

**CITY OF BRENHAM**  
**PLANNING AND ZONING COMMISSION MINUTES**  
**July 22, 2019**

*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 July 22, 2019 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Deanna Alfred, Vice Chair  
Leroy Jefferson  
Calvin Kossie  
Nancy Low  
Lynnette Sheffield  
Marcus Wamble

Commissioners absent:

M. Keith Behrens, Chair (excused)

Staff present:

James Fisher, City Manager  
Lowell Ogle, Assistant City Manager  
Stephanie Doland, Development Services Director

Kim Hodde, Planning Technician  
Michael McDaniel, Intern

Citizens present:

Cynthia Miller  
Corey & Amy Ging  
Cindy Boettcher  
Glenn Fuller  
Lillie Anderson

Joey Fuller  
Jerry & Beverly Love  
Patrick Carrigan  
Mark Feldhake

**1. Call Meeting to Order**

Vice Chairman Alfred called the meeting to order at 5:15 pm with a quorum of six (6) Commissioners present.

**2. Public Comments**

There were no public comments.

**3. Reports and Announcements**

Stephanie Doland stated that an email was sent out last week with a link to a survey regarding the Comprehensive Plan. Over 200 responses have been received as of today. Ms. Doland urged the Commissioners to share the link with their friends, colleagues, and on social media sites. Staff would like to get as much feedback as possible. Ms. Doland stated that a final draft of the Comprehensive Plan would be available after July 31, 2019. A copy will be delivered to the Commissioners so that ample time is given for review prior to the August meeting when the plan would be considered by the P & Z.

**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 June 24, 2019 Planning and Zoning Commission Meeting**

Vice Chairman Alfred asked for any corrections or additions to the minutes as presented. Commissioner Low stated that the minutes should reflect only six members in attendance not seven as stated. Vice Chairman Alfred noted that she attended at the June 24<sup>th</sup> meeting (she was out of town for the May meeting). Kim Hodde noted that the date in the first paragraph would be changed to reflect the June 24<sup>th</sup> date instead of May 28<sup>th</sup> and that the notation about Vice Chairman Alfred being absent would be removed so the correct number of Commissioners in attendance is seven as stated. A motion was made by Commissioner Sheffield and seconded by Commissioner Kossie to approve the minutes from the May 28, 2019 meeting, as corrected. The motion carried unanimously.

**REGULAR MEETING**

Ms. Doland asked that Item Number 5 be moved to the end of the meeting in order to respect the time of the citizens in attendance for other items. Vice Chairman Alfred stated that Item Number 5 is moved to the end of the meeting.

**6. Public Hearing, Discussion and Possible Action on Case Number P-19-026: A city-initiated request for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Local Business/Residential Mixed Use District (B-1) to a Commercial, Research and Technology Use District (B-2) on the following tracts of land:**

- a) 1.416 acres addressed as 1701 State Highway 105, and further described as Part of Lots 23-27 in Block 1 of the Post Oak Grove Addition in Brenham, Washington County, Texas;
- b) 0.262 acres addressed as 1711 State Highway 105 (fka 1703 State Highway 105), and further described as Part of Lots 28 and 29 in Block 1 of the Post Oak Grove Addition in Brenham, Washington County, Texas;
- c) 3.160 acres addressed as 1801 & 1803 State Highway 105, and further described as Tract 86 of the Arrabella Harrington Survey in Brenham, Washington County, Texas; and
- d) A portion of the called 0.9765 acre tract, out of the A. Harrington Survey, A-55, the James Walker Survey, A-106, and the Post Oak Grove Addition in Brenham, Washington County, Texas. (WCAD R#19194)

Stephanie Doland presented the staff report for Case No. P-19-026 (on file in the Development Services Department). Ms. Doland stated that in reviewing a request for a rezoning at 1708 SH 105, staff found that four adjacent properties in the vicinity are zoned B-1 and developed with legally non-conforming uses such as an auto service station, car wash, and a gas station. The properties further northeast along SH 105 were annexed into the City limits in 2006 and zoned as B-2. Since the properties surrounding these tracts are zoned B-1, staff finds that it is appropriate to rezone these tracts to the B-2 zoning district. This rezoning would bring these properties into compliance.

Public notice of the proposed rezoning was posted in the Banner Press and sent to property owners within 200-feet of the subject property. Staff did not received any citizen/property owner comments regarding the requested zone change.

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

Vice Chairman Alfred closed the Public Hearing at 5:26 pm and re-opened the Regular Session.

A motion was made by Commissioner Low and seconded by Commissioner Sheffield to recommend approval to the Brenham City Council of the Zone Change request to change the zoning from a Local Business/Residential Mixed Use District (B-1) to a Commercial, Research and Technology Use District (B-2) on the properties listed above, as presented. The motion carried unanimously.

**7. Public Hearing, Discussion and Possible Action on Case Number P-19-024: A request by Circle K for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Local Business/Residential Mixed Use District (B-1) to a Commercial, Research and Technology Use District (B-2) on a 1.056 acre tract of land addressed as 1708 State Highway 105, and further described as Lot 1 of the Southeast Portion of Post Oak Grove Addition in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-024 (on file in the Development Services Department). Ms. Doland stated that this property is currently developed with an existing convenience store, car wash and gas pumps. The applicant would like to demolish the current property improvements and reconstruct a convenience store/fuel station (automobile service station) at this location. B-1 Zoning does not permit, by-right, the use of an automobile service station. In the past and currently, Circle K has been operating as a grandfathered use. Circle K desires to rezone the property to allow the re-construction to be in compliance with the City's adopted zoning ordinance.

Public notice of the proposed rezoning was posted in the Banner Press and sent to property owners within 200-feet of the subject property. Staff did not received any citizen/property owner comments regarding the requested zone change.

Vice Chairman Alfred opened the Public Hearing at 5:30 pm and asked for any comments. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 5:31 pm and re-opened the Regular Session.

A motion was made by Commissioner Kossie and seconded by Commissioner Wamble to recommend approval to the Brenham City Council of the Zone Change request by Circle K to change the zoning from a Local Business/Residential Mixed Use District (B-1) to a Commercial, Research and Technology Use District (B-2) for the property located at 1708 State Highway 105, as presented. The motion carried unanimously.

**8. Public Hearing, Discussion and Possible Action on Case Number P-19-025: A request by Blinn College District 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 Commercial, Research and Technology Use District (B-2) on approximately 2.29 acres of land addressed as 901, 905, 909, 911, & 913 W. Fifth Street and 1104 & 1106 High Street, and further described as Lots 1, 2A, and 4 in Block 21 of the Key's First Addition, in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-025 (on file in the Development Services Department). Ms. Doland stated that the subject property was acquired by Blinn College in the early 1990's. The subject tract consists of 2.29 acres platted into various lots as part of the Key's 1<sup>st</sup> Subdivision and is located along West Fifth Street and High Street. The property owner/applicant would like to develop the property in the short term with an entry monument sign and with College/higher education uses later. Blinn has requested that the property be re-zoned to B-2, which allows for College and University uses by-right. This entire block is developed with public or institutional uses – properties owned by Blinn College, a local church and a cemetery.

Public notice of the proposed rezoning was posted in the Banner Press and sent to property owners within 200-feet of the subject property. Staff did not received any citizen/property owner comments regarding the requested zone change.

Vice Chairman Alfred opened the Public Hearing at 5:33 pm and asked for any comments. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 5:34 pm and re-opened the Regular Session.

A motion was made by Commissioner Wamble and seconded by Commissioner Low to recommend approval to the Brenham City Council of the Zone Change request by Blinn College District to change the zoning from a Local Mixed Residential Use District (R-2) to a Commercial, Research and Technology Use District (B-2) for the

properties addressed as 901, 905, 909, 911 & 913 W. Fifth Street and 1104 & 1106 High Street, as presented. The motion carried unanimously.

9. **Public Hearing, Discussion and Possible Action on Case No. 19-027: A request by Texas Plumbing Supply for a Specific Use Permit to allow open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1, Local Business/Residential Mixed Use Zoning District on approximately 2.190 acres of land located at 1608 & 1702 S. Market Street, and further described as Part of Lots 1 & 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-027 (on file in the Development Services Department). Ms. Doland explained that the subject property is 2.19 acres located between South Market Street and South Baylor Street south of East Mansfield Street and is commonly referred to as the Boettcher Lumber Building. The subject property has not been used as a Lumber Supply store for at least 21 years and has been actively marketed for sale. The subject property is currently zoned as B-1, Local Business/Residential Mixed Use Zoning District; however, a City Zoning map from 1976 shows the subject property zoned was B-2 Commercial Research and Technology District at that time. The current B-1 zoning designation allows for a mixture of retail, office and residential uses by-right. In addition, open (outdoor) storage of retail merchandise as an accessory use is permitted in the B-1 district with prior approval of a Specific Use Permit (SUP). The purpose of the SUP process is to identify those uses which might be appropriate within a zoning district but, due to either their location, function, or operation, could have a potentially harmful impact on adjacent properties or the surrounding area; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate such adverse impacts.

The applicant, Glenn Fuller on behalf of Texas Plumbing Supply, has requested a SUP in order to relocate the plumbing supply business to the subject property with limited outdoor storage. The property is subject to buffer area requirements and applicable development standards. Screening of outdoor storage will mitigate against any negative impacts.

Staff received two citizen/property owner comments regarding the requested zone change – both in support of the Specific Use Permit.

In response to questions from Commissioners, Glenn Fuller, owner of Texas Plumbing Supply, stated that two of their other locations have a chain-link fence with “netting” for screening. He stated that a professional fence contractor would be hired to determine the best fencing option. He further stated that the gate walls will have the netting as well. The fence is proposed to be 6-feet tall; however, the rear side is raised so it may need to be higher in the rear. He further stated that all outdoor storage, including vehicles and equipment, would be inside the fenced area.

Vice Chairman Alfred opened the Public Hearing at 5:40 pm and asked for any comments. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 5:45 pm and re-opened the Regular Session.

A motion was made by Commissioner Kossie and seconded by Commissioner Low to recommend approval to the Brenham City Council of the request by Texas Plumbing Supply for a Specific Use Permit to allow open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1, Zoning District on for the property located at 1608 & 1702 S. Market Street, with the condition that all outdoor storage be completely screened from view by the adjacent right-of-way and residential property. The motion carried unanimously.

5. **Public Hearing, Discussion and Possible Action on Case Number P-19-023: A city initiated text amendment to the City of Brenham’s Code of Ordinances, Appendix A: “Zoning” by amending Part II, Division 1, Section 12 – Landscaping and Buffering to revise the minimum landscape requirements for parking areas, and Section 16 – Off-Street Parking Requirements to revise the minimum parking space stall dimensions and establish a minimum parking space size for spaces designated as compact parking.**

Stephanie Doland presented the staff report for Case No. P-19-023 (on file in the Development Services Department). Ms. Doland explained that when property develops, one of the site development criteria that is applied is minimum parking standards. The City’s current 90-degree minimum parking space dimensions are 10’ wide by 20’ deep. Additionally, the development code offers the option for up to 10% of the required parking to be compact parking spaces; however, the size requirements for compact spaces is not clearly defined. When a site re-develops, developers are asked to bring the site into compliance. This is sometimes difficult to do with the current minimum parking space requirements. Several new developments have inquired about reducing the minimum parking space sizes, finding it difficult to meet the minimum number of spaces required.

The City of Brenham Zoning Ordinance and the City of Brenham Design Standards are in conflict over the required minimum parking space size. The Zoning Ordinance says that the minimum parking size is 10’x20’ and the Design Standards state that the minimum size is 9’x19’.

City staff researched and found that 10’x20’ is larger than average. In addition to the standard parking space dimensions, staff proposes to consider parking lot standards in general and to consider an amendment to increase the landscape requirements in parking areas. Currently, for parking lots having twenty (20) spaces or more, 5% of the parking area must be landscaped but there are no tree or shrub requirements. Brenham has significantly lower landscaping requirements compared to cities of a similar size (square miles) and population; which contain tree preservation ordinances, minimum tree requirements, requiring irrigation, and right-of-way screening.

Staff proposes the following amendments:

Appendix A: “Zoning” by amending Part II, Division 1, Section 16 – Off-Street Parking Requirements

<b>Parking Space Angle</b>	<b>Proposed Dimensions</b>	<b>Existing Dimensions</b>
Parallel space (0°)	8’x22’	8’x22’ (no change)
45°	9’x21.1’	10’x21.1’
60°	9’x22.3’	10’x22.3’
90°	9’x19’	10’x20’
Compact 90°	8’x16’	7.5’x15’ (Design Standards)

Appendix A: “Zoning” by amending Part II, Division 1, Section 12 – Landscaping and Buffering

1. General Requirements:
  - Landscaping applicable to all nonresidential and multiple-family parcels
  - 15% of Developed Area (i.e. parking and improvements) shall be landscaped
  - Redeveloped sites shall provide 8% landscaping of Developed Area
  - Credit for preserved trees
  - Irrigation required for all areas 100’ from outside hose bib (faucet)
  - No more than fifty (50) percent of the same species may be planted at one (1) site.
2. Parking Lot Minimum Landscaping Requirements:
  - One (1) tree shall be located within 110’ of every parking space (aka 1 tree per 12 spaces)
  - One (1) tree shall be located in a landscape island at the terminus of all parking rows and shall be planted in a minimum permeable area of 100 square feet per tree.
  - Tree wells/diamond planters shall be permitted at the head of parking stalls and encroach into the parking space. Minimum tree well dimension shall be 3’x3’.
  - Trees shall generally be spread throughout the parking lot but may be clustered for the purposes of existing tree preservation or to accommodate topographic constraints.
  - Required trees shall be 7’ tall and 2” in diameter when measured 6” from the ground
  - Dumpsters shall be screened from view.
  - A landscape earth berm, decorative wall or landscape screen shall be provided when:
    - Parking is located within 50’ of any right-of-way;
    - Fuel pumps are located between the principle building and right-of-way; and

- A drive-up window faces the right-of-way.
- Shrubs must be planted in such a manner to create a dense hedge of at least three feet (3') at maturity.

3. Enforcement:

- Landscape plan shall be provided prior to issuance of a permit
- Landscaping and irrigation shall be installed prior to issuance of a CO
- Dead or improperly maintained landscaping shall be replaced within 120 days

In response to questions from Commissioners Ms. Doland stated that a 9.5' wide space would still be larger than the standard parking space width.

Vice Chairman Alfred opened the Public Hearing at 6:30 pm and asked for any comments. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 6:30 pm and re-opened the Regular Session.

A motion was made by Commissioner Wamble and seconded by Commissioner Low to recommend approval to the Brenham City Council of the city initiated text amendment to the City of Brenham's Code of Ordinances, Appendix A: "Zoning" by amending Part II, Division 1, Section 12 – Landscaping and Buffering to revise the minimum landscape requirements for parking areas, and Section 16 – Off-Street Parking Requirements to revise the minimum parking space stall dimensions and establish a minimum parking space size for spaces designated as compact parking, as presented above.

Commissioner Sheffield prompted discussion to amend the motion to recommend that the 20' stall depth for spaces remain, rather than the staff recommended 19' stall space.

A motion was made by Nancy Low and seconded by Leroy Jefferson to amend the motion to read that the 90-degree spaces shall be a minimum of 9'x20'. The vote for the amendment carried unanimously. The vote for the motion, as amended, carried unanimously.

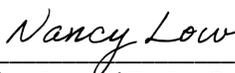
Prior to adjournment of the meeting, Commissioner Sheffield stated that she wanted to say that Kim Hodde did a great job at the last meeting, in Stephanie's absence. Ms. Sheffield also wanted to congratulate Stephanie on her promotion. James Fisher, City Manager, informed the Board that Stephanie has been promoted to Director of Development Services and that she has been a blessing to the City of Brenham.

**10. Adjourn**

A motion was made by Commissioner Wamble and seconded by Commissioner Sheffield to adjourn the meeting at 6:41 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:

  
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 Planning and Zoning Commission

Nancy Low  
 Acting Chairman

August 29, 2019  
 Meeting Date

  
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 Attest

Kim Hodde  
 Staff Secretary

August 29, 2019  
 Meeting Date