



**NOTICE OF A REGULAR MEETING  
BRENHAM PLANNING AND ZONING COMMISSION  
MONDAY, DECEMBER 21, 2020 AT 5:15 P.M.  
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 November 23, 2020 Planning and Zoning Commission Meeting.**

**4-b. Case No. P-20-043: Preliminary Plat of the Stovall Subdivision, Lots 1-2, being 8.162 acres out of the Isaac Jameison Survey, A-67 in Washington County, Texas.**

**4-c. Case No. P-20-044: Final Plat of the Stovall Subdivision, Lots 1-2, being 8.162 acres out of the Isaac Jameison Survey, A-67 in Washington County, Texas.**

**REGULAR AGENDA**

**5. Public Hearing, Discussion and Possible Action on Case No. P-20-040: A request by William A. McMeans, Jr. for approval of a Replat of Lot 1B, Block K of the Keys 2<sup>nd</sup> Addition into Lots 1B-A and 1B-B, being 0.30-acres and 0.24-acres of land, respectively, currently addressed as 1402 S. Market Street and 1403 S. Baylor Street, respectively, out of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.**

6. Public Hearing, Discussion and Possible Action on Case No. P-20-045: A request by River Eagle Real Estate, Ltd. for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to assign a zoning classification of Industrial (I) on approximately 5.15 acres of land located adjacent to 1751 US Highway 290 West, being further described as Tract 12 of the Phillip Coe Survey, A-31, in Brenham, Washington County, Texas.

7. Adjourn

**CERTIFICATION**

I certify that a copy of the December 21, 2020, agenda of items to be considered by the Planning & Zoning Commission was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on December 15, 2020, at 2:00 pm.

*Kim Hodde*

\_\_\_\_\_  
Kim Hodde

**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 Planning and Zoning Commission was removed by me from the City Hall bulletin board on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**CITY OF BRENHAM**  
**PLANNING AND ZONING COMMISSION MINUTES**  
**November 23, 2020**

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

A regular meeting of the Brenham Planning and Zoning Commission was held on November 23, 2020 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

M. Keith Behrens, Chair  
Dr. Deanna Alfred, Vice Chair  
Artis Edwards, Jr.  
Calvin Kossie  
Cayte Neil  
Lynnette Sheffield  
Marcus Wamble

Commissioners absent:

None

Staff present:

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

Citizens present:

Beckett Neil (Boy Scout)	Ronald Stoltenberg
Miles Rankin (Boy Scout)	Chris Cangelosi
Ty Dippel (Boy Scout)	Patricia Ruiz
William & Pamela Yester	Josh Blaschke, KWHI
Jennifer Dawson	Alison Bryce, Brenham Banner Press
Kurt Alfred	

**1. Call Meeting to Order**

Chairman Behrens called the meeting to order at 5:19 pm with a quorum of seven (7) Commissioners present.

**2. Public Comments**

There were no public comments.

**3. Reports and Announcements**

- Training. Ms. Doland stated that she is working with City Attorney, Cary Bovey, to finalize potential dates for additional board training, possibly January 12, 2021 or January 14, 2021. This will be a luncheon meeting/training for approximately 1-1.5 hours.

## 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 October 26, 2020 Planning and Zoning Commission Meeting.

Chairman Behrens called for a motion for the statutory consent agenda. A motion was made by Commissioner Kossie and seconded by Commissioner Wamble to approve the Statutory Consent Agenda, as presented. The motion carried unanimously.

## REGULAR SESSION

### 5. Public Hearing, Discussion and Possible Action on Case No. P-20-038: A request to Replat Lots 10 and 11 of the Gun and Rod Circle Subdivision to create Lot 10A, containing 1.019 acres of land, located at 2431 Gun & Rod Circle, out of the Isaac Lee Survey, A-77, in Brenham, Washington County, Texas.

Kim Hodde, Planning Technician, presented the staff report for Case No. P-20-038 (on file in the Development Services Department). Ms. Hodde stated that this is a request from William and Pamela Yester to replat Lot 10 and Lot 11 of the Gun & Rod Circle Subdivision into Lot 10A. The applicant/owner would like to construct an accessory structure on Lot 10; however, the City of Brenham Zoning Ordinance requires that all accessory structures be subordinate to and supportive of the principal use and structure. Therefore, the applicant/owner requests to replat the two lots into one lot. Development Services staff has reviewed the Replat for compliance with the City of Brenham regulations and ordinances and recommends approval of the replat as presented.

Two citizen comments were received in favor of the requested replat. None were received in opposition.

Chairman Behrens opened the Public Hearing at 5:22 pm. Ronald Stoltenberg who lives at 2510 S. Rosedale Drive stated that he was not opposed to the replat, but he was concerned about the runoff from the cul-de-sac. There has been an ongoing drainage issue. Kurt Alfred who lives at 2402 Rosedale Drive stated that he was not in opposition to the replat either; however, he reiterated the drainage issues and formally asked the City to investigate the issue. Stephanie Doland stated that she would consult with Dane Rau, Public Works Director, who is responsible for administering the Drainage Utility Charge (DUC) Fund project list and that Mr. Rau or someone would get in touch with Mr. Stoltenberg and Mr. Alfred. It was further reiterated that the Rosedale Drive drainage project was included on the DUC fund project list but that the project funds or timeline had yet to be determined. There were no further comments.

Chairman Behrens closed the Public Hearing at 5:27 pm.

A motion was made by Commissioner Wamble and seconded by Commissioner Sheffield to approve the request to Replat Lots 10 and 11 of the Gun and Rod Circle Subdivision to create Lot 10A, containing 1.019 acres of land, located at 2431 Gun & Rod Circle, as presented. The motion carried unanimously.

6. **Public Hearing, Discussion and Possible Action on Case No. P-20-039: 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 Commercial, Research and Technology Use District (B-2) to a Local Business/Residential Mixed Use District (B-1) for all or a portion of the following tracts of land as described by the Washington County Appraisal District property identification numbers in Brenham, Washington County, Texas:**

- a. R23561, 401 Clinton Street, Keys 1<sup>st</sup> Addition, Block 26, Lot N Part of 5A
- b. R23562, 403 Clinton Street, Keys 1<sup>st</sup> Addition, Block 26, Lot S Part of 5A
- c. R23564, 405 Clinton Street, Keys 1<sup>st</sup> Addition, Block 26, Lot 5B
- d. R23566, 505 Clinton Street, Keys 1<sup>st</sup> Addition, Block 26, Lot 6A
- e. R23565, 507 Clinton Street, Keys 1<sup>st</sup> Addition, Block 26, Lot 6B
- f. R23563, Vacant Lot, Keys 1<sup>st</sup> Addition, Block 26, Lot E, Part of 5A
- g. R23573, 500 Seelhorst Street, Keys 1<sup>st</sup> Addition, Block 27, Lot Part 11
- h. R23570, 506 Dark Street, Keys 1<sup>st</sup> Addition, Block 27, Lot 10A
- i. R23571, Vacant Lot, Keys 1<sup>st</sup> Addition, Block 27, Lot NW Part of 10B
- j. R40943, 508 Dark Street, Keys 1<sup>st</sup> Addition, Block 27, Lot NE Part of 10B
- k. R23572, 510 Dark Street, Keys 1<sup>st</sup> Addition, Block 27, Lot S Part of 10B
- l. R23575, 502 Seelhorst Street, Keys 1<sup>st</sup> Addition, Block 27, Lot 11C
- m. R23576, 504 Seelhorst Street, Keys 1<sup>st</sup> Addition, Block 27, Lot 11D
- n. R23577, 502 Dark Street, Keys 1<sup>st</sup> Addition, Block 27, Lot E
- o. R14376, 604 Seelhorst Street, Arrabella Harrington, Tract 65, Acres 1.13
- p. R14571, 507 Dark Street, Arrabella Harrington, Tract 250, Acres 0.09
- q. R14479, 509 Dark Street, Arrabella Harrington, Tract 153
- r. R56425, 702 Seelhorst Street, Scheel Subdivision, Part of Lot 1, Acres 2.438
- s. R41882, 706 Seelhorst Street, Scheel Subdivision, Lot 2, Pt 1, Acres 0.31
- t. R14341, 708 Seelhorst Street, Arrabella Harrington, Tract 32, Acres 5.646

Shauna Laauwe, Project Planner, presented the staff report for Case No. P-20-039 (on file in the Development Services Department). Ms. Laauwe stated that within the last few months, numerous calls have been received from property owners and/or agents inquiring about homes that need repair/renovation or demolition of the existing structures and subsequent rebuilding. These properties are zoned B-2, Commercial Research and Technology and this zoning does not allow single-family homes as a permitted use although 15 of the 20 lots contain residential structures/uses. Therefore, the existing homes may not construct additions, or remove and rebuild since they are now considered non-conforming uses. Ms. Laauwe stated that the City of Brenham officially adopted zoning in 1968. In 1996, a new comprehensive zoning ordinance went into effect that restructured many of the previous zoning ordinance district use regulations. Prior to 1996, the B-2 zoning district allowed R-1 and R-2 uses that including single-family and two-family homes. Two of the lots are currently vacant and three are existing, conforming uses – Woodson Lumber, Thyme Day Spa, and an office building on Clinton Street. Since B-1 zoning allows day spas and office uses as well as residential uses, if the B-1 zoning is approved, Woodson Lumber Company would be grandfathered as a legally non-conforming use. Under Section IV, a non-conforming use and would be able to obtain a specific use permit to expand if they choose to do so in the future.

The City's future land use map shows this area as residential so this rezoning would bring this area closer to its intended use, bring the existing residential structures into conformance as well as allow neighborhood commercial uses such as the existing day spa and office building. Staff recommends approval of this request as presented.

Three citizen comments were received in support of the rezoning request.

Chairman Behrens opened the Public Hearing at 5:40 pm.

Patricia Ruiz, who lives at 509 Dark Street, stated that her house was built in 1948 and she purchased it in 1991. This is her home and where she wants to stay. She stated that her house is in dire need of repair and she has been trying to get her house remodeled but has not been able due to the existing zoning. She stated that she is in support of the rezoning. Jennifer Dawson, who owns the property at 506 Dark Street, stated that she is in support of the rezoning. There were no other citizen comments.

Chairman Behrens closed the Public Hearing at 5:44 pm.

A motion was made by Commissioner Sheffield and seconded by Commissioner Kossie to recommend approval, as presented, of 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 classification from B-2 to B-1 for all or a portion of the 20 properties as identified in agenda item number 6. The motion carried unanimously.

**7. Adjourn.**

A motion was made by Commissioner Kossie and seconded by Commissioner Wamble 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  
Chairman

December 21, 2020  
Meeting Date

\_\_\_\_\_  
Attest

Kim Hodde  
Staff Secretary

December 21, 2020  
Meeting Date



**CASE P-20-043**

**PRELIMINARY PLAT: STOVALL SUBDIVISION (ETJ)**

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**PLAT TITLE:** Stovall Subdivision **CITY/ETJ:** ETJ

**PLAT TYPE:** Preliminary Plat

**OWNER/APPLICANT:** Christine Stovall / Hodde & Hodde Land Surveying – Jon E. Hodde

**ADDRESS/LOCATION:** 1093 S. Berlin Road, located east of S. Berlin Road and south of Old Mill Creek Road

**LEGAL DESCRIPTION:** 8.162 acres of land out of the Isaac Jameison Survey, A-67 in Washington County, Texas.

**LOT AREA:** 8.162 acres

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

**FUTURE LAND USE:** Rural

**REQUEST:** A Preliminary Plat to create the Stovall Subdivision consisting of two tracts - Tract 1 containing 0.751 acres of land and Tract 2 containing 7.411 acres of land for a total 8.162 acres of land in Washington County, Texas.

**BACKGROUND:**

The subject 8.162 acres of land is within the ETJ and is generally located east of S. Berlin Road and south of Old Mill Creek Road, currently addressed as 1093 S. Berlin Road. The subject property to be platted is owned by Christine Stovall who desires to create the following tracts:

- Lot 1 – containing 0.751 acres
- Lot 2 – containing 7.411 acres

Ordinance No. O-20-024 was approved by the Brenham City Council on October 15, 2020 granting a variance to Section 23-21(3)(a) and (3)(c) of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, to allow Tract 1 to have a lot size of .75 acre of land instead of the required 1 acre(43,560 square feet), and to allow Tract 2 to have a width of twenty-five feet (25') along the front property line instead of the required one hundred twenty-five feet (125'). For additional information please see staff report on file in Development Services for case no. P-20-029.

**STAFF ANALYSIS AND RECOMMENDATION:**

Development Services 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



**OWNER ACKNOWLEDGMENT**

I, CHRISTINE A. STOVALL, THE OWNER OF THE LAND DESCRIBED HEREON AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY ACKNOWLEDGE THE CHANGES TO SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN ON THIS INSTRUMENT AND THE PLAT SHOWING EXISTING EASEMENTS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

BY: (SIGNATURE)  
CHRISTINE A. STOVALL

**NOTARY PUBLIC ACKNOWLEDGMENT**

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_  
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
BY \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS  
(SEAL)

**PLANNING AND ZONING COMMISSION APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 BY  
THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENNHAM, TEXAS.

CHAIRMAN \_\_\_\_\_

SECRETARY \_\_\_\_\_

**COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT**

THE STATE OF TEXAS §  
COUNTY OF WASHINGTON §

I, \_\_\_\_\_, 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 THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., AND DULY RECORDED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN CHAMBER \_\_\_\_\_ SHEET \_\_\_\_\_ OF RECORD IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE, AT BRENNHAM, WASHINGTON COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

CLERK OF THE COUNTY COURT  
WASHINGTON COUNTY, TEXAS

(PRELIMINARY PLAT)  
**SHEET 2**  
**OF 2**

**OWNER/DEVELOPER**  
CHRISTINE STOVALL  
1093 S. BERLIN ROAD  
BRENNHAM, TEXAS 77833  
PHN. 936-661-3926

**STOVALL SUBDIVISION**  
**CITY OF BRENNHAM (ETJ), WASHINGTON COUNTY, TEXAS**  
CONSISTING OF 2 RESIDENTIAL LOTS WITH LOT 1 BEING 0.751 ACRE  
AND LOT 2 BEING 7.411 ACRES FOR A TOTAL OF 8.162 ACRES

**NOTES:**  
1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO TRUE NORTH AS OBTAINED BY GPS OBSERVATIONS OBSERVED AT LATITUDE: 30°09'15.03" N - LONGITUDE: 96°37'45.29" W (NAD-83 [2011]).  
2. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBER 484702000C, EFFECTIVE DATE AUGUST 16, 2017, WASHINGTON COUNTY, TEXAS.  
3. ☉ - DENOTES A 5/8" IRON ROD SET WITH ID. CAP STAMPED "HODDE & HODDE LAND SURVEYING" UNLESS OTHERWISE NOTED ON THE PLAT.  
4. THE SUBDIVISION SHOWN HEREON LIES OUTSIDE OF THE CITY LIMITS OF BRENNHAM, TEXAS; HOWEVER, SAID SUBDIVISION IS LOCATED INSIDE THE CITY OF BRENNHAM'S EXTRATERRITORIAL JURISDICTION (ETJ).  
5. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH BRENNHAM ABSTRACT & TITLE COMPANY (FIRST AMERICAN TITLE GUARANTEE COMPANY) TITLE COMMITMENT OF NO. 20200021, EFFECTIVE DATE SEPTEMBER 14, 2020, 8:00 AM, ISSUED SEPTEMBER 24, 2020, 5:01 PM.  
6. SUBJECT TO A RIGHT OF WAY EASEMENT TO CENTRAL WASHINGTON COUNTY WATER SUPPLY CORPORATION, DATED AUGUST 18, 2005, AS RECORDED IN VOLUME 1281, PAGE 1044, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.  
7. AS OF THE DATE OF PLATING, THE CITY OF BRENNHAM DOES NOT PROVIDE UTILITY SERVICES TO THE SUBDIVISION. PRIVATE WATER MAINS, PRIVATE SEWER MAINS, PRIVATE WATER SERVICE LINES, PRIVATE INDIVIDUAL WATER WELLS AND SEWER WILL BE PROVIDED BY INDIVIDUAL ON-SITE STORAGE FACILITIES. ELECTRIC UTILITIES WILL PROVIDED BY BLUEBONNET ELECTRIC COOPERATIVE, INC.  
8. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND A TITLE REPORT DATED SEPTEMBER 24, 2020.  
9. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND A TITLE REPORT DATED SEPTEMBER 24, 2020.  
10. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.  
11. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.  
12. 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 BRENNHAM CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.  
13. ORDINANCE NO. 0-20-024 WAS APPROVED BY THE BRENNHAM CITY COUNCIL ON OCTOBER 15, 2020 GRANTING A VARIANCE TO SECTION 23-21(3)(A) AND (3)(C) OF THE CITY OF BRENNHAM CODE OF ORDINANCES, CHAPTER 23, SUBDIVISIONS, TO ALLOW LOT 1 TO HAVE A LOT SIZE OF 0.75 ACRE (75,000 SQUARE FEET) AND LOT 2 TO HAVE A LOT SIZE OF 7,411 SQUARE FEET (207,100 SQUARE FEET) INSTEAD OF THE REQUIRED ONE HUNDRED TWENTY-FIVE FEET (125').  
14. CONTOURS SHOWN HEREON WERE DERIVED FROM LIDAR DATA AND PROVIDED BY OTHERS.

**SURVEY MAP**  
SHOWING A SURVEY OF A SUBDIVISION OF 8.162 ACRES OF LAND, LYING AND BEING SITUATED IN WASHINGTON COUNTY, TEXAS, PART OF THE ISMAC JAMESON SURVEY, A-67, CONTAINING LOT 1, 4.51 ACRES IN THE DEED FROM DON W. STOVALL TO CHRISTINE A. STOVALL ET AL, DATED AUGUST 11, 2004, AS RECORDED IN VOLUME 1151, PAGE 230, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, SAID LOT 2 BEING PART OF THE SAME LAND DESCRIBED AS 8.126 ACRES AS RECORDED IN VOLUME 1151, PAGE 230, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS AND BEING THE SAME LAND DESCRIBED AS 0.030 ACRE IN THE DEED FROM DON W. STOVALL TO CHRISTINE A. STOVALL, DATED MARCH 27, 2013, AS RECORDED IN VOLUME 1428, PAGE 123, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.

**CERTIFICATION**  
THE STATE OF TEXAS  
COUNTY OF WASHINGTON  
I, JON E. HODDE, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5187 OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS MAP SHOWING A SURVEY AND SUBDIVISION OF 8.162 ACRES OF LAND IS TRUE AND CORRECT IN ACCORDANCE WITH AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY PERSONAL DIRECTION AND SUPERVISION.  
DATED THIS 30TH DAY OF NOVEMBER, 2020, A.D.

(PRELIMINARY)  
JON E. HODDE, RPLS NO. 5187  
REGISTERED PROFESSIONAL LAND SURVEYOR  
HODDE & HODDE LAND SURVEYING, INC.  
613 E. BLUE BELL ROAD - BRENNHAM, TEXAS 77833  
(979) 836-5683  
TEPEL'S SURVEY FIRM REG. NO. 10018800

(PRELIMINARY)  
THE PURPOSE OF THIS DOCUMENT IS FOR  
PRELIMINARY. THIS DOCUMENT SHALL NOT  
BE RECORDED FOR ANY PURPOSE.

**Hodde & Hodde Land Surveying, Inc.**  
Professional Land Surveying & Engineering  
613 E. Blue Bell Road - Brenham, Texas 77833  
979-836-5683 - 979-836-5683 (FAX)  
www.hoddesurveying.com

REG. NO. 7205 (BRENNHAM) REG. NO. 44967 (ETJ) BRENNHAM COUNTY SURVEY



**CASE P-20-044**

**FINAL PLAT: STOVALL SUBDIVISION (ETJ)**

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**PLAT TITLE:** Stovall Subdivision **CITY/ETJ:** ETJ

**PLAT TYPE:** Final Plat

**OWNER/APPLICANT:** Christine Stovall / Hodde & Hodde Land Surveying – Jon E. Hodde

**ADDRESS/LOCATION:** 1093 S. Berlin Road, located east of S. Berlin Road and south of Old Mill Creek Road

**LEGAL DESCRIPTION:** 8.162 acres of land out of the Isaac Jameison Survey, A-67 in Washington County, Texas.

**LOT AREA:** 8.162 acres

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

**FUTURE LAND USE:** Rural

**REQUEST:** A Final Plat to create the Stovall Subdivision consisting of two tracts - Tract 1 containing 0.751 acres of land and Tract 2 containing 7.411 acres of land for a total 8.162 acres of land in Washington County, Texas.

**BACKGROUND:**

The subject 8.162 acres of land is within the ETJ and is generally located east of S. Berlin Road and south of Old Mill Creek Road, currently addressed as 1093 S. Berlin Road. The subject property to be platted is owned by Christine Stovall who desires to create the following tracts:

- Lot 1 – containing 0.751 acres
- Lot 2 – containing 7.411 acres

Ordinance No. O-20-024 was approved by the Brenham City Council on October 15, 2020 granting a variance to Section 23-21(3)(a) and (3)(c) of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, to allow Tract 1 to have a lot size of .75 acre of land instead of the required 1 acre(43,560 square feet), and to allow Tract 2 to have a width of twenty-five feet (25') along the front property line instead of the required one hundred twenty-five feet (125'). For additional information please see staff report on file in Development Services for case no. P-20-029.

**STAFF ANALYSIS AND RECOMMENDATION:**

Development Services 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



**NOTES:**

1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO TRUE NORTH AS OBTAINED BY GPS OBSERVATIONS, OBSERVED AT LATITUDE 30°09'13.00" N - LONGITUDE 96°27'42.29" W (NAD-83 [2011]).
2. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UNDER AUTHORITY OF THE NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBER 48477C0300G, EFFECTIVE DATE AUGUST 16, 2011, WASHINGTON COUNTY, TEXAS.
3. DENOTES A 6" Ø IRON ROD SET WITH ID. CAP STAMPED "HODDE & HODDE LAND SURVEYING" UNLESS OTHERWISE NOTED ON THE PLAT.
4. THE SUBDIVISION SHOWN HEREON LIES OUTSIDE OF THE CITY LIMITS OF BRENNHAM, TEXAS; HOWEVER, THE SUBDIVISION IS LOCATED INSIDE THE CITY OF BRENNHAM'S EXTRAJURISDICTIONAL JURISDICTION (ETJ).
5. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH BRENNHAM ABSTRACT & TITLE COMPANY ABSTRACT NO. 20200821, EFFECTIVE DATE SEPTEMBER 14, 2020, 8:00 AM, ISSUED SEPTEMBER 24, 2020, 5:01 PM.
6. SUBJECT TO A RIGHT OF WAY EASEMENT TO CENTRAL WASHINGTON COUNTY WATER SUPPLY SYSTEM LOCATED IN VOLUME 1261, PAGE 1046, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
7. AS OF THE DATE OF PLATING, THE CITY OF BRENNHAM DOES NOT PROVIDE UTILITY SERVICES TO THE SUBDIVISION SHOWN HEREON. WATER WILL BE PROVIDED BY INDIVIDUAL ON-SITE SEWAGE FACILITIES. ELECTRIC UTILITIES WILL BE PROVIDED BY BLUEBONNET ELECTRIC COOPERATIVE, INC.
8. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND A TITLE REPORT DATED SEPTEMBER 24, 2020.
9. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND A TITLE REPORT DATED SEPTEMBER 24, 2020.
10. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES, AND 30 FEET CENTERLINE OF HIGH PRESSURE GAS LINES.
11. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
12. 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 BRENNHAM CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.
13. ORDINANCE NO. 0-20-024 WAS APPROVED BY THE BRENNHAM CITY COUNCIL ON OCTOBER 15, 2020, AND IS A PART OF THE CITY OF BRENNHAM CODE OF ORDINANCES. THE CITY OF BRENNHAM HAS ADOPTED ORDINANCES, CHAPTER 21, SUBDIVISIONS, TO ALLOW A LOT TO HAVE A LOT SIZE OF 0.25 ACRE OF LAND INSTEAD OF THE REQUIRED 1 ACRE (43,560 SQUARE FEET), AND TO ALLOW LOT 2 TO HAVE A WIDTH OF TWENTY-FIVE FEET (25') AT THE ROAD INSTEAD OF THE REQUIRED ONE HUNDRED TWENTY-FIVE FEET (125').

**SURVEY MAP**

SHOWING A SURVEY OF A SUBDIVISION OF 8.162 ACRES OF LAND, LYING AND BEING SITUATED IN WASHINGTON COUNTY, TEXAS, AND BEING PART OF THE SAME LAND DESCRIBED AS 8.126 ACRES IN DEED FROM DON W. STOVALL TO CHRISTINE A. STOVALL, ET AL, DATED AUGUST 11, 2004, AS RECORDED IN VOLUME 1131, PAGE 230, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND BEING PART OF THE SAME LAND DESCRIBED AS 1.676 ACRES IN THE DEED FROM DON W. STOVALL TO CHRISTINE A. STOVALL, ET AL, DATED AUGUST 11, 2004, AS RECORDED IN VOLUME 1131, PAGE 230, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND BEING PART OF THE SAME LAND DESCRIBED AS 1.360 ACRES IN DEED FROM MELSON F. KOBUS AND WIFE, SANDRA M. KOBUS TO DON W. STOVALL AND WIFE, CHRISTINE A. STOVALL, DATED MARCH 7, 2013, AS RECORDED IN VOLUME 1429, PAGE 123, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.

**CERTIFICATION**

THE STATE OF TEXAS  
COUNTY OF WASHINGTON

I, Jon E. Hodde, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5197, OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED FOR REGISTRATION IN MY OFFICE IN TRUE AND CORRECT ACCORDANCE WITH AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY PERSONAL DIRECTION AND SUPERVISION.

DATED THIS 8TH DAY OF DECEMBER, 2020, A.D.



Jon E. Hodde  
JON E. HODDE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5197  
HODDE & HODDE SURVEYING, INC.  
613 EAST BLUE BELL ROAD  
BRENNHAM, TEXAS 77833  
(979)-836-5681  
TIPPERLA SURVEY FIRM REG. NO. 10018800

Hodde & Hodde Land Surveying, Inc.  
Professional Land Surveying & Engineering  
613 E. Blue Bell Road - Brenham, Texas 77833  
979-836-5681 - 979-836-5683 (Fax)  
www.hoddesurveying.com

(FINAL PLAT)  
**SHEET 2**  
**OF 2**

OWNER/DEVELOPER  
CHRISTINE STOVALL  
1093 S. BERLIN ROAD  
BRENNHAM, TEXAS 77833  
PHN. 936-661-3826

**STOVALL SUBDIVISION**  
**CITY OF BRENNHAM (ETJ), WASHINGTON COUNTY, TEXAS**  
CONSISTING OF 2 RESIDENTIAL LOTS WITH LOT 1 BEING 0.751 ACRE  
AND LOT 2 BEING 7.411 ACRES FOR A TOTAL OF 8.162 ACRES

**OWNER ACKNOWLEDGMENT**

I, CHRISTINE A. STOVALL, THE OWNER OF THE LAND DESCRIBED HEREON, AND WHOSE NAME IS SUBSCRIBED SUBTO, DO HEREBY ACKNOWLEDGE THE CHANGE TO THIS INSTRUMENT. I UNDERSTAND THE PLAT SHOWN HEREON, THE PLATTED PROPERTY REMAINS SUBJECT TO EXISTING DEDICATIONS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

BY: \_\_\_\_\_  
(SIGNATURE)  
CHRISTINE A. STOVALL

**NOTARY PUBLIC ACKNOWLEDGMENT**

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_  
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020,  
BY \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS  
(SEAL)

**PLANNING AND ZONING COMMISSION APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 BY  
THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENNHAM, TEXAS.

CHAIRMAN \_\_\_\_\_  
SECRETARY \_\_\_\_\_

**COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT**

THE STATE OF TEXAS §  
COUNTY OF WASHINGTON §

I, \_\_\_\_\_, 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 THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK, \_\_\_\_M., AND DULY RECORDED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK, \_\_\_\_M., IN CABINET \_\_\_\_\_ SHEET \_\_\_\_\_ OF RECORD IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.  
WITNESS MY HAND AND SEAL OF OFFICE AT BRENNHAM, WASHINGTON COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

CLERK OF THE COUNTY COURT  
WASHINGTON COUNTY, TEXAS



**CASE P-20-040**  
**REPLAT: LOT 1-B, BLOCK K OF THE KEYS 2<sup>ND</sup> ADDITION**  
**TO CREATE LOTS 1B-A AND 1B-B**

---

**PLAT TITLE:** Replat of Lot 1-B, Block K of the Keys 2<sup>nd</sup> Addition into Lots 1B-A and 1B-B **CITY/ETJ:** City Limits

**PLAT TYPE:** Replat

**OWNER:** William A. McMeans, Jr.

**APPLICANT/AGENT:** Tumlinson Land Surveying, Tyler Tumlinson

**LOT AREA /LOCATION:** 0.54-acres / 1403 S. Baylor Street

**PROPOSED LEGAL DESCRIPTION:** Lot 1B-A and Lot 1B-B, Block K of the Keys 2<sup>nd</sup> Addition in Brenham, Washington County, Texas

**ZONING DISTRICT** B-1, Local Business Residential Mixed Used District

**EXISTING USE:** Residential

**COMP PLAN** Corridor Mixed Use

**FUTURE LAND USE:**

**REQUEST:** A request by William A. McMeans, Jr. for approval of a Replat of Lot 1-B, Block K of the Keys 2<sup>nd</sup> Addition into Lots 1B-A and Lot 1B-B, being 0.30-acres and 0.24-acres of land, respectively, currently addressed as 1403 S. Baylor Street, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.

**BACKGROUND:**

The subject property identified as Lot 1B, Block K of the Keys 2<sup>nd</sup> Addition is owned by William A. McMeans, Jr. The existing lot has three residential structures addressed as 1403 S. Baylor Street, 1402 S. Market Street and 1404 S. Market Street. The property owner would like to subdivide this property so that the 1402 S. Market Street (proposed Lot 1B-A) and 1403 S. Baylor Street (proposed Lot 1B-B) would be individual lots. The property owner intends to demolish the structure addressed as 1404 S. Market Street. Lot 1B-A is proposed to contain 0.30-acre of land and Lot 1B-B is proposed to contain 0.24-acre of land. The replat would bring the properties into conformance by having one principal structure per proposed lot and allow for individual sale of Lot 1B-A and Lot 1B-B.

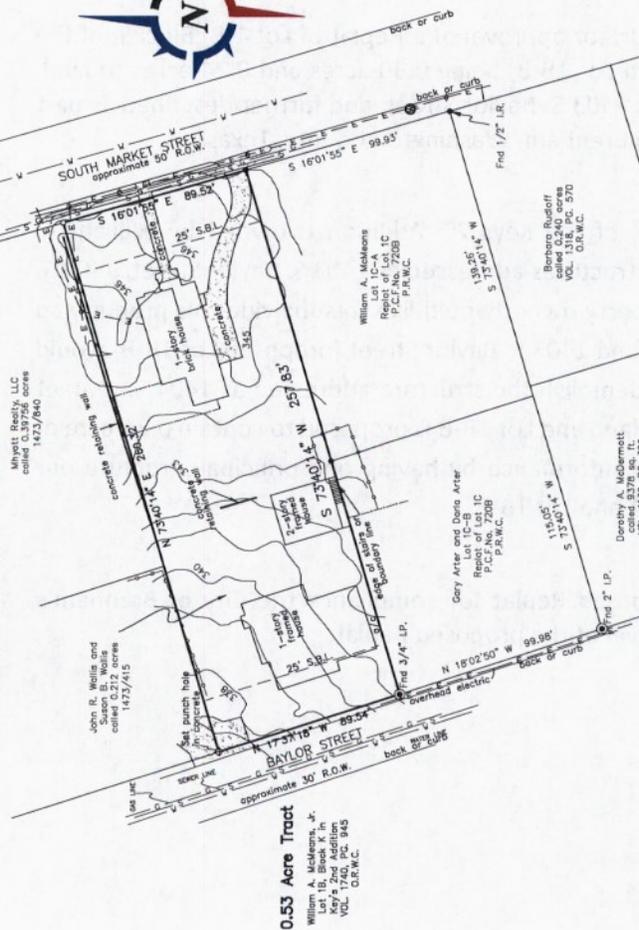
**STAFF RECOMMENDATION:**

Development Services staff has reviewed the proposed Replat for compliance the City of Brenham's regulations and ordinances and **recommends approval** of the proposed Replat.

**EXHIBITS:**

- A. Proposed Replat Document

**A. HARRINGTON SURVEY  
A - 55  
WASHINGTON COUNTY, TEXAS  
KEY'S 2ND ADDITION, PART OF LOT ONE BLOCK K  
CITY OF BRENHAM**



**0.53 Acre Tract**  
William A. McKenna, Jr.  
Replat of Lot 1C  
P.C.F. No. 7208  
P.R.W.C.

Gary Arter and Doris Arter  
Lot 1C-B  
P.C.F. No. 7208  
P.R.W.C.

Barbara Rudloff  
called 0.240 acres  
VOL. 1132, PG. 300  
O.R.W.C.

Dorothy A. McDermott  
VOL. 1132, PG. 300  
O.R.W.C.

**ORIGINAL PLAT**

- LEGEND**
- 1/2" line fence
  - 1/4" line fence
  - 0 line approximate location gas utility
  - 0 line approximate location water utility
  - 0 line approximate location overhead electric utility

**COUNTY CLERK FILING ACKNOWLEDGMENT 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 IS INSTRUMENT NO. \_\_\_\_\_, FILED FOR RECORD IN MY OFFICE ON \_\_\_\_\_ 2020.

AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ 2020, I, \_\_\_\_\_, COUNTY CLERK, DO HEREBY RECORD THE WITHIN INSTRUMENT WITH INSTRUMENT NO. \_\_\_\_\_, FILED FOR RECORD IN MY OFFICE, AT BRENHAM, WASHINGTON COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

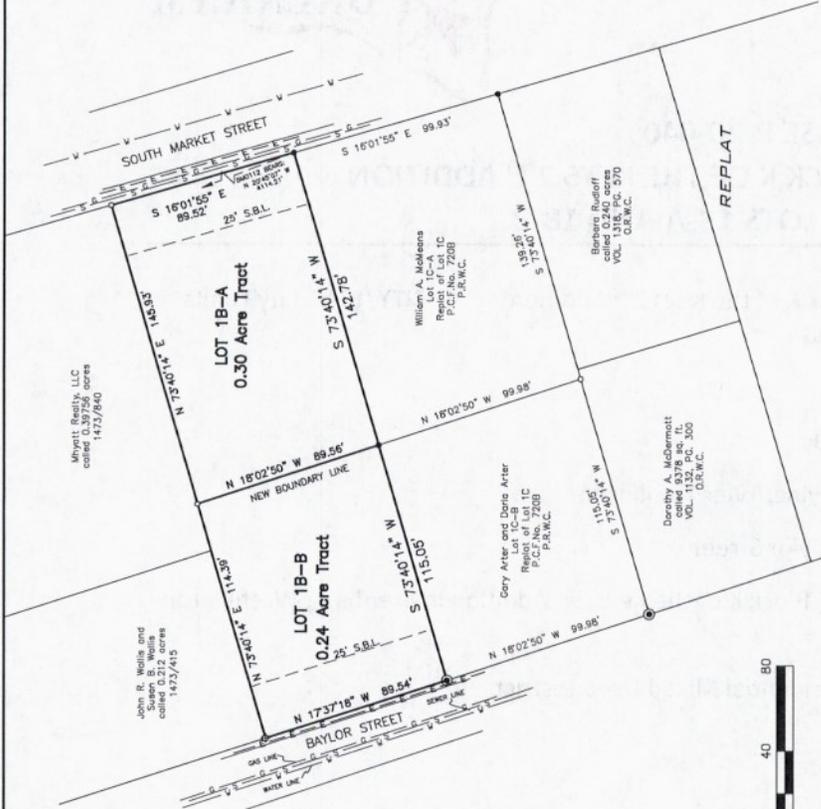
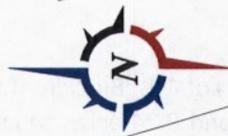
CLERK, COUNTY COURT, WASHINGTON COUNTY, TEXAS

**VICINITY MAP**



**TUMLINSON  
LAND SURVEYING**  
1015 HOOK STREET  
COLLEGE STATION, TEXAS 777640  
T.E.P.L.S., P.R.M. NO. 10195656

**FINAL PLAT**  
BEING A REPLAT OF  
LOT 1B OF BLOCK K IN KEYS 2ND ADDITION INTO  
LOT 1B-A BEING 0.30 ACRES AND LOT 1B-B BEING  
0.24 ACRES OUT OF THE A. HARRINGTON SURVEY,  
A-55, IN THE CITY OF BRENHAM,  
WASHINGTON COUNTY, TEXAS  
SEPTEMBER 2020



Mhyatt Realty, LLC  
called 0.39756 acres  
1473/840

John R. Wells and  
Susan B. Wells  
called 0.212 acres  
1473/415

**LOT 1B-A  
0.30 Acre Tract**

**LOT 1B-B  
0.24 Acre Tract**

William A. McKenna  
Replat of Lot 1C  
P.C.F. No. 7208  
P.R.W.C.

Gary Arter and Doris Arter  
Lot 1C-B  
P.C.F. No. 7208  
P.R.W.C.

Dorothy A. McDermott  
called 0.278 ac. TL  
VOL. 1132, PG. 300  
O.R.W.C.

**REPLAT**

**PLANNING AND ZONING COMMISSION**  
RESOLUTION NO. \_\_\_\_\_  
AS A REPLAT by the Planning and Zoning Commission of the  
City of Brenham, Texas.

Chairman of Planning and Zoning Commission, City of Brenham  
Secretary of Planning and Zoning Commission, City of Brenham

**SUBJECTIVE NOTES:**  
1. All all/over platlines or platline amendments with easements through the subdivision  
2. The plat does not attempt to correct or remove any void easements or  
3. The building lines shown on this plat shall be in addition to, and shall not limit or  
4. The plat does not affect the validity of any other plat or instrument filed with the City of Brenham, Texas, or any other authority, and shall be subject to the provisions of the plat of the subdivision of the property.

I, Tyler Tumlinson, Registered Professional Land Surveyor, do hereby certify that this survey and subdivision  
is a true and correct copy of the original survey and subdivision as shown on the plat of the property being surveyed, and is correct.  
All bearings and distances are based on the State Plane Coordinate System, Texas Central Zone, NAD 1983.  
48477022505, effective date of 8/17/2021

Tyler Tumlinson, R.P.L.S. No. 8410 November 13, 2020

**OWNER ACKNOWLEDGMENT**  
We, William A. McKenna, Jr., the owner of the land described  
herein, do hereby acknowledge the changes to said property in accordance with  
the plat of the subdivision of the property.  
The plat of the subdivision of the property is subject to existing easements,  
rights, and interests in the property.

SIGNATURE \_\_\_\_\_  
PRINT NAME & TITLE \_\_\_\_\_

**NOTARY PUBLIC ACKNOWLEDGMENT**  
I, \_\_\_\_\_, Notary Public, do hereby certify that I am a Notary Public in and for  
the State of Texas, my commission expires on \_\_\_\_\_ 2020.  
COUNTY OF WASHINGTON

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_\_  
DAY OF \_\_\_\_\_ 2020, BY \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS  
NOTARY'S NAME (PRINTED) \_\_\_\_\_

NOTARY'S COMMISSION EXPIRES \_\_\_\_\_

**CASE NUMBER P-20-045**  
**ZONE CHANGE REQUEST – Establishing a Zoning Classification of Industrial (I)**  
**on 5.15-acres of adjacent to 1751 US Highway 290 West**

**STAFF CONTACT:** Shauna Laauwe, AICP, Project Planner

**OWNERS:** River Eagle Real Estate, Ltd.

**APPLICANT:** River Eagle Real Estate, Ltd. (Mike Hopkins Distributing)

**ADDRESS/LOCATION:** Adjacent to 1751 US Highway 290 West (Exhibit A)

**LEGAL DESCRIPTION:** Tract 12 of the Phillip Coe Survey, A-31

**LOT AREA:** Approximately 5.15 acres of land

**ZONING DISTRICT/USE:** Not currently zoned as property is in the ETJ / Portion is developed as a parking lot for Mike Hopkins Distributing. (Exhibit B)

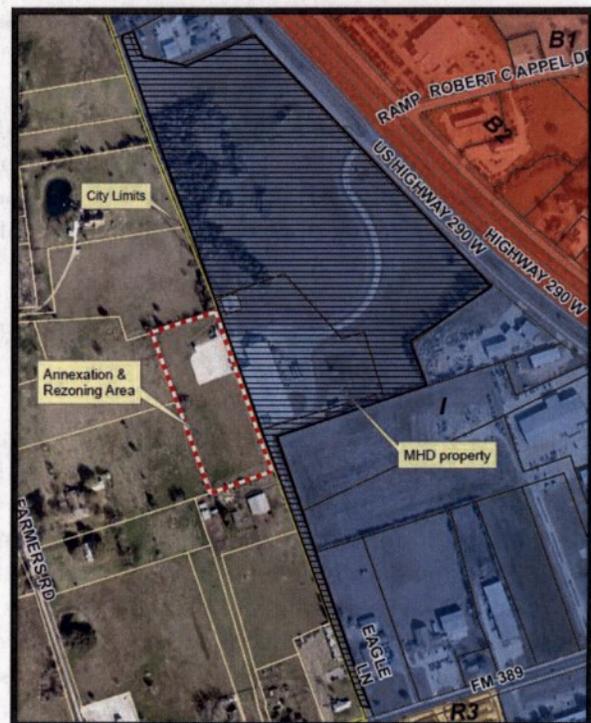
**FUTURE LAND USE:** Industrial

**REQUEST:** A request to assign a zoning classification of Industrial (I) for expansion of an existing commercial operation (Exhibit C).

**BACKGROUND:**

The subject property, outlined in the red/white checked line in Figure 1, is currently located in the Brenham ETJ, west and adjacent to the city limits. The approximate 5.15-acre property is part of the tract located at 1751 US Highway 290 West that is developed as the commercial entity, Mike Hopkins Distributing (MHD) and owned by River Eagle Real Estate, LTD. The MHD property was comprised of three unplatted (3) tracts, the subject property and the areas outlined and hatched in Figure 1, which includes land south along Eagle Lane and east to US Highway 290 West. In 2017/2018, the owner expanded the distribution site by paving a portion of the subject property for an employee parking lot. The existing commercial structure is now proposed to undergo a building expansion that necessitated that the three tracts be recently platted into one contiguous lot due to the existing building, parking lot, and detention site being located on separate lots. As one lot may not be platted that is partially in the County and partially

**Figure 1**



in the City, the annexation of the 5.15-acre tract was required in conjunction with the requirement to plat the property. The subject property is not assigned a zoning distinction because it is currently located in the City of Brenham ETJ. The applicant, River Eagle Real Estate, Ltd./Mike Hopkins, Jr. has requested the subject 5.15 acres be annexed into the City of Brenham and assigned a zoning district classification of Industrial (I) to match the adjacent property for expansion of the existing commercial operation.

**ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:**

The purpose of zoning policies is to provide guidelines for considering future amendments to the zoning ordinance (Part 1, Section 4 of Appendix A – “Zoning” of the Brenham Code of Ordinances). They are as follows:

- (1) The city's zoning should recognize and seek to preserve the small-town attributes that make Brenham a special place for its citizens to live, work and play.

The subject property is located adjacent and west of a large industrial section in Brenham. The adjacent Industrial District zoning area is located along Highway US 290 West from Old Mill Creek Road to the north of the subject property and stretches south, to intersection of US 290 and State Highway 36. While most of the surrounding area is zoned Industrial, there is a R-3, Manufactured Home Residential district to the south of Eagle Lane, across FM 389 and further south, a section of transitioning B-2, Commercial, Research and Technology District on tracts between Valmont Drive to Hwy 36 along US 290.

The zoning of the subject property to I, Industrial District would be seamless as it is adjacent to an existing broad industrial zoned area of the City. While this industrial area is not fully developed, the area is comprised of several industrial and commercial properties that give the citizens of Brenham various opportunities for both employment and commerce.

- (2) The city's zoning should be guided by the future land use plan and other applicable guidelines found in the Comprehensive Plan.

The future land use map portion of Plan 2040: Historic Past, Bold Future, suggests the subject property and surrounding area is appropriate for industrial uses. If the requested zone change were approved, the subject property would allow for development in keeping with the Future Land Use Plan and polices by allowing the continuation of the existing industrial commercial operation at this location.

Staff finds that the proposed request is aligned with the goals and land use policies established in the Comprehensive Plan.

- (3) The city's zoning should be designed to facilitate the more efficient use of existing and future city services and utility systems in accordance with the Comprehensive Plan.

The subject property has access to City of Brenham water, gas, and sanitary sewer along US Hwy 290 West and via easements located on the MHD development. As the property currently serves as an employee parking lot, the applicant does not plan to extend services at this time. The 5.15-acres are within the Bluebonnet electric service area. No natural gas service for this site has been requested but is located onsite to serve an existing cell tower. Staff finds that utilities in the area can be extended to serve the subject property and the proposed development.

- (4) The city's zoning should be organized and as straight forward as possible to minimize use problems and enforcement problems.

**The proposed zone change, if approved, will be reflected on the City of Brenham zoning map available for citizen viewing on the City of Brenham homepage.**

- (5) The city's zoning process should be fair and equitable, giving all citizens adequate information and opportunity to be heard prior to adoption of zoning amendments.

**Property owners within 200 feet of the project site were mailed notifications of this request on December 10, 2020. The Notice of Public Hearing was published in the Brenham Banner on December 10, 2020. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.**

- (6) The city's zoning should ensure that adequate open space is preserved as residential and commercial development and redevelopment occur.

**If approved, the subject property will be required to adhere to zoning regulations for the I, Industrial district and all applicable ordinances adopted by the City of Brenham. These ordinances include adherence to adopted building and fire codes, maximum impervious coverage requirements, landscaping requirements, and drainage standards for a property zoned I, Industrial District shall apply to the subject tract.**

- (7) The city's zoning should ensure Brenham's attractiveness for the future location of business and housing by preserving an attractive and safe community environment in order to enhance the quality of life for all of its residents.

**Staff finds that the requested zoning and associated land uses are appropriate in this location given adjacent zoning designations, existing development in the vicinity, and conformance with the City's adopted future land use map.**

- (8) The city's zoning ordinance should preserve neighborhood culture by retaining and promoting land uses consistent with the community's plan for the development and/or redevelopment of its neighborhoods.

**The subject property and the surrounding properties located within the City of Brenham city limits are developed as industrial or commercial uses. Adjacent properties within the ETJ to north, west and south are rural residential. Grouping industrial and heavy commercial uses in industrial districts preserves neighborhoods by allocating areas for such development that would not be compatible with residential uses.**

- (9) The city's zoning should protect existing and future residential neighborhoods from encroachment by incompatible uses.

**The subject property is adjacent to vacant and rural residential properties within the City's ETJ, however industrial uses are located within the adjacent city limits to the east. The subject property will continue to be part of the Mike Hopkins Distribution Center development that has been at the current location for over 25 years. Staff is unable to determine any incompatible uses or development with the proposed zoning classification.**

(10) The city's zoning should assist in stabilizing property values by limiting or prohibiting the development of incompatible land uses or uses of land or structures, which negatively impact adjoining properties.

**Staff is unable to determine any destabilizing effects on the neighboring properties should this rezoning request be approved.**

(11) The city's zoning should make adequate provisions for a range of commercial uses in existing and future locations that are best suited to serve neighborhood, community, and regional markets.

**If approved, the proposed rezoning will allow for the continuing development and expansion of the existing regional commercial property that has been in operation for over 25 years. The subject property is located near US Hwy 290 and FM 389 and within an area where community and regional commercial and industrial market developments are likely to prosper.**

(12) The city's zoning should give reasonable accommodation to legally existing incompatible uses, but it should be fashioned in such a way that over time, problem areas will experience orderly change through redevelopment that gradually replaces the nonconforming uses.

**The property is currently largely undeveloped, vacant land. Staff is not aware of any hindrances on the property created by legally existing incompatible uses. The proposed zoning will allow for the subject 5.15 acres be annexed into the City of Brenham and assigned a zoning district classification of Industrial (I) to match the adjacent property for expansion of the existing commercial operation.**

(13) The city's zoning should provide for orderly growth and development throughout the city.

**Staff finds that the proposed rezoning change will allow for the orderly growth and development in the general vicinity and throughout the city. Furthermore, the proposed rezoning is in accordance with the City's adopted Future Land Use Map and Comprehensive Plan.**

#### **STAFF RECOMMENDATION:**

**Staff recommends approval** of the proposed zoning to an Industrial (I) District classification for the subject 5.15-acre tract described above.

#### **EXHIBITS:**

- A. Aerial Map
- B. Zoning Map
- C. Future Land Use Map

EXHIBIT "A"  
AERIAL MAP

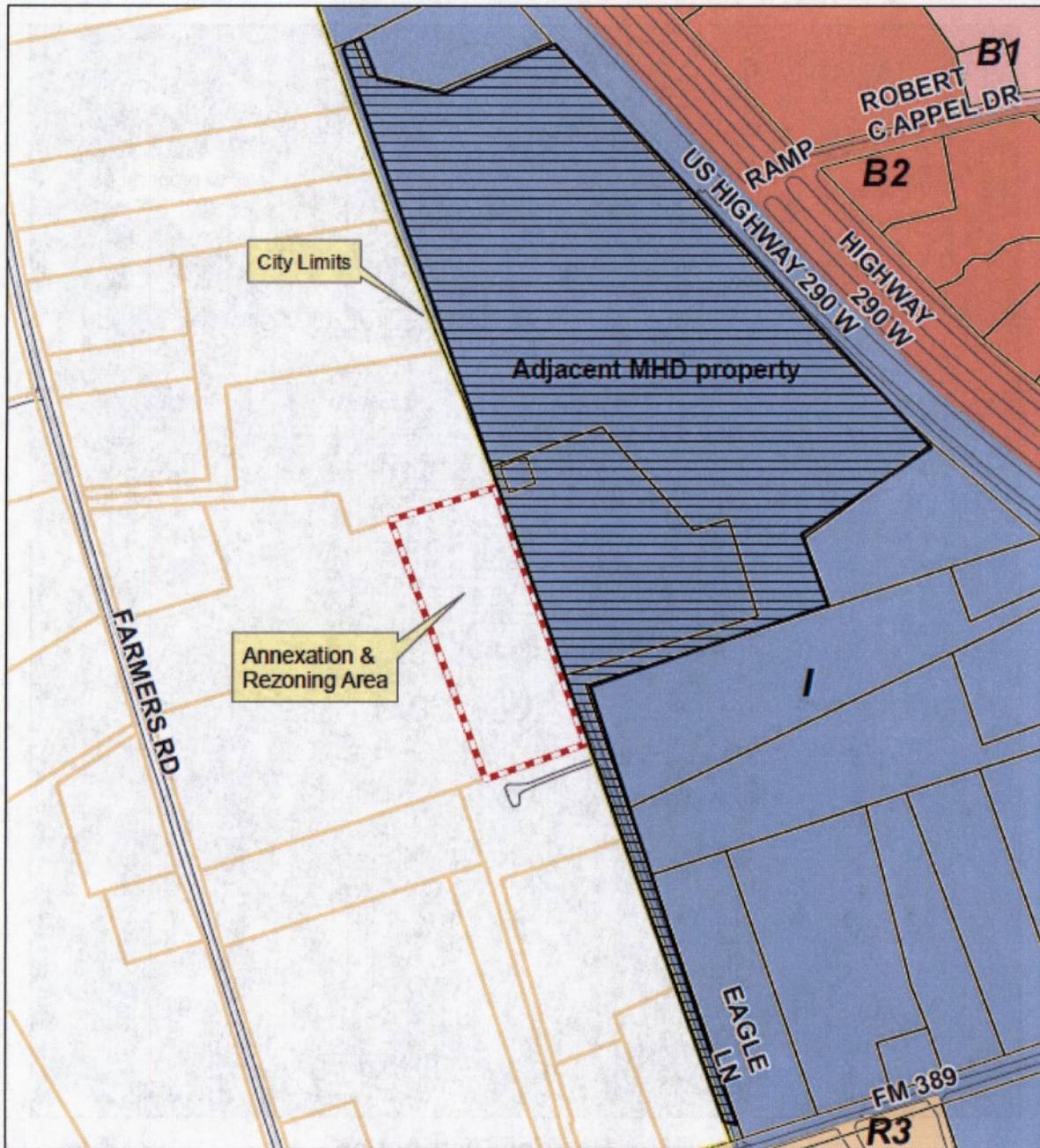


**Mike Hopkins Distribution**  
**1751 US HWY 290**  
**Annexation Rezoning - Industrial**

1 inch = 364 feet



EXHIBIT "B"  
ZONING MAP



**Mike Hopkins Distribution (MHD)**  
**1751 US HWY 290**

1 inch = 364 feet

**Annexation Rezoning - I, Industrial District**

**Zoning**

**DESCRIPTION**

- B1 Local Business Mixed
- B2 Commercial Research and Technology
- I Industrial
- R3 Manufactured Home Residential



EXHIBIT "C"  
FUTURE LAND USE MAP



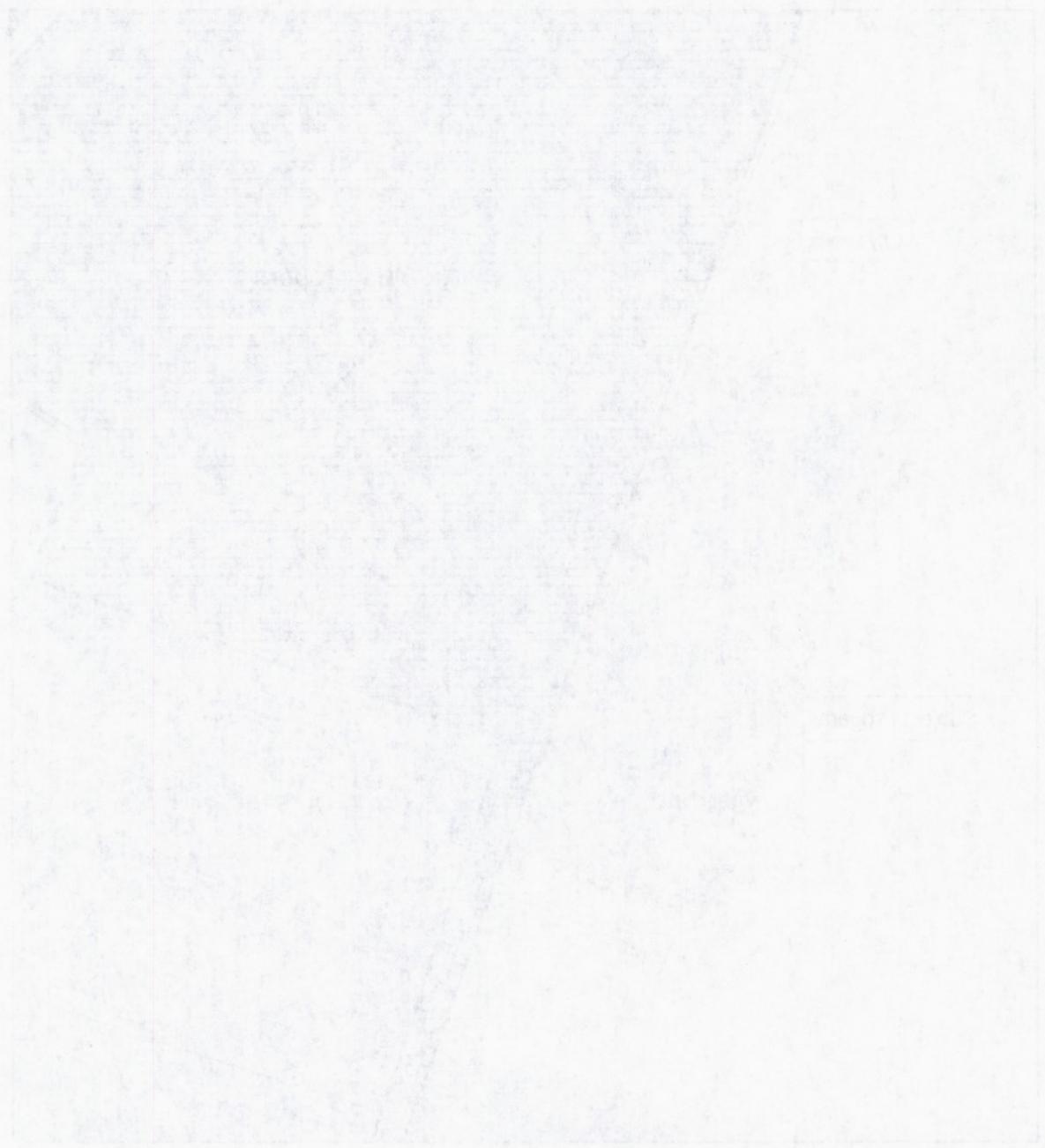
**Mike Hopkins Distribution (MHD)**  
**1751 US HWY 290**  
**Future Land Use Plan**

1 inch = 182 feet

- Future Land Use Plan**  
**FLU\_FINAL**
-  Estate Residential
  -  Commercial
  -  Industrial



THE UNIVERSITY OF CHICAGO



THE UNIVERSITY OF CHICAGO  
1311 EAST 58TH STREET  
CHICAGO, ILLINOIS 60637

UNIVERSITY OF CHICAGO  
1311 EAST 58TH STREET  
CHICAGO, ILLINOIS 60637

UNIVERSITY OF CHICAGO