

# NOTICE OF A REGULAR MEETING BRENHAM PLANNING AND ZONING COMMISSION MONDAY, MARCH 28, 2022, AT 5:15 PM SECOND FLOOR CITY HALL BUILDING COUNCIL CHAMBERS 200 W. VULCAN STREET BRENHAM, TEXAS

#### 1. Call Meeting to Order

#### 2. Public Comments

[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]

#### 3. Reports and Announcements

#### **CONSENT AGENDA**

#### 4. Statutory Consent Agenda

The Statutory Consent 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.

- 4-a. Minutes from the January 10, 2022 Joint meeting of the Brenham City Council and the Planning and Zoning Commission.
- 4-b. Minutes from the February 28, 2022 Joint Training Session with the Board of Adjustment.
- 4-c. Minutes from the February 28, 2022 Planning and Zoning Commission Meeting.
- 4-d. Case Number P-22-008: A Preliminary Plat of Zoo Hollow Subdivision, consisting of Lots 1-4 in Block 1, being 1.500-acres, 2.569-acres, 2.637-acres, and 2.265-acres, respectively, along with approximately 0.076-acres of right-of-way dedication for Zoo Lane for a total of 9.047-acres, out of the Hiram Lee Survey, A-76 in Washington County, Texas.
- 4-e. Case Number P-22-009: A Final Plat of Zoo Hollow Subdivision, consisting of Lots 1-4 in Block 1, being 1.500-acres, 2.569-acres, 2.637-acres, and 2.265-acres, respectively, along with approximately 0.076-acres of right-of-way dedication for Zoo Lane for a total of 9.047-acres, out of the Hiram Lee Survey, A-76 in Washington County, Texas.

	4-f.	Case Number P-22-011: A request by Appel Hill Properties, LP / HH Brenham Holdings, L.P. for approval of a Replat of Lots 1, 2, and 4 of the Appel Business Park, Section II to create Lot 1A (1.207-acres) and Lot 2A (2.402-acres) for a total of 3.609-acres, currently addressed as 1710 and 1730 US Highway 290 W and further described as part of the P. H. Coe Survey, A-31, in Brenham, Washington County, Texas
REGUL	AR AC	SENDA
5.		Public Hearing, Discussion and Possible Action on Case Number P-22-010: A request by the Gregory E. Appel and John J. Appel Rental Partnership for approval of a Replat of Lot 1, Block 1 of the Timber Oaks Subdivision, Section III to create Lot 1A (0.194-acres) and Reserve "A" (0.118-acres) for a total of 0.312-acres of land, currently addressed as 1401 Timber Oaks Drive and further described as part of the P.H. Coe Survey A-31, in Brenham, Washington County, Texas.
6.		Public Hearing, Discussion and Possible Action on Case Number P-22-012: A City initiated request to amend the City of Brenham's Code of Ordinances, Appendix A: Zoning, Part II, Division 1, Section 14 – Home Occupations.
7.		Adjourn.
		CERTIFICATION
	issior	t a copy of the March 28, 2022 agenda of items to be considered by the Planning & Zoning was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on March 24, 0 pm.
Kim H	odde,	Planning Technician
Street Auxilia	entrar ry aids	cess Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan acce to the City Administration Building. Accessible parking spaces are located adjoining the entrance, and services are available upon request (interpreters for the deaf must be requested twenty-four (24) the meeting) by calling (979) 337-7567 for assistance

Disabili Street Auxiliar hours b

I certify that the a	attached notic	e and age	nda of	f iten	ns to	be cons	idered	by th	ne Pl	anning	and	Zoni	ng
Commission was	removed by , 2022 at		the 	City	Hall	bulletin	board	on	the			day	of
Signature						 Title							_

#### **Planning and Zoning Commission Minutes**

A workshop meeting of the Brenham City Council and the City of Brenham Planning and Zoning Commission was held on January 10, 2022 beginning at 11:30 a.m. in Morris Hall at the Barnhill Center, 111 W. Main Street, Brenham, Texas.

#### City of Brenham City Council Members present:

Mayor Pro Tem Clint Kolby Councilmember Shannan Canales Councilmember Leah Cook Councilmember Atwood Kenjura Councilmember Adonna Saunders Councilmember Albert Wright

#### Members Absent:

Mayor Milton Y. Tate, Jr.

#### City of Brenham Planning & Zoning Commission Members present:

Marcus Wamble Deanna Alfred Calvin Kossie

#### Members absent:

Keith Behrens Catharyne Neil Artis Edwards, Jr. Chris Cangelosi

#### City of Brenham Staff present:

City Manager Carolyn Miller; City Secretary Jeana Bellinger; Director of Public Works Dane Rau; Director of Development Services Stephanie Doland; Fire Chief Roger Williams; Deputy City Secretary Alyssa Faykus; Kim Hodde, and Monique Breaux.

#### Citizens present:

Molly Goff

#### Media Present:

Jason May, KWHI; and Mark Whitehead, Banner Press

#### 1. Call Meeting to Order

#### 2. Discussion and Presentation on the City of Brenham's Thoroughfare Plan

Director of Development Services Stephanie Doland presented the following information related to the City of Brenham's Thoroughfare Plan:

- History and timeline
- Purpose and usage
- Motor vehicle network
- Road classifications
- Development and dedication
- Texas Department of Transportation update
- City of Brenham planned projects
- Priority projects per citizen feedback
- Explanation of various roadway sections
- A multi-modal plan
- Truck routes
- Traffic impact analysis
- Next steps
  - o Public Hearing at P&Z meeting on January 24, 2022
  - o City Council consideration on February 3, 2022 and February 17, 2022

The meeting was adjourned.						
M. Keith Behrens						
Chairman – Planning and Zoning Commission						
Kim Hodde						
Staff Secretary						

Approved: March 28, 2022

# CITY OF BRENHAM PLANNING AND ZONING COMMISSION MINUTES

#### February 28, 2022

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

A special joint meeting (Training) with the Board of Adjustment and Planning and Zoning Commission was held on February 28, 2022 at 4:00 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

BOA Commissioners present: Planning and Zoning Commissioner present:

Jon Hodde, Chair Dr. Deanna Alfred, Vice Chair

Thomas Painter, Vice Chair Artis Edwards, Jr.

Danny Goss Cayte Neil
Arlen Thieleman Marcus Wamble

Mary Lou Winkelmann

BOA Commissioners absent:

Walt Edmunds (alternate)

P & Z Commissioner absent:

M. Keith Behrens, Chair

MaLisa Hampton (alternate) Calvin Kossie

Christopher Cangelosi

#### Staff present:

Stephanie Doland, Development Services Director Shauna Laauwe, City Planner Jeanna Bellinger, City Secretary Kim Hodde, Planning Technician Alyssa Faykus, Administrative Assistant

#### Citizens present:

None

#### 1. Call Meeting to Order

Chairman Hodde called the Board of Adjustment meeting to order at 4:04 p.m. with a quorum of five (5) Commissioners present.

Chairman Behrens called the Planning and Zoning Commission meeting to order at 4:04 p.m. with a quorum of four (4) Commissioners present.

#### **WORKSHOP AGENDA**

 Presentation and Training on the City of Brenham's Policies and Procedures for Advisory Boards and Commissions to Include, but Not Be Limited to, Board Meeting Procedures and Requirements, Roberts Rules of Order and Parliamentary Procedure, Conflicts of Interests, the Texas Open Meetings Act, and the Texas Public Information Act. Jeana Bellinger, City Secretary for the City of Brenham, highlighted the Policies and Procedures for Boards and Commissions adopted by City Council effective January 1, 2022 including the attendance requirements. She further stated that the Board Policies require training for new Board members and every three (3) years thereafter for all members.

The discussion on the **Texas Open Meetings Act** included topics such as:

- Overview of the Texas Open Meetings Act ("the Act")
- Majority (Quorum)
- Notice Requirements
- Executive / Closed Meetings
- Emergency Meetings
- Violations of the Act

The discussion on the **Basics of Parliamentary Procedure** included topics such as:

- Robert's Rules of Order
- The Do's and Don'ts of Parliamentary Procedure
- Conflicts of Interest

The discussion on the **Texas Public Information Act** included topics such as:

- The basics of the Public Information Act ("PIA")
- Who is subject to the PIA?
- Electronic / Social Media
- Personal vs. Official
- Violations of the Act

Certification of Meeting Minutes:

A copy of the presentation is on file in the Development Services Department.

3.	۸ ما	ia.	urn
3.	Αa	ю	urn

Chairman Hodde adjourned the Board of Adjustment meeting at 4:53 pm.

Vice Chair Alfred adjourned the Planning and Zoning Commission meeting at 4:53 pm.

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

	M. Keith Behrens	March 28, 2022
Planning and Zoning Commission	Chair	Meeting Date
	<u>Kim Hodde</u>	March 28, 2022
Attest	Staff Secretary	Meeting Date

# CITY OF BRENHAM PLANNING AND ZONING COMMISSION MINUTES February 28, 2022

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 February 28, 2022, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

#### Commissioners present:

Dr. Deanna Alfred, Vice Chair Artis Edwards, Jr. Chris Cangelosi Cayte Neil Marcus Wamble

#### Commissioners absent:

M. Keith Behrens, Chair Calvin Kossie

#### Staff present:

Stephanie Doland, Development Services Director Shauna Laauwe, City Planner Kim Hodde, Planning Technician

#### Citizens / Media present:

Trace Harris, Brenham Banner Press Ben Menjares Jerry Thomas Brody Jungers Kenya Mitchell Channing Ray Kirby Bray

#### 1. Call Meeting to Order

Vice Chairman Alfred called the meeting to order at 5:15 pm with a quorum of five (5) Commissioners present.

#### 2. Public Comments

There were no public comments.

#### 3. Reports and Announcements

- Stephanie Doland thanked the Commissioners for attending the mandatory training session earlier today.
- Ms. Doland informed the Commissioners that the Development Services Department has moved from the first floor of City Hall to the second floor, where the Public Utilities Department was previously located.

#### **CONSENT AGENDA**

#### 4. 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.

#### 4-a. Minutes from the January 24, 2022 Planning and Zoning Commission Meeting.

4-b. Case No. P-22-007: A Replat of Lot 2A of the Market Square Brenham Subdivision and the residue of Reserve "C" – Commercial, Market Square Development, Section 1 to create Reserve "A" (38.776), Lot 4 (1.206-acres) Lot 5 (1.510-acres), Lot 6 (1.289-acres), Lot 7 (1.796-acres), Common Area "A" (1.059-acres), and Common Area "B" (1.437-acres), and dedicating 1.240 acres of Right-of-Way to create Nolan Street and 0.580-acres Right-of-Way to create Ryan Street containing a total of 48.893-acres, out of the John Long Survey, Abstract No. 156 in Brenham, Washington County, Texas.

Vice Chairman Alfred called for a motion for the statutory consent agenda. A motion was made by Commissioner Neil and seconded by Commissioner Wamble to approve the Statutory Consent Agenda (Items 4-a and 4-b) as presented. The motion carried unanimously.

#### **REGULAR SESSION**

5. Public Hearing, Discussion and Possible Action on Case No. P-22-004: A request by Brenham Housing Authority for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Mixed Residential Use District (R-2) to a Local Business Residential Mixed Use District (B-1) on 1.202-acres of land currently addressed as 1003 Hasskarl Drive and developed with the Brenham Housing Authority Community Center, being further described as Lot 1 of Fairview Terrace Subdivision, out of the Arrabella Harrington Survey, Abstract No. 55 in Brenham, Washington County, Texas.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-22-004 (on file in the Development Services Department). Ms. Laauwe stated that the Brenham Housing Authority (BHA) / Ben Menjares submitted a request to change the zoning classification from R-2, Mixed Residential Use District to B-1, Local Business/Residential Mixed-Use District for the property located at 1003 Hasskarl Drive for possible future commercial use or development. Currently the property is developed with a Community Center for the Brenham Housing Authority. The Comprehensive Plan and Future Land Use Map designation for this property is multi-family residential. The B-1 Zoning District allows both residential (including multi-family), and neighborhood commercial uses. B-1 Zoning would be consistent with the adjacent properties to the north across E. Blue Bell Road. The Fairview Terrace Apartment Project, that is replacing the former BHA duplexes and is currently under construction to the south of the subject property, consists of 80-apartment units and a club house; thus, the existing community center will not be needed. Development of this property would be subject to the applicable B-1 development standards including bufferyards and landscaping.

Public Notice was posted in the Banner Press and property owners within 200-feet were mailed notices on February 15, 2022. Staff did not receive any responses in support of or against the requested zone change.

Vice Chairman Alfred opened the Public Hearing at 5:25 pm. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 5:26 pm.

In response to a question by a Commissioner as to why build a new club house rather than using the existing club house, Ben Menjares responded that using the existing club house was considered but the existing club house is an older building and just doesn't match the new apartment complex. Another consideration was the location of the current club house to the new apartments. Since there was funding for a new club house, the decision was made to construct a new facility. Mr. Menjares stated that the current thought of the BHA is to lease the property and use it as a source of revenue.

A motion was made by Commissioner Neil and seconded by Commissioner Edwards to recommend approval of a request by Brenham Housing Authority for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Mixed Residential Use District (R-2) to a Local Business Residential Mixed Use District (B-1) on 1.202-acres of land currently addressed as 1003 Hasskarl Drive and developed with the Brenham Housing Authority Community Center, as presented. The motion carried unanimously.

6. Public Hearing, Discussion and Possible Action on Case Number P-22-005: A request by Kenya Mitchell for approval of a Replat of Lot 1, Block 1 of the Parkview Addition, Section II to create Lot 1R and Common Area "A", being 1.880-acres and 2.070-acres, respectively, for a total of 3.950-acres of land located off Pleasantview Avenue and further described as part of the A. Harrington Survey, Abstract No. 55 in Brenham, Washington County, Texas.

Commissioner Edwards recused himself from any discussion and/or action on this item and left the room due to a conflict of interest.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-22-005 (on file in the Development Services Department). Ms. Laauwe stated that the subject property identified as Lot 1, Block 1 of the Parkview Addition, Section II is owned by Kenya Mitchell and is currently a vacant tract of land located south of Pleasantview Avenue, west of Burleson Street, and adjacent to Hattie Mae Flowers Park. The owner / applicant requests to replat a portion of Lot 1 for a residential duplex development and to create a common area that is mostly undevelopable and located in the floodway. This Replat (Final Plat) also creates four additional easements for utilities and drainage. The construction plans for the duplex development are currently going through the plan review process.

Public Notice was posted in the Banner Press and property owners within 200-feet were mailed notices on February 9, 2022. Staff received two citizen comments: Jerry Thomas was in support and Cassie Armenta was against the replat. Staff attempted multiple times to contact Ms. Armenta to discuss her concerns but never made contact and never received a response from Ms. Armenta.

Vice Chairman Alfred opened the Public Hearing at 5:35 pm. Jerry Thomas (MLK Jr. Parkway, Jr.) stated that he had concerns with the drainage but after speaking with staff, his concerns were addressed and he is in support of this replat. There were no other public comments.

Vice Chairman Alfred closed the Public Hearing at 5:36 pm.

In response to questions by Commissioners, the applicant and/or staff clarified the following:

- The entrance and exit for the duplex development (eight duplexes) will be off Pleasantview Avenue.
- There will be two off-street parking spaces provided per duplex unit.
- The common area and the detention pond will be maintained by the Homeowner's Association (HOA).

A motion was made by Commissioner Cangelosi and seconded by Commissioner Wamble to approve a Replat of Lot 1, Block 1 of the Parkview Addition, Section II to create Lot 1R and Common Area "A", being 1.880-acres and 2.070-acres, respectively, for a total of 3.950-acres of land located off Pleasantview Avenue, as presented. The motion carried unanimously.

Commissioner Edwards was brought back into the meeting room.

7. Public Hearing, Discussion and Possible Action on Case Number P-22-006: A request by Brody and Kristen Jungers for approval of a Final Plat being a Replat of Lot 33 of the Pecan Glen Subdivision to create Lots 33-A and 33-B, being 2.200-acres and 2.145-acres, respectively, for a total of 4.345-acres of land currently addressed as 1680 Pecan Glen Road and further described as part of the James Schrier Survey, Abstract No. 98 in Washington County, Texas.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-22-006 (on file in the Development Services Department). Ms. Laauwe stated that the subject property identified as Lot 33 of the Pecan Glen Subdivision is owned by Brody and Kristen Jungers, located in the City's extraterritorial jurisdiction (ETJ) and currently addressed as 1680 Pecan Glen Road. The owner / applicant desires to replat Lot 33, which is a larger 4.345-acre lot, to create Lot 33-A and 33-B for future development. Lot 33A is proposed to contain 2.200-acres and is currently developed with an existing single-family home. Lot 33-B is proposed to contain 2.145-acres and is currently vacant. The Pecan Glen Subdivision requires a minimum lot size of 1-acre as well as larger front and side setbacks.

Public Notice was posted in the Banner Press and property owners within 200-feet were mailed notices on February 9, 2022. Staff received two citizen comments in support of the requested replat from Jackie & Ray Hamilton and Erwin Dallmeyer. No comments were received against the proposed replat.

Vice Chairman Alfred opened the Public Hearing at 5:42 pm. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 5:43 pm.

A motion was made by Commissioner Wamble and seconded by Commissioner Cangelosi to approve a Final Plat being a Replat of Lot 33 of the Pecan Glen Subdivision to create Lots 33-A and 33-B, being 2.200-acres and 2.145-acres, respectively, for a total of 4.345-acres of land currently addressed as 1680 Pecan Glen Road, as presented. The motion carried unanimously.

#### 8. Adjourn.

A motion was made by Commissioner Edwards and seconded by Commissioner Neil to adjourn the meeting at 5:45 pm. The motion carried unanimously.

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:		
Planning and Zoning Commission	M. Keith Behrens Chair	March 28, 2022 Meeting Date
Attest	<u>Kim Hodde</u> Staff Secretary	March 28, 2022 Meeting Date

City of Brenham
Planning and Zoning Commission
Staff Report
Shauna Laauwe
March 28, 2022



# CASE P-22-008 PRELIMINARY PLAT: ZOO HOLLOW SUBDIVISION

PLAT TITLE: Zoo Hollow Subdivision CITY/ETJ: ETJ

**PLAT TYPE**: Preliminary Plat

**OWNER/APPLICANT:** Titan Premier Investments, LLC / Kevin Kuklis

ADDRESS/LOCATION: 4050 Zoo Lane

**LEGAL DESCRIPTION:** Proposed Lots 1-4, Block 1 Zoo Hollow Subdivision in Washington County, Texas

LOT AREA: Lot 1 being 1.500-acres, Lot 2 being 2.569-acres, Lot 3 being 2.637-acres, and Lot 4

being 2.265-acres and Right-of Way dedication for the cul-de-sac of Zoo Lane

(approximately 0.076-acres) for a total of 9.047-acres

**ZONING DISTRICT:** Not applicable / Agricultural vacant land and residential

**EXISTING USE:** Vacant

COMP PLAN Rural

**FUTURE LAND USE:** 

**REQUEST:** A request for a Preliminary Plat of the Zoo Hollow Subdivision creating Lots 1-4, Block

1 and approximately 0.076-acre right-of-way dedication for Zoo Lane, being 9.047-

acres of land out of the Hiram Lee Survey, A-76 in Washington County, Texas.

#### **BACKGROUND:**

The subject 9.047-acres of land is within the ETJ and is generally located on the west side of Zoo Lane and abutting the city limits with the Brenham State Supported Living Center to the west (See Figure 1). The property owner, Titan Premier Investments, LLC / Kevin Kuklis, requests approval of a Preliminary Plat of the Zoo Hollow Subdivision that creates proposed Lots 1-4, Block 1 with Lot 1 being 1.500-acres, Lot 2 being 2.569-acres, Lot 3 being 2.637-acres, and Lot 4 being 2.265-acres along with approximately 0.076-acres of right-of-way dedication for the cul-de-sac terminus of Zoo Lane for a total of 9.047-acres currently addressed as 4050 Zoo Lane. The applicant desires to plat the property for future residential development. The subject site does not have a recorded plat and thus, approval of a Preliminary Plat and Final Plat is required for future development.

#### STAFF ANALYSIS AND RECOMMENDATION:

Development Services and Strand Engineering have reviewed this Preliminary Plat for compliance with applicable City of Brenham regulations and ordinances and recommends **approval** of this plat as presented.

#### **EXHIBITS:**

A. Proposed Preliminary Plat

# PRELIMINARY PLAT ZOO HOLLOW

SUBDIVISION

LOT 1 - 1.500 Acres

LOT 2 - 2.569 Acres

LOT 3 - 2.637 Acres

LOT 4 - 2.265 Acres

BLOCK 1

AND THE DEDICATION OF 0.076 Acre (3,323 Sq. Ft.) FOR ADDITIONAL RIGHT OF WAY AT THE TERMINUS OF ZOO LANE FOR A TOTAL ACREAGE OF 9.047 ACRE

OUT OF THAT CERTAIN CALLED 9.047 ACRE TRACT AS RECORDED IN VOLUME 1806, PAGE 554, OF THE OFFICIAL RECORDS of washington county, texas

> OUT OF THE HIRAM LEE SURVEY, A-76 Washington County, Texas



- STATE OF TEXAS BRASS CAR 3/8" IRON ROD FOUND
- 1/2" IRON ROD FOUND
- 5/8" IRON ROD FOUND LCRA CAP
- 5/8" IRON ROD SET
- -cl-cl- CHAIN LINK FENCE

BUILDING LINE

- -WR-WR- WOOD RAIL FENCE
- RIGHT of WAY EASEMENT
- PUBLIC UTILITY EASEMENT
- P.R.W.C.T. PLAT RECORDS WASHINGTON COUNTY TEXAS
- O.R.W.C.T. OFFICIAL RECORDS WASHINGTON
- ZONE X AREA OF MINIMAL FLOOD HAZAR

#### FLOODWAY REGULATORY FLOODWAY

# NOTES:

- THE SURVEYOR HAS CONDUCTED A LIMITED ABSTRACT OF THE SUBJECT PROPERTY
- THIS PLAT IS BASED ON A TITLE REPORT ISSUED BY BRENHAM ABSTRACT AND TITLE COMPANY, UNDER G.F. NO. 20210921, ISSUED
- SUBJECT TO EASEMENTS, ORDINANCES, CONDITIONS, RESTRICTIONS AND ANY, AND ALL ADDITIONAL APPLICABLE INSTRUMENTS THAT MAY OR MAY NOT BE OF RECORD THAT AFFECTS OR COULD AFFECT THE SUBJECT PARCEL. NO SUB-SURFACE FEATURES WERE INVESTIGATED OR INCLUDED WITHIN THE SCOPE OF THIS SURVEY; AND THOSE CERTAIN COVENANTS, CONDITIONS, RESERVATIONS, EASEMENTS, BUILDING LINES
- SUBJECT TO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY TO TEXAS PUBLIC LITILITIES COMPANY AS RECORDED IN VOLUME 83 PAGE 378 OF THE DEFI
- RECORDS OF WASHINGTON COUNTY, TEXAS. (NO DEFINED WIDTH). SUBJECT TO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY TO TEXAS POWER AND LIGHT COMPANY AS RECORDED IN VOLUME 117, PAGE 14 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (BLANKET ACCESS).
- SUBJECT TO THAT CERTAIN EASEMENT TO SOUTHWESTERN BELL TELEPHONE CO. AS RECORDED IN VOLUME 129, PAGE 350 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (BLANKET ACCESS).
- SUBJECT TO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY TO LOWER COLORADO RIVER AUTHORITY AS RECORDED IN VOLUME 360, PAGE 324 OF THE DEED RECORDS OF
- WASHINGTON COUNTY, TEXAS. (RELEASED BY LCRA IN LIEU OF VOLUME 1103, PAGE 628). SUBJECT TO THOSE CERTAIN EASEMENTS MENTIONED IN DEED TO HARVEY LUEDEMANN RECORDED IN VOLUME 403, PAGE 349 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (TRACT ONE REPRESENTS ANDERSON LANE FROM STATE HIGHWAY 36 RIGHT-OF-WAY TO ZOO LANE (TRACT TWO), TRACT TWO REPRESENTS ZOO LANE FROM ANDERSON
- LANE TO ITS TERMINUS, ALL TAKEN TO BE A 60 FT. ROADWAY). SUBJECT TO THAT CERTAIN AMENDMENT SUPPLEMENT TO EASEMENT TO LCRA TRANS-MISSION SERVICES CORPORATION RECORDED IN VOLUME 1083, PAGE 194 OF THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 10. SUBJECT TO THAT CERTAIN SUPPLEMENTAL EASEMENT TO LCRA TRANSMISSION SERVICES CORPORATION RECORDED IN VOLUME 1103, PAGE 628 OF THE OFFICIAL RECORDS OF
- WASHINGTON COUNTY, TEXAS. (CALLED 0.958 ACRE). 11. SUBJECT TO THAT CERTAIN ELECTRICAL LINE EASEMENT AS MENTIONED IN DEED TO HARVEY LUEDEMANN AS RECORDED IN VOLUME 403, PAGE 349 OF THE DEED RECORDS OF
- WASHINGTON COUNTY, TEXAS. 12. ALL BEARINGS NOTED HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983,
- CENTRAL ZONE (4203). 13. THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NOT LIMIT OR REPLACE, ANY BUILDING LINES REQUIRED BY THE CITY OF BRENHAM CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.
- 14. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION
- 15. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS. 16. MAKE NOTE: THE FOLLOWING HATCHED PARCELS WILL BE DEDICATED TO WASHINGTON COUNTY PER SUBDIVISION PLAT, 0.031 ACRE (1,345 SQ. FT.) ADJACENT TO LOT 1, 0.035 ACRE (1,503 SQ. FT.) AND 0.011 ACRE (475 SQ. FT.) ADJACENT TO LOT 2, COMPRISING A 70 FT. RADIUS CUL-DE-SAC EXPANSION AT THE TERMINUS OF ZOO LANE.



# KEY MAP

# **COUNTY CLERK CERTIFICATION**

THE STATE OF TEXAS

COUNTY OF WASHINGTON

I, BETH ROTHERMEL, COUNTY CLERK IN AND FOR WASHINGTON COUNTY, TEXAS, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED IN MY OFFICE THE \_\_\_\_\_ DAY OF\_\_\_\_\_\_, 2022 A.D., AT\_\_\_\_\_ O'CLOCK,\_\_M., AND DULY RECORDED THE \_\_\_\_\_DAY OF \_\_\_\_\_, 2022 A.D., IN THE PLAT RECORDS IN SLIDE NO.\_\_\_\_\_ WITNESSED BY HAND AND SEAL OF THE COUNTY COURT OF WASHINGTON COUNTY, IN BRENHAM, TEXAS.

	BETH ROTHERMEL
DEPUTY	COUNTY CLERK

**TEXAS** 

WASHINGTON COUNTY,

# PLANNING AND ZONING COMMISSION

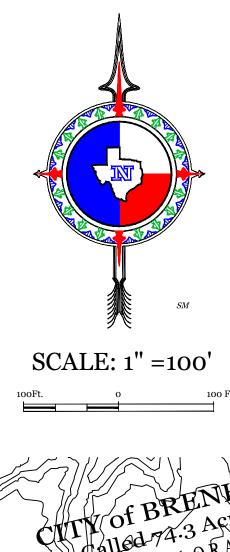
APPROVED THIS	DAY OF	, 2022, BY THE PLANNING
AND ZONING COMMISSIO	ON OF THE CITY OF B	RENHAM.
CHAIRMAN		

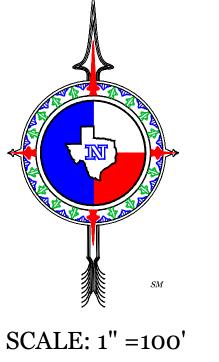
**SECRETARY** 

# OWNER - DEVELOPER

KEVIN KUKLIS TITAN PREMIER INVESTMENTS, L.L.C. 3515 B LONGMIRE DR. #230 COLLEGE STATION, TEXAS 77845

SHT. 1 of 1





LOR 2

2.569 Acres

BLOCK

Vol. 83, Pg. 378, D.R.W.C.T.

# FLOOD HAZARD STATEMENT

OWNER ACKNOWLEDGEMENT

WE, TITAN PREMIER INVESTMENTS, L.L.C., THE OWNER OF THE LAND DESCRIBED

ACKNOWLEDGE THE SUBDIVISION OF SAID PROPERTY IN ACCORDANCE WITH THE

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE\_\_\_\_\_DAY OF

HEREON, WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY OFFER, ADOPT AND

KEVIN KUKLIS, MEMBER, TITAN PREMIER INVESTMENTS, L.L.C.

NOTARY NAME (PRINTED)

NOTARY COMMISSION EXPIRES

THE STATE OF TEXAS

PLAT SHOWN HEREON.

BY KEVIN KUKLIS.

**NOTARY PUBLIC** 

STATE OF TEXAS

**COUNTY OF WASHINGTON** 

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAI INSURANCE ADMINISTRATION FOR WASHINGTON COUNTY. TEXAS. THE SUBJEC TRACT DOES LIE WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY, AND IS IN ZONE "X" AND ZONE "A" AS GRAPHICALLY DETERMINED BY FLOOD HAZARD BOUNDARY MAP NO. 48477C0295C, EFFECTIVE DATE: AUGUST 16, 2011.

# SURVEYOR CERTIFICATION

THE STATE OF TEXAS

COUNTY OF WASHINGTON

KNOW ALL MEN BY THESE PRESENTS: THAT I RONALD K. BRYANT. A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY STATE THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS AS SHOWN THEREON WERE PROPERLY PLACED OR LOCATED UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS

OF THE CITY OF BRENHAM, TEXAS. DIGITAL PDF COPY OF THE IMINARY REPLAT OF 9.047 ACRES HIRAM LEE SURVEY, A-76 vashington county, texas

LAND SURVEYOR No. 4361

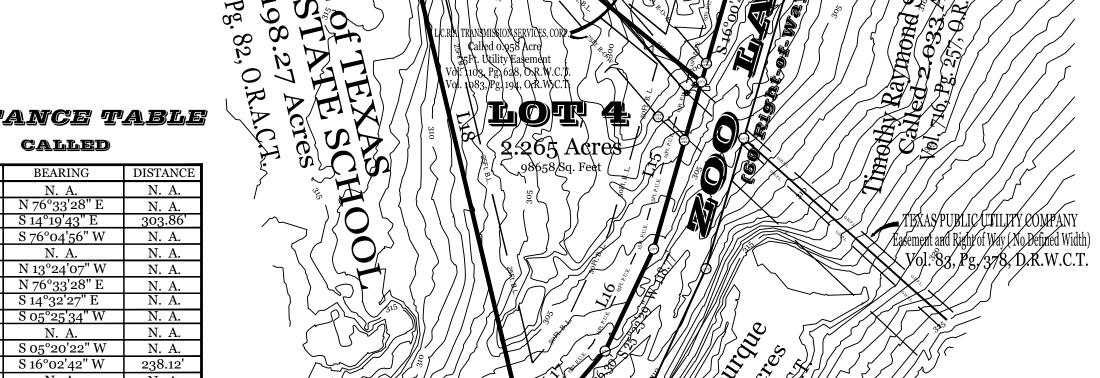
RONALD K. BRYANT REGISTERED PROFESSIONAL

## COURSE & DISTANCE TABLE Called

	E 0 0			
LINE	BEARING	DISTANCE	BEARING	DISTANCE
L1	N 14°19'43" W	305.67'	N. A.	N. A.
L2	N 76°33'28" E	218.83'	N 76°33'28" E	N. A.
L3	S 14°19'43" E	303.86'	S 14°19'43" E	303.86'
L4	S 76°04'56" W	2.39'	S 76°04'56" W	N. A.
L <sub>5</sub>	N 74°23'16" W	118.53'	N. A.	N. A.
L6	N 13°24'07" W	272.79'	N 13°24'07" W	N. A.
L7	N 76°33'28" E	258.16'	N 76°33'28" E	N. A.
L8	S 14°32'27" E	76.42'	S 14°32'27" E	N. A.
L9	S 05°25'34" W	17.31	S 05°25'34" W	N. A.
L10	N 73°15'53" W	485.16'	N. A.	N. A.
L11	S 05°20'22" W	113.13'	S 05°20'22" W	N. A.
L12	S 16°02'42" W	238.12'	S 16°02'42" W	238.12'
L13	N 50°38'27" W	440.03'	N. A.	N. A.
L14	N 13°22'13" W	207.76'	N 13°22'13" W	N. A.
L15	S 16°00'41" W	182.86'	S 16°00'41" W	182.86'
L16	S 25°23'29" W	118.77'	S 25°23'29" W	118.77'
L17	S 40°39'20" W	126.37'	S 40°39'20" W	126.37'
L18	N 13°22'50" W	676.36'	N 13°22'50" W	N. A.

# CURVE TABLE

C1 70.00' 108.41' 97.89' N 76°04'56" E	
C1 70.00' 108.41' 97.89' N 76°04'56" E	88°43'58"
C2 70.00' 157.68' 126.39' N 32°48'55" E	129°03'45"



LOT 3

"THE MASTERS OF MEASUREMENT!" TM

PLAT PREPARED BY A-SURVEY, INC.

> 19 NORTH MILLER BELLVILLE, TEXAS 77418 979-865-8111 1-800-4-A-SURVEY 4ASURVEY.COM

4ASURVEY@GMAIL.COM T.B.P.E.L.S. FIRM REG. LIC. No. 10076700 PROJECT No.: 22108A

City of Brenham
Planning and Zoning Commission
Staff Report
Shauna Laauwe
March 28, 2022



#### **CASE P-22-009**

FINAL PLAT: ZOO HOLLOW SUBDIVISION

PLAT TITLE: Zoo Hollow Subdivision CITY/ETJ: ETJ

**PLAT TYPE**: Final Plat

**OWNER/APPLICANT:** Titan Premier Investments, LLC / Kevin Kuklis

ADDRESS/LOCATION: 4050 Zoo Lane

**LEGAL DESCRIPTION:** Proposed Lots 1-4, Block 1, Zoo Hollow Subdivision in Washington County, Texas

LOT AREA: Lot 1 being 1.500-acres, Lot 2 being 2.569-acres, Lot 3 being 2.637-acres, and Lot

4 being 2.265-acres and Right-of Way dedication for the cul-de-sac of Zoo Lane

(approximately 0.076-acres) for a total of 9.047-acres

**ZONING DISTRICT:** Not applicable / Agricultural vacant land and residential

**EXISTING USE:** Vacant

COMP PLAN Rural

**FUTURE LAND USE:** 

**REQUEST:** A request for a Final Plat of the Zoo Hollow Subdivision creating Lots 1-4, Block 1

and approximately 0.076-acre right-of-way dedication for Zoo Lane, being 9.047-acres of land out of the Hiram Lee Survey, A-76 in Washington County, Texas.

#### **BACKGROUND:**

The subject 9.047-acres of land is within the ETJ and is generally located adjacent to Zoo Lane and abutting the city limits with the Brenham State Supported Living Center to the west (See Figure 1). The property owner, Titan Premier Investments, LLC / Kevin Kuklis, requests approval of a Final Plat of the Zoo Hollow Subdivision that creates proposed Lots 1-4, Block 1 with Lot 1 being 1.500-acres, Lot 2 being 2.569-acres, Lot 3 being 2.637-acres, and Lot 4 being 2.265-acres along with approximately 0.076-acres of right-of-way dedication for Zoo Lane for a total of 9.047-acres currently addressed as 4050 Zoo Lane. The applicant desires to plat the property for future development. The subject site does not have a recorded plat and thus, approval of a Preliminary Plat and Final Plat is required for future development.

#### STAFF ANALYSIS AND RECOMMENDATION:

Development Services and Strand Engineering have reviewed this Final Plat for compliance with applicable City of Brenham regulations and ordinances and recommends **approval** of this plat as presented.

#### **EXHIBITS:**

A. Proposed Final Plat

# FINAL PLAT ZOO HOLLOW

SUBDIVISION

LOT 1 - 1.500 Acres

LOT 2 - 2.569 Acres

LOT 3 - 2.637 Acres

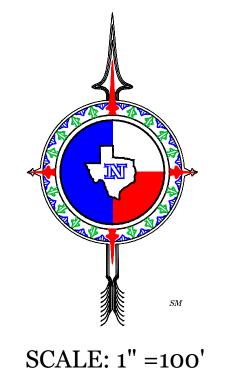
AND THE DEDICATION OF 0.076 Acre (3,323 Sq. Ft.) FOR ADDITIONAL RIGHT OF WAY AT THE TERMINUS OF ZOO LANE FOR A TOTAL ACREAGE OF 9.047 ACRE

out of that certain called 9.047 acre tract as recorded in volume 1806, page 554, of the official records

of washington county, texas OUT OF THE EURAM LEE SURVEY, A-76 Washington County, Texas

WASHINGTON COUNTY

PER SUBDIVISION PLAT



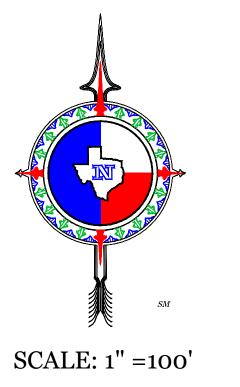


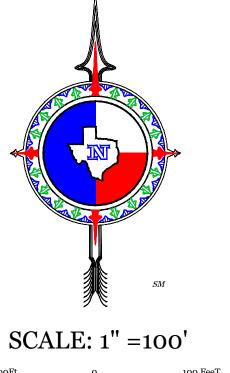
TEXAS PUBLIC UTILITY COMPANY —

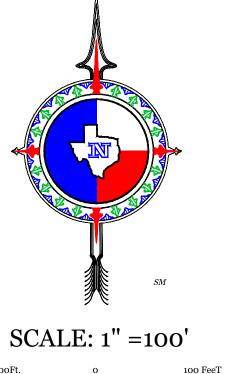
BRENI

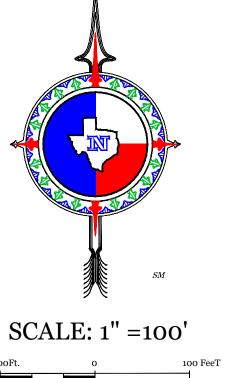
Easement and Right of Way (No Defined Width)

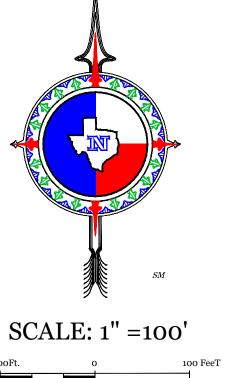
Vol. 83, Pg. 378, D.R.W.C.T.

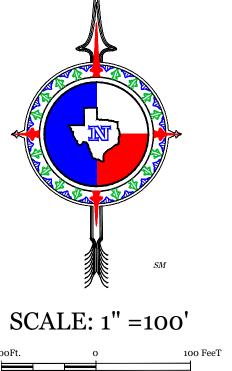


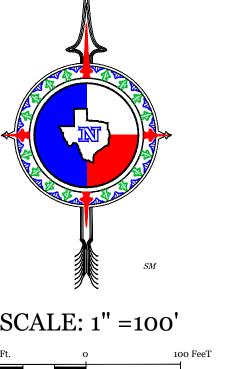












# LOT 4 - 2.265 Acres BLOCK 1 CITY of BRENHAM Called 74.3 Acres Vol. 1457, Pg. 6, O.R.A.C.T.

LOT 1

1.500 Acres

65340 Sq. Feet

LOT 3

2.637 Acres

# NOTES

1. THE SURVEYOR HAS CONDUCTED A LIMITED ABSTRACT OF THE SUBJECT PROPERTY.

LEGEND

5/8" IRON ROD SET

RIGHT of WAYEASEMEN

PUBLIC UTILITY EASEMENT

P.R.W.C.T. PLAT RECORDS WASHINGTON

O R W C T OFFICIAL RECORDS WASHINGTON

ZONE X AREA OF MINIMAL FLOOD HAZARI

FLOODWAY REGULATORY FLOODWAY

-al-al- BUILDING LINE

( ) DEED CALI

STATE OF TEXAS BRASS CAR

3/8" IRON ROD FOUND

1/2" IRON ROD FOUND

5/8" IRON ROD FOUND LCRA CAP

- 2. THIS PLAT IS BASED ON A TITLE REPORT ISSUED BY BRENHAM ABSTRACT AND TITLE COMPANY, UNDER G.F. NO. 20210921, ISSUED
- SUBJECT TO EASEMENTS, ORDINANCES, CONDITIONS, RESTRICTION
- SUBJECT TO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY TO TEXAS PUBLIC
- RECORDS OF WASHINGTON COUNTY, TEXAS. (NO DEFINED WIDTH). 5. SUBJECT TO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY TO TEXAS POWER AND LIGHT COMPANY AS RECORDED IN VOLUME 117, PAGE 14 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (BLANKET ACCESS).
- 6. SUBJECT TO THAT CERTAIN EASEMENT TO SOUTHWESTERN BELL TELEPHONE CO. AS RECORDED IN VOLUME 129, PAGE 350 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (BLANKET ACCESS).
- 7. SUBJECT TO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY TO LOWER COLORADO RIVER AUTHORITY AS RECORDED IN VOLUME 360, PAGE 324 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (RELEASED BY LCRA IN LIEU OF VOLUME 1103, PAGE 628).
- 8. SUBJECT TO THOSE CERTAIN EASEMENTS MENTIONED IN DEED TO HARVEY LUEDEMANN RECORDED IN VOLUME 403, PAGE 349 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. (TRACT ONE REPRESENTS ANDERSON LANE FROM STATE HIGHWAY 36 RIGHT-OF-WAY TO ZOO LANE (TRACT TWO), TRACT TWO REPRESENTS ZOO LANE FROM ANDERSON LANE TO ITS TERMINUS, ALL TAKEN TO BE A 60 FT. ROADWAY).
- 9. SUBJECT TO THAT CERTAIN AMENDMENT SUPPLEMENT TO EASEMENT TO LCRA TRANS-MISSION SERVICES CORPORATION RECORDED IN VOLUME 1083, PAGE 194 OF THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 10. SUBJECT TO THAT CERTAIN SUPPLEMENTAL EASEMENT TO LCRA TRANSMISSION SERVICES CORPORATION RECORDED IN VOLUME 1103, PAGE 628 OF THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS. (CALLED 0.958 ACRE).
- 11. SUBJECT TO THAT CERTAIN ELECTRICAL LINE EASEMENT AS MENTIONED IN DEED TO HARVEY LUEDEMANN AS RECORDED IN VOLUME 403, PAGE 349 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS.
- 12. ALL BEARINGS NOTED HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203).
- 13. THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NOT LIMIT OR REPLACE, ANY BUILDING LINES REQUIRED BY THE CITY OF BRENHAM CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.
- 14. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION
- 15. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS. 16. MAKE NOTE: THE FOLLOWING HATCHED PARCELS WILL BE DEDICATED TO WASHINGTON COUNTY PER SUBDIVISION PLAT, 0.031 ACRE (1,345 SQ. FT.) ADJACENT TO LOT 1, 0.035 ACRE (1,503 SQ. FT.) AND 0.011 ACRE (475 SQ. FT.) ADJACENT TO LOT 2, COMPRISING A 70 FT. RADIUS CUL-DE-SAC EXPANSION AT THE TERMINUS OF ZOO LANE.





# **COUNTY CLERK CERTIFICATION**

THE STATE OF TEXAS

COUNTY OF WASHINGTON

I, BETH ROTHERMEL, COUNTY CLERK IN AND FOR WASHINGTON COUNTY, TEXAS, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED IN MY OFFICE THE\_\_\_\_DAY OF\_\_\_\_\_\_, 2022, A.D. AT\_\_\_\_O'CLOCK,\_\_M. AND DULY RECORDED THE \_\_\_\_\_DAY OF \_\_\_\_\_, 2022 A.D. IN THE PLAT RECORDS IN SLIDE NO. \_\_\_\_\_WITNESSED BY HAND AND SEAL OF THE COUNTY COURT OF WASHINGTON COUNTY, IN BRENHAM, TEXAS.

BETH ROTHERMEL COUNTY CLERK WASHINGTON COUNTY,

## PLANNING AND ZONING COMMISSION

APPROVED THIS \_\_\_\_\_\_DAY OF \_\_\_\_\_\_, 2022, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENHAM.

**SECRETARY** 

# OWNER - DEVELOPER

KEVIN KUKLIS **MEMBER** TITAN PREMIER INVESTMENTS, L.L.C. 3515 B LONGMIRE DR. #230 COLLEGE STATION, TEXAS 77845

FLOOD HAZARD STATEMENT

OWNER ACKNOWLEDGEMENT

WE, TITAN PREMIER INVESTMENTS, L.L.C., THE OWNER OF THE LAND DESCRIBED

HEREON, WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY OFFER, ADOPT AND

KEVIN KUKLIS, MEMBER, TITAN PREMIER INVESTMENTS, L.L.C.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE\_\_\_\_\_DAY OF\_\_\_\_\_, 2022,

NOTARY NAME (PRINTED)

NOTARY COMMISSION EXPIRES

ACKNOWLEDGE THE SUBDIVISION OF SAID PROPERTY IN ACCORDANCE WITH THE

THE STATE OF TEXAS

PLAT SHOWN HEREON.

BY KEVIN KUKLIS

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF WASHINGTON

SURVEYOR CERTIFICATION

COUNTY OF WASHINGTON

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS: THAT I RONALD K. BRYANT, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY STATE THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS AS SHOWN THEREON WERE PROPERLY PLACED OR LOCATED UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION FOR WASHINGTON COUNTY TEXAS. THE SUBJECT

TRACT DOES LIE WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY, AND IS IN

ZONE "X" AND ZONE "A" AS GRAPHICALLY DETERMINED BY FLOOD HAZARD

BOUNDARY MAP NO. 48477C0295C, EFFECTIVE DATE: AUGUST 16, 2011.

OF THE CITY OF BRENHAM, TEXAS. DIGITAL PDF COPY OF THE Final replat of 9.047 acres HIRAM LEE SURVEY, A-76 FOR EXHIBIT PURPOSES ONLY Washington County, Texas

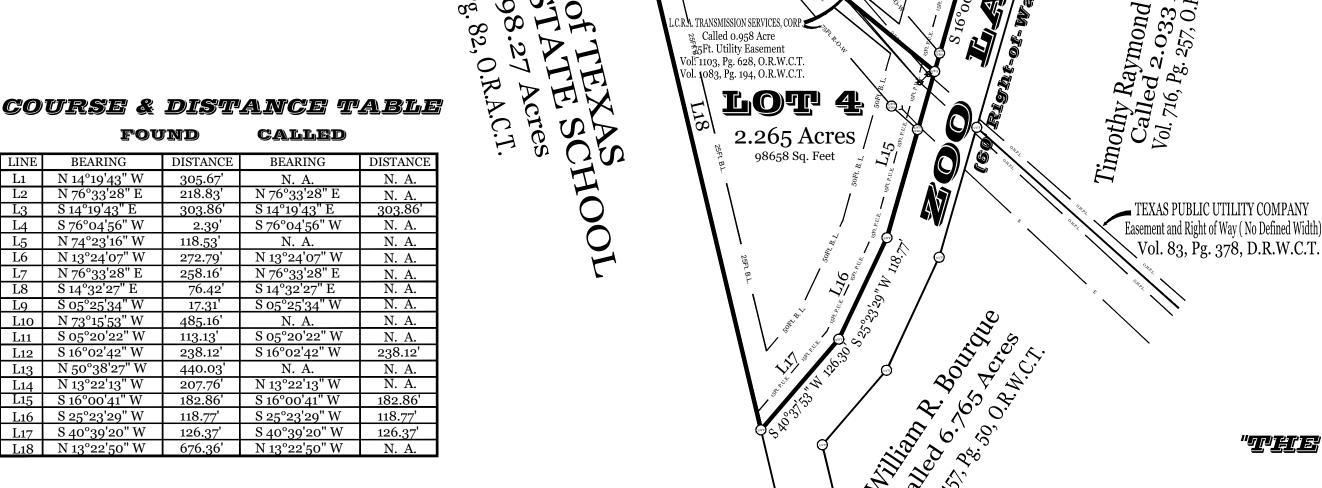
> REGISTERED PROFESSIONAL LAND SURVEYOR No. 4361

# COURSE & DISTANCE TABLE

FOUND DISTANCE BEARING INE BEARING L1 N 14°19'43" W 305.67' N. A. N. A. L2 N 76°33'28" E 218.83' N 76°33'28" E N. A. L3 S 14°19'43" E 303.86' S 14°19'43" E 303.86' L4 S 76°04'56" W 2.39' S 76°04'56" W N. A. L<sub>5</sub> N 74°23'16" W 118.53' N. A. L6 N 13°24'07" W 272.79' N 13°24'07" W N. A. L7 N 76°33'28" E 258.16' N 76°33'28" E N. A. L8 S 14°32'27" E 76.42' S 14°32'27" E N. A. L9 S 05°25'34" W 17.31' S 05°25'34" W N. A. 10 N 73°15′53" W 485.16' N. A. L11 S 05°20'22" W 113.13' S 05°20'22" W N. A. L12 S 16°02'42" W 238.12' S 16°02'42" W 238.12'

CURVE TABLE

JRVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	70.00'	108.41'	97.89'	N 76°04'56" E	88°43'58"
C2	70.00'	157.68'	126.39'	N 32°48'55" E	129°03'45"



LOT 2

2.569 Acres

BLOCK

L.C.R.A. TRANSMISSION SERVICES, CO

Called 0.958 Acre

Vol. 1103, Pg. 628, O.R.W.C.T.

Vol. 1083, Pg. 194, O.R.W.C.T.

PLAT PREPARED BY A-SURVEY, INC.

"THE MASTERS OF MEASUREMENT" ""

19 NORTH MILLER BELLVILLE, TEXAS 77418 979-865-8111 1-800-4-A-SURVEY 4ASURVEY.COM 4ASURVEY@GMAIL.COM T.B.P.E.L.S. FIRM REG. LIC. No. 10076700 PROJECT No.: 22108A

City of Brenham Planning and Zoning Commission Staff Report March 28, 2022



# CASE P-22-010 REPLAT: LOT 1, BLOCK 1 OF THE TIMBER OAKS SUBDIVISION SECTION III TO CREATE LOTS 1A AND RESERVE "A"

PLAT TITLE: Replat of Lot 1, Block 1 of the Timber Oak Subdivision CITY/ETJ: City Limits

Section III into Lots 1A and Reserve "A"

**PLAT TYPE**: Residential Replat

**STAFF CONTACT:** Shauna Laauwe ACIP, City Planner

**OWNER:** Gregory E. Appel and John J. Appel Rental Partnership

**APPLICANT/AGENT:** Owner / Lampe Surveying, Inc. (Donald Lampe)

LOT AREA /LOCATION: 0.312-acre / 1401 Timber Oaks Drive

**PROPOSED LEGAL** Lot 1A and Reserve "A" of the Timber Oaks Subdivision, Section III in Brenham,

**DESCRIPTION:** Washington County, Texas

**ZONING DISTRICT:** B-1, Local Business Residential Mixed Use

District

**EXISTING USE:** Vacant Land

**COMP PLAN** Single-Family Residential

**FUTURE LAND USE:** 

**REQUEST:** A request by the Gregory E. Appel and John J. Appel Rental Partnership for approval of a

residential Replat of Lot 1, Block 1 of the Timber Oaks Subdivision, Section III to create Lot 1A and Reserve "A", being 0.194-acre and 0.118-acre, respectively for a total of 0.312-acre, and further described as part of the P.H. Coe Survey, A-31, in Brenham, Washington

County, Texas.

#### **BACKGROUND:**

The subject property, identified as Lot 1, Block 1 of the Timber Oaks Subdivision, Section III, is owned by the Gregory E. Appel and John J. Appel Rental Partnership. The property is currently a vacant tract of land addressed as 1401 Timber Oaks Drive and generally located south of Old Mill Creek Road and abutting the southwest intersection of Oak Tree Crossing Drive and Timber Oaks Drive. The property owner would like to replat a portion of Lot 1 to create Reserve "A" for possible future right-of-way dedication to extend Oak Tree Crossing Drive to provide future access to the adjacent Appel property to the south. Lot 1A is proposed to contain 0.194-acre of land and Reserve "A" is being proposed as 0.118-acre. The proposed replat includes for Lot 1A the location of previously dedicated easements and building setback lines in relation to established property lines and the anticipated side-street setback, if the roadway extension were to occur.

#### **STAFF RECOMMENDATION:**

Development Services staff and Engineering have reviewed the proposed residential Replat for compliance of the City of Brenham's regulations and ordinances and **recommends approval** of the proposed residential Replat as presented.

#### **EXHIBITS:**

A. Proposed residential Replat

# Location Map

NTS

# REPLAT OF LOT 1, BLOCK 1, TIMBER OAKS SUBDIVISION, SECTION III

# TO FORM LOT 1A, BLOCK 1 AND RESERVE "A" TIMBER OAKS SUBDIVISION, SECTION III

CONSISTING OF THE FOLLOWING LOT 1A: 0.194 ACRE RESERVE "A": 0.118 ACRE BEING A TOTAL OF 0.312 ACRE P. H. COE SURVEY, A-31 CITY OF BRENHAM WASHINGTON COUNTY, TEXAS

CURVE TABLE Curve Radius Length Chord Chord Bearing

P. H. COE

TIMBER OAKS DRIVE

FOUND 5/8"

BLOCK 1

2

GREGORY E. APPEL AND JOHN J. APPEL

RENTAL PARTNERSHIP

TIMBER OAKS

SUBDIVISION

SECTION III

PLAT SLIDE 648A-648B, P.R.W.C., TX.

PLAT SLIDE 648A-648B, P.R.W.C.,TX.

25' BUILDING LINE

SURVEY, A-31CITY OF BRENHAM WASHINGTON COUNTY, TEXAS

Property Owner Gregory E. Appel and John J. Appel Rental Partnership 2502 Cheri Lane Brenham, Texas 77833 (979) 451-0136

Plat Prepared by Lampe Surveying, Inc P.O. Box 2037 1408 West Main Street Brenham, Texas 77834 (979) 836-6677

THIS DOCUMENT SHALL NOT BE RELIED UPON AS A FINAL SURVEY DOCUMENT NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT 3/15/2022

Gregory E. Appel and John J. Appel Rental Partnership, owner of the property subdivided in the foregoing map of the Replat of Lot 1, Block 1, Timber Oaks Subdivision, Section III to form Lot 1A, Block 1 and Reserve "A", Timber Oaks Subdivision, Section III, do hereby make subdivision of said property according to the lines, lots, building lines, and easements thereon shown and designate said subdivision as the Replat of Lot 1, Block 1, Timber Oaks Subdivision, Section III to form Lot 1A, Block 1 and Reserve "A", Timber Oaks Subdivision, Section III, to the City of Brenham, Texas, located in the City of Brenham, Washington County, Texas, and I do hereby dedicate to public use, as such the easements shown thereon forever and do hereby bind ourselves, our heirs, easements so dedicated. There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon.

Gregory E. Appel on behalf of Gregory E. Appel and John J. Appel Rental Partnership

on behalf of Gregory E. Appel and John J. Appel Rental Partnership

John J. Appel

THE STATE OF TEXAS COUNTY OF WASHINGTON

This instrument was acknowledged before me on the \_\_\_ \_\_\_, 2022 by Gregg E. Appel on behalf of Gregory E. Appel and John J. Appel Rental Parnterhip.

Notary Public State of Texas

Notary's Name (Printed): Notary's Commission Expires: \_\_\_\_

THE STATE OF TEXAS COUNTY OF WASHINGTON

This instrument was acknowledged before me on the \_\_\_\_\_, 2022 by John J. Appel on behalf of Gregory E. Appel and John J. Appel Rental Parnterhip.

Notary Public State of Texas

Notary's Name (Printed): Notary's Commission Expires: \_

I, Donald W. Lampe, Registered Professional Land Surveyor No. 1732 of the State of Texas, do hereby certify that this plat accurately represents the results of an on the ground survey made under my direction.

FOUND 5/8" IRON ROD

BLINN COLLEGE

1345/663

Dated this the 24th day of February, 2022.

SET 5/8" IRON ROD

RESERVE "A"

0.118 ACRE

5.142 SQ. FT

0.194 ACRE

8,434 SQ. FT.

– ELECTRIC BOX

GREGORY E. APPEL AND JOHN J. APPEL
RENTAL PARTNERSHIP
RESIDUE OF CALLED 45.885 ACRES 1238/28

15' PUBLIC UTILITY EASEMENT

(PRELIMINARY) Donald W. Lampe R.P.L.S. No. 1732 Lampe Surveying, Inc

30	60	90
FEET		
e Texas Coordinate Sy		
	FEET  Texas Coordinate Sy	

Approved this	day of _		, 2022				
by the City Planning	Commission of	the	City of	Brenham,	Texas.		

Chairman Secretary

PLANNING COMMISSION APPROVAL

#### COUNTY CLERK FILING ACKNOWLEDGEMENT STATEMENT

THE STATE OF TEXAS COUNTY OF WASHINGTON

I, Beth Rothermel, Clerk of the County Court of Washington County, Texas do hereby certify that the within instrument with its Certificate of Authentication was filed for registration in my office on \_\_\_\_\_, 2022, A.D. \_\_\_\_ day of \_\_\_\_\_ \_\_\_\_ o'clock \_\_\_\_.M., and duly recorded on the \_\_ day of\_\_\_\_ \_\_\_\_,2022, A.D. \_ o'clock \_\_\_ .M., in Plat Cabinet File

Witnessed by hand and seal of the County Court of the said County, at office in Brenham, Texas.

ву:		Beth Rothermel					
	Deputy	County Clerk					
		Washing	ton	County,	Texa		

1. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown. 2. This plat does not attempt to amend or remove any valid covenants or restrictions.

3. The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Brenham Code of Ordinances at the time of the development of the property.

4. According to Flood Insurance Rate Map (F.I.R.M.), compiled by the Federal Emergency Management Agency, Map No. 48477C0295C, Washington County, Texas, effective date of August 16, 2011, the subject property does not lie within the Special Flood Hazard Area. 5. Iron rods set are fitted with plastic cap stamped "Lampe Surveying".

6. The east line of original Lot 1 is hereby removed.

LAMPE SURVEYING, INC PROFESSIONAL LAND SURVEYORS

1408 WEST MAIN STREET P. O. BOX 2037 BRENHAM, TEXAS 77834 (979) 836–6677 TEXAS LICENSED SURVEYING FIRM NO. 10040700 WO 3807 3807S2.DWG 3760APPEL.CGC City of Brenham Planning and Zoning Commission Staff Report March 28, 2022



#### **CASE P-22-011**

REPLAT: LOT 1, LOT 2, AND LOT 4 OF THE APPEL BUSINESS PARK, SECTION II TO CREATE LOT 1A AND LOTS 2A

**PLAT TITLE:** Replat of Lot 1, Lot 2 and Lot 4 of the Appel Business **CITY/ETJ:** City Limits

Park, Section II into Lots1A and Lot 2A

**PLAT TYPE**: Commercial Replat

**STAFF CONTACT:** Shauna Laauwe ACIP, City Planner

**OWNER:** Appel Hill Properties, LP and HH Brenham Holding, LP

**APPLICANT/AGENT:** Owners / Lampe Surveying, Inc. (Donald Lampe)

LOT AREA /LOCATION: 3.609-acres / 1710 and 1730 US Highway 290 W

**PROPOSED LEGAL** Lot 1A and Lot 2A of the Appel Business Park, Section II in Brenham,

**DESCRIPTION:** Washington County, Texas

**ZONING DISTRICT:** B-2, Commercial Research and Technology District

**EXISTING USE:** Commercial – Automobile Oil/Lube Center and Automobile Dealership

**COMP PLAN** Commercial

**FUTURE LAND USE:** 

REQUEST: A request by Appel Hill Properties, LP and HH Brenham Holding, LP for approval of a

commercial Replat of Lot 1, Lot 2, and Lot 4 of the Appel Business Park, Section II to create Lot 1A and Lot 2A, being 1.207-acres and 2.402-acres, respectively for a total of 3.609-acres, and further described as part of the P.H. Coe Survey, A-31, in Brenham, Washington

County, Texas.

#### **BACKGROUND:**

The subject properties, identified as Lot 1, Lot 2, and Lot 4 of the Appel Business Park, Section II, is owned by Appel Hill Properties, LP and HH Brenham Holdings, LP. The properties are currently developed with an automobile oil/lube center and an automobile dealership that are addressed as 1710 and 1730 US Highway 290W respectively, and generally located on the north side of US Highway 290 W and adjacent to Robert C. Appel Drive. The property owners would like to replat these three tracts into two tracts for further development and expansion of the existing automobile dealership. Lot 1A is proposed to contain 1.207-acres of land and Lot 2A is proposed to contain 2.402-acres of land. The proposed replat includes the building setback lines in relation to established property lines, abandons a twenty-foot utility easement, establishes a twenty-foot public utility easement and a fifteen-foot electrical easement.

#### **STAFF RECOMMENDATION:**

Development Services staff and Engineering have reviewed the proposed Commercial Replat for compliance of the City of Brenham's regulations and ordinances and **recommends approval** of the proposed commercial Replat as presented.

#### **EXHIBITS:**

A. Proposed Commercial Replat

City of Brenham
Planning and Zoning Commission
Staff Report
Shauna Laauwe
March 28, 2022



# CASE NUMBER P-22-012 TEXT AMENDMENT – Home Occupations

#### **REQUEST:**

The City of Brenham initiated this request to amend the City of Brenham's Code of Ordinances, Appendix A: Zoning, Part II, Division 1, Section 14 – Home Occupations; Section 14.03(3) Limitations on Home Occupations, Section 14.04 Specifically Prohibited as Home Occupations, and Section 5.02 Definitions, to prohibit commercial cryptocurrency mining as a home occupation.

#### **BACKGROUND:**

In the Fall 2021, a resident requested additional electrical amperage for a single-family home to support large, state-of-the-art computer systems needed for digicoin trading hobby. It was stated that "we are wanting to add 1 shelf rack of computers to the existing garage and that he simply wanted to pursue a hobby that requires commuter programming that requires power." As is customary, utility billing verified with Development Services that the proposed use was allowable in the given zoning district (R-1). The resident provided Development Services a statement that the intended use was a hobby, that no signage would be installed, that no outside employees would be involved, that the use would not be visible from the street and that the use would meet all the parameters of Home Occupations as listed in Section 14.03 (see below under Proposed Amendments). Additionally, the Development Services and the Electrical Department met with the property owner to discuss the additional electrical upgrades for the proposed use to allow an additional 1200 amps of electrical service to the standard 200 amps. The use was approved and subsequently the electrical meters were installed and passed an electrical inspection. Since approval, it has come to City Staff's attention that the electricity load for the residential property excessive with electrical usage, to the point the usage is the same as found in large commercial contracts. One noteworthy difference is the deposit associated with utility accounts based on use of the property. Currency mining located in a residential home would not require any additional deposit for service and properties with currency mining generate bills that far exceed the \$300 deposit if a bill were to default. Further research by Staff has resulted in findings that the new cryptocurrency mining endeavor has additional impacts and should be prohibited in residential areas. Therefore, the City of Brenham is requesting a text amendment to the Zoning Ordinance to provide new definitions that regard cryptocurrency mining, and language to Section 14- Home Occupations, that would prohibit future requests from being allowed as a home occupation or hobby.

#### PROPOSED AMENDMENTS:

#### Appendix A Zoning, Part 1. General Provisions:

#### Section 5.02 - Definitions:

 <u>Cryptocurrency:</u> A digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

- <u>Commercial cryptocurrency mining:</u> The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms employing data processing equipment. For purposes of this definition, any equipment which requires a High-Density Load Service, or any Server Farm, will presumably be a commercial cryptocurrency mining operation.
- <u>Server Farm:</u> Three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.
- <u>High-Density Load Service</u>: Provision of electrical service where the requested load density, in the portion of the premises containing the load consuming equipment exceeds 250 kWh/ft²/year.

**Appendix A, Part 2, Division 1, Section 14 – Home Occupations** (Additions are shown in red, existing ordinance shown in black.)

(Section 14.03) Limitations on home occupations. A home occupation is a permitted use in a residential neighborhood only if less than fifty (50) percent of the floor space is allocated to the home occupation, is used by a resident of the home where the home occupation is located and is not described as a prohibited activity as provided below. However, no home occupations including those described above shall be permitted that does any of the following:

- (1) Changes the outside appearance of the dwelling;
- (2) Is visible from the street;
- (3) Generates traffic, parking, sewage, electrical, or water use in excess of what is normal in the residential neighborhood;
- (4) Results in the off-street or on-street parking of more than two (2) vehicles at any one time not owned by members of the occupant family;
- (5) Creates a hazard to persons or property;
- (6) Results in electrical interference;
- (7) Is a nuisance;
- (8) Results in the outside storage or display of anything;
- (9) Includes employment within the home or on the premises of persons other than members of the occupant family;
- (10) Displays signs or advertising of any type on premises, except as follows:
  - (a) Word of mouth by telephone or face to face.
  - (b) Free listing in the telephone directories and business journals and directories.
  - (c) Business cards and stationery.

(Section 14.04) The following are specifically prohibited as home occupations:

- (1) Barber, beauty, and other personal service, unless the provision of such services is conducted within the limitations of a home occupation in section 14.03;
- (2) Animal hospitals, stables, or kennels;
- (3) Commercial Cryptocurrency mining;
- (4) Server farm;
- (5) Dance studios, schools;
- (6) Mortuaries;
- (7) Private clubs;
- (8) Repair shops;
- (9) Restaurants;
- (10) Automobile paint or repair shops;
- (11) Doctor, dentist, veterinarian or other medically related office;

#### **ANALYSIS:**

As cited in the city's adopted Zoning Ordinance, site development standards are established for the purpose of promoting and protecting the health, safety, morals and general welfare of the residents, citizens and inhabitants of the City of Brenham and for the protection and preservation of the small-town character of Brenham, including historical places, places of cultural importance and places that reflect the predominant community values as reflected in the City's Comprehensive Plan. However, staff finds that from time-to-time it is necessary to update the Zoning Ordinance and existing site development standards to accommodate development and modernize development requirements.

Cryptocurrency Mining is a relatively new venture that communities are just now learning of the negative effects to residents and communities as a whole. Staff first looked for guidance from the American Planning Association and could not find any planning documents or action plans to mitigate the new technology and electrical use. Among Staff's research, we did find numerous articles and a detailed and informative presentation that was given by Andy Wendell, Director of Customer Services of Chelan County Public Utility District in Chelan County, Washington to the Chelan County Commission on September 25, 2021 (See Exhibit A). In Mr. Wendell's report, it details how one cryptocurrency mining operation uses the same amount of electricity as five (5) homes. A typical street of fifteen (15) residential homes would share five (5) transformers and utilize a typical urban underground distribution system. However, if one of those homes began a home occupation (or hobby) of cryptocurrency mining, the same street would now have the equivalent of twenty (20) residential homes, require at least two (2) new transformers, new secondary supply cables, and replacement and upgrading of the primary cable. If cryptocurrency is decentralized and allowed in residential zoned areas, it could quickly result in the need to add neighborhood substations, upgrading existing transformers, adding high voltage transmissions, and upgrading existing neighborhood distribution lines. One cryptocurrency mining use will not have a huge impact, but additional cryptocurrency mining operations in residential areas may quickly result in the need for additional and costly infrastructure. Given the potential impacts to the increased electrical use and existing infrastructure, Staff finds that prohibiting cryptocurrency mining in residences as home occupations or hobbies in Section 14 of the Zoning Ordinance as a beneficial first step in regulating the use.

#### **PUBLIC COMMENTS:**

The Notice of Public Hearing for the proposed Text Amendment was published in the Brenham Banner on March 17, 2022. Any public comments submitted to staff will be provided prior to the Planning and Zoning Commission and City Council prior to their decision on the matter.

#### **STAFF RECOMMENDATION:**

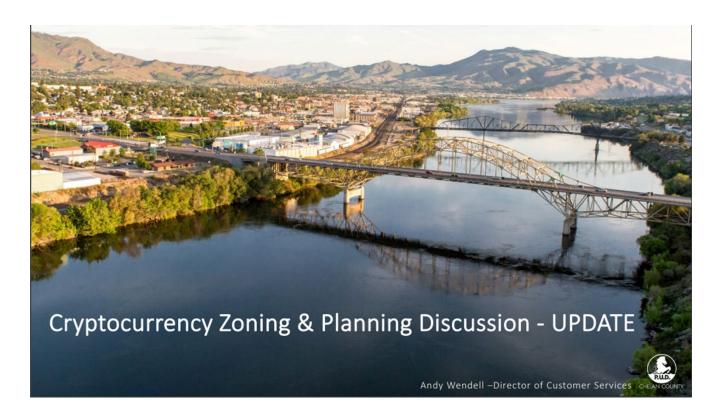
Staff recommends **approval** of an ordinance to amend Appendix A – Zoning of the Brenham Code of Ordinances, Part II, Division 1, Section 14- Home Occupations; Section 14.03(3) Limitations on Home Occupations, Section 14.04 Specifically Prohibited as Home Occupations, and Section 5.02 Definitions, to prohibit commercial cryptocurrency mining as a home occupation.

#### **Attachments:**

(1) PowerPoint Presentation to the Chelan County PUD by Andy Wendell – Director of Customer Services, Chelan County Planned Utility District (Chelan County, Washington)

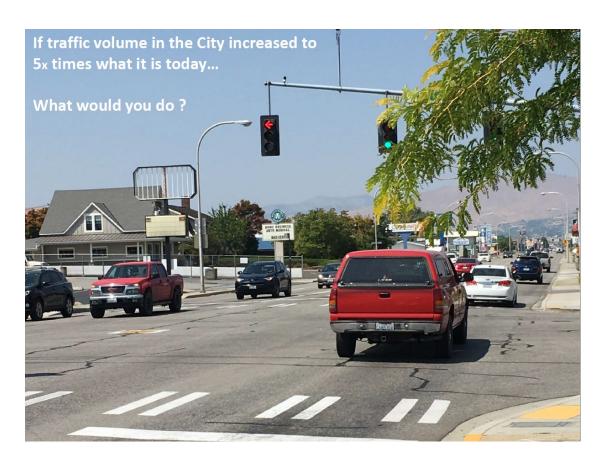
#### **Attachment**

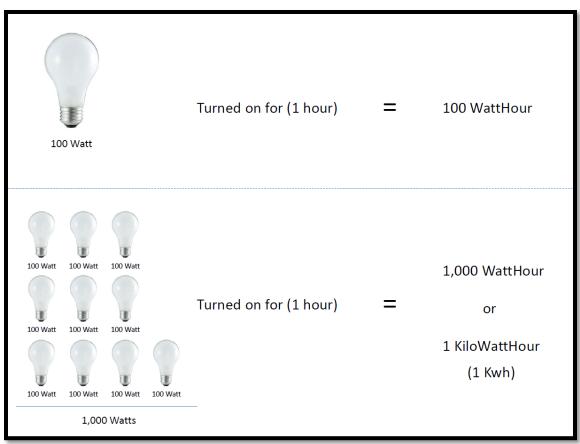
Presentation (condensed version) given regarding Cryptocurrency: Chelan County, Washington State



# What we are hearing through outreach

- Establishing proper zoning for cryptocurrency mining is a County and municipal responsibility
- Cryptocurrency mining in residential spaces introduces unique safety and reliability concerns in neighborhood electrical grids.
- Cryptocurrency mining is an Industrial / Commercial use of electricity
- Cryptocurrency mining is best served in Industrial / Commercial zones
- PUD should ensure electrical capacity for traditional noncrypto mining growth







30 days x 24 hrs = 720 hour / Month



~ 1,660 KiloWattHours

Average Monthly Usage = or

(1,660 KWhs)

Wenatchee Residential Service

Cost:  $(1,660 \text{ KWhs}) \times (\$0.032/\text{KWh}) = \$53.12 / \text{Month}$ 

# Typical (residential) Cryptocurrency Operation



> (10) ASIC Miner

24 x7 Monthly Usage
(720 Hours)

8,640 KiloWattHours

or

(8,640 KWhs)

5 x (Typical residential home usage)

# **Typical Street Development**



- 15 Residential Homes
- (5) Shared Transformers,
- Typical Urban underground distribution system

#### Typical Street Development With (1) Typical Mining Operation



Equivalent to adding 5 additional homes

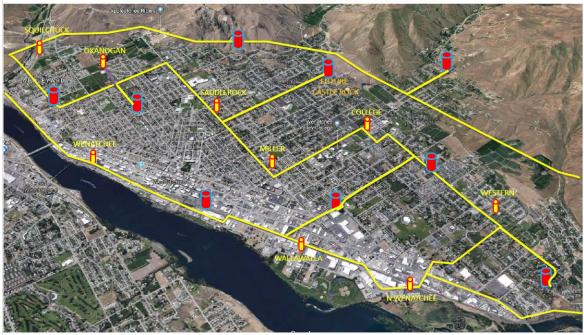
- Equivalent of <del>15</del> 20 Residential Homes
- Requires at least (2 New Transformers)
- New Secondary Supply Cables
- Replacement & Upgrading of the primary cable

# If Cryptocurrency load is <u>centralized</u> & zoned similar as Industrial



Electrical infrastructure impacts are limited to the specific Industrial/Crypto zoned areas

# If Cryptocurrency load is <u>De-Centralized</u> & allowed in residential zoned areas



Electrical infrastructure impacts would be far more extensive & costly

# If Cryptocurrency load is <u>De-Centralized</u> & allowed in residential zoned areas:



Adding neighborhood Substations





Upgrading existing transformers



Adding High voltage Transmission



Upgrading existing neighborhood Distribution lines