80° 37' 49" W, 109.96 ft. to a found 1/2" iron pin and

N 77° 07' 42" W, 168.40 ft. to a found 1/2" iron pin and fence corner for Southeast corner of the Lorea Myrick tract called 4.09 acres (1037/335 O.R.W.C.) and Southwest corner of this tract;

THENCE with the East line of the Lorea Myrick tract called 4.09 acres (1037/335 O.R.W.C.), the L. L. Jantz, et ux tract called 0.886 acres (372/263 D.R.W.C.), the Tom A. Brown, et ux tract called 1.718 acres (1124/093 O.R.W.C.) and the Stewart L. Brown and Betty Sue Brown tract called 219.28 acres (206/531 D.R.W.C.), also the West line of this tract,

N 13° 47' 13" W, 213.28 ft. to a found 1/2" iron pin and fence angle;
N 14° 38' 29" W, 817.40 ft. to a found 1/2" iron pin and fence corner;
N 13° 42' 23" W, 474.95 ft. to a marked tree and fence angle and

N 14° 47' 54" W, 1,386.42 ft. to a set 1/2" iron pin and fence corner for Southwest corner of the Eugene G. Baker, et ux tract called 61.42 acres (322/209 D.R.W.C.) and Northwest corner of this tract;

THENCE with the South line of the Baker tract and the North line of this tract, N 75° 24' 50" E, 1,823.51 ft. to a found 1/2" iron pin and fence corner for Northeast corner;

THENCE departing the South line of the Baker tract with the East line of this tract, S 19° 03' 26" E, 33.37 ft. to a tree and fence angle; S 14° 23' 49" E, 63.06 ft. to a found 1/2" iron pin and fence angle lying in the West line of Dixie Street;

THENCE with the West line of Dixie Street and continuing with the East line of this tract,

S 02° 51' 34" E, 24.61 ft. to a found 1/2" iron pin and fence angle;
S 00° 51' 49" W, 73.56 ft. to a found 1/2" iron pin and fence angle;
S 04° 23' 41" E, 97.51 ft. to a found 1/2" iron pin and fence angle;
S 13° 09' 07" E, 68.34 ft. to a tree and fence angle;
S 14° 20' 25" E, 222.50 ft. to a found concrete monument and

S 04° 23' 30" E, 298.42 ft. to the PLACE OF BEGINNING and containing 86.664 acres of land.

Exhibit “B”

2017 ANNEXATION SERVICE PLAN

SERVICE PLAN FOR 2017 ANNEXATION AREAS

Upon annexation of the area identified in Exhibits “A” and “C,” the City of Brenham will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

1. Police Protection

The City of Brenham, Texas and its Police Department will provide police protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed area. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed area.

2. Fire Protection Services

The City of Brenham, Texas and its Fire Department will provide fire protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed area. The Fire Department will have the responsibility to respond to all dispatched calls and requests for service or assistance within the newly annexed area.

3. Maintenance of Water and Wastewater Facilities

Any and all water or wastewater facilities owned, operated or maintained by the City of Brenham Public Utilities at the time of the annexation shall continue to be maintained by Public Utilities. Any and all water and wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be operated and maintained by the City’s Public Utilities Department to the extent of the City’s ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City’s standard extension policy now existing or as may be amended. On-site sewage systems may be maintained in accordance with the City Code of Ordinances and other applicable regulations.

4. Solid Waste Collection

The City of Brenham, Texas, or its authorized franchisees, collect solid waste and refuse within the corporate limits of the City. Solid waste collection will be provided to citizens in the newly annexed area at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed area. The City may negotiate with the annexed area to allow continued services with an existing solid waste management provider. After the second anniversary of the annexation date, the City will impose solid waste collection fees and provide the service.

If areas with private roads and/or gates are arranged so that garbage may be collected without creating a safety hazard, the City, at its discretion, may collect the garbage provided proper indemnification is received from the community association or individual property owners. The City will then impose solid waste collection fees and provide the service. Garbage collection locations shall be subject to the approval of the Sanitation Superintendent. In the event the City does not collect garbage within the areas with private roads and/or gates, residents of these areas will not be billed for service after the two-year date.

5. Maintenance of Roads and Streets

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed area. Private roads will remain under private ownership until dedicated to and accepted by the City, and as such shall be maintained by the owner.

6. Maintenance of Parks, Playgrounds, and Swimming Pools

The City of Brenham, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed area of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed area. Private facilities will remain under private ownership and as such, shall be maintained by the owner.

7. Maintenance of any Publicly Owned Facility, Building or Municipal Service

The City of Brenham, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed area of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed area.

8. Other Services

The City of Brenham, Texas finds and determines that such services as planning, code enforcement, animal control, library, parks and recreation, municipal court and general administration will be made available after the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed area.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE SUBSTANTIALLY COMPLETE WITHIN 2 ½ YEARS

The City of Brenham will provide full municipal services in the annexed area no later than 2-1/2 years after the effective date of the annexation unless certain services cannot reasonably be provided within that period. In the event the services cannot be provided within 2-1/2 years, the City will propose a schedule for providing those services, and will include a list of all services to be provided under the plan and a schedule to extend the period for providing certain services. The schedule will provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation.

1. Police and Fire Protection and Solid Waste Collection

The City of Brenham, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Brenham, Texas with like topography, land use and population density as those found within the newly annexed area.

2. Water and Wastewater Facilities

The City of Brenham finds and determines that there is sufficient capacity for water and wastewater to provide services to the annexed area pursuant to Public Utilities' extension policies. The construction of any capital improvements necessary to extend water and wastewater services to an annexed area will be substantially complete within 2-1/2 years after the effective date of the annexation unless said time period is extended pursuant to Chapter 43 of the Texas Local Government Code, as amended.

3. Roads and Streets

The City of Brenham, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area.

4. Maintenance of Parks, Playgrounds, and Swimming Pools and any Other Publicly Owned Facility, Building, or Service

The City of Brenham, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Brenham, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the area being considered for annexation that were in existence in the proposed area at the time immediately preceding the annexation process. Given the proposed annexation area's topography, land utilization and population density, the service levels to be provided in the newly annexed area will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Brenham.

LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The service plan shall not be amended except in accordance with Chapter 43 of the Texas Local Government Code.



CTX Land Investment, LLC
R12310, Philip Coe, Tract 53, Ac 86.664

1 inch = 778 feet



Exhibit C



AGENDA ITEM 4

DATE OF MEETING: March 23, 2017	DATE SUBMITTED: March 16, 2017	
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☒ PUBLIC HEARING – Joint Session ☐ CONSENT ☐ REGULAR ☐ WORK SESSION	ORDINANCE: ☐ 1ST READING ☐ 2ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Public Hearing to Consider Amending Appendix A – “Zoning” of the Code of Ordinances to Change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District Regarding the Property Being Annexed into the City of Brenham, Said Property Being More Specifically Described Below: Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.		
SUMMARY STATEMENT: This is a public hearing for a zoning amendment to a Planned Development District for development of a mix of R-1 Single-Family Residential, R-2 Mixed Residential and B-1 Business/Residential Mixed Use District to establish a neighborhood commercial tract to serve the surrounding area. This request varies from the standard R-1 District in the following ways: - Minimum lot widths have been reduced from the required 60 feet to 55 feet - Minimum lot depths have increased to 120 feet from the required 115 feet - The applicants are requesting 7.5-foot side building setbacks. Current requirement is 10 foot. - The applicants are requesting a rear setback of 20-foot. Current requirement is 25 foot. - The applicants are requesting a front setback of 20-foot. Current requirement is 25 foot. - Minimum lot area would be reduced to 6,600 sq. ft. Current requirement is 7,000 sq. ft. - Minimum masonry requirements are required for residential. - Certain percentages of homes built with a minimum square footage of livable area allowed as defined throughout the development. - Minimum of two trees in the front of the residence to be planted. - Brick columns at property corners for privacy fencing along certain thoroughfares. - Road deemed minor arterial that is shown on the future thoroughfare plan will be required to be built of concrete.		

- Interior pathway plans (maintained by HOA)
- Common areas owned and maintained by a Homeowner's Association are to be dedicated with amenities such as common area landscaping and trails in the development.

This request varies from the standard R-2 District in the following ways:

- Limited number of allowed uses permitted in the R-2 area with the intent of Townhouse style development.

This request varies from the standard B-1 District in the following ways:

- Masonry standards that are adopted by Council at the time the property is permitted will apply to the future development

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: This zone change will allow the property to develop with a single-family residential, multifamily residential and commercial development that is unique to Brenham.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Cover Letter; (2) General Application; (3) Preliminary Site Plan; and (4) Aerial

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: No action required – discussion only

APPROVALS: Terry K. Roberts

CTX Land Investments, LLC
4090 State Highway 6, South
College Station, TX, 77845
(979) 690-1222 Ext. 135

January 20th, 2017

To: City of Brenham

ATTN: Members of the Planning and Zoning Commission
200 West Vulcan Street
Brenham, TX, 77833

RE: Zoning Change

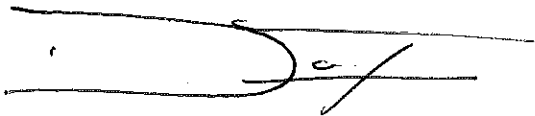
Dear Brenham Planning and Zoning Commission,

CTX Land Investments, LLC respectfully requests a zoning change for our tract known legally as A0031 A0031 – Coe, Phillip, TRACT 53, Acres 86.664. The tract upon annexation will be zoned R1 (Residential Single Family). We are requesting a zone change to Planned Development (PD). Our intentions for the tract are to build a master planned community that is primarily single family housing with a dedicated area of R2 (Multi-Family), and a dedicated area of B1 (Local Business Mixed) on Highway 36.

We appreciate the commission's time in considering this request. We would be happy to provide any additional information that would be beneficial to making a decision.

Respectfully,

CTX Land Investments, LLC

A handwritten signature in black ink, appearing to read 'Douglas French', is written over a horizontal line.

Douglas French

Manager



For office use only

APPLICATION NO. _____

MEETING DATE: _____

DATE SUBMITTED: 1-25-17

FILING FEE: \$100.00

CITY OF BRENHAM

GENERAL APPLICATION

Type of Application

- | | |
|---|--|
| ☐ Variance from Appendix A: Zoning | ☒ Zone Change |
| ☐ Specific Use Permit | ☐ Plan Review |
| ☐ Preliminary Plat | ☐ Final Plat/Replat/Amending Plat |
| ☐ Variance from Chapter 21: Signs | ☐ Other: _____ |

Property Owners Information

Name CTX Land Investments, LLC
Principal Officers (If Corporation) President Douglas French
Secretary Randy French
Address 4090 State Hwy 6, South, College Station, TX, 77845
Telephone Number 979.690.1222 EXT. 135 E-mail Address mchilders@stylecraftbuilders.com

Applicant Information

Name Matt Childers
Address 4090 State Hwy 6, South, College Station, TX, 77845
Telephone Number 979.690.1222 EXT. 135 E-mail Address mchilders@stylecraftbuilders.com

Agent or Engineer Information

Name Matt Childers
Address 4090 State Hwy 6, South, College Station, TX, 77845
Telephone Number 979.690.1222 EXT. 135 E-mail Address mchilders@stylecraftbuilders.com

Location of Property

Street Address: HWY 36 N, Brenham, TX, 77833

Legal Description (attach metes and bounds description if not subdivided): Survey Attached

Subdivision: _____ Block(s): _____ Lot(s): _____

Zoning Information

Existing Zoning : N/A

Proposed Zoning: Planned Development

Reasons for requesting zone change:* Highest & Best Use.

Variance Information

Section of Code from which variance is described:* N/A

Describe variance requested:* N/A

Reasons for requesting variance:* N/A

Proposed Property Use

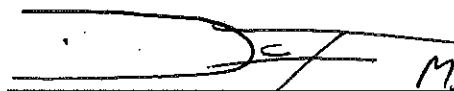
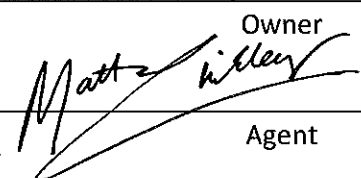
Describe in detail the proposed operation at this location:*

Single Family Subdivision with acreage for some multi-family and commercial

Construction Value \$ +/- \$75,000,000 @ full build out

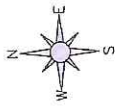
Site plans are required for variance, special use, and plan review requests; please see Ordinance No. 0-05-007 for minimum site plan requirements.

I, Douglas French, being the owner (or authorized agent) of the above described property, do hereby certify the information set forth above is true and correct. I further request that the Planning & Zoning Commission/Board of Adjustments/Plan Review Committee review this matter and take appropriate action.

 M.D.C.
Owner

Agent

The Trails at Hickory Grove

Master Planned Community



scale: 1" = 100'





CTX Land Investment, LLC
R12310, Philip Coe, Tract 53, Ac 86.664

1 inch = 778 feet





AGENDA ITEM 5

DATE OF MEETING: March 23, 2017		DATE SUBMITTED: March 16, 2017	
DEPT. OF ORIGIN: Development Services		SUBMITTED BY: Erik Smith	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION		CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	
ORDINANCE: ☐ 1ST READING ☐ 2ND READING ☐ RESOLUTION			
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Recommendation to City Council Concerning Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to Change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District Regarding the Property Being Annexed into the City of Brenham and More Specifically Described Below: <i>(Planning & Zoning Commission Action Item Only)</i> Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.			
SUMMARY STATEMENT: ** Planning and Zoning Commission Action Item ONLY **			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:			
ALTERNATIVES (In Suggested Order of Staff Preference): 1. Approve request 2. Modify request 3. Deny request			
ATTACHMENTS: None			
FUNDING SOURCE (Where Applicable): N/A			

RECOMMENDED ACTION: Recommend to the City Council the amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District regarding the property being annexed into the City of Brenham and more specifically described below: *(Planning & Zoning Action Item Only)*

Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

APPROVALS: Terry K. Roberts



AGENDA ITEM 6

DATE OF MEETING: March 23, 2017		DATE SUBMITTED: March 16, 2017	
DEPT. OF ORIGIN: Development Services		SUBMITTED BY: Erik Smith	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION		CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	
ORDINANCE: ☒ 1ST READING ☐ 2ND READING ☐ RESOLUTION			
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to Change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District Regarding the Property Being Annexed into the City of Brenham and More Specifically Described Below: <i>(City Council Action Item Only)</i>			
Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.			
SUMMARY STATEMENT: This is a request for a zone change from an R-1 District to a Planned Development District for development of a mix of R-1 Single-Family Residential, R-2 Mixed Residential and B-1 Business/Residential Mixed Use District to establish a neighborhood commercial tract to serve the surrounding area.			
This request varies from the standard R-1 District in the following ways: - Minimum lot widths have been reduced from the required 60 feet to 55 feet - Minimum lot depths have increased to 120 feet from the required 115 feet - The applicants are requesting 7.5-foot side building setbacks. Current requirement is 10 foot. - The applicants are requesting a rear setback of 20-foot. Current requirement is 25 foot. - The applicants are requesting a front setback of 20-foot. Current requirement is 25 foot. - Minimum lot area would be reduced to 6,600 sq. ft. Current requirement is 7,000 sq. ft. - Minimum masonry requirements are required for residential. - Certain percentages of homes built with a minimum square footage of livable area allowed as defined throughout the development. - Minimum of two trees in the front of the residence to be planted. - Brick columns at property corners for privacy fencing along certain thoroughfares.			

- Road deemed minor arterial that is shown on the future thoroughfare plan will be required to be built of concrete.
- Interior pathway plans (maintained by HOA)
- Common areas owned and maintained by a Homeowner's Association are to be dedicated with amenities such as common area landscaping and trails in the development.

This request varies from the standard R-2 District in the following ways:

- Limited number of allowed uses permitted in the R-2 area with the intent of Townhouse style development.

This request varies from the standard B-1 District in the following ways:

- Masonry standards that are adopted by Council at the time the property is permitted will apply to the future development

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: This zone change will allow the property to develop with a single-family residential, multifamily residential and commercial development that is unique to Brenham.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on its first reading amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to change the Residential Single Family (R-1) Zoning District Classification to a Planned Development (PD) Zoning District regarding the property being annexed into the City of Brenham and more specifically described below: *(City Council Action Item Only)*

Section 2017-1: Approximately 86.664 Acres of Land Situated in Washington County, Texas, out of the Phillip Coe Survey, Abstract No. A0031 Generally Consisting of Tracts with Frontage Along State Highway 36 North; Land Located West of and Adjacent to Dixie Street that is not Currently within the City Limits and Approximately 1,500 Feet from the “Cloverleaf” Intersection of Highway 290 West and State Highway 36 North, said property being more particularly described in Exhibit “A” attached to the Ordinance annexing the 86.664 acres.

APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A – “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO CHANGE PROPERTY CURRENTLY ZONED R-1 RESIDENTIAL DISTRICT TO A PLANNED DEVELOPMENT DISTRICT COMPRISED OF AN R-1 RESIDENTIAL AREA (APPROXIMATELY 71.33 ACRES), AN R-2 MIXED RESIDENTIAL AREA (APPROXIMATELY 8.36 ACRES), AND A B-1 LOCAL BUSINESS/RESIDENTIAL MIXED USE AREA (APPROXIMATELY 6.98 ACRES), BEING A TOTAL OF APPROXIMATELY 86.67 ACRES OF LAND.

WHEREAS, the City of Brenham has adopted Appendix A – “Zoning” of the City of Brenham Code of Ordinances, as amended, which divides the City of Brenham into various zoning districts; and

WHEREAS, Appendix A – “Zoning” provides for the designation of Planned Development Districts in accordance with the regulations set forth therein; and

WHEREAS, the City Council of the City of Brenham desires to designate a Planned Development District as set forth herein below;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, THAT APPENDIX A – “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:

I.

1. That Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to change property currently zoned as an R-1 Residential District to establish a Planned Development (PD) District comprised of an R-1 Residential area of approximately 71.33 acres, an R-2 Mixed Residential area of approximately 8.36 acres, and a B-1 Local Business/Residential Mixed Use area of approximately 6.98 acres, said Planned Development District described generally as the property west of and adjacent to State Highway 36, and south of and adjacent to Dixie Road, being all or portions of Tract 53 out of the Phillip Coe Survey in Brenham, Texas, and being more particularly described in the master development plan attached hereto as Exhibit “A” and incorporated herein for all purposes (the “Planned Development District”).

II.

2. Unless otherwise provided for herein, the property located within the R-1 Residential area of the Planned Development District as shown on the master development plan shall conform to the regulations of the City's Zoning Ordinance, Subdivision Ordinance and other ordinances applicable to R-1 Residential Districts.
3. Unless otherwise provided for herein, the property located within the R-2 Mixed Residential area of the Planned Development District as shown on the master development plan shall conform to the regulations of the City's Zoning Ordinance, Subdivision Ordinance and other ordinances applicable to R-2 Mixed Residential Districts.
4. Unless otherwise provided for herein, the property located within the B-1 Local Business/Residential Mixed Use area of the Planned Development District as shown on the master development plan shall conform to the regulations of the City's Zoning Ordinance, Subdivision Ordinance and other ordinances applicable to B-1 Local Business/Residential Mixed Use Districts.
5. R-1 Residential Area Regulations.
 - a. Size of lots.
 - i. Minimum lot width: 55 feet. Radial lots shall have a minimum width of 60 feet from the distance of 30 feet behind the front yard/building line. No lot shall be created that has a front yard with less than 30 feet of frontage on a public street.
 - ii. Minimum lot depth: 120 feet, and depth shall be measured as the average of the two side property lines. Radial lots shall have a minimum lot depth of 105 feet, and depth shall be measured as the average of the two side property lines.
 - iii. Minimum lot area: 6,600 square feet.
 - b. Size of yards.
 - i. Minimum front yard setback: 20 feet.
 - ii. Minimum side yard setback: 7.5 feet. The minimum side yard of a corner lot adjacent to a street shall not be less than 15 feet, except where a side yard is adjacent to a designated arterial street such side yard shall not be less than 25 feet.
 - iii. Minimum rear yard setback: 20 feet.
 - iv. Encroachment by building eaves and air conditioning compressor units: building eaves and air conditioning compressor units may encroach not more than two (2) feet beyond building lines into the required rear yard and side yards.
 - c. Minimum floor area per dwelling:
 - i. 30% of homes shall be required to have a minimum of 2,000 square feet of heated and air-conditioned living quarters/floor area.
 - ii. 90% of homes shall be required to have a minimum of 1,400 square feet of heated and air-conditioned living quarters/floor area.
 - iii. 95% of homes shall be required to have a minimum of 1,300 square feet of heated and air-conditioned living quarters/floor area.
 - iv. 100% of homes shall be required to have a minimum of 1,200 square feet of heated and air-conditioned living quarters/floor area.

6. Facade requirements.
 - a. "Masonry" defined: Building materials including brick, brick veneer, concrete, stone, rock, split face block or other materials of equal characteristics laid up unit by unit and set in mortar. For the purposes of this Ordinance, the following materials and applications shall not be considered to be masonry construction:
 - i. Fiber reinforced cementitious boards or panels (such as "Hardi plank" or "Hardi board") designed to be attached directly to studs or sheathing by nails, screws or other types of mechanical connectors;
 - ii. Concrete masonry units (CMU); and
 - iii. Exterior insulating finish system (EIFS) or similar applications.
 - b. Minimum masonry construction requirements for all single family residences constructed on property located south of minor arterial are as follows:
 - i. Front façade - masonry 100% up to the soffit.
 - ii. Side façades - masonry on one story homes: 100%
 - iii. Side façades - masonry on two story homes: 50%
 - c. Minimum masonry construction requirements for all single family residences constructed on property located north of minor arterial are as follows:
 - i. Front façade: masonry 100% up to the soffit.
 - d. Masonry construction requirements for all commercial property located within the B-1 Local Business/Residential Mixed Use area shall comply with the ordinances and regulations in effect at the time application is made for a building permit.
 - e. All garage doors shall have a wood or wood like exterior or finish.
 - f. Minimum masonry construction requirements do not apply to areas that are considered to be masonry exclusions. "Masonry exclusions" means windows, doors, eaves, soffits, trim work, gables, walls above roof lines, and entryways/porches.
7. Landscape requirements.
 - a. Single family residential lots shall have at least two (2) 2" or larger caliper (measured at 6 inches above the ground or tree base) trees planted in the front yard of the residence prior to certificate of occupancy being issued.
8. Lighting. All parking in multifamily and non-residential areas shall have lighting fixtures, equipment and improvements positioned such that the light-emitting source is shielded and the light does not adversely impact adjacent or nearby residential areas. Light originating from multifamily and non-residential areas is not permitted to shine on any real property beyond the boundaries of the multifamily and non-residential areas from which the light originates.
9. All privacy fencing must be installed at a height of not less than six (6) feet and not more than eight (8) feet, except that within the front yard as defined in the City's Zoning Ordinance, no fence shall be higher than three and one-half (3½) feet above the established street grades within twenty (20) feet of any street intersection, measured at the property line. All fencing that is visible to the public must be stabilized with a metal fence post support beam concreted into the ground to a minimum depth of at least one third the height of the fence with a minimum of two (2) 2" dimensional horizontal rails for cedar or treated picket wood fence paneling.

10. All fencing that is adjacent to public right-of-way as shown in “Exhibit A” shall have masonry columns spaced and erected at the property corners.
11. The developer shall dedicate the ultimate ROW for the minor arterial thoroughfare in accordance with the Major Thoroughfare Plan and design the minor arterial thoroughfare in accordance with the City’s design standards. However, the developer shall be required to construct the concrete pavement section that is proportional to the development, i.e. residential street. The construction of the pavement section must be constructed in a way to easily widen the pavement section with minimal impact to the traffic and be approved by the City Engineer.
12. All public improvements shall be subject to the approval of the City Engineer in compliance with the City of Brenham design standards.
13. The following will not be permitted within the R-2 Mixed Residential area or B-1 Local Business/Residential Mixed Use area within the Planned Development District:
 - a. Single Family Detached Units;
 - b. Cluster housing in accordance with cluster housing development provisions of the Subdivision Ordinance of the City of Brenham;
 - c. Group residential uses as provided by state law, such as "family homes," “community homes” or “group homes;”
 - d. Garage apartments;
 - e. Multifamily dwellings, including dormitories for students and fraternity or sorority houses;
 - f. Two-family dwellings or duplexes;
 - g. Mobile homes or manufactured homes;
 - h. Zero lot line housing development, in accordance with zero lot line development provisions of the Subdivision Ordinance of the City of Brenham; or
 - i. Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business.
14. A minimum of 12,000 square feet of all-weather trail(s) (for recreational purposes such as walking, jogging, biking, etc.) shall be constructed within the R-1 Residential area of the Planned Development District.
15. The R-1 Residential area shall have green space and perimeter landscaping as dedicated common areas owned and maintained by the homeowners association and designated as reserves on the subdivision plat.
16. A homeowners association shall be established and its governing documents recorded in the Official Public Records of Washington County prior to issuance of first building permit. Prior to recording with Washington County, the homeowners association governing documents must be submitted to the City for review and approval, and said governing documents shall ensure adequate maintenance of the common areas as shown on the master development plan in Exhibit “A.”

17. The street layout shall conform to the master development plan shown in Exhibit “A.”

18. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification for the Property provided herein subject to the regulations, restrictions, terms, and conditions of the Planned Development District provided for herein.

PASSED and APPROVED on its first reading this the ____ day of _____, 2017.

PASSED and APPROVED on its second reading this the ____ day of _____, 2017.

Milton Y. Tate, Jr.
Mayor

ATTEST

Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit A



PROCLAMATION

WHEREAS, March 23, 2017 marks the 100th Anniversary of the Washington County Chamber of Commerce whose mission is to promote a positive economic impact and quality of life while preserving the scenic beauty and rich history of Washington County; and

WHEREAS, For 100 years the Washington County Chamber of Commerce has served as a membership-based, volunteer-led, non-profit community providing a wealth of resources and support for new and existing businesses, visitors and tourists, current and relocating residents to the area, and the general public; and

WHEREAS, For 100 years the Chamber has offered its members an avenue for networking with other businesses, marketing their services and products, and for remaining informed on issues and trends impacting business; and

WHEREAS, For 100 years the Washington County Chamber has worked to develop and market the county as a site for new and expanding industries, providing economic opportunities for business and citizens alike; and

WHEREAS, The Convention and Visitors Bureau promotes economic development through tourism, marketing Washington County to prospective visitors by celebrating history, nature, competition and much more;

NOW, THEREFORE I, Milton Y. Tate, Jr., Mayor of the City of Brenham, do hereby proclaim Thursday, March 23, 2017 as

Washington County Chamber of Commerce Day

Milton Y. Tate Jr., Mayor
City of Brenham

PROCLAMATION

- WHEREAS,** A young Burtonite, Judith Jaster, did household chores for a former Burton Hair Salon owner, Rose Nicholas; and
- WHEREAS,** Judith earned her Cosmetology license in April 1966 and practiced hairstyling for the next eleven months; and
- WHEREAS,** A local established salon owned by Judy Hoffmann, Wakefield, Rosenquist became available for sale; and
- WHEREAS,** Rose found it in her heart to purchase that salon to provide a business opportunity for that young “beautician” Judith now Finke; and
- WHEREAS,** Rose Nicholas arranged a purchase agreement with her for March 1, 1967 and the new salon was named Judith’s Salon de Coiffure originally in the Lacina Shopping Center and then moved to its present address at 1811 Market Street in 1983;

NOW, THEREFORE, I, Milton Y. Tate Jr., Mayor of the City of Brenham, do hereby proclaim Thursday, March 23, 2017 as

Judith Finke’s Day of Celebrating 50 Years in Business

Milton Y. Tate Jr., Mayor
City of Brenham



AGENDA ITEM 10

DATE OF MEETING: March 23, 2017	DATE SUBMITTED: March 16, 2017															
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Dane Rau															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☐ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☒ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION		☒ WORK SESSION	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:														
☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING														
☐ SPECIAL	☐ CONSENT	☐ 2 ND READING														
☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION														
	☒ WORK SESSION															
AGENDA ITEM DESCRIPTION: Discussion and Update on a Possible Traffic Solution at the Intersection of S. Chappell Hill Street and Neibuhr Street																
SUMMARY STATEMENT: See attached Memo from Public Works Director Dane Rau, dated March 16, 2017.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):																
A. PROS:																
B. CONS: None																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) Memo from Public Works Director																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION: No action required – discussion only																
APPROVALS: Terry K. Roberts																

Memo

To: Terry Roberts
From: Dane Rau
Date: 3/20/2017
Re: Chappell Hill and Neibuhr St. Intersection

Terry

On February 2, 2017 staff presented a work session item to Council regarding improvement options to S. Chappell Hill St and the Neibuhr St intersection. It was presented with two options. Due to the site issues staff has looked at either placing a stop sign at this intersection making it a 3-way stop or relocating the existing fence and working with the property owner to purchase land which the relocated fence would be placed. At the council meeting decisions varied and ultimately staff and Council agreed to try temporary stop signs until the end of school and see how this would work with traffic and continuity.

After the council meeting in preparation of placing stop signs at this location, city staff blocked off this intersection and created a situation in which vehicles were stopped on S. Chappell Hill St. A fire truck was used to see the turn radius off of Neibuhr St. When this was done, the distance between the mirrors of the turning fire truck and the vehicle stopped at the proposed location on S. Chappell Hill St was within 2 feet of each other. This scenario did not make staff feel well about placing stop signs at this location. We want to make sure we do not create another problem by trying to resolve a problem. In this situation we feel this will be the case.

In order to prepare for Option 2, staff has received official quotes on the relocation of the fence and sign which is valued at \$14,482.16. Staff has also met with the property owner and they are willing to sell a portion of their land/backyard to make this happen. The area which is needed is approximately 1617 sq. /ft. This property is valued at \$2.98 sq. /ft. The total price will be close to \$4,818 for the property in which the fence will be relocated and will be future right-of-way. Staff feels that this will be the long term solution and total project cost with surveying will be around \$23,500.

Since this was brought to work session we wanted to inform council of the new developments and the route in which staff plans to go. I have visited with several council members and the Mayor after the last council meeting to explain the situation and they were all agreeable that relocating the fence and working with a willing property owner would be the way to go. If all are agreeable we plan to move forward with this at the end of March.



AGENDA ITEM 11

DATE OF MEETING: March 23, 2017	DATE SUBMITTED: March 15, 2017	
DEPT. OF ORIGIN: Library Services	SUBMITTED BY: Andria Heiges	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☐ REGULAR ☒ WORK SESSION	ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Presentation of the Nancy Carol Roberts Memorial Library Statistics		
SUMMARY STATEMENT: An update on the public response to the new library facility and library statistics will be discussed and presented by Librarian Andria Heiges.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: No action required – discussion only		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 12

DATE OF MEETING: March 23, 2017		DATE SUBMITTED: March 14, 2017	
DEPT. OF ORIGIN: Public Works/Police Department		SUBMITTED BY: Dane Rau/Craig Goodman	
MEETING TYPE:		CLASSIFICATION:	
☒ REGULAR		☐ PUBLIC HEARING	
☐ SPECIAL		☐ CONSENT	
☐ EXECUTIVE SESSION		☐ REGULAR	
		☒ WORK SESSION	
ORDINANCE:			
☐ 1 ST READING			
☐ 2 ND READING			
☐ RESOLUTION			
AGENDA ITEM DESCRIPTION: Presentation and Discussion on a Removable Bollard Traffic System in the Downtown Area			
Summary Statement: In December of 2016, Chief Goodman met with City staff to discuss being proactive when it comes to protecting the numerous visitors, citizens, and participants of downtown events. During the last 6 months, numerous instances have occurred over our nation in regards to large events being interrupted by terror or impaired drivers causing bodily harm and resulting in deaths by driving through crowds during events. Since Chief Goodman approached staff we have put together a team to research modifying our protective measures during these community events such as Hot Nights, Cool Tunes, Maifest, Christmas Stroll, Juneteenth and other events in which the downtown streets are shut down and used for activities. We feel that by utilizing removable bollards instead of Type 2 barricades which are manned by Street Dept. personnel and Citizens on Patrol that we could provide a safer means for the pedestrians enjoying the event. These temporary bollard sleeves would be installed on all city streets that adjoin both Main St. and Alamo St. such as St. Charles St., Baylor St., Park St. and Douglas St. as well as an alley off of Alamo St. The sleeves will be schedule 80 pipe, cemented in the ground at a depth of 12". These sleeves will hold the bollards in place while the streets are closed down and are able to be locked in place. Once the event is over, the removable bollards will be taken out of the sleeves and the top cover will be closed which allows vehicular traffic and pedestrians to walk over. They are installed to the grade of the street. The bollards are 4" round by 4 ft. tall and are yellow in color. The bollards are constructed of schedule 40 pipe. Each intersection will have either 5 or 6 sleeves and bollards. Dant Lange, Bubba Herrin, and I have visited areas where these bollards are used and also spoken with the City of McKinney as they have installed removable bollards as well. These bollards along with the sleeves surrounded by concrete are built above most bollard standards and they are meant to deter vehicles from passing through. A specific rating has not been quantified as each vehicle is different and the speed in which they are traveling varies. These bollards are meant to slow vehicles down and cause enough damage to the vehicle that it cannot continue on its pathway.			

A quote was received to install the 47 bollards and it is estimated at \$23,265. If we would like to move forward with this concept we will look for two other quotes and either budget for this project or if it preferred we could possibly look at conducting it sooner.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Is a proactive approach which will allow the City of Brenham to secure the closed streets in order to provide protection during community events. Will be study “road closures” and not removable by the general public as are the Type 2 barricades.

B. CONS: Weigh about 50 lbs. each somewhat more tedious to put back up after event.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Scope of Work and Estimate; (2) Letter from Police Department; and (3) Photos

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: No action required – discussion only

APPROVALS: Ryan Rapelye

PROJECT SCOPE

February 21, 2017

OVERVIEW

1. Removable Bollard System – City of Brenham

The City of Brenham will upgrade its common event areas with a removable bollard system, allowing city personal to implement protective bollards for street closures (to protect pedestrians from accidental and intentional/terroristic vehicle entry into high-casualty pedestrian areas) during city events and easily remove post event.

2. Project Scope

Manufacture and install removable bollard system for downtown common street closure areas.

3. High-Level Requirements

Bollard system will include, but not be limited to the following basic requirements. Should installation be handled by the customer, Bollards Plus will provide initial training installation of one bollard.

The removable bollard system must include the following:

- Low profile sleeve to prevent trip hazard
- Weep line to prevent water buildup
- Lockable posts to prevent theft
- Schedule 40 steel posts
- Schedule 80+ steel sleeves
- ¼" top plate
- Heavy duty hinge and locking mechanism
- Set distance maximum not to exceed 48" apart.
- Installation insuring proper alignment and functionality
- Powder coated
- Caps for bollard posts

4. Affected Business Processes

- During installation, designated areas will need to be closed off for 24 hours to allow concrete to fully cure. Installation will be completed in two phases to allow for minimal impact.
- Access to area electrical and water sources required.
- Designated customer representative to approve locations

5. Specific Exclusions from Scope

- Optional exclusion of installation (see proposal number two)
- Locks for locking down bollards when in place

6. High-Level Timeline/Schedule

Manufacture/Order fulfillment

- 14 business days from project approval

Phase One Installation

- Alamo St Installations
- 1 day (to be scheduled upon order completion)
- 24 hour road closure to allow for setup

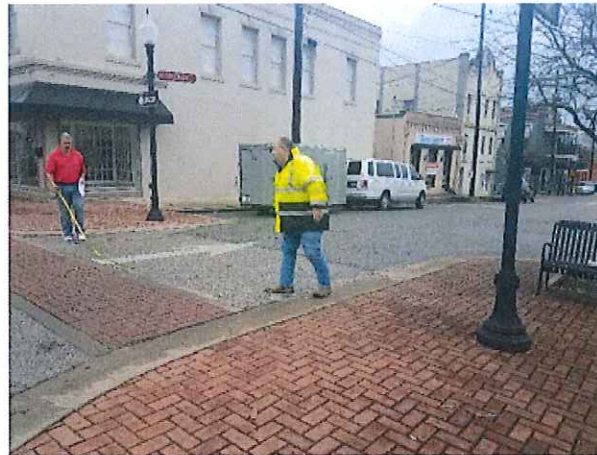
Phase Two Installation

- Main St Installations
- 1 day (to be scheduled upon order completion)
- 24 hour road closure to allow for setup
-

7. Scope

Alamo St (East & West South Intersections)

- **S. St Charles St**
 - Area: 224"
 - Bollards Required: 6 bollards, 40" apart
 - Notes: Two light posts, more than 48" from bollard row start. Bollard placement south of concrete paver border.



- **S. Baylor St**

- Area: 177"
- Bollards Required: 5 bollards, 39.25" apart
- Notes: Two trees more than 48" from bollard row start. Bollard placement south of concrete paver border.



- **S. Park St**

- Area: 222"
- Bollards Required: 6 bollards, 39.6" apart
- Notes: One light post/trash can, one tree more than 48" from bollard row start. Bollard placement south of concrete paver border (not to interfere with parking)



- **S. Douglas St**

- Area: 216"
- Bollards Required: 6 bollards, 38.4" apart
- Notes: One light post, one tree more than 48" from bollard row start. Bollard placement south of concrete paver border



- **117/203 W. Alamo St Alley**

- Area: 233
- Bollards Required: 4 bollards, 43.4" apart
- Notes: Wall on each side (no bollard at wall)". Bollard placement in concrete and paver (soil) south of sidewalk in alignment with wall.



Main St (East & West North Intersections)

- **N. Douglas St**
 - Area: 212
 - Bollards Required: 5 bollards, 48" apart
 - Notes: Two light post, one tree more than 48" from bollard row start. Bollard placement align with posts.



- **N. Park St**
 - Area: 212
 - Bollards Required: 5 bollards, 48" apart
 - Notes: One light post more than 48" from bollard row start. Bollard placement north of concrete paver border (not to interfere with parking)



- **N. Baylor St**

- Area: 197
- Bollards Required: 5 bollards, 44.25" apart
- One light post, one tree more than 48" from bollard row start. Bollard placement south of concrete paver border (not to interfere with parking)



- **N. St Charles St**

- Area: 213
- Bollards Required: 5 bollards, 48" apart
- One light post, one planter more than 48" from bollard row start. Bollard placement south of concrete paver border.



8. Affected Business Processes

- During installation, designated areas will need to be closed off for 24 hours to allow concrete to fully cure. Installation will be completed in two phases to allow for minimal impact.
- Access to area electrical and water sources required.
- Designated customer representative to approve locations

9. Specific Exclusions from Scope

- Optional exclusion of installation (see proposal number two)
- Locks for locking down bollards when in place

10. High-Level Timeline/Schedule

Manufacture/Order fulfillment

- 14 business days from project approval

Phase One Installation

- Alamo St Installations
- 1 day (to be scheduled upon order completion)
- 24 hour road closure to allow for setup

Phase Two Installation

- Main St Installations
- 1 day (to be scheduled upon order completion)
- 24 hour road closure to allow for setup

APPROVAL AND AUTHORITY TO PROCEED

We approve the project as described above, and authorize the team to proceed.

Approved By

Date

Approved By

Date

1/4" THICK
STEEL CAP

HEAVY DUTY
PLATE LINKAGE

SCHEDULE 80+
Extra Heavy Steel

12" LENGTH

WATER DRAIN

5 1/2" OD

Bollards Plus
2814 matilda dr
houston, TX 77032
Stephanie@bollardbarrier.com

Bollards Plus
BollardBarrier.com

To:
City of Brenham
200 W Vulcan St
Brenham, tx 77833

Estimate # 140
Prepared Date February 22, 2017
Expiration Date February 22, 2018
Estimate Total **USD \$23,265.00**

Description	Rate	Quantity	Tax	Line Total
Removable Bollard System: 5 1/2" x 12" Inground bollard sleeve (schd 80+) with lockable top plate (1/4" steel), 4"x48" steel bollard post (schd 40 archt. grade) lock hook and rubber cap, weep plate and 6" weep line. Powder coated safety yellow.	\$245.00	47		\$11,515.00
Removable Bollard Installation in asphalt & concrete roadways per project scope.	\$250.00	47		\$11,750.00
Estimate Total			USD \$23,265.00	

Estimate Notes:

please provide tax exempt certificate if applicable.

BRENHAM POLICE DEPARTMENT

PHONE: (979) 337-7272
FAX: (979) 337-7343



P. O. BOX 682
BRENHAM, TEXAS 77834-0682

1800 LONGWOOD DRIVE

Mass Crowd Safety

Chief Goodman,

The attached documents include an overview of project scope and estimate for the purchase and installation of pipe bollards at strategically select intersections of the downtown area. The purpose for these bollards is to provide a less accessible environment to that area by vehicles that could pose a threat to the safety of persons attending events commonly held downtown.

As we have seen at venues both local and abroad, terrorist attacks are typically targeted at venues containing groups of people. A method to carry out such an attack is simply utilizing a vehicle to storm a crowd on the streets. Many cities have initiated a deterrent to vehicular access in the form of removable pipe bollards. Compared to traditional barricades, these are more difficult to defeat and the design is highly visible while being more aesthetically pleasing than the traditional saw horse style barricades.

Currently, the City Street Department is responsible for cordoning off streets for these events. The Police Department typically provides security, along with a presence from COP (Citizens on Patrol) members. The current method of saw horse style barricades occasionally lends itself to other challenges, such as persons simply scooting those aside and entering through an un-manned intersection. So hence provides an example that a better form of public safety should be considered as we continue using the downtown area to be a venue for events that attract a mass of people.

The efficiency of the bollards is also appealing to both the Street and Police Departments. When not in use, the pipe sleeve hole in the pavement is covered by a metal hinged lid, which prevents a hazard. To install, the hinged lid is lifted, the schedule 40 pipe (nearly ¼ " thick and 4" diameter) is placed into the hole, and the lid actually has the ability to be padlocked to the pole to prevent anyone from lifting it out. The vendor offers various choices of colors in powder coat paint - we would suggest yellow for better visibility both day and night, and because it is recognized universally as a color to signify "safety".

"NO MAN IS ABOVE THE LAW AND NO MAN IS BELOW IT; NOR DO WE ASK ANY MAN'S PERMISSION WHEN WE REQUIRE HIM TO OBEY IT." THEODORE ROOSEVELT

Personnel from the Street Department and Police Department have participated in a site visit where these were installed along with an assessment of the areas in downtown Brenham where we would propose these be installed. The vendor does not supply a crash test rating, however we witnessed one that had been struck and it held up surprisingly well. We are not aware of an official crash test rating offered by any vendor of this type barricade. This is not an impenetrable option, but does offer a combination of deterring vehicular access with better aesthetics proven effective by other cities. Brenham has often been recognized for keeping current or even ahead of times for the size of our city.

The estimate is for 47 bollards and sleeves to be installed by the vendor at a cost of \$23,265. The project would be coordinated with the Street Department and would consist of a full day where Phase I would have the footings installed along all side streets of Alamo Street between Market and Austin Streets (none on Market or Austin). Phase II would require another full day and consist of the same process along the side streets of Main Street. Each of those phases would require a 24 hour process after the install for curing of the concrete.

Considering that providing a safe environment for those who live, visit and conduct business in our city, we would like to request that the overview and estimate submitted by Bollards Plus be considered as a better alternative to our current practice in the cordoning off of streets in the downtown area.



Dant Lange
Support Services Captain
Brenham Police Department

ALANES 2/27/2017

2-28-17

RTF

Craig M. Beardman

I concur with this recommendation.









AGENDA ITEM 13

DATE OF MEETING: March 23, 2017	DATE SUBMITTED: March 8, 2017	
DEPT. OF ORIGIN: Police Department	SUBMITTED BY: Craig Goodman	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☒ RESOLUTION
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-17-005 Authorizing the Acceptance of a Grant in the Amount of \$72,800 from the Criminal Justice Division of the Governor's Office for Conversion to the National Incident-Based Reporting System (NIBRS)		
SUMMARY STATEMENT: The Department submitted a grant application to The Office of the Governor Criminal Justice Division for funding assistance to comply with the mandatory conversion to NIBRS reporting. The department received notice on February 28, 2017 that the application was approved. This is a reimbursement grant with no match.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Grant funding will reduce the Department's cost to comply with the mandatory conversion to the NIBRS reporting system and help defray the cost associated with an RMS module. B. CONS: None		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: Resolution No. R-17-005		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve Resolution No. R-17-005 authorizing the acceptance of a grant in the amount of \$72,800 from the Criminal Justice Division of the Governor's Office for Conversion to the National Incident-Based Reporting System (NIBRS)		
APPROVALS: Terry K. Roberts		

RESOLUTION NO. R-17-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS ACCEPTING \$72,800 IN GRANT FUNDING THROUGH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION NIBRS CONVERSION PROGRAM

WHEREAS, Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. There are two methods for reporting data, Summary Reporting and Incident Reporting. The Texas Legislature has mandated that all agencies move away from Summary reporting to Incident Based Reporting.

WHEREAS, the Office of the Governor, Criminal Justice Division has allocated grant funding for local law enforcement agencies to upgrade technology infrastructure to allow for and support Incident-Based Reporting to the Texas Department of Public Safety.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS:

1. That the Mayor is hereby authorized to accept \$72,800.00 from the Criminal Justice Division of the Governor's Office;
2. That the City of Brenham hereby agrees that in the event of loss or misuse of the Criminal Justice Division Program grant funds, the City of Brenham assures that the funds will be returned to the Homeland Security Department in full;
3. That the Mayor is hereby authorized to execute any necessary documentation related to the acceptance of these funds described herein; and
4. That this Resolution is effective upon its adoption.

PASSED AND APPROVED on this the 23rd day of March 2017.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary