NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, AUGUST 1, 2019 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN ST.
BRENHAM, TEXAS

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – Councilmember Kolby

3. Service Recognitions
- **Kevin Schmidt, Information Technology 10 Years**

4. Special Recognition
- **GFOA Distinguished Budget Presentation Award**
  - *Ninth Consecutive Year*

5. Citizens Comments

CONSENT AGENDA

6. Statutory Consent Agenda

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

6-a. Approve a Noise Variance for Royalty Tax Service for a Back to School Event to be Held on August 11, 2019 from 3:00 p.m. – 7:00 p.m. at 612 Alamo Street and Authorize the Mayor to Execute Any Necessary Documentation **Page 1**

WORK SESSION

7. Discussion and Presentation Related to Adopting a Debt Management Policy for the City of Brenham **Pages 2-11**

PUBLIC HEARING

8. **Public Hearing to Consider Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas 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 (Case Number P-19-023)**

Pages 12-16

9. **Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the Following Tracts of Land (Case Number P-19-026):**

   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 (f/k/a 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 and 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)** **Pages 17-26**

10. **Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology 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 (Case Number P-19-024)** **Pages 27-37**

11. **Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 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 (Case Number P-19-025)**

Pages 38-47

12. **Public Hearing to Consider Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)** **Pages 48-60**

13. **Public Hearing, Discussion and Receipt of Input Related to the Proposed Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In** **Pages 61-62**

REGULAR SESSION

14. **Discuss and Possibly Act Upon Resolution No. R-19-019 Adopting a Debt Management Policy for the City of Brenham** **Pages 63-73**

15. **Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of $0.5140 per $100 Valuation for the 2019 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law** **Pages 74-76**

16. **Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In** **Pages 77-88**

17. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas 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 (Case Number P-19-023)** **Pages 89-96**

18. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the tracts of Land described in said Ordinance (Case Number P-19-026)** **Pages 97-102**

19. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology 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 (Case Number P-19-024)** **Pages 103-107**

20. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 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 (Case Number P-19-025)** **Pages 108-112**

21. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)** **Pages 113-119**

22. **Discuss and Possibly Act Upon Resolution No. R-19-020 Authorizing the Acceptance of Infrastructure Improvements in the Oak Alley Phase I and Phase II Subdivision** **Pages 120-126**

23. **Discuss and Possibly Act Upon a Bid for Contract No. 2018-04-R Related to the 2018 Louanna Estates Drainage Project Rebid and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 127-137**

24. **Administrative/Elected Officials Report**

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

Adjourn

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

CERTIFICATION

I certify that a copy of the August 1, 2019 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on July 29, 2019 at **12:53 PM.**

Kacey A. Weiss, TRMC
Deputy City Secretary I

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

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2019 at _____ AM PM.

_____ _____
Signature Title

NOISE VARIANCE REQUEST

Application Fee $10.00

1. Name of sponsoring organization: Royalty Tax Service

2. Name and address of individual making application on behalf of sponsoring organization: Shawn Robertson 43910 Hwy 290 Bus Waller TX 77484

3. Purpose of the Event: Back TO School Giveaway

4. Location of Event: 612 Alamo St. 77833

5. Date of the event: August 11, 2019

6. Time of Event: 3 to 7

7. Event Set-up: From: 3 To: 7

   Event Clean-up: From: 3 To: 7

8. You are required to describe the following:

   a) Types of Activities Planned and any additional information specific to this event: We will provide free haircuts, free backpacks, free food and a moonwal. $200 cash giveaway. There is a music performance and a dance group perform

   b) Bands/Musical Instruments: DJ

   c) Sound amplification equipment: DJ speaker

   d) Cleanup provisions: Event will be cleaned and returned to original state after the event.

Shawn Robertson
Name of Applicant (Printed or Typed)

Date: 7/17/2019

Applicant or Authorized Person's Signature

Phone: 832 721 5639

Have you ever been found guilty of a criminal offense involving crimes against property, moral turpitude, and/or a felony by any Court? ____Yes ✓ No. If "Yes", please identify the offense, State of conviction and penalty imposed (attach additional sheets if necessary):

AGENDA ITEM 7

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 29, 2019
DEPT. OF ORIGIN: Finance	**SUBMITTED BY:** Carolyn Miller

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION
	☒ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discussion and Presentation Related to Adopting a Debt Management Policy for the City of Brenham

SUMMARY STATEMENT: The Government Finance Officers Association (GFOA) recommends that state and local governments adopt a comprehensive, written Debt Management Policy. Debt management policies are written guidelines, allowances, and restrictions that guide the debt issuance practices of state or local governments, including issuance process, management of a debt portfolio, and adherence to various laws and regulations. Adherence to a debt management policy signals to rating agencies and the capital markets that a government is well managed. Finally, debt management policies should be approved by the issuer's government body to provide credibility, transparency and to ensure that there is a common understanding among elected officials and staff regarding the issuer's approach to debt financing. According to GFOA, comprehensive debt management policies address five (5) areas:

1. Debt Limits (7.0, 13.0, 14.0)
2. Debt Structuring Practices (6.0, 8.0, 15.0)
3. Debt Issuance Practices (10.0, 12.0, 17.0, 18.0)
4. Debt Management Practices (5.0, 9.0, 16.0)
5. Use of Derivatives (7.6)

Numbers in the parentheses identify what section these areas are addressed in the Debt Management Policy for the City of Brenham. The policy was reviewed by the Audit Committee on March 7, 2019 and the City's Investment Advisor on July 12, 2019. Suggested changes have been incorporated into the final policy document.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Debt Management Policy dated August 1, 2019
FUNDING SOURCE (Where Applicable):
RECOMMENDED ACTION: No action – discussion only
APPROVALS: James Fisher

CITY OF BRENHAM
DEBT MANAGEMENT POLICY
August 1, 2019

1.0 POLICY

It is the policy of the City of Brenham to develop and maintain a sound, debt management program. This policy sets forth the criteria for debt financing decisions and establishes the parameters for issuing new debt, as well as, managing the outstanding debt portfolio. The Policy identifies the types and amounts of permissible debt that preserves the current bond rating in order to minimize borrowing costs and ensure access to credit.

2.0 SCOPE

The City of Brenham Debt Management Policy applies to all debt instruments issued by the City of Brenham, regardless of funding source. Funding sources can be derived from ad valorem taxes, general City revenues, enterprise fund revenues, internal service fund revenues, component unit revenues, or any other identifiable source of revenue that may be deemed as appropriate pledging for bonded indebtedness.

3.0 OBJECTIVES

The primary objective of the Debt Management Policy is to ensure that the City establishes and maintains a solid position with respect to its Debt Service Fund. The Policy is intended to demonstrate that proceeds from long-term debt will not be used for current operations but rather for capital improvements and other long-term assets. Compliance with the Debt Policy will facilitate compliance with applicable federal, state and local laws, the City's charter provisions, and GFOA best practices.

Other objectives include:

A. Bonds will be paid back within a period not to exceed, and preferably sooner than, the expected useful life of the capital asset.
B. Debt decisions will be based on a number of criteria and will be evaluated against long-term goals rather than short-term fix.
C. Debt decisions will be integrated with the City's Capital Improvement Program.
D. Debt service funds will be managed and invested in accordance with all federal, state and local laws.

4.0 CRITERIA

Debt funding is one of three methods for financing capital assets. Capital assets include vehicles, equipment, facilities, IT hardware/software, and infrastructure (e.g. streets, drainage, utility plants, utility distribution lines) with useful lives that exceed one year and costs that exceed $15,000. Major, non-routine, maintenance that increases an existing capital asset's service capacity, useful function, or useful life is a capital investment and is eligible for long-term financing. In addition to debt funding, capital assets may be funded by pay-as-you-go (PAYGO) financing and public-private partnerships (P3). Historically, the City of Brenham has used PAYGO and debt financing for capital assets. PAYGO funds come from operating revenues and/or excess reserves.

The pros and cons in deciding PAYGO versus debt financing recommendations include:

PAYGO Financing	Debt Financing
Pros: • Future funds are not tied up in servicing debt payments • Interest savings can be put toward other projects • Greater budget transparency • Avoid risk of default Cons: • Long wait time for new infrastructure • Large projects may exhaust an agency's entire budget for capital projects • Inflation risk • Generational equity – the capital asset may primarily benefit future generations	Pros: • Infrastructure is delivered when it's needed • Spreads cost over the useful life of the asset • Increases capacity to invest • Capital asset's beneficiaries pay for the asset Cons: • Potentially high borrowing rate • Debt payments limit future budget flexibility • Diminishes the choice of future projects • Generations forced to service debt requirements

Source: OpenGov – Capital Financing 101

5.0 RECOMMENDATION RESPONSIBILITY

The primary responsibility for developing financing recommendations rests with the Chief Finance Officer. In developing the recommendations, the Chief Finance Officer shall be assisted by the Financial Advisor, City Manager, Strategic Budget Officer, and Controller. The Chief Finance Officer will be responsible for the following activities:

A. Meeting held no less than once a year with the City Manager and Strategic Budget Officer to consider the need for financing and assess progress on the Capital Improvement Program.
B. Annual update and review of Peer Benchmarking and Debt Capacity measures.
C. Annual review of Financial Advisor, Bond Counsel, Paying Agent and other service providers to evaluate the effectiveness and quality of services being provided.

6.0 DEBT STRUCTURE

Debt service will be structured, to the greatest extent possible, to match projected cash flows, minimize the impact of future property tax levies, and maintain a relatively rapid payment of principal. The term of the debt issuance should equal the lesser of the useful life of the asset being financed or the maximum maturity permitted by State law for the obligations issued to finance the acquisition and construction of the asset.

6.1 Fixed Interest versus Variable Interest

The City primarily issues fixed rate bonds to protect the City against interest rate risk. The City has the option to issue variable rate bonds and may, should market conditions warrant, consider such a structure after adoption of a separate variable rate policy. Commercial paper notes, due to their short term maturities (270 days or less), are treated as variable rate obligations.

6.2 Other Considerations

Usually, bonds are issued with a final maturity of approximately 20 years or less for general obligation bonds, certificates of obligation and revenue bonds but may be greater for some projects whose lives are greater than 20 years.

Typically, interest is paid in the first fiscal year after a bond sale and principal is paid no later than the second fiscal year after the debt is issued.

Call provisions for bond issues shall be made as short as possible consistent with the low interest rate cost to the City. The targeted maximum length to call is 10 years. However, the City may opt for a call date longer than 10 years in order to achieve the necessary goals of the particular issue.

A Reimbursement Resolution must be adopted by the City Council if it is anticipated that any costs will be funded prior to closing of the corresponding debt issuance. The Reimbursement Resolution must indicate the maximum amount that can be funded, the source of cash for the funding and that if the corresponding debt issue does not close, the City Council is willing to approve the appropriation of funding for the advance. No exceptions are allowed without formal City Council approval.

7.0 FINANCING ALTERNATIVES

It is the City's intent to develop a level of cash and debt funded capital improvement projects that provide citizens with the desired amount of City services at the lowest cost. The City may utilize several types of municipal debt obligations to finance long-term capital assets. Although debt is an obligation to be repaid, it can assume many forms. The form and character of debt is typically determined by the nature of the funding source and nature of the asset to be purchased or improved. In determining the type of security for financing an improvement or purchase of a capital asset, the City may consider the following types and forms of debt, but is not limited to the following:

7.1 General Obligation Bonds (GOB) will be used if the following criteria are met:

- Quality-of-life projects – Projects such as but not limited to the City's parks, museums, libraries, non-public safety facilities, aquatics, entertainment, sports and amusement-type facilities
- Any non-essential strategic initiative or project
- The size of the total issuance may result in a 5% or greater increase to the debt service I&S tax rate
- Useful life of assets acquired will be twenty (20) year or more or will extend the useful life of an asset for more than twenty (20) years
- Voter authorized debt.

7.1.1 The total dollar amount of the bond election propositions recommended to the voters shall not exceed the City's estimated ability to issue said bonds within a normal 6 year period.

7.1.2 The use of reimbursement resolutions shall be encouraged as a cash management tool for general obligation debt funded projects.

7.2 Certificates of Obligation will be used if the following criteria are met:

- Essential, non-quality-of-life projects
- Capital asset acquisitions (heavy equipment, fire vehicles with useful lives 20 years or greater and costs greater than $500,000)
- Rehabilitation and/or extension of the useful life of existing facilities
- Street reconstruction and improvements
- Drainage improvements
- Unpaved Rights of Way
- ADA retrofitting/rehabilitation projects
- Projects arising from federal or state mandates
- Street lighting
- Major core facilities (police, fire, streets, etc.)
- Emergency city facilities and/or infrastructure rehabilitation

Notwithstanding the Policy set forth herein and in section 7.1, certificates of obligation or other long-term debt may be considered if the following criteria are met:

- The need for the project is urgent and immediate
- The project(s) is necessary to prevent an economic loss to the City
- Source of revenue is specific and can be expected to cover the additional debt
- The expected debt is the most cost effective financing option available

In addition, the average maturity of non-voter approved debt shall not exceed the average life of the project financed. Reimbursement resolutions may be used for projects funded through certificates of obligation.

7.3 Certificates of Obligation – Enterprise Fund

Certificates of obligation for an enterprise system will be limited to only those projects which can be demonstrate the capability to support the certificate debt through its own revenues, or other pledged source other than ad valorem taxes and meet the same criteria as outlined in 7.2 above.

7.4 Revenue Bonds

Revenue bonds will be issued for projects that generate revenues that are sufficient to repay the debt. Except where otherwise required by State Statutes, revenue bonds may be issued without voter approval and only in accordance with the laws of Texas.

7.5 Other Debt Obligations

The use of other debt obligations, permitted by law, including but not limited to public property finance act contractual obligations, pension obligations, tax notes, notes payable, and lease purchase obligations, will be reviewed on a case-by-case basis. The findings in 7.2 and 7.3 above will be considered for the use of these obligations.

7.6 Use of Derivatives

The use of derivatives is prohibited.

8.0 CREDIT ENHANCEMENTS

Credit enhancements are mechanisms which guarantee principal and interest payments. They include bond insurance and a line or letter of credit. A credit enhancement, while costly, will usually bring a lower interest rate on debt and higher rating from the rating agencies, thus lowering overall costs.

During debt issuance planning, the Financial Advisor will advise the City whether or not a credit enhancement is cost effective under the circumstances and what type of credit enhancement, if any, should be purchased. In a negotiated sale, bids will be taken during the period prior to the pricing of the sale. In a competitive sale, bond insurance may be provided by the purchaser if the issue qualifies for bond insurance.

9.0 DEBT APPROVAL PROCEDURES

9.1 Approval by the City Manager

All City financing transactions shall be prepared by the Chief Financial Officer for approval by the City Manager, prior to submittal to the Audit Committee.

All financing transactions for City subsidiary corporations and agencies shall be prepared and presented jointly to the City Manager and Chief Financial Officer and the Executive Director of the corporation and agency. The debt transactions must be approved by the City Manager prior to submittal to the corporation or agency board for approval and forwarding to the City Audit Committee.

9.2 Review by Audit Committee

All proposed long-term financing transactions for capital improvements and assets shall be reviewed by the City's Audit Committee. For matters related to review by the Audit Committee, "long-term financing" means financing that constitutes an obligation beyond one fiscal year.

a. The City Council should not authorize the issuance of any long-term financing until the Audit Committee completes its review of the proposed transaction and submits its recommendation to the City Council.
b. The Chief Financial Officer, City Manager and City Attorney should review proposed transactions submitted to the Audit Committee prior to submission.
c. Upon approval by the Audit Committee, the proposed transaction shall then be presented to the full City Council.
d. In the absence of a quorum of the Audit Committee, the Chief Finance Officer has the authority to present the proposed transaction to the City Council without prior review of the Audit Committee.
e. The City Council shall comply with all public hearing requirements applicable to the specific type of bond being approved.

10.0 METHODS OF SALE

The City will use the method of sale that results in the most cost effective, efficient debt issuance process. The City will engage the services of an independent financial advisor to assist with determining the method of sale and the selection of other financing team members.

11.0 PERMITTED INVESTMENTS

All investments of bond proceeds shall adhere to the City's Investment Policy, approved periodically by City Council. Investments shall not allow security types or credit standards less than those of the City's Investment Policy and the term of the investments must not be in excess of the term of the bonds.

12.0 REFUNDING OF DEBT

The City will engage the services of an independent financial advisor when considering potential saving from refunding of debt. From time to time, the City may also issue refunding debt for purposes of restructuring debt, changing covenants, and/or changing the repayment source of the bonds. Such purpose should be specifically recognized by City Council.

12.1 Advance refunding and forward delivery refunding transactions for savings should be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 3%.

12.2 Current refunding transactions issued for savings should be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 2%.

13.0 DEBT SERVICE TAX RATE

Council shall adopt the necessary debt service tax rate in order to meet debt service principal, interest and fee payments, net of transfers, for each particular fiscal/budget year, subject to any reserve availability. State statutes limit the amount of general obligation debt a governmental entity may issue to $2.50 per $100 valuation of its total assessed valuation. Additionally, the City's charter allows a tax rate limit not exceeding $1.65 per $100 valuation for any one year.

14.0 DEBT LIMITS

Direct debt outstanding includes bonded debt principal, capital leases and notes payable that are tax-supported and self-supported. For tax-supported debt, the following debt limits apply.

14.1 The total principal amount outstanding of tax-supported debt of the City shall not exceed three percent of the total assessed valuation of the City's tax rolls.

14.2 The total tax-supported debt payment of the City shall not exceed 17.5 percent of non-capital expenditures for Governmental Funds.

For self-supported debt, such as enterprise fund (utilities) debt, the debt limit is based on the debt coverage ratio. Debt coverage ratio refers to the number of times the current combined debt service requirements or payments are covered by the current operating revenues net of on-going operating expenses.

14.3 The City will maintain a minimum debt service coverage ratio of 1.15 times unless otherwise dictated by bond covenants.

14.4 Conduit debt limitations will be determined on a case-by-case basis. Creditworthiness of the borrower, credit rating and purpose for the debt are factors that will be considered.

15.0 MATURITY LEVELS/STRUCTURE

15.1 The term of debt shall not exceed the useful life of the capital asset being financed, and in no case shall exceed twenty-five (25) years. The average life (weighted) of each general obligation bond series shall be kept at or below 12.5 years.

15.2 Debt structure should approximate level debt service unless operational matters dictate otherwise. Market factors, such as the effects of tax-exempt designations, the cost of early redemption options and the like, will be given consideration during the structuring of long-term instruments.

16.0 MANAGEMENT OF DEBT SERVICE FUND

16.1 Interest earnings from general obligation bonds and certificates of obligation shall be used solely to fund direct or related capital expenditures or to service current and future debt payments. Interest earnings will be allocated in accordance with the City's Investment Policy.

16.2 Debt service reserves for tax-supported debt shall maintain between a two-month (minimum) and three-month (maximum) reserve of the current year total debt service expenditure budget (i.e. Total Annual Debt Service Budget/12 months x 3 months). If this reserve balance is below minimum or exceeds maximum during any given fiscal year, a plan should be adopted to increase or reduce the size of the reserves as quickly as possible without causing large variances in the ad valorem property tax rate.

16.3 Debt service reserves for revenue bonds shall be maintained at levels required by controlling bond ordinances.

16.4 The City shall comply with all Internal Revenue Service rules and regulations including but not limited to arbitrage.

17.0 RATINGS

The City's goal is to achieve and maintain the highest possible bond ratings that result from managing the City to best meet the needs and goals of the citizens.

17.1 The City will strive to maintain good relationships with bond rating agencies as well as disclose financial reports and information to these agencies and to the public.

17.2 The City will obtain a rating from at least one nationally recognized bond-rating agency on all issues being sold on the public market.

17.3 Timely disclosure of annual financial information including other information will be provided to the rating agencies. The Comprehensive Annual Financial Report (CAFR) will be prepared by management and attested to by an external audit firm. The rating agencies will also be notified in advance when the City begins preparation for a debt issuance, and the Chief Financial Officer will be responsible for coordination and interaction during the bond rating process and periodic rating reviews.

17.4 Timely disclosure of any pertinent financial information that could potentially affect the City's credit rating will also be presented to the rating agencies, required information repositories, bond insurance companies insuring City of Brenham debt, and commercial banks providing liquidity support.

18.0 FINANCIAL ADVISOR

The City will use a financial advisor to assist the City in bond issuance and debt management oversight. The City's financial advisor must be a firm that is independent of banking, underwriting, or other interests to assure that the selected financial advisor can effectively represent the City in negotiations with bankers, underwriters, and other service providers needed for the issuance of debt.

19.0 DEBT MANAGEMENT POLICY REVIEW

Compliance with the Debt Management Policy shall be performed annually by the Controller and the Strategic Budget Officer and any modifications reviewed by the Audit Committee and adopted by City Council.

AGENDA ITEM 8

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 26, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	**CLASSIFICATION:**	**ORDINANCE:**
☒ **REGULAR**	☒ **PUBLIC HEARING**	☐ **1ST READING**
☐ **SPECIAL**	☐ **CONSENT**	☐ **2ND READING**
☐ **EXECUTIVE SESSION**	☐ **REGULAR**	☐ **RESOLUTION**
	☐ **WORK SESSION**	

AGENDA ITEM DESCRIPTION: Public Hearing to Consider Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas 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 (Case Number P-19-023)

SUMMARY STATEMENT: City Staff have recently been asked to consider an amendment to the Code of Ordinances, Appendix A – Zoning, to reduce the standard parking space dimensions. In the coming twelve to eighteen months, the city is expecting to see an increase in the number of building permits for residential and commercial development.

Parking standards are not only considered for new, greenfield development, but are also considered when an existing site re-develops or when a new tenant requests electricity for a new use in an existing building. Often times retrofitting existing sites to meet the city's minimum parking standards is challenging. Therefore, staff recommends a reduction to the minimum parking space size for 45°, 60°, and 90° spaces and proposes a minimum parking space size for compact parking spaces.

In addition to revising the standard parking space dimensions, staff proposes to consider parking lot standards in general and consider an amendment to increase landscaping requirements in parking areas. Currently landscaping is required to be provided at 5% of the parking areas with no tree or shrub requirements. Staff recommends approval of an ordinance to increase the minimum landscaping to 15% of the developed area (8% for redeveloping property) and establish tree and screening requirements.

Please see the attached staff report for a more detailed description and summary of the proposed amendments.

On Monday, July 22, 2019, the Planning and Zoning Commission met to consider the proposed text amendment. No comments were made during the public hearing portion of the proposed amendment. Following the public hearing, the Commission **voted unanimously to recommend approval** of the proposed text amendment **with the recommendation that the minimum parking space size be 9'x20' as oppose to the staff recommendation of 9'x19'.**

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): **A. PROS:** **B. CONS:**
ALTERNATIVES (In Suggested Order of Staff Preference): N/A
ATTACHMENTS: (1) Staff Report to the Planning and Zoning Commission
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Discussion only
APPROVALS: James Fisher

City of Brenham
Planning and Zoning Commission
Staff Report
July 22, 2019

CASE NUMBER P-19-023
TEXT AMENDMENT – Parking Lot Standards

REQUEST:

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.

BACKGROUND:

City Staff have recently been asked to consider an amendment to the Code of Ordinances, Appendix A – Zoning, to reduce the standard parking space dimensions. In the coming twelve to eighteen months, the city is expecting to see an increase in the number of building permits for residential and commercial development.

When property develops within the City of Brenham, 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.

Parking standards are not only considered for new, greenfield development, but are also considered when an existing site re-develops or when a new tenant requests electricity for a new use in an existing building. Often times retrofitting existing sites to meet the city's minimum parking standards is challenging.

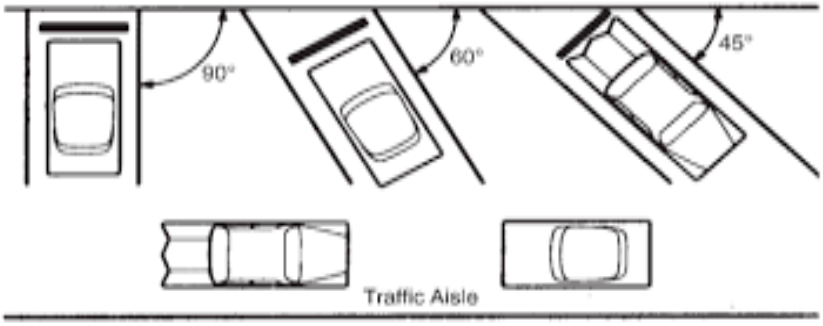
During the due diligence process of the Baker-Katz retail development project, it was determined by the prospect's clients that the city's 10'x20' minimum parking space dimension is larger than average. As a result, the developer is not currently able to provide desired extra parking, above and beyond the minimum parking requirements, as originally planned. At this time it was requested that the city consider reducing the size of the standard parking space dimensions in Brenham.

In addition to revising the standard parking space dimensions, staff proposes to consider parking lot standards in general and consider an amendment to increase landscaping requirements in parking areas. Currently landscaping is required to be provided at 5% of the parking areas with no tree or shrub requirements. Comparatively, Brenham is incredibly behind in landscaping requirements with cities of a similar size (square miles) and population containing tree preservation ordinances, minimum tree requirements, requiring irrigation, and right-of-way screening.

PROPOSED AMENDMENTS:

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

Parking Space Angle	Proposed Dimensions	Existing Dimensions
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

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 existing site development standards to accommodate development and modernize development requirements.

Staff recommends adopting a narrower parking space size (from 10' to 9') to allow for additional on-site parking spaces and to promote a reduction in impervious coverage during site construction. For comparison, nearby cities have standard parking space requirements ranging from 9' wide by 19' deep (Magnolia, Tomball, Nacogdoches) to 9' wide by 20' deep (Bastrop), or 8' wide by 20' deep (Bryan). Additionally, Texas Accessibility Standards (TAS) requires that handicap spaces be a minimum of 8' wide with an adjacent 5' wide loading zone. Overall, City of Brenham minimum parking space dimensions are larger than average and result in additional impervious coverage on-site.

Similarly, the City's adopted Zoning Ordinance cites landscaping as a method to separate different land uses, to minimize potential nuisances, and to mitigate against unsightly buildings or parking areas. Landscaping requirements help to provide for the orderly, attractive and healthful development of property and promote general welfare of the community. The use of landscape features can contribute to air purification, water absorption, and mitigate against noise, light, and heat hindrances. Staff proposes increasing the ratio of required landscaping in parking areas and establishing tree and screening shrub planting requirements adjacent to parking areas to allow development to contribute to the aesthetic charm of the community.

Staff finds that the proposed parking space and landscape standards further clarify the goals established in the City's adopted Zoning Ordinance and Comprehensive Plan and will allow for orderly, attractive and healthful development of the rapidly growing community.

PUBLIC COMMENTS:

The Notice of Public Hearing for the aforementioned Text Amendment was published in the Brenham Banner on July 12, 2019. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council prior to their decision on the matter.

STAFF RECOMMENDATION:

Staff recommends **approval** of an ordinance to amend site development standards by reducing parking space standards and increasing landscaping requirements.

AGENDA ITEM 9

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 24, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	**CLASSIFICATION:**	**ORDINANCE:**
☒ **REGULAR**	☒ **PUBLIC HEARING**	☐ **1ST READING**
☐ **SPECIAL**	☐ **CONSENT**	☐ **2ND READING**
☐ **EXECUTIVE SESSION**	☐ **REGULAR**	☐ **RESOLUTION**
	☐ **WORK SESSION**	

AGENDA DESCRIPTION: Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the Following Tracts of Land (Case Number P-19-026):

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 (f/k/a 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 and 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)

SUMMARY STATEMENT: On June 11, 2019, the City of Brenham received a rezoning request application by Circle K, to rezone their property at the eastern corner of the intersection of FM-577 and State Highway 105 from a Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology Use District (B-2).

The reason for the rezoning request by Circle K is to allow the demolition of the current property improvements and reconstruction of a Convenience Store/Fuel Station (Automobile Service Station) at the existing location. The City of Brenham Zoning ordinance does not permit by-right the use of an Automobile Service Station in the B-1 zoning district. In the past and currently, Circle K has been operating as a grandfathered (legally nonconforming) use. With the proposed demolition, Circle K desires to rezone the property to allow the re-construction to be in compliance with the city's adopted zoning ordinance.

When examining the proposed rezoning request by Circle K, city staff found that adjacent properties in the vicinity of Circle K are also zoned B-1 and are also developed with legally non-conforming uses. Furthermore, it was identified that rezoning the Circle K property alone would be considered "spot zoning" as adjacent properties on all sides of the Circle K property are currently zoned B-1. Property located further north, along SH-105 were annexed

into the City of Brenham city limits in 2006 and at that time were zoned B-2. Due to the aforementioned circumstances, city staff finds that it is appropriate to rezone property located north of the intersection of FM-577 and SH-105 to the B-2 district.

The proposed city-initiated rezoning includes four properties with four different owners. Each of the four properties are currently zoned as B-1, Local Business/Residential Mixed Use District and suggested to be rezoned to B-2, Commercial Research and Technology District. The B-2 zoning district allows all uses allowed in B-1 (with the exception of single-family residential) and includes additional commercial and light industrial uses including: automobile/vehicular uses, lumber yards, and wholesale uses.

The proposed rezoning request is in accordance with land use policies adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that industrial and commercial/retail uses generating an increased amount of traffic are appropriate adjacent to major arterials.

No public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

On Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission voted unanimously to recommend approval of this rezoning request.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference): N/A

ATTACHMENTS: (1) Staff Report to the Planning and Zoning Commission

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Discussion only

APPROVALS: James Fisher

City of Brenham
Planning and Zoning Commission
Staff Report
July 22, 2019

CASE NUMBER P-19-026
ZONE CHANGE REQUEST – STATE HIGHWAY 105

STAFF CONTACT: Stephanie Doland, Development Services Director

OWNERS/APPLICANTS: Various owners/City of Brenham

ADDRESS/LOCATION: 1701, 1711, 1801 & 1803 State Highway 105, and a portion of the tract adjacent to and east of 1708 State Highway 105 (Exhibit A).

LEGAL DESCRIPTIONS:

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)

ZONING DISTRICT/USE: Local Business/Residential Mixed Use District (B-1) / Commercial (Exhibit B)

FUTURE LAND USE: Commercial/Retail

REQUEST: A city-initiated request to change the zoning classification from a Local Business/ Residential Mixed Use District (B-1) to a Commercial Research and Technology Use District (B-2) (Exhibit C).

BACKGROUND:

On June 11, 2019 the City of Brenham received a rezoning request application by Circle K, to rezone their property at the eastern corner of the intersection of FM-577 and State Highway 105 from a Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology Use District (B-2). The aforementioned rezoning request is scheduled by the Planning and Zoning Commission during the regular meeting on July 22, 2019.

The reason for the rezoning request by Circle K is to allow the demolition of the current property improvements and reconstruction of a Convenience Store/Fuel Station (Automobile Service Station) at the existing location. The City of Brenham Zoning ordinance does not permit by-right the use of an Automobile Service Station in the B-1 zoning district. In the past and currently, Circle K has been operating

as a grandfathered (legally nonconforming) use. With the proposed demolition, Circle K desires to rezone the property to allow the re-construction to be in compliance with the city's adopted zoning ordinance.

When examining the proposed rezoning request by Circle K, city staff found that adjacent properties in the vicinity of Circle K are also zoned B-1 and are also developed with legally non-conforming uses. Furthermore, it was identified that rezoning the Circle K property alone would be considered "spot zoning" as adjacent properties on all sides of the Circle K property are currently zoned B-1. Property located further north, along SH-105 were annexed into the City of Brenham city limits in 2006 and at that time were zoned B-2. Due to the aforementioned circumstances, city staff finds that it is appropriate to rezone property located north of the intersection of FM-577 and SH-105 to the B-2 district.

The proposed rezoning includes four properties with four different owners. Each of the four properties are currently zoned as B-1, Local Business/Residential Mixed Use District and suggested to be rezoned to B-2, Commercial Research and Technology District. The B-2 zoning district allows all uses allowed in B-1 (with the exception of single-family residential) and includes additional commercial and light industrial uses including: automobile/vehicular uses, lumber yards, and wholesale uses.

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 properties are currently developed with an automobile service station (gas station/convenience store), car wash, vacant commercial building, and vacant land. The four subject properties are all adjacent to SH-105 north of the intersection of FM-577 and SH-105. Properties in the general vicinity are developed with a combination of uses, including a plumbing office, truck repair business, TXDOT offices, and various other business uses. The subject tracts of land are currently zoned B-1 and properties located generally north are zoned B-2, and south across FM-577 are a combinations of B-1, and R-2 (Mixed Residential District). Staff finds that rezoning the above-described four tracts of land will allow existing businesses to continue operations in a legally conforming manner and will allow for development and re-development in a manner that is consistent with the existing development pattern in the general vicinity.

(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 the Envision 2020 Comprehensive Plan suggests the subject properties may be appropriate for commercial/retail uses. The subject tracts are located adjacent to SH-105, an arterial roadway on the city's adopted Thoroughfare Plan. Arterial roadways are capable of handling traffic generated by retail and commercial uses. Therefore, the city's adopted long-range plans recommends that the City consider permitting commercial and retail uses along highly traveled roadways such as SH-105. If the requested zone change were approved, the subject property would allow for the development of retail and commercial uses and staff believes 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 majority of the subject properties are currently developed and currently have access to existing utility services located along the right-of-ways for SH-105. The vacant property located to the north of Circle K could tie on to existing city services at the time of 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 July 11, 2019. The Notice of Public Hearing was published in the Brenham Banner on July 12, 2019. 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 insure that adequate open space is preserved as residential and commercial development and redevelopment occur.

As previously mentioned, many of the subject tracts are already developed. However, should the property be redeveloped and the rezoning request approved minimum building setbacks and maximum impervious coverage requirements shall apply. Staff finds that the aforementioned requirements will ensure that adequate open spaces is preserved on the subject properties.

(7) The city's zoning should insure 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 believes 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.

Rezoning the subject property to Commercial Research and Technology District will allow the subject properties to either continue their existing uses or develop in accordance with property in the general vicinity. Staff finds that property located north of the intersection of FM-577 and SH-105 is appropriate for heavy commercial and light industrial uses. The nearest residential land uses are located south of the subject properties, across FM-577 and along Brown Street and Simon Avenue. Allowing property located along two major arterial roadways to be developed with commercial uses is in accordance with the land use policies adopted in the Comprehensive Plan and is consistent with the development pattern in the general vicinity.

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

Staff finds that rezoning the property will protect adjacent existing and future residential neighborhoods due to the City adopted development standards including requirements related to buffer yards, screening, setbacks, drainage and landscaping.

(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. The proposed rezoning request, if approved, will allow two properties to operate as a legally conforming land use rather than continuing to operate as a grandfathered use. Staff finds that rezoning the tracts will assist in stabilizing the property values and ensuring that existing businesses in operation will be brought into compliance with the City's adopted zoning ordinance.

(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 development for a mixture of land uses, including retail, office, commercial, and light industrial uses. Staff believes that the proposed zoning change, if approved, will allow for commercial development that will serve the properties in the general vicinity and the community. There are additional properties in the vicinity that are currently vacant, zoned residential, and could be developed for residential use.

(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.

Staff finds that two of the four tracts are currently operating as legally non-conforming uses under the current B-1 zoning district. However, the subject properties are compatible to adjacent uses as property in the vicinity and adjacent to the subject tracts are developed with non-residential, business uses. Staff finds that approval of the proposed zone change will correct the nonconforming status of the property and promote the goals and objectives of the City's adopted zoning ordinance and Comprehensive Plan.

(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.

STAFF RECOMMENDATION:

Staff recommends **approving** the proposed rezoning to the Commercial Research and Technology zoning use district (B-2) for the subject properties identified above.

EXHIBITS:

A. Aerial Map
B. Zoning Map
C. Site photos

EXHIBIT "A"
AERIAL MAP

EXHIBIT "B"
ZONING MAP

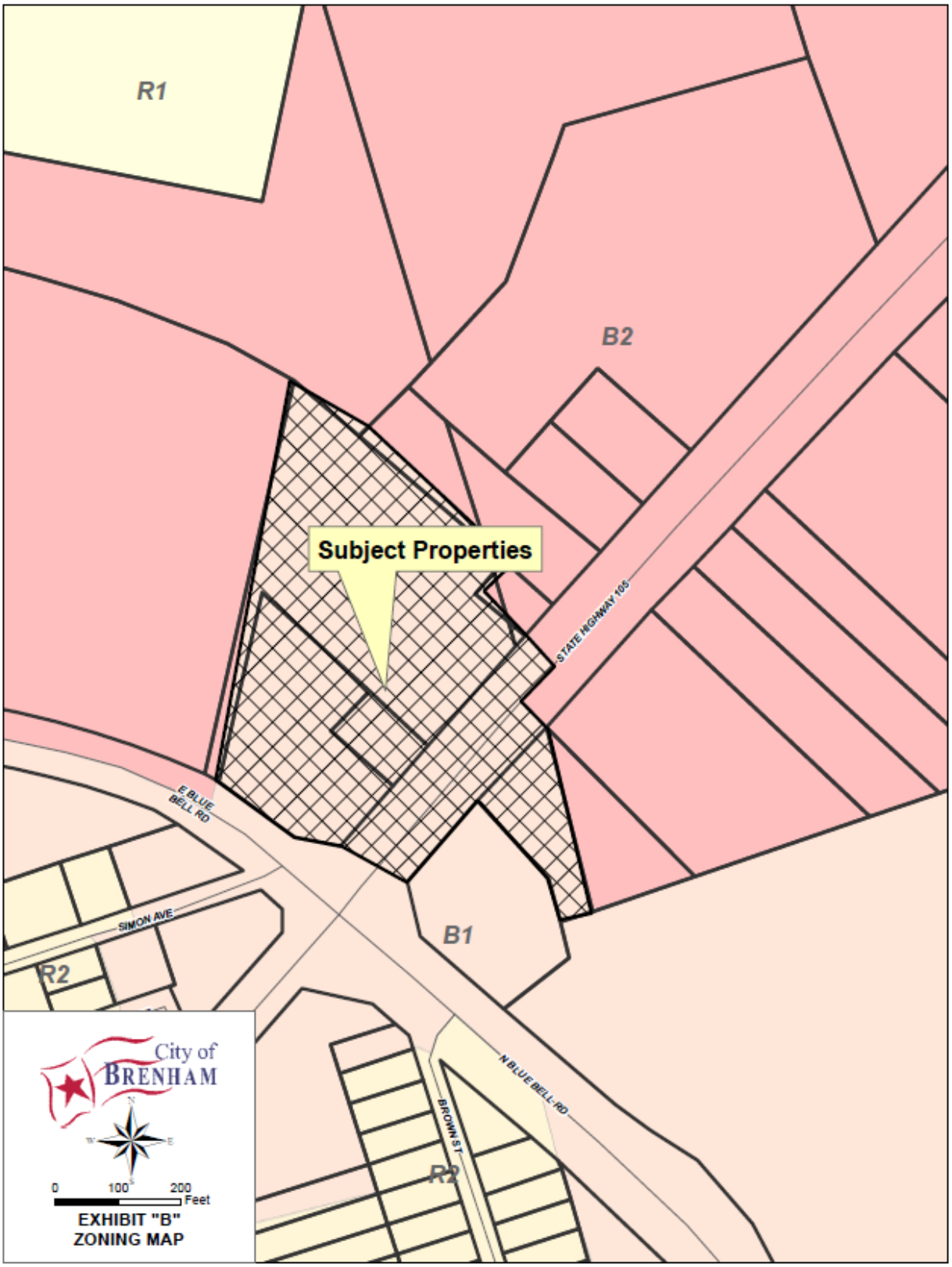


EXHIBIT "C"
SITE PHOTOS

1701 State Hwy 105, looking west

1701 State Hwy 105, looking west

1801 State Hwy 105, looking west

Property between T3TNT and Valero, facing east on Hwy 105

AGENDA ITEM 10

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 25, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	**CLASSIFICATION:**	**ORDINANCE:**
☒ **REGULAR**	☒ **PUBLIC HEARING**	☐ **1ST READING**
☐ **SPECIAL**	☐ **CONSENT**	☐ **2ND READING**
☐ **EXECUTIVE SESSION**	☐ **REGULAR**	☐ **RESOLUTION**
	☐ **WORK SESSION**	

AGENDA DESCRIPTION: Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology 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 (Case Number P-19-024)

SUMMARY STATEMENT: Circle K is the property owner of a 1.056-acre tract of land located at the southeast corner of the intersection of State Highway 105 and N. Blue Bell Road. This property is developed with an existing convenience store, car wash, and gas pumps. The applicant is requesting that the property be rezoned from a Local Business Residential Mixed Use District (B-1) to a Commercial Research and Technology District (B-2) to demolish the current property improvements and redevelop the site with a convenience store / fuel station.

The proposed rezoning request is in accordance with land use policies adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that industrial and commercial/retail uses generating an increased amount of traffic are appropriate adjacent to major arterials.

No public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

On Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference): N/A

ATTACHMENTS: (1) Staff Report to the Planning and Zoning Commission

FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Discussion only
APPROVALS: James Fisher

City of Brenham
Planning and Zoning Commission
Staff Report
July 22, 2019

CASE NUMBER P-19-024
ZONE CHANGE REQUEST – 1708 STATE HIGHWAY 105

STAFF CONTACT:	Stephanie Doland, Development Services Director
OWNERS/APPLICANTS:	Circle K
ADDRESS/LOCATION:	1708 State Highway 105/southeast corner of the intersection of State Highway 105 and N. Blue Bell Road (Exhibit A).
LEGAL DESCRIPTION:	Lot 1 of the Southeast Portion of Post Oak Grove Addition.
LOT AREA:	Approximately 1.056 acres
ZONING DISTRICT/USE:	Local Business/Residential Mixed Use District (B-1) / Commercial (Exhibit B)
FUTURE LAND USE:	Commercial/Retail
REQUEST:	A request to change the zoning classification from a Local Business/ Residential Mixed Use District (B-1) to a Commercial Research and Technology Use District (B-2) (Exhibit C).

BACKGROUND:

The subject property is located east of the intersection of State Highway 105 and North Blue Bell Road and is currently owned by Circle K. The subject property is developed with an existing convenience store, car wash, and gas pumps. This property, as well as surrounding properties, are currently zoned as B-1 Local Business Mixed Residential Use District. Property located in ther general vicninty, north of the subject tract and adjacent to SH 105 is currently zoned B-2, Commercial Research and Technology District.

Circle K is requesting that the subject 1.056 acre property be rezoned from B-1 to B-2. The reason for this rezoning request is to allow the demolition of the current property improvements and reconstruction of a Convenience Store/Fuel Station (Automobile Service Station) at this location. The City of Brenham Zoning ordinance does not permit by-right the use of an Automobile Service Station in the B-1 zoning district. In the past and currently, Circle K has been operating as a grandfathered use. With the proposed demolition, Circle K desires to rezone the property to allow the re-construction to be in compliance with the City's adopted zoning ordinance.

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 at the eastern corner of FM-577 and SH-105, a major intersection and along two arterial roadways. Property located to the north and east of the subject tract is currently vacant land, also zoned B-1. Property across SH-105 is developed with an automobile service station (gas station/convenience store), car wash, plumbing business, heavy truck repair business, and multiple other commercial uses. For decades the subject property has been developed with an automobile service station and the property owner desires to reconstruct the service station with a more feasible site layout and additional fuel pumps. Allowing the proposed rezoning request would allow the approximately 1-acre tract to be redeveloped as an automobile service station. Staff finds that the existing and proposed use of a service station at this location is in accordance with development pattern in the general vicinity.

(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 the Envision 2020 Comprehensive Plan suggests the subject property may be appropriate for commercial/retail uses. If the requested zone change were approved, the subject property would allow for the redevelopment of an automobile service station at this location. Staff believes 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 is currently served by existing City of Brenham utilities including, water, sewer, gas and electric which are located along the right-of-ways of N. Blue Bell Road and SH-105. Staff finds that existing utilities in the area can serve the subject property and the proposed re-development of the subject property.

(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 July 11, 2019. The Notice of Public Hearing was published in the Brenham Banner on July 12, 2019. 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 insure 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 all applicable site development and building codes, including minimum building setbacks and maximum impervious coverage requirements for property zoned B-2. Staff finds that the aforementioned requirements will ensure that adequate open spaces is preserved on the subject property.

(7) The city's zoning should insure 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 believes 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.

Rezoning the subject property to Commercial Research and Technology District will allow the subject property to develop in accordance with property in the general vicinity. The subject 1+ acres of land is located at the intersection of two arterial roadways that are both capable of handling traffic associated with uses allowed in the B-2 district. Properties located to the north of the subject tract, along SH-105 were annexed into the City of Brenham in 2006 and at that time were zoned B-2. The subject tract, as well as additional parcels located north of the intersection of FM-577 and SH-105 are also proposed to be rezoned to B-2 during the Planning and Zoning Commission meeting for which the proposed Circle K rezoning is scheduled to be considered. Staff finds that property located north of the intersection of FM-577 and SH-105 is appropriate for heavy commercial and light industrial uses. The nearest residential land uses are located south of the subject property along Brown Street and Simon Avenue. Allowing property located along two major arterial roadways to be developed with commercial uses is in accordance with the land use policies adopted in the Comprehensive Plan and is consistent with the development pattern in the general vicinity.

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

Staff is unaware of any negative impacts to residential uses in the general vicinity. The nearest residential uses are located across N. Blue Bell Road along Simon Avenue and Brown Street. Any future residential neighborhoods will be protected from incompatible land uses due to the City's adopted development standards including requirements related to buffer yards, screening, setbacks, drainage and landscaping.

(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 development for a mixture of land uses, including retail and commercial uses, and specifically automobile service stations. Staff believes that the proposed zoning change, if approved, will allow for commercial development that will serve the properties in the general vicinity and the community. There are additional vacant properties in the vicinity that could be utilized to serve neighborhood, community and regional market needs.

(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 developed, planned to be demolished and redeveloped. Staff is not aware of any hindrances on the property created by legally existing incompatible uses. The proposed rezoning will allow for compatible, legally conforming development.

(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 **approving** the proposed rezoning to the Commercial Research and Technology zoning use district (B-2) for the subject 1.056-acre tract, **subject to the approval of Case No. P-19-026** a City initiated rezoning for property adjacent to State Highway 105.

EXHIBITS:

A. Aerial Map
B. Zoning Map
C. Cover Letter
D. Conceptual Site Plan
E. Site photos

EXHIBIT "A"
AERIAL MAP

EXHIBIT "B"
ZONING MAP

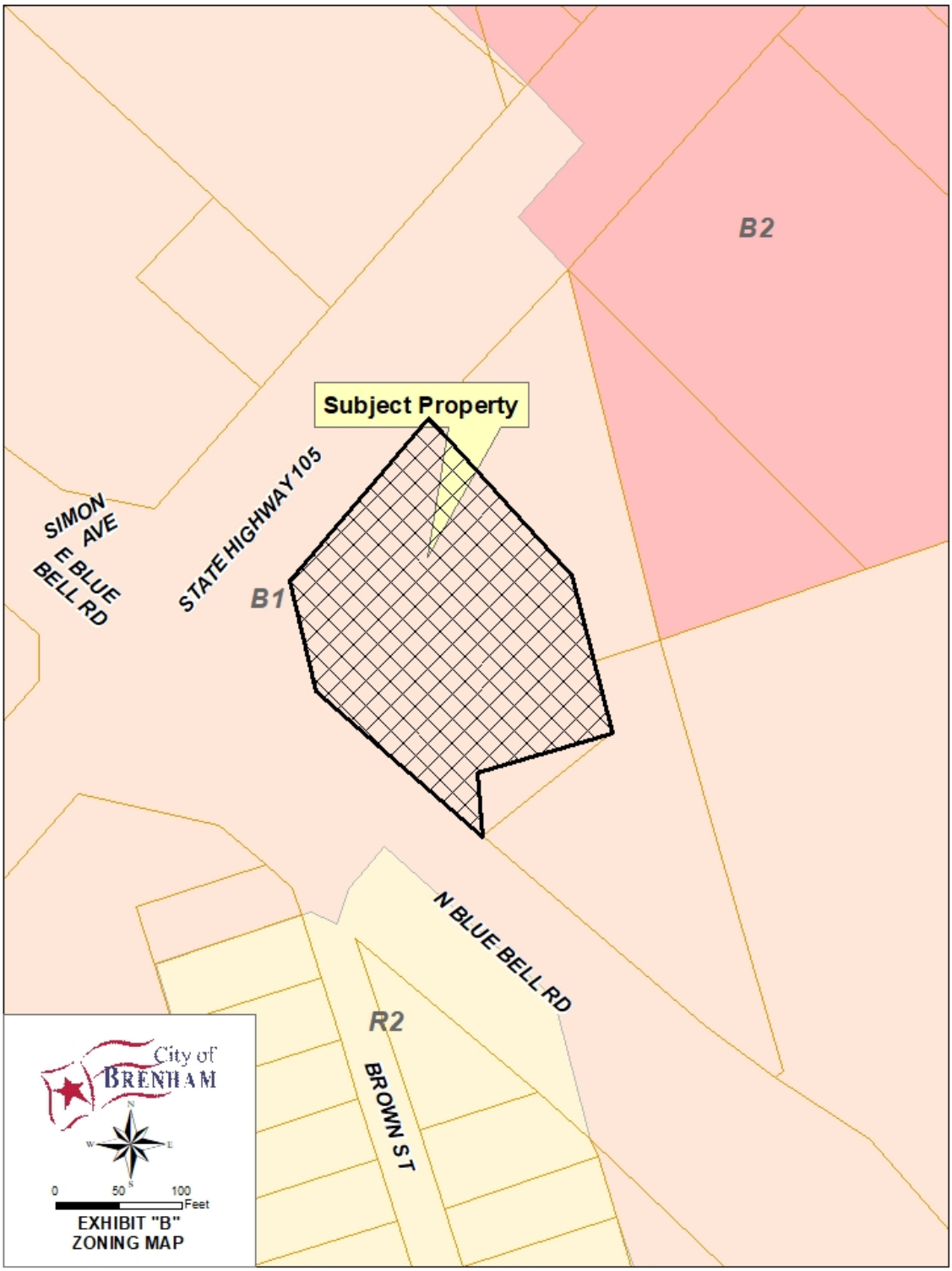


EXHIBIT "C"
COVER LETTER

ALJ Lindsey

June 11, 2019

Stephanie Doland
Board of Adjustments
200 W. Vulcan
Brenham, Texas 77833
P:979-337-7220

Re: 1708 Hwy 105 E – Rezoning

Ms. Doland,

On behalf of Circle K, I am requesting the site at 1708 Hwy 105 E to be rezoned from B-1 to B-2. Rezoning this site will allow the site to remain as a convenience store.

This site has functioned as a convenience store and gas station since before 1995. The current zoning does not allow for this use and the requested zone change would permit the site to continue as a convenience store.

For this reason, I request the site be rezoned to B-2 from B-1 to conform to the current and desired use.

I greatly appreciate your consideration of this matter. If you need additional information, please do not hesitate to contact me directly at 281-301-5955 ext. 1007.

Sincerely,

Patrick Carrigan, P.E.
Partner
ALJ-Lindsey, LLC
TSBPE Firm No. F-11526
Email: pcarrigan@aljlindsey.com
Office: 281-301-5955 ext. 1007

EXHIBIT "D"
CONCEPTUAL SITE PLAN

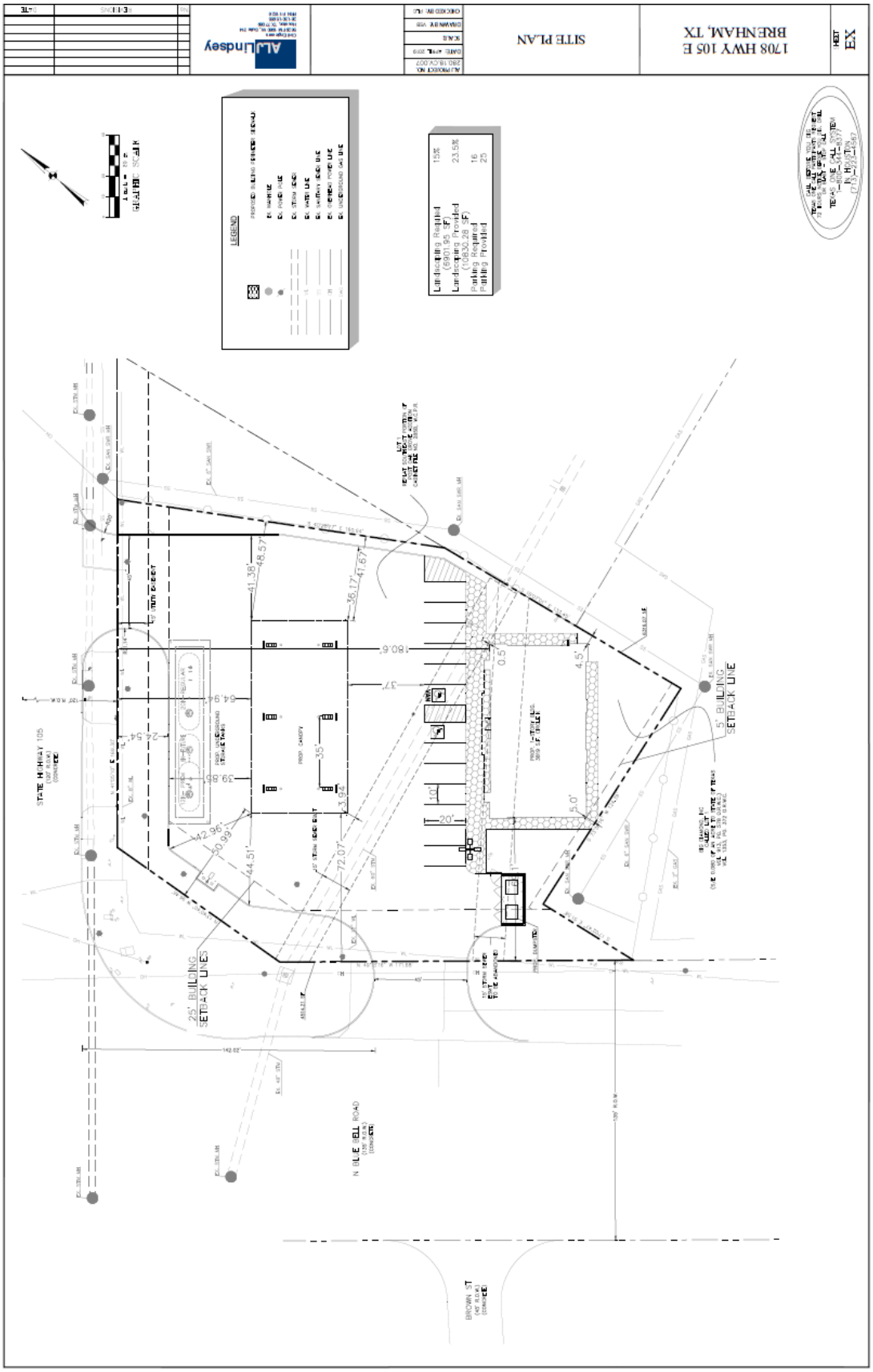


EXHIBIT "E"
SITE PHOTOS

Looking southeast across State Hwy 105

AGENDA ITEM 11

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 25, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☒ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA DESCRIPTION: Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 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 (Case Number P-19-025)

SUMMARY STATEMENT: The subject property was acquired by Blinn College in the early 1990's and is zoned as R-2, Mixed Residential Use Zoning District. The subject tract consists of 2.29 acres platted into various lots as part of the Keys 1st Subdivision and is located along West Fifth Street between Prairie Lea Street and High Street.

Blinn College, 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 at a later date. Blinn College has requested that the property be rezoned to B-2, which allows for College and University uses by-right.

The proposed rezoning request is in accordance with future land use map adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that commercial/retail uses are appropriate at this location.

No public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference): N/A

ATTACHMENTS: (1) Staff Report to the Planning and Zoning Commission

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Discussion only
APPROVALS: James Fisher

City of Brenham
Planning and Zoning Commission
Staff Report
July 22, 2019

CASE NUMBER P-19-025
ZONE CHANGE REQUEST – W. FIFTH AND HIGH STREETS

STAFF CONTACT:	Stephanie Doland, Development Services Director
OWNERS/APPLICANTS:	Blinn College District
ADDRESS/LOCATION:	901, 905, 909, 911 & 913 W. Fifth Street and 1104 & 1106 High Street (Exhibit A).
LEGAL DESCRIPTION:	Lots 1, 2A, and 4 in Block 21 of the Key's First Addition.
LOT AREA:	Approximately 2.29 acres
ZONING DISTRICT/USE:	Mixed Residential Use District (R-2) / Commercial (Exhibit B)
FUTURE LAND USE:	Commercial/Retail
REQUEST:	A request to change the zoning classification from a Mixed Residential Mixed Use District (R-2) to a Commercial Research and Technology Use District (B-2) (Exhibit C).

BACKGROUND:

The subject property was acquired by Blinn College in the early 1990's and is zoned as R-2, Mixed Residential Use Zoning District. The subject tract consists of 2.29 acres platted into various lots as part of the Keys 1st Subdivision and is located along West Fifth Street between Prairie Lea 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 at a later date. Blinn has requested that the property be rezoned to B-2, which allows for College and University uses by-right.

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 in the vicinity of many public/institutional uses with a mixture of single-family and multiple-family residential uses. The 2.29 acre tract is located along West Fifth Street in between Prairie Lea Street and High Street and is primarily vacant land with two residential homes constructed along High Street. Property located north, across West Fifth Street is zoned B-2, Commercial Research and Technology District and is developed with the Blinn Football Stadium. Property located west, across Prairie Lea Street is also zoned B-2 and developed with the Prairie Lea

Cemetery. Property located across High Street is zoned R-2, Mixed Residential Use District and is owned by Blinn College and multiple single-family home owners. Land adjacent to the south of the subject tract is currently owned by the First Pentecostal Church and zoned R-2. Blinn College is requesting to rezone the subject property to B-2 to allow for the construction of an entry monument sign which would serve as a landmark for entrance into the Blinn College campus. As mentioned, the property is located in an area with a mixture of land uses, primarily public uses, and approval of the proposed rezoning request would allow the property to develop in keeping with the development pattern in the general vicinity.

(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 the Envision 2020 Comprehensive Plan suggests the subject property may be appropriate for commercial/retail uses. The requested B-2 zoning district allows for a mixture of land uses, including Junior Colleges, and would permit Blinn College to further develop the primarily vacant tract with additional College related uses. If the requested zone change were approved, the subject property would allow for the development of the proposed entry monument sign, and in the future, would allow for dorms, academic or office buildings. Staff believes 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 is primarily vacant and existing utility services are located along the right-of-ways Prairie Lea, West Fifth and High Street and can be utilized to serve the future development on the property.

(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 July 11, 2019. The Notice of Public Hearing was published in the Brenham Banner on July 12, 2019. 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 insure that adequate open space is preserved as residential and commercial development and redevelopment occur.

If approved, the property will be required to adhere to minimum building setbacks and maximum impervious coverage requirements for property zoned B-2. The B-2 zoning district establishes a maximum impervious coverage limit of 85% and minimum building setbacks. Staff finds that the adopted zoning ordinance and building codes will ensure that adequate open spaces is preserved on the subject property.

(7) The city's zoning should insure 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 believes 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.

Rezoning the subject property to B-2 will allow Blinn College to develop the subject property in accordance with property in the general vicinity. The subject 2.29 acres of land is located at the entrance to the Blinn College campus, adjacent to the Prairie Lea Cemetery and a local faith based organization. Allowing the property to develop with additional public and institutional uses will preserve the existing culture in the general vicinity. Nearby residential uses are located across High Street and further east along West Fifth Street. Many of the residential uses in the neighborhood and surrounding areas are located adjacent to the Junior College and various other public (faith-based) uses. Additionally, at the time of development Blinn will be required to adhere to applicable minimum setback, buffer yard and screening requirements. Buffer yard and screening requirements are established to preserve existing neighborhoods and ensure adjacent property develops in a manner compatible to nearby land uses.

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

Staff finds that rezoning the property will protect adjacent existing and future residential neighborhoods due to the City adopted development standards including requirements related to buffer yards, screening, setbacks, drainage and landscaping.

(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 that 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.

Vacant property zoned for commercial uses is located generally north and west of the subject tract. Staff believes that the proposed zoning change, if approved, will allow for orderly commercial development that will serve the properties in the general vicinity and the community. Similarly, there are additional properties in the vicinity that could be utilized for residential use.

(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 primarily vacant, and staff is not aware of any hindrances on the property created

by legally existing incompatible uses. The applicant's request will allow the subject property to develop with a mixture of land uses and if approved, will allow for compatible, legally conforming development.

(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 **approving** the proposed rezoning to the Commercial Research and Technology zoning use district (B-2) for the subject tracts.

EXHIBITS:

A. Aerial Map
B. Zoning Map
C. Cover Letter
D. Site photos

EXHIBIT "A"
AERIAL MAP

EXHIBIT "B"
ZONING MAP

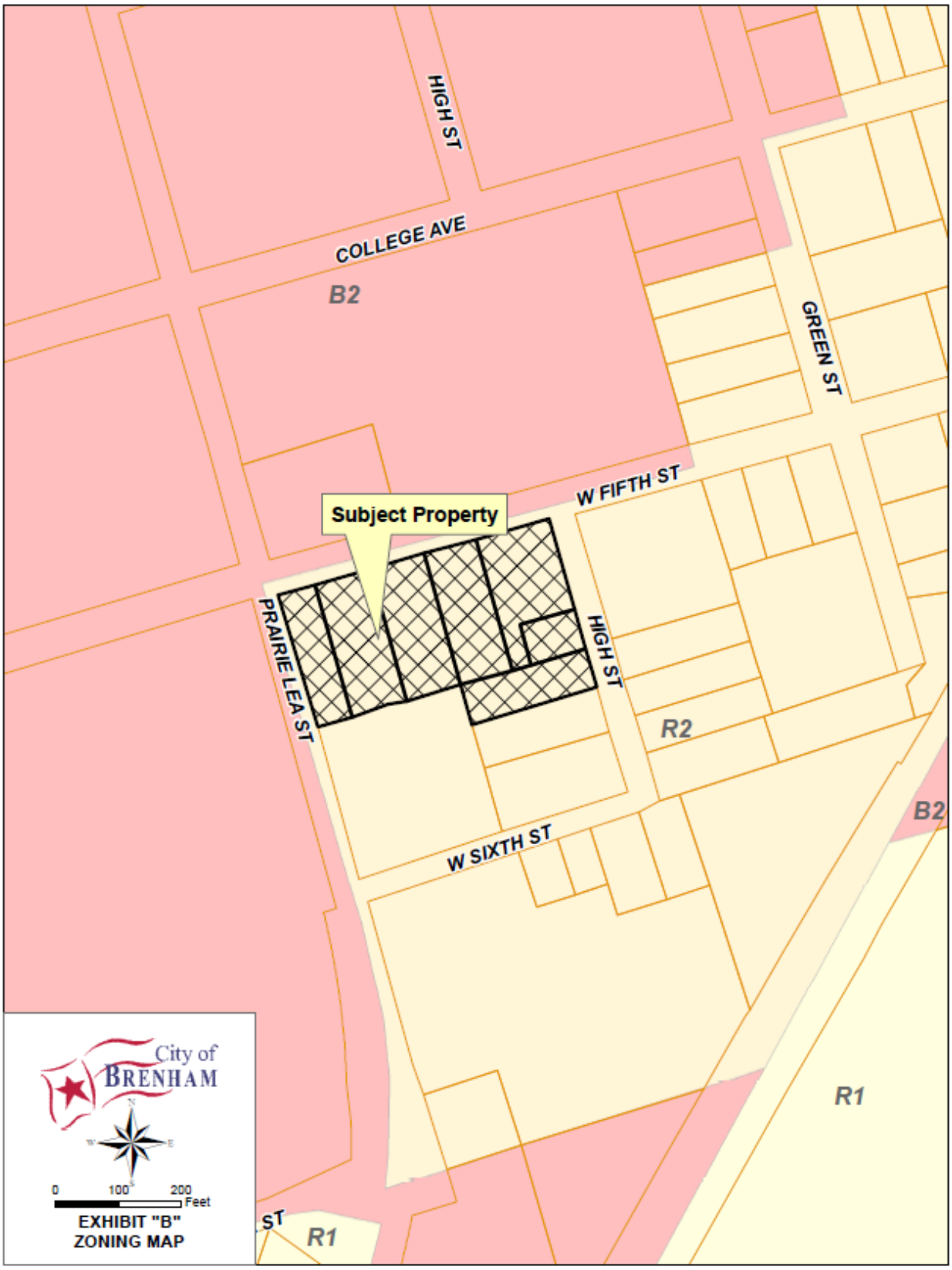


EXHIBIT "C"
COVER LETTER

BLINN
COLLEGE DISTRICT

June 20, 2019

Richard O'Malley, P.E. (inactive)
Assistant Vice Chancellor of Facilities, Planning, and Construction
Blinn College District
902 College Ave.
Brenham, Texas 77833

RECEIVED
JUN 21 2019

Planning and Zoning Commission
City of Brenham
200 W. Vulcan
Brenham, Texas 77833

Re: Rezoning – 901, 905, 909, 911 and 913 W. Fifth St.; 1104 and 1106 High St.

Dear Planning and Zoning Commission,

The Blinn College District is requesting to rezone lot 901, 905, 909, 911 and 913 W. Fifth St.; and 1104 and 1106 High St. from an R1Residential Single Family use to a B2 Commercial Research and Technology Use. This change in zoning will allow Blinn College District to develop this property currently owned by the district for use by an educational institution.

Best Regards,

Richard O'Malley, P.E. (inactive)
Assistant Vice Chancellor of Facilities, Planning, and Construction

EXHIBIT "D"
SITE PHOTOS

Intersection of Fifth St. and High St.

Intersection of Fifth St. and Prairie Lea St.

AGENDA ITEM 12

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 24, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☒ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Public Hearing to Consider Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)

SUMMARY STATEMENT: Texas Plumbing Supply (applicant) together with the Boettcher Family (current property owners) are requesting approval of a Specific Use Permit on approximately 2.19 acres of land 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 is currently zoned as B-1, Local Business/Residential Mixed Use Zoning District. 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 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. Mr. Fuller proposes to completely screen from view by adjacent right-of-way and property owners any outdoor storage located on the property.

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.

Two public comments in support of the proposed SUP were received prior to the Planning and Zoning Commission meeting. On Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission **voted unanimously to recommend approval** of the SUP request, **with the condition that all outdoor storage be completely screened from view by adjacent right-of-way and residential property.**

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): **A. PROS:** **B. CONS:**
ALTERNATIVES (In Suggested Order of Staff Preference): N/A
ATTACHMENTS: (1) Staff Report to the Planning and Zoning Commission
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Discussion only
APPROVALS: James Fisher

City of Brenham
Planning and Zoning Commission
Staff Report
July 22, 2019

CASE NUMBER P-19-027
SPECIFIC USE PERMIT REQUEST – 1608 & 1702 S. Market Street

STAFF CONTACT:	Stephanie Doland, Director of Development Services
OWNERS/APPLICANTS:	Boettcher Family Partnership LTD/ Texas Plumbing Supply
ADDRESS/LOCATION:	1608 & 1702 S. Market Street (Exhibit A).
LEGAL DESCRIPTION:	Part of Lots 1 & 2, and Lots 3-7 in Block L of the Stone Subdivision
LOT AREA:	Approximately 2.190 acres
ZONING DISTRICT/USE:	B-1 Local Business/Residential Mixed Use / Vacant Commercial Building (Exhibit B)
FUTURE LAND USE:	Commercial/Retail
REQUEST:	A request 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 (Exhibit C and D).

BACKGROUND:

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. 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.

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 2.19 acre tract of land is primarily adjacent to public right-of-way, including South Market Street to the east, South Baylor Street to the west East Mansfield Street to the north and adjacent property zoned B-1, Local Business Mixed District to the south. The applicant is requesting a SUP on the subject property to allow the use of outdoor display as an accessory use to a plumbing supply retail operation. Approval of the proposed SUP request will allow Texas Plumbing Supply to locate at the subject property and provide outdoor storage on the subject tract.

The SUP process allows staff to identify additional land uses, which may be appropriate in special circumstances. Staff recommends approval of the proposed SUP request, with the condition that all outdoor storage be completely screened from view by adjacent properties and city right-of-way. As shown on Exhibit D – Proposed Site Plan and referenced in the letter from the applicant (Exhibit C), the applicant plans to provide the aforementioned screening. Screening outdoor storage from view by vehicular traffic and adjacent properties will allow the plumbing supply business to operate at this location in a way that will help transition between adjacent land uses. To the east and west of the subject property, across the right-of-way exists a residential zoning district and single-family residential uses. Staff finds that approval of the proposed SUP with the condition of required screening will allow the property to re-develop in a manner that is in keeping with the development pattern in the general vicinity.

(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 the Envision 2020 Comprehensive Plan suggests the subject property may be appropriate for commercial/retail uses. Staff finds that the proposed request aligns with the goals and land use polices 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 is already developed with multiple buildings and currently has access to all needed public utilities, including, City of Brenham water, sewer, gas and electric lines.

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

The proposed SUP, 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 July 11, 2019. The Notice of Public Hearing was published in the Brenham Banner on July 12, 2019. 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 insure that adequate open space is preserved as residential and commercial development and redevelopment occur.

Should the property be re-developed, city staff will work with the property owner to bring the site into compliance with adopted and applicable site development and building codes such as minimum building setbacks and maximum impervious coverage requirements for property zoned B-1, Local Business/Residential Mixed Use. The applicant has submitted a site plan (Exhibit D) which does not depict any substantial changes to the site. Staff finds that the site development requirements will ensure that adequate open space is preserved on the subject property.

(7) The city's zoning should insure 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 believes that the requested use of outdoor storage as an accessory to a retail use is appropriate at this location given adjacent zoning designations, existing development in the vicinity, and conformance with the City's adopted Comprehensive Plan.

(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 is located in an area with a mixture of land uses. Land uses immediately adjacent to the subject tract are either similarly developed, similarly zoned or developed with right-of-way. Property in the general vicinity is zoned residential and developed with single-family residential uses. To preserve adjacent development and residential uses in the general vicinity, staff recommends approval of the proposed use of outdoor storage with the condition that all outdoor storage be screened from view by adjacent properties. Approval of the proposed use with the aforementioned condition of will allow the subject property to develop in keeping with property in the general vicinity. Staff finds that the proposed retail use and use of outdoor storage when properly screened will be compatible to nearby land uses and consistent with the land use policies established in the Comprehensive Plan.

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

Staff finds that approval of the proposed SUP and redevelopment of the property with primarily retail uses, will promote the orderly and healthful development of the community. Staff is unable to discern any factors related to this request that will adversely affect health, safety, morals, or general welfare of properties in the general vicinity or the community in general.

(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 believes that the proposed development will have a positive effect on the surrounding area.

The subject property has been primarily vacant for 2+ years and the proposed retail operation is in accordance with the future land use map and land use policies of Brenham's Comprehensive Plan. Staff is unable to determine any destabilizing effects on the neighboring properties should this specific use permit 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 SUP will allow the subject property to be operated as a retail plumbing business with outdoor storage. The subject tract has remained primarily vacant for 21+ years and allowing compatible re-development at this location will serve the adjacent neighborhood and community in a positive way. Staff believes that the proposed SUP, if approved, will not negatively affect vacant land classified for commercial uses.

(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 primarily developed with multiple structures previously used for the Boettcher Lumber Yard business. The property is also proposed to continue to be used by BBA Architects, LP and proposed as the new location for Texas Plumbing Supply. As previously mentioned, should the property owner desire to re-develop the subject property, staff will work bring the site into compliance with applicable site development and building codes.

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

Staff finds approval of the proposed SUP will allow for the orderly growth and development in the general vicinity and throughout the city.

STAFF RECOMMENDATION:

Staff recommends **approval** of a Specific Use Permit to allow open (outdoor) storage of retail merchandise as an accessory use to uses permitted in the B-1 Local Business/Residential Mixed Used Zoning District for the subject 2.190 acres of land **with the following conditions:**

1. **That all outdoor storage be completely screened from view by adjacent right-of-way and residential property.**

EXHIBITS:

A. Aerial Map
B. Zoning Map
C. SUP Application
D. Cover Letter to the Commission
E. Proposed Site Plan
F. Site photos

EXHIBIT "A"
AERIAL MAP

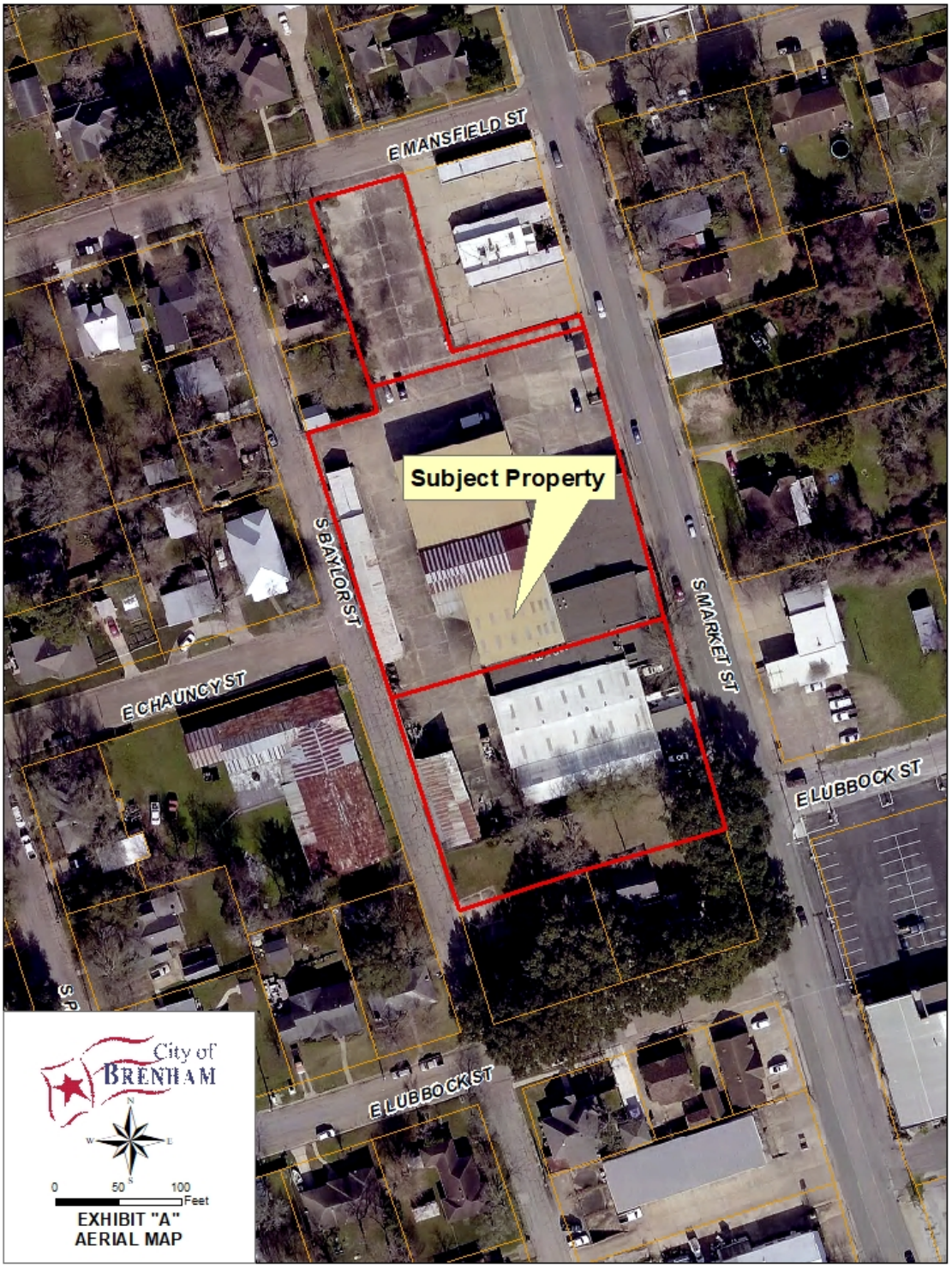


EXHIBIT "B"
ZONING MAP

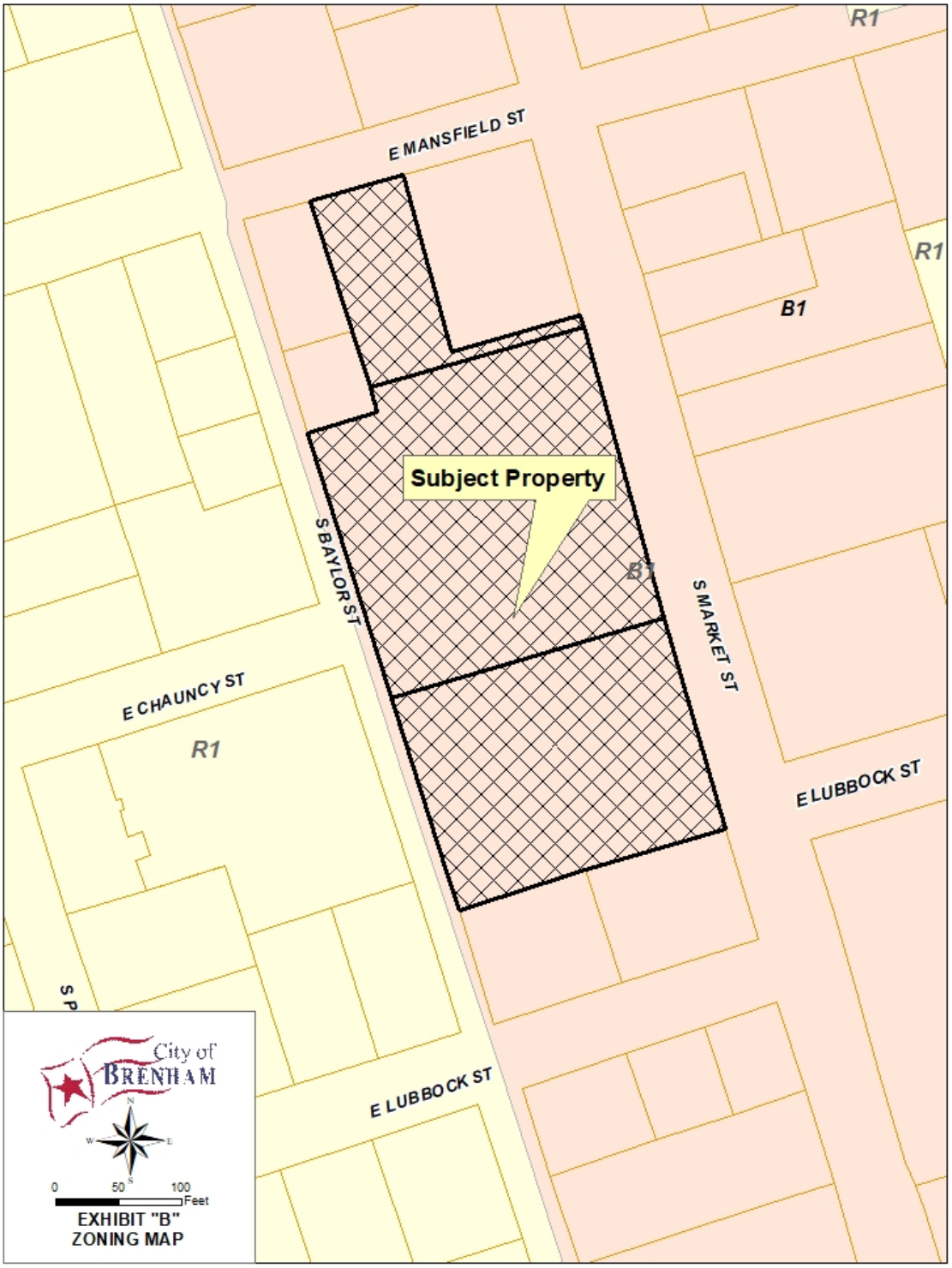


EXHIBIT "C"
COVER LETTER TO THE COMMISSION

TEXAS PLUMBING SUPPLY
Texans serving Texas since 1962

June 24th, 2019

City of Brenham

c/o Planning and Zoning Commission

re: Specific Use Permit for Boettcher Lumber Yard property

To Whom it May Concern,

My name is Glenn Fuller and I own and operate Texas Plumbing Supply. We are based out of Houston with a location operating in Brenham since 2009 located @ 2294 S. Market Street. I write this to request a Specific Use Permit to allow us to move my business to a new location, located in a zone B-1 area.

We are needing a location with more yard space than we currently have and came across the property located @ 1702 and 1608 S. Market Street, known previously as Boettcher Lumber Yard. We are considering purchasing this new property if we can continue to operate our existing Plumbing Supply business. Our business is to sell plumbing supplies to retail customers and to plumbers, just as we currently do. In addition to Texas Plumbing Supply operating from this new location, we plan to sign a lease with Boettcher Architects, LLP, allowing them to continue to operate from this location.

In order to operate our business, some materials are required to be stored outside but within our fenced in yard area. I am requesting Specific Use Permit to allow outside storage of material such as pallets and pipe to operate our business. (see Exhibit "A") If this permit is granted, I would be happy to install a shade or privacy netting in order to prevent anyone from seeing into our yard from the street. (see Exhibit "B") In addition to storing plumbing materials, we would park vehicles in the yard, just as they currently do.

Texas Plumbing Supply business hours are Monday through Friday 7:30am-4:30pm. Because of our hours, we operate a business that is not intrusive to our neighbors.

I look forward to this Commissions' consideration and decision of this Specific Use Permit request as I prefer to continue to be a good business partner operating in the City of Brenham.

If I can answer any questions, please feel free to call me at 281-858-8833 or my cell 832-367-0963.

Thank you in advance for your consideration.

Respectfully,

Glenn Fuller

July 17, 2019

City of Brenham

c/o Planning and Zoning Commission

re: Letter of Support for Texas Plumbing Supply for Specific Use Permit

To Whom It May Concern,

The Boettcher family writes this letter in support of Texas Plumbing Supply's request for a Specific Use Permit at 1608 and 1702 South Market Street.

The vision of opening a lumberyard in Brenham was developed by Ed Boettcher and his father in 1946. Ed was blessed to remain in the building supply business and subdivision development for 52 years. These years saw the purchase of the Coke building and resulting renovation of the Boettcher Building Center in 1981 with the Broesche/Boettcher Architect firm occupying the south east end of the building. The fact that Ed's son, Ben, was working adjacent to the lumberyard afforded them to work together on many projects. Ben Boettcher and Associates, Architects purchased the south end of the building from Ed in 2004 and still reside in this location. Upon the closing of the building center on March 7, 1998, the Boettcher family began searching for a buyer for the property.

The Boettcher family has entered into a contract with Texas Plumbing Supply, owned by the Fuller Family, for the purchase of the properties at 1608 and 1702 South Market Street. They believe that our facility is a good fit for the expansion of their business, allowing them to serve Brenham in an even larger capacity. Completion of this sales contract hinges upon approval of a special permit request that would allow for outside storage of plumbing supplies. Therefore, we respectfully request your consideration and approval of this permit. Such an approval will result in an effort to revitalize this area of Market Street since the Lumberyard has been vacant for over 20 years. Additionally, the Fuller Family plans for BBA Architects to remain in their current building and lease from them. The establishment at our South Market location of this thriving plumbing business would produce income to the City as well as other benefits.

While it will be bittersweet to close this chapter in our family's history, we know that it is time to move forward with allowing this space to be utilized by another vibrant business. We wish to express our gratitude to the City of Brenham for allowing our family to serve this great community through our businesses for the past 73 years.

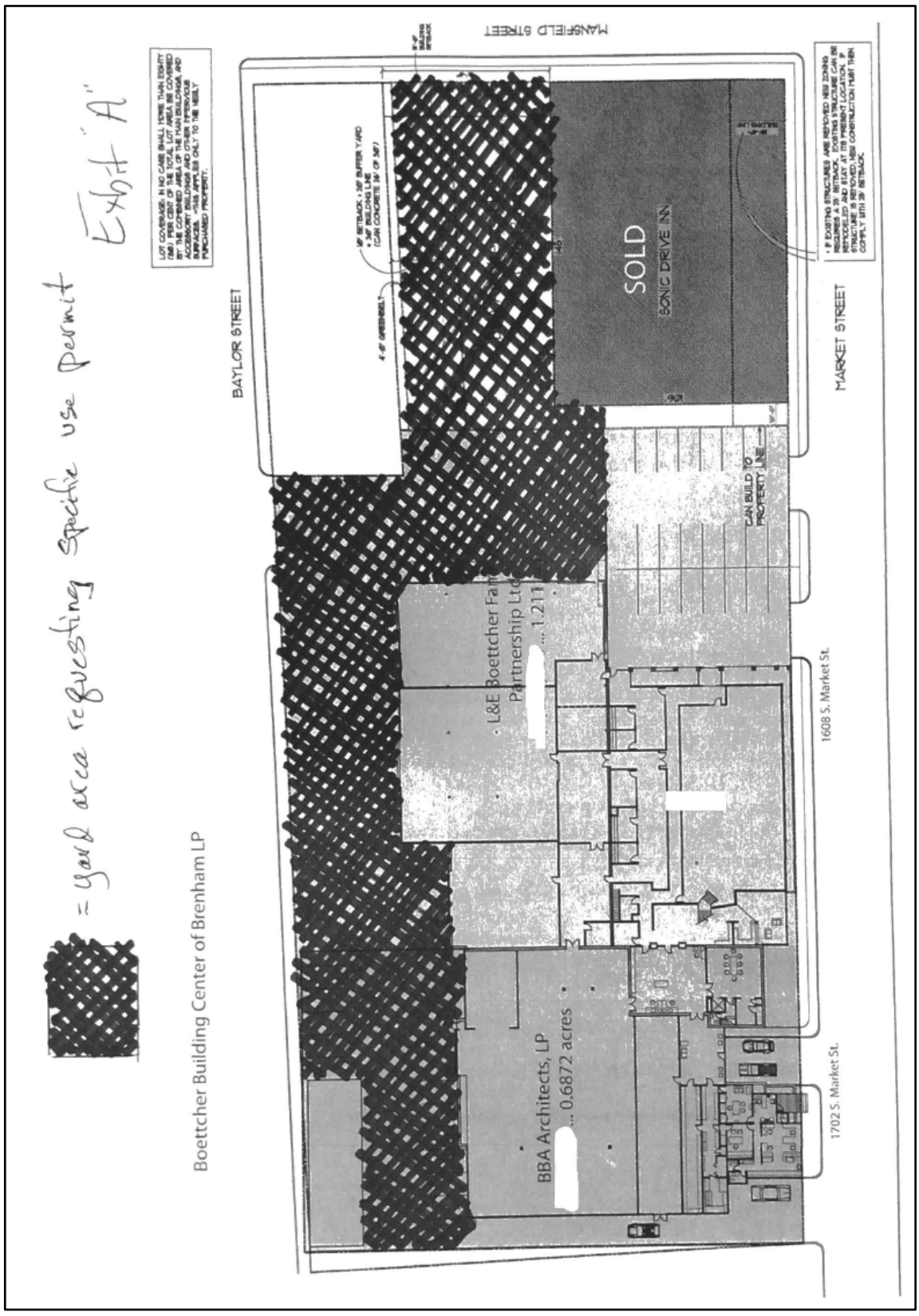
Thank you for your consideration and approval of this change.

Respectfully,

The Boettcher Family

Beverly Boettcher Love Amy Boettcher Ging Cynthia King Boettcher

EXHIBIT "D"
PROPOSED SITE PLAN



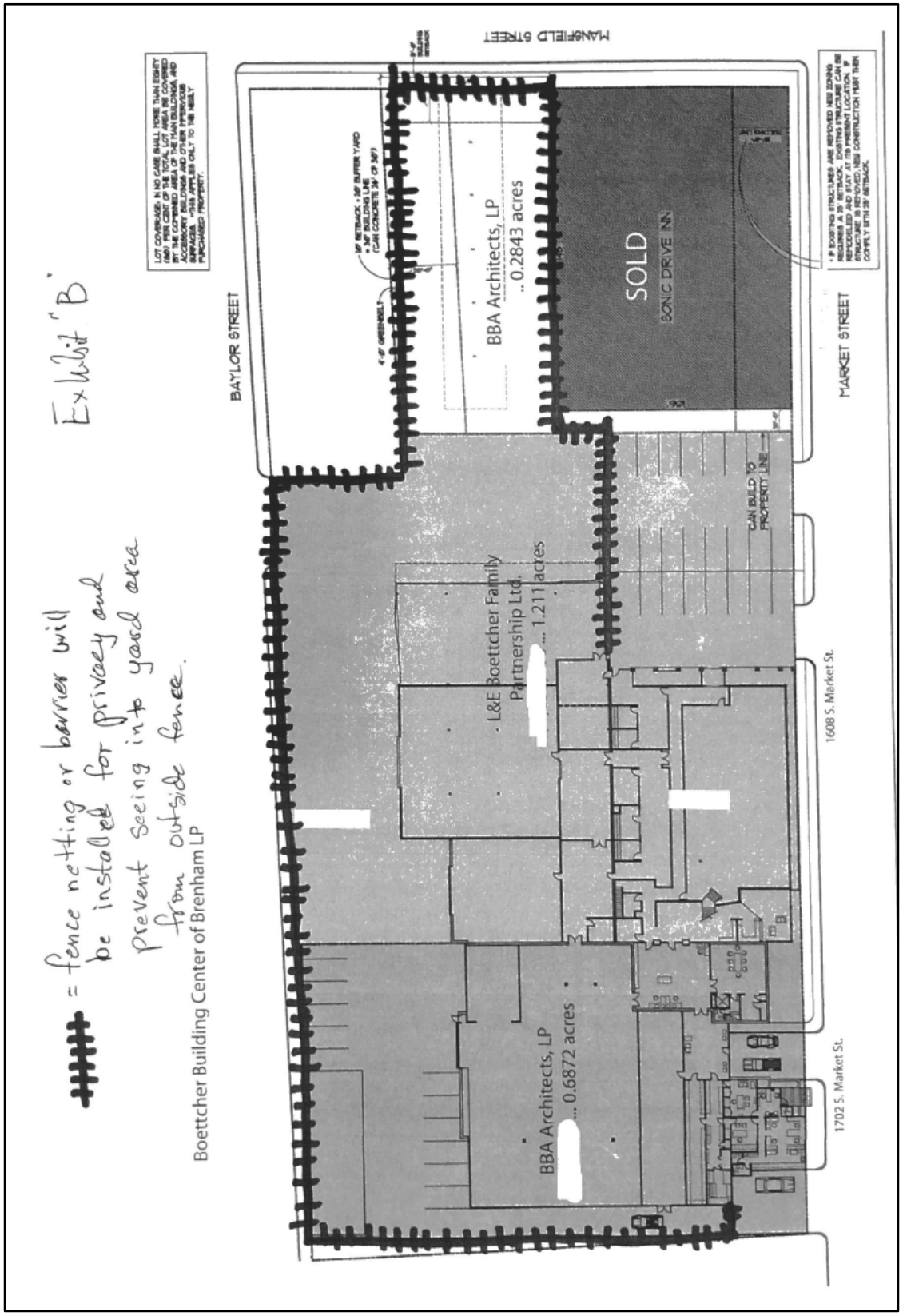


Exhibit 'B'
= fence netting or barrier will be installed for privacy and prevent seeing into yard area from outside fence.
Boettcher Building Center of Brenham LP
BAYLOR STREET
MANSFIELD STREET
MARKET STREET
BBA Architects, LP
.. 0.2843 acres
SOLD
SONIC DRIVE IN
L&E Boettcher Family Partnership Ltd.
... 1.211 acres
BBA Architects, LP
... 0.6872 acres
1608 S. Market St.
1702 S. Market St.
CAN BUILD TO PROPERTY LINE

EXHIBIT "E"
SITE PHOTOS

Looking west on S Market St.

Looking northwest on S Market St.

AGENDA ITEM 13

DATE OF MEETING: August 1, 2019 **DEPT. OF ORIGIN:** Economic Development	**DATE SUBMITTED:** July 26, 2019 **SUBMITTED BY:** Susan Cates

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☒ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Public Hearing, Discussion and Receipt of Input Related to the Proposed Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In

SUMMARY STATEMENT: Prior to considering the creation of a Reinvestment Zone for implementing a Tax Phase-In incentive for Del Sol Food Company, Inc. the City Council is required to hold a Public Hearing to receive input regarding the proposal.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Estimated increase in value of the property within RZ47 of $1.38M, additional employment of 10 full-time equivalent jobs, opportunity to support the expansion of our existing business, Del Sol Foods, through Tax Phase-In (for the Council to consider at the August 15th meeting)

B. CONS: none noted

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Copy of the Public Hearing Notice as published in the Brenham Banner Press on July 24, 2019

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Discussion only

APPROVALS: James Fisher

Notice of Public Hearing

The City of Brenham proposes the creation of Reinvestment Zone Number 47 for commercial tax phase-in on 27.965 acres of land located at 3015 – 3151 South Blue Bell Road, Brenham, Texas, being described more particularly as four (4) certain tracts of land as follows: 1) TRACT ONE being a tract of land containing 10.560 acres, more or less, described as Lot Two, Replat of a Portion of Reserve "B", Brenham Business Center, Phase I, as shown on the plat recorded in Plat Slide 518-A of the Plat Records of Washington County (P.R.W.C.); 2) TRACT TWO being a tract of land containing 9.3353 acres, more or less, described as Lot 3, Reserve B, Brenham Business Center, Phase I, as shown on the plat recorded in Plat Slide 592-A of the Plat Records of Washington County (P.R.W.C.); 3) TRACT THREE being a tract of land containing 8.07 acres, more or less, situated in the Isaac Lee Survey, Abstract No. 77, in Washington County, Texas, being a portion of the 32.16 acre tract of land described in Special Warranty Deed dated December 20, 2017 from John Beckendorf, et al. to Del Sol Food Company Incorporated as recorded in Volume 1613, Page 828, Official Records of Washington County, Texas; and 4) TRACT FOUR being a tract of land containing approximately 1.1717 acres, more or less, described as Portion of Reserve "B", Brenham Business Center, Phase I, as shown on the plat recorded in Plat Slide 592-A (P.R.W.C.), said TRACT FOUR being bounded on the north by Blue Bell Road, bounded on the east by TRACT ONE described herein above, bounded on the south by a called 22.237 acre tract of land in a Deed to Curtis Ignasiak, Trustee, recorded in Volume 1637, Page 710, Official Records of Washington County, Texas, and bounded on the west by TRACT TWO described herein above. A Public Hearing will be held at 1:00 p.m. on August 1, 2019, before the City Council of the City of Brenham, in the City Council Chambers at City Hall located at 200 W. Vulcan Street, Brenham, Texas, to hear all persons interested in the designation of this area as a reinvestment zone, including the feasibility of improvements, and as qualifying for tax phase-in incentives per the Tax Phase-In Application filed by Del Sol Food Company Inc.

AGENDA ITEM 14

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 29, 2019
DEPT. OF ORIGIN: Finance	**SUBMITTED BY:** Carolyn Miller

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☒ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-19-019 Adopting a Debt Management Policy for the City of Brenham

SUMMARY STATEMENT: The Government Finance Officers Association (GFOA) recommends that state and local governments adopt a comprehensive, written Debt Management Policy. Debt management policies are written guidelines, allowances, and restrictions that guide the debt issuance practices of state or local governments, including issuance process, management of a debt portfolio, and adherence to various laws and regulations. Adherence to a debt management policy signals to rating agencies and the capital markets that a government is well managed. Finally, debt management policies should be approved by the issuer's government body to provide credibility, transparency and to ensure that there is a common understanding among elected officials and staff regarding the issuer's approach to debt financing. According to GFOA, comprehensive debt management policies address five (5) areas:

1. Debt Limits (7.0, 13.0, 14.0)
2. Debt Structuring Practices (6.0, 8.0, 15.0)
3. Debt Issuance Practices (10.0, 12.0, 17.0, 18.0)
4. Debt Management Practices (5.0, 9.0, 16.0)
5. Use of Derivatives (7.6)

Numbers in the parentheses identify what section these areas are addressed in the Debt Management Policy for the City of Brenham. The policy was reviewed by the Audit Committee on March 7, 2019 and the City's Investment Advisor on July 12, 2019. Suggested changes have been incorporated into the final policy document.

We request formal adoption of the Debt Management Policy.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Resolution No. R-19-019
FUNDING SOURCE (Where Applicable):
RECOMMENDED ACTION: Approve Resolution No. R-19-019 Adopting a Debt Management Policy for the City of Brenham
APPROVALS: James Fisher

RESOLUTION NO. R-19-019

A RESOLUTION FOR ADOPTING A DEBT MANAGEMENT POLICY FOR THE CITY OF BRENHAM, TEXAS.

WHEREAS, the Government Finance Officers Association (GFOA) recommends that state and local governments adopt a comprehensive, written Debt Management Policy; and

WHEREAS, the Debt Management Policy dated August 1, 2019 complies with the GFOA recommendation; and

WHEREAS, the governing body desires to adopt a Debt Management Policy for the City of Brenham; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brenham, Texas that:

Section 1: The City of Brenham Debt Management Policy attached hereto as "Exhibit A" is hereby adopted as the debt management policy of the City of Brenham effective August 1, 2019.

Section 2: This Resolution shall take effect immediately upon its passage.

PASSED and APPROVED on this 1st day of August, 2019.

_____

Milton Y. Tate, Jr.
Mayor

ATTEST:

_____

Jeana Bellinger, TRMC, CMC
City Secretary

"Exhibit A"
CITY OF BRENHAM
DEBT MANAGEMENT POLICY
August 1, 2019

1.0 POLICY

It is the policy of the City of Brenham to develop and maintain a sound, debt management program. This policy sets forth the criteria for debt financing decisions and establishes the parameters for issuing new debt, as well as, managing the outstanding debt portfolio. The Policy identifies the types and amounts of permissible debt that preserves the current bond rating in order to minimize borrowing costs and ensure access to credit.

2.0 SCOPE

The City of Brenham Debt Management Policy applies to all debt instruments issued by the City of Brenham, regardless of funding source. Funding sources can be derived from ad valorem taxes, general City revenues, enterprise fund revenues, internal service fund revenues, component unit revenues, or any other identifiable source of revenue that may be deemed as appropriate pledging for bonded indebtedness.

3.0 OBJECTIVES

The primary objective of the Debt Management Policy is to ensure that the City establishes and maintains a solid position with respect to its Debt Service Fund. The Policy is intended to demonstrate that proceeds from long-term debt will not be used for current operations but rather for capital improvements and other long-term assets. Compliance with the Debt Policy will facilitate compliance with applicable federal, state and local laws, the City's charter provisions, and GFOA best practices.

Other objectives include:

A. Bonds will be paid back within a period not to exceed, and preferably sooner than, the expected useful life of the capital asset.
B. Debt decisions will be based on a number of criteria and will be evaluated against long-term goals rather than short-term fix.
C. Debt decisions will be integrated with the City's Capital Improvement Program.
D. Debt service funds will be managed and invested in accordance with all federal, state and local laws.

4.0 CRITERIA

Debt funding is one of three methods for financing capital assets. Capital assets include vehicles, equipment, facilities, IT hardware/software, and infrastructure (e.g. streets, drainage, utility plants, utility distribution lines) with useful lives that exceed one year and costs that exceed $15,000. Major, non-routine, maintenance that increases an existing capital asset's service capacity, useful function, or useful life is a capital investment and is eligible for long-term financing. In addition to debt funding, capital assets may be funded by pay-as-you-go (PAYGO) financing and public-private partnerships (P3). Historically, the City of Brenham has used PAYGO and debt financing for capital assets. PAYGO funds come from operating revenues and/or excess reserves.

The pros and cons in deciding PAYGO versus debt financing recommendations include:

PAYGO Financing	Debt Financing
Pros: • Future funds are not tied up in servicing debt payments • Interest savings can be put toward other projects • Greater budget transparency • Avoid risk of default Cons: • Long wait time for new infrastructure • Large projects may exhaust an agency's entire budget for capital projects • Inflation risk • Generational equity – the capital asset may primarily benefit future generations	Pros: • Infrastructure is delivered when it's needed • Spreads cost over the useful life of the asset • Increases capacity to invest • Capital asset's beneficiaries pay for the asset Cons: • Potentially high borrowing rate • Debt payments limit future budget flexibility • Diminishes the choice of future projects • Generations forced to service debt requirements

Source: OpenGov – Capital Financing 101

5.0 RECOMMENDATION RESPONSIBILITY

The primary responsibility for developing financing recommendations rests with the Chief Finance Officer. In developing the recommendations, the Chief Finance Officer shall be assisted by the Financial Advisor, City Manager, Strategic Budget Officer, and Controller. The Chief Finance Officer will be responsible for the following activities:

A. Meeting held no less than once a year with the City Manager and Strategic Budget Officer to consider the need for financing and assess progress on the Capital Improvement Program.
B. Annual update and review of Peer Benchmarking and Debt Capacity measures.
C. Annual review of Financial Advisor, Bond Counsel, Paying Agent and other service providers to evaluate the effectiveness and quality of services being provided.

6.0 DEBT STRUCTURE

Debt service will be structured, to the greatest extent possible, to match projected cash flows, minimize the impact of future property tax levies, and maintain a relatively rapid payment of principal. The term of the debt issuance should equal the lesser of the useful life of the asset being financed or the maximum maturity permitted by State law for the obligations issued to finance the acquisition and construction of the asset.

6.1 Fixed Interest versus Variable Interest

The City primarily issues fixed rate bonds to protect the City against interest rate risk. The City has the option to issue variable rate bonds and may, should market conditions warrant, consider such a structure after adoption of a separate variable rate policy. Commercial paper notes, due to their short term maturities (270 days or less), are treated as variable rate obligations.

6.2 Other Considerations

Usually, bonds are issued with a final maturity of approximately 20 years or less for general obligation bonds, certificates of obligation and revenue bonds but may be greater for some projects whose lives are greater than 20 years.

Typically, interest is paid in the first fiscal year after a bond sale and principal is paid no later than the second fiscal year after the debt is issued.

Call provisions for bond issues shall be made as short as possible consistent with the low interest rate cost to the City. The targeted maximum length to call is 10 years. However, the City may opt for a call date longer than 10 years in order to achieve the necessary goals of the particular issue.

A Reimbursement Resolution must be adopted by the City Council if it is anticipated that any costs will be funded prior to closing of the corresponding debt issuance. The Reimbursement Resolution must indicate the maximum amount that can be funded, the source of cash for the funding and that if the corresponding debt issue does not close, the City Council is willing to approve the appropriation of funding for the advance. No exceptions are allowed without formal City Council approval.

7.0 FINANCING ALTERNATIVES

It is the City's intent to develop a level of cash and debt funded capital improvement projects that provide citizens with the desired amount of City services at the lowest cost. The City may utilize several types of municipal debt obligations to finance long-term capital assets. Although debt is an obligation to be repaid, it can assume many forms. The form and character of debt is typically determined by the nature of the funding source and nature of the asset to be purchased or improved. In determining the type of security for financing an improvement or purchase of a capital asset, the City may consider the following types and forms of debt, but is not limited to the following:

7.1 General Obligation Bonds (GOB) will be used if the following criteria are met:

- Quality-of-life projects – Projects such as but not limited to the City's parks, museums, libraries, non-public safety facilities, aquatics, entertainment, sports and amusement-type facilities
- Any non-essential strategic initiative or project
- The size of the total issuance may result in a 5% or greater increase to the debt service I&S tax rate
- Useful life of assets acquired will be twenty (20) year or more or will extend the useful life of an asset for more than twenty (20) years
- Voter authorized debt.

7.1.1 The total dollar amount of the bond election propositions recommended to the voters shall not exceed the City's estimated ability to issue said bonds within a normal 6 year period.

7.1.2 The use of reimbursement resolutions shall be encouraged as a cash management tool for general obligation debt funded projects.

7.2 Certificates of Obligation will be used if the following criteria are met:

- Essential, non-quality-of-life projects
- Capital asset acquisitions (heavy equipment, fire vehicles with useful lives 20 years or greater and costs greater than $500,000)
- Rehabilitation and/or extension of the useful life of existing facilities
- Street reconstruction and improvements
- Drainage improvements
- Unpaved Rights of Way
- ADA retrofitting/rehabilitation projects
- Projects arising from federal or state mandates
- Street lighting
- Major core facilities (police, fire, streets, etc.)
- Emergency city facilities and/or infrastructure rehabilitation

Notwithstanding the Policy set forth herein and in section 7.1, certificates of obligation or other long-term debt may be considered if the following criteria are met:

- The need for the project is urgent and immediate
- The project(s) is necessary to prevent an economic loss to the City
- Source of revenue is specific and can be expected to cover the additional debt
- The expected debt is the most cost effective financing option available

In addition, the average maturity of non-voter approved debt shall not exceed the average life of the project financed. Reimbursement resolutions may be used for projects funded through certificates of obligation.

7.3 Certificates of Obligation – Enterprise Fund

Certificates of obligation for an enterprise system will be limited to only those projects which can be demonstrate the capability to support the certificate debt through its own revenues, or other pledged source other than ad valorem taxes and meet the same criteria as outlined in 7.2 above.

7.4 Revenue Bonds

Revenue bonds will be issued for projects that generate revenues that are sufficient to repay the debt. Except where otherwise required by State Statutes, revenue bonds may be issued without voter approval and only in accordance with the laws of Texas.

7.5 Other Debt Obligations

The use of other debt obligations, permitted by law, including but not limited to public property finance act contractual obligations, pension obligations, tax notes, notes payable, and lease purchase obligations, will be reviewed on a case-by-case basis. The findings in 7.2 and 7.3 above will be considered for the use of these obligations.

7.6 Use of Derivatives

The use of derivatives is prohibited.

8.0 CREDIT ENHANCEMENTS

Credit enhancements are mechanisms which guarantee principal and interest payments. They include bond insurance and a line or letter of credit. A credit enhancement, while costly, will usually bring a lower interest rate on debt and higher rating from the rating agencies, thus lowering overall costs.

During debt issuance planning, the Financial Advisor will advise the City whether or not a credit enhancement is cost effective under the circumstances and what type of credit enhancement, if any, should be purchased. In a negotiated sale, bids will be taken during the period prior to the pricing of the sale. In a competitive sale, bond insurance may be provided by the purchaser if the issue qualifies for bond insurance.

9.0 DEBT APPROVAL PROCEDURES

9.1 Approval by the City Manager

All City financing transactions shall be prepared by the Chief Financial Officer for approval by the City Manager, prior to submittal to the Audit Committee.

All financing transactions for City subsidiary corporations and agencies shall be prepared and presented jointly to the City Manager and Chief Financial Officer and the Executive Director of the corporation and agency. The debt transactions must be approved by the City Manager prior to submittal to the corporation or agency board for approval and forwarding to the City Audit Committee.

9.2 Review by Audit Committee

All proposed long-term financing transactions for capital improvements and assets shall be reviewed by the City's Audit Committee. For matters related to review by the Audit Committee, "long-term financing" means financing that constitutes an obligation beyond one fiscal year.

a. The City Council should not authorize the issuance of any long-term financing until the Audit Committee completes its review of the proposed transaction and submits its recommendation to the City Council.
b. The Chief Financial Officer, City Manager and City Attorney should review proposed transactions submitted to the Audit Committee prior to submission.
c. Upon approval by the Audit Committee, the proposed transaction shall then be presented to the full City Council.
d. In the absence of a quorum of the Audit Committee, the Chief Finance Officer has the authority to present the proposed transaction to the City Council without prior review of the Audit Committee.
e. The City Council shall comply with all public hearing requirements applicable to the specific type of bond being approved.

10.0 METHODS OF SALE

The City will use the method of sale that results in the most cost effective, efficient debt issuance process. The City will engage the services of an independent financial advisor to assist with determining the method of sale and the selection of other financing team members.

11.0 PERMITTED INVESTMENTS

All investments of bond proceeds shall adhere to the City's Investment Policy, approved periodically by City Council. Investments shall not allow security types or credit standards less than those of the City's Investment Policy and the term of the investments must not be in excess of the term of the bonds.

12.0 REFUNDING OF DEBT

The City will engage the services of an independent financial advisor when considering potential saving from refunding of debt. From time to time, the City may also issue refunding debt for purposes of restructuring debt, changing covenants, and/or changing the repayment source of the bonds. Such purpose should be specifically recognized by City Council.

12.1 Advance refunding and forward delivery refunding transactions for savings should be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 3%.

12.2 Current refunding transactions issued for savings should be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 2%.

13.0 DEBT SERVICE TAX RATE

Council shall adopt the necessary debt service tax rate in order to meet debt service principal, interest and fee payments, net of transfers, for each particular fiscal/budget year, subject to any reserve availability. State statutes limit the amount of general obligation debt a governmental entity may issue to $2.50 per $100 valuation of its total assessed valuation. Additionally, the City's charter allows a tax rate limit not exceeding $1.65 per $100 valuation for any one year.

14.0 DEBT LIMITS

Direct debt outstanding includes bonded debt principal, capital leases and notes payable that are tax-supported and self-supported. For tax-supported debt, the following debt limits apply.

14.1 The total principal amount outstanding of tax-supported debt of the City shall not exceed three percent of the total assessed valuation of the City's tax rolls.

14.2 The total tax-supported debt payment of the City shall not exceed 17.5 percent of non-capital expenditures for Governmental Funds.

For self-supported debt, such as enterprise fund (utilities) debt, the debt limit is based on the debt coverage ratio. Debt coverage ratio refers to the number of times the current combined debt service requirements or payments are covered by the current operating revenues net of on-going operating expenses.

14.3 The City will maintain a minimum debt service coverage ratio of 1.15 times unless otherwise dictated by bond covenants.

14.4 Conduit debt limitations will be determined on a case-by-case basis. Creditworthiness of the borrower, credit rating and purpose for the debt are factors that will be considered.

15.0 MATURITY LEVELS/STRUCTURE

15.1 The term of debt shall not exceed the useful life of the capital asset being financed, and in no case shall exceed twenty-five (25) years. The average life (weighted) of each general obligation bond series shall be kept at or below 12.5 years.

15.2 Debt structure should approximate level debt service unless operational matters dictate otherwise. Market factors, such as the effects of tax-exempt designations, the cost of early redemption options and the like, will be given consideration during the structuring of long-term instruments.

16.0 MANAGEMENT OF DEBT SERVICE FUND

16.1 Interest earnings from general obligation bonds and certificates of obligation shall be used solely to fund direct or related capital expenditures or to service current and future debt payments. Interest earnings will be allocated in accordance with the City's Investment Policy.

16.2 Debt service reserves for tax-supported debt shall maintain between a two-month (minimum) and three-month (maximum) reserve of the current year total debt service expenditure budget (i.e. Total Annual Debt Service Budget/12 months x 3 months). If this reserve balance is below minimum or exceeds maximum during any given fiscal year, a plan should be adopted to increase or reduce the size of the reserves as quickly as possible without causing large variances in the ad valorem property tax rate.

16.3 Debt service reserves for revenue bonds shall be maintained at levels required by controlling bond ordinances.

16.4 The City shall comply with all Internal Revenue Service rules and regulations including but not limited to arbitrage.

17.0 RATINGS

The City's goal is to achieve and maintain the highest possible bond ratings that result from managing the City to best meet the needs and goals of the citizens.

17.1 The City will strive to maintain good relationships with bond rating agencies as well as disclose financial reports and information to these agencies and to the public.

17.2 The City will obtain a rating from at least one nationally recognized bond-rating agency on all issues being sold on the public market.

17.3 Timely disclosure of annual financial information including other information will be provided to the rating agencies. The Comprehensive Annual Financial Report (CAFR) will be prepared by management and attested to by an external audit firm. The rating agencies will also be notified in advance when the City begins preparation for a debt issuance, and the Chief Financial Officer will be responsible for coordination and interaction during the bond rating process and periodic rating reviews.

17.4 Timely disclosure of any pertinent financial information that could potentially affect the City's credit rating will also be presented to the rating agencies, required information repositories, bond insurance companies insuring City of Brenham debt, and commercial banks providing liquidity support.

18.0 FINANCIAL ADVISOR

The City will use a financial advisor to assist the City in bond issuance and debt management oversight. The City's financial advisor must be a firm that is independent of banking, underwriting, or other interests to assure that the selected financial advisor can effectively represent the City in negotiations with bankers, underwriters, and other service providers needed for the issuance of debt.

19.0 DEBT MANAGEMENT POLICY REVIEW

Compliance with the Debt Management Policy shall be performed annually by the Controller and the Strategic Budget Officer and any modifications reviewed by the Audit Committee and adopted by City Council.

AGENDA ITEM 15

DATE OF MEETING: August 1, 2019 **DEPT. OF ORIGIN:** Finance	**DATE SUBMITTED:** July 26, 2019 **SUBMITTED BY:** Carolyn D. Miller

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of $0.5140 per $100 Valuation for the 2019 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law

SUMMARY STATEMENT: See separate memo from Assistant City Manager-Chief Financial Officer on this item.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Memo from Assistant City Manager-Chief Financial Officer

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: See wording for motion on separate memo from Assistant City Manager-Chief Financial Officer

APPROVALS: James Fisher

MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Assistant City Manager - Chief Financial Officer

Subject: Discuss Proposed Property Tax Rate, Take Record Vote and Schedule Public Hearings

Date: July 26, 2019

Developing an annual budget and adopting a property tax rate to support that budget must be accomplished in compliance with property tax code, local government code, and City Charter. Following these legislative guidelines ensures that the public is informed of any increases.

During the month of July, four Council Budget Workshops were held to review and discuss the proposed FY2019-20 budget. Based on the priorities presented at these workshops, it was discussed to maintain the current operations & maintenance (O&M) property tax rate of $0.3200 per $100 valuation, and to lower the interest and sinking (I&S) rate from $.1970 to $.1940 per $100 valuation. **The City will adopt a total tax rate (O&M and I&S) of $.5140 for FY2019-20.**

The Washington County Appraisal District has certified taxable values of $1,454,612,209 for the 2019 Tax Year. This is a net increase of $135,736,650 above the 2018 (adjusted) taxable values of $1,318,875,559. The net increase is comprised of:

- **$16,215,263** New properties and new improvements
- **$119,521,387** Increase in existing property values and other changes

The proposed FY19-20 budget maintains the current O&M tax rate of $0.3200. The impact of the increased property values with the current tax rate will generate additional tax revenue over the current year of $382,354 to the General Fund (O&M) and $43,316 to the newly created Tax Increment Reinvestment Zone (TIRZ) Fund. The table on the next page shows the tax rate components.

Property Tax Rate

	O&M	I&S	Total
Current FY18-19	$0.3200	$0.1970	$0.5170
Proposed Tax Rate FY19-20	**$0.3200**	**$0.1940**	**$0.5140**
Proposed Increase (Decrease)	$0.0000	($0.0030)	($0.0030)

Comparison to Effective and Rollback Rate

Proposed Tax Rate FY19-20	**$0.3200**	**$0.1940**	**$0.5140**
Effective Rate			$0.4748
Rollback Rate before Sales Tax Adjustment			$0.5517
Sales Tax Adjustment Rate			($0.0369)
Adjusted Rollback Rate			$0.5148

In accordance with the Tax Code, Council must now take a **RECORD VOTE** to place a proposal to adopt the proposed property tax rate on the agendas of future meetings. At this time, Council must also schedule two public hearings on the proposed tax rate.

Section 26.05 of the Tax Code provides the specific motion to be made for the record vote on the proposed tax rate when the proposal is above the effective rate. As stated above, the proposal is to *adopt a tax rate of $0.5140 per $100 valuation for FY2019-20.* Due to increased property values, this new rate is above the effective tax rate of $0.4748 and will produce higher revenues, which necessitates **that the motion for the record vote should be made as follows:**

"I move that the property tax rate be increased by the adoption of a tax rate of $0.5140 per $100 valuation, which is effectively a 8.26% increase in the tax rate, to be considered by the governing body on the agendas of the September 16, 2019 and September 19, 2019 meetings and to schedule public hearings on the proposed tax rate for August 14, 2019 and September 5, 2019 in accordance with state law."

AGENDA ITEM 16

DATE OF MEETING: August 1, 2019 **DEPT. OF ORIGIN:** Economic Development	**DATE SUBMITTED:** July 26, 2019 **SUBMITTED BY:** Susan Cates

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☒ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In

SUMMARY STATEMENT: As discussed in Public Hearing.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Estimated increase in value of the property within RZ47 of $1.38M, additional employment of 10 full-time equivalent jobs, opportunity to support the expansion of our existing business, Del Sol Foods, through Tax Phase-In (for the Council to consider at the August 15th meeting)

B. CONS: none noted

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve an Ordinance on its first reading for the creation of Reinvestment Zone Number 47 requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on that certain 29.137 acres of land, generally located at 3015 – 3151 South Blue Bell Road, being more fully described in Exhibit "A" of the Ordinance creating Reinvestment Zone 47, and designating this property as qualifying for Tax Phase-In

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING ALL OF THAT CERTAIN 29.137 ACRES OF LAND, BEING DESCRIBED MORE PARTICULARLY AS FOUR (4) CERTAIN TRACTS OF LAND AS FOLLOWS: 1) TRACT ONE BEING A TRACT OF LAND CONTAINING 10.560 ACRES, MORE OR LESS, DESCRIBED AS LOT TWO, REPLAT OF A PORTION OF RESERVE "B", BRENHAM BUSINESS CENTER, PHASE I, AS SHOWN ON THE PLAT RECORDED IN PLAT SLIDE 518-A OF THE PLAT RECORDS OF WASHINGTON COUNTY (P.R.W.C.); 2) TRACT TWO BEING A TRACT OF LAND CONTAINING 9.3353 ACRES, MORE OR LESS, DESCRIBED AS LOT 3, RESERVE B, BRENHAM BUSINESS CENTER, PHASE I, AS SHOWN ON THE PLAT RECORDED IN PLAT SLIDE 592-A OF THE PLAT RECORDS OF WASHINGTON COUNTY (P.R.W.C.); 3) TRACT THREE BEING A TRACT OF LAND CONTAINING 8.07 ACRES, MORE OR LESS, SITUATED IN THE ISAAC LEE SURVEY, ABSTRACT NO. 77, IN WASHINGTON COUNTY, TEXAS, BEING A PORTION OF THE 32.16 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED DATED DECEMBER 20, 2017 FROM JOHN BECKENDORF, ET AL. TO DEL SOL FOOD COMPANY INCORPORATED AS RECORDED IN VOLUME 1613, PAGE 828, OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS; AND 4) TRACT FOUR BEING A TRACT OF LAND CONTAINING APPROXIMATELY 1.1717 ACRES, MORE OR LESS, DESCRIBED AS PORTION OF RESERVE "B", BRENHAM BUSINESS CENTER, PHASE I, AS SHOWN ON THE PLAT RECORDED IN PLAT SLIDE 592-A (P.R.W.C.), SAID TRACT FOUR BEING BOUNDED ON THE NORTH BY BLUE BELL ROAD, BOUNDED ON THE EAST BY TRACT ONE DESCRIBED HEREIN, BOUNDED ON THE SOUTH BY A CALLED 22.237 ACRE TRACT OF LAND IN A DEED TO CURTIS IGNASIAK, TRUSTEE, RECORDED IN VOLUME 1637, PAGE 710, OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND BOUNDED ON THE WEST BY TRACT TWO DESCRIBED HEREIN, SAID PROPERTY BEING LOCATED AT 3015 – 3151 SOUTH BLUE BELL ROAD, BRENHAM, TEXAS, AND SAID PROPERTY BOUNDARIES BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, AS REINVESTMENT ZONE NUMBER FORTY-SEVEN FOR COMMERCIAL TAX PHASE-IN, CITY OF BRENHAM, TEXAS AS PROVIDED IN CHAPTER 312, TEXAS TAX CODE; ESTABLISHING THE NUMBER OF YEARS FOR THE ZONE, AUTHORIZING AN AGREEMENT FOR EXEMPTION FROM TAXATION

THE INCREASE IN VALUE OF CERTAIN PROPERTY IN ORDER TO ENCOURAGE DEVELOPMENT AND REDEVELOPMENT AND OTHER MATTERS RELATING THERETO; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Brenham, Texas, ("City") desires to encourage supervised improvements by property owners and lessees through tax phase-in procedures within its jurisdiction by the creation of a reinvestment zone as authorized by Chapter 312, Texas Tax Code (the "Act"); and

WHEREAS, on the 1st day of August, 2019, the City Council held a public hearing to receive comments concerning the designation of proposed Reinvestment Zone Number Forty-Seven. The notice of such hearing was published on July 24, 2019, such date being not later than the seventh day before the date of the public hearing; and

WHEREAS, the City called a public hearing and published notice of such public hearing as required by Section 312.201 of the Act; and has delivered written notice to the presiding officer of the governing body of each taxing unit within the jurisdiction of the proposed Reinvestment Zone Number Forty-Seven for Commercial Tax Phase-In; and

WHEREAS, at said public hearing the City presented evidence that such proposed designation would be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property, that the proposed improvements are feasible and practical, that said improvements would be a benefit to the land included in the zone and that would contribute to the economic development of the City; and

WHEREAS, the designation of the proposed reinvestment zone is consistent with the City's policies adopted by Council Resolution No. R-17-024 on the 7th day of December, 2017, and will benefit the land included within the Reinvestment Zone after the expiration of the Agreement; and

WHEREAS, the City at such public hearing invited any interested person or his attorney to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory which is referred to as City of Brenham Reinvestment Zone Number Forty-Seven for Commercial Tax Phase-In, should be included in such proposed reinvestment zone, and obtain tax phase-in; and

WHEREAS, at such hearing recommendations were given as to the number of years the reinvestment zone would be designated, the number of years in which an agreement would be available, as well as the percentage of potential tax exemption under the aforesaid tax phase-in guidelines and criteria to be applied to taxable real property which is developed;

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

Section 1. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated herein for all purposes.

Section 2. That the City, after conducting such hearing and having further studied recommendations, as well as the evidence presented at the public hearing, has made the following findings based on the evidence and testimony presented to it:

a) That the public hearing on the adoption of the reinvestment zone under the provisions of the Act has been properly called, held and conducted and that notice of such hearing has been published as required by law and has been sent to the respective taxing units within the proposed reinvestment zone; and

b) That the City has jurisdiction to hold and conduct said public hearing on the creation of the proposed reinvestment zone pursuant to the Act; and

c) That creation of the proposed reinvestment zone with boundaries described herein will result in improvements made after the passage of this Ordinance and the execution of tax phase-in agreements, that are feasible and practical and will benefit the City, its residents and property owners in the reinvestment zone; and

d) That the proposed designation will be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investments to the zone that would be a benefit to the property and contribute to economic development of the City.

Section 3. That the City hereby creates Reinvestment Zone Number Forty-Seven, designated as all of that certain 29.137 acres of land, being described more particularly as four (4) certain tracts of land as follows: 1) TRACT ONE being a tract of land containing 10.560 acres, more or less, described as Lot Two, Replat of a Portion of Reserve "B", Brenham Business Center, Phase I, as shown on the plat recorded in Plat Slide 518-A of the Plat Records of Washington County (P.R.W.C.); 2) TRACT TWO being a tract of land containing 9.3353 acres, more or less, described as Lot 3, Reserve B, Brenham Business Center, Phase I, as shown on the plat recorded in Plat Slide 592-A of the Plat Records of Washington County (P.R.W.C.); 3) TRACT THREE being a tract of land containing 8.07 acres, more or less, situated in the Isaac Lee Survey, Abstract No. 77, in Washington County, Texas, being a portion of the 32.16 acre tract of land described in Special Warranty Deed dated December 20, 2017 from John Beckendorf, et al. to Del Sol Food Company Incorporated as recorded in Volume 1613, Page 828, Official Records of Washington County, Texas; and 4) TRACT FOUR being a tract of land containing approximately 1.1717 acres, more or less, described as Portion of Reserve "B", Brenham Business Center,

Phase I, as shown on the plat recorded in Plat Slide 592-A (P.R.W.C.), said TRACT FOUR being bounded on the north by Blue Bell Road, bounded on the east by TRACT ONE described herein above, bounded on the south by a called 22.237 acre tract of land in a Deed to Curtis Ignasiak, Trustee, recorded in Volume 1637, Page 710, Official Records of Washington County, Texas, and bounded on the west by TRACT TWO described herein above, said property being located at 3015 – 3151 South Blue Bell Road, Brenham, Texas, and said property boundaries being more fully described in Exhibit "A" attached hereto and incorporated herein for all purposes, and such reinvestment zone shall hereafter be identified as Reinvestment Zone Number Forty-Seven for Commercial Tax Phase-In, City of Brenham, Texas.

Section 4. That the designation of Reinvestment Zone Number Forty-Seven for Commercial Tax Phase-In, shall expire five (5) years from the date of this Ordinance, unless renewed as provided by the Act, or at an earlier time designated by subsequent ordinance.

Section 5. That written agreements as provided in the Act with owners of eligible property located within the reinvestment zone shall be for a period of up to ten (10) years, and that the eligible property that is subject to the above mentioned exemption from taxation shall be the improvements to the property in conformity with the City's criteria and guidelines, and written agreements shall provide for an exemption from taxation of the total increase in value of the eligible property over its value in the year the agreement is executed. The written agreement will require that all taxes be current at the time of execution of agreement and be kept current to all taxing entities during the term of said agreement.

Section 6. That said designation of Reinvestment Zone Number Forty-Seven for Commercial Tax Phase-In and the written agreement thereof are in accordance with the City of Brenham's "Policy Statement on Property Tax Phase-In Incentive for Selected Commercial Enterprises" and will be a benefit to the land which will be included within the Reinvestment Zone and to the City of Brenham after the expiration of the agreement.

Section 7. That if any provision of this Ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part of it.

Section 8. That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

PASSED AND APPROVED, on its first reading this the 1st day of August, 2019.

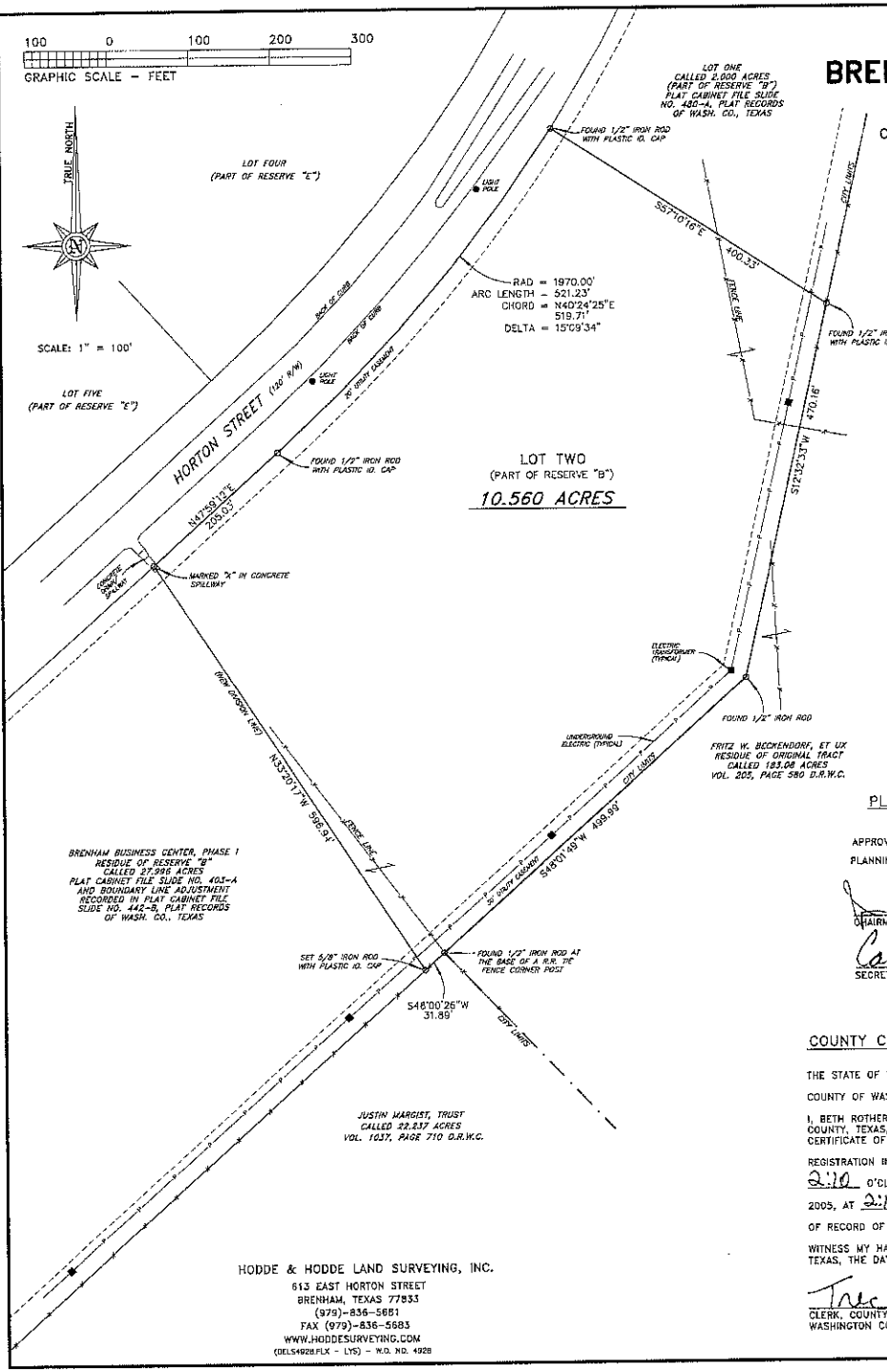
PASSED AND APPROVED, on its second reading this the 15th day of August, 2019.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

EXHIBIT "A" - TRACT ONE - 10.560 ACRES



LOT TWO – RESERVE "B"
BRENHAM BUSINESS CENTER, PHASE I

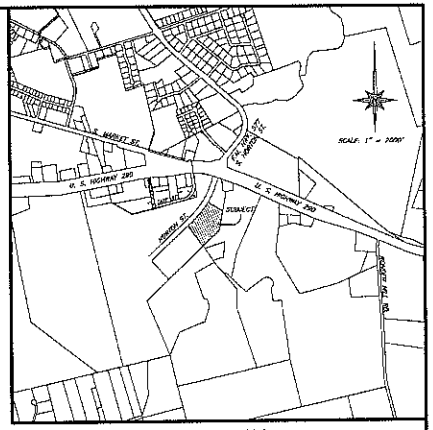
REPLAT OF A PORTION OF RESERVE "B", BRENHAM BUSINESS CENTER, PHASE I, TO ESTABLISH LOT TWO CONTAINING 10.560 ACRES.

ISAAC LEE SURVEY, A–77

CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS

SURVEY MAP

SHOWING A SURVEY OF 10.560 ACRES OF LAND, LYING AND BEING SITUATED IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS, PART OF THE ISAAC LEE SURVEY, A–77, BEING PART OF RESERVE "B" CALLED 27.996 ACRES OF BRENHAM BUSINESS CENTER, PHASE I, AS SHOWN ON A PLAT RECORDED IN PLAT CABINET FILE SLIDE NO. 403–A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, AND ALSO SHOWN ON A BOUNDARY LINE ADJUSTMENT PLAT OF RESERVE "B" RECORDED IN PLAT CABINET FILE SLIDE NO. 442–B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, OR BEING PART OF THE SAME LAND DESCRIBED AS 29.052 ACRES IN THE DEED FROM FRITZ W. BECKENDORF, ET AL TO BRENHAM COMMUNITY DEVELOPMENT CORPORATION, DATED FEBRUARY 12, 1998, AS RECORDED IN VOLUME 883, PAGE 417, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, ALSO BEING PART OF THE SAME LAND DESCRIBED AS 100.000 ACRES IN THE DEED FROM ARTHUR SCHOMBURG TO BRENHAM COMMUNITY DEVELOPMENT CORPORATION, DATED MARCH 8, 1996, AS RECORDED IN VOLUME 817, PAGE 705, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.



VICINITY MAP

NOTES:

1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO TRUE NORTH AS OBTAINED BY GPS OBSERVATIONS, OBSERVED AT LATITUDE: 30°08'24.18" N – LONGITUDE: 96°21'53.33" W.

2. SUBJECT TO EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS AND BUILDING SET BACK LINES APPLICABLE TO BRENHAM BUSINESS CENTER, PHASE I, AND AS SHOWN OR STATED ON THE PLAT OF BRENHAM BUSINESS CENTER, PHASE I, RECORDED IN PLAT CABINET FILE SLIDE NO. 403–A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, AND AS STATED IN THE CITY OF BRENHAM ZONING ORDINANCE.

3. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD HAZARD BOUNDARY MAP AS COMPILED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, F.I.A., COMMUNITY PANEL NO. 481188 0006 A, EFFECTIVE DATE MAY 24, 1977 WASHINGTON COUNTY, TEXAS.

4. A CURRENT TITLE REPORT OR COMMITMENT WAS NOT AVAILABLE OR PROVIDED TO THE SURVEYOR AND THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY.

5. THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.

OWNER ACKNOWLEDGEMENT

BRENHAM COMMUNITY DEVELOPMENT CORPORATION, THE OWNER OF THE LAND DESCRIBED HEREON, BY AND THROUGH SHIRLEY HERRING, CHAIRMAN, WHOSE NAME IS SUBSCRIBED HERETO, DOES HEREBY OFFER, ADOPT AND ACKNOWLEDGE THE SUBDIVISION OF SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON.

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

BY: Shirley Herring
SHIRLEY HERRING, CHAIRMAN

ATTEST:

Debra Brent
DEBRA BRENT, SECRETARY

PLANNING AND ZONING COMM. APPROVAL

APPROVED THIS 7th DAY OF March, 2005 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENHAM, TEXAS.

Al Rivera
CHAIRMAN

Calvin Kossie
SECRETARY

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF Washington
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 22nd DAY OF March, 2005, BY Shirley Herring & Debra Brent

Kim Hodde
NOTARY PUBLIC, STATE OF TEXAS
NOTARYS NAME (PRINTED): KIM HODDE
NOTARYS COMMISSION EXPIRES: SEPTEMBER 14, 2005

Notary Public, State of Texas
My Commission Expires
SEPTEMBER 14, 2005

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 ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON March 23, 2005, AT 2:10 O'CLOCK, P. M., AND DULY RECORDED ON March 23, 2005, AT 2:10 O'CLOCK P. M. IN CABINET ____ SHEET 518-A OF RECORD OF Plat FOR SAID COUNTY.

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

Tricia Kuhlmann
CLERK, COUNTY COURT
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 THIS MAP SHOWING A SURVEY OF 10.560 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 THE 16TH DAY OF FEBRUARY, 2005, A.D.

Jon E. Hodde
JON E. HODDE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5197
HODDE & HODDE LAND SURVEYING, INC.
613 EAST HORTON STREET
BRENHAM, TEXAS 77833
(979)–836–5681

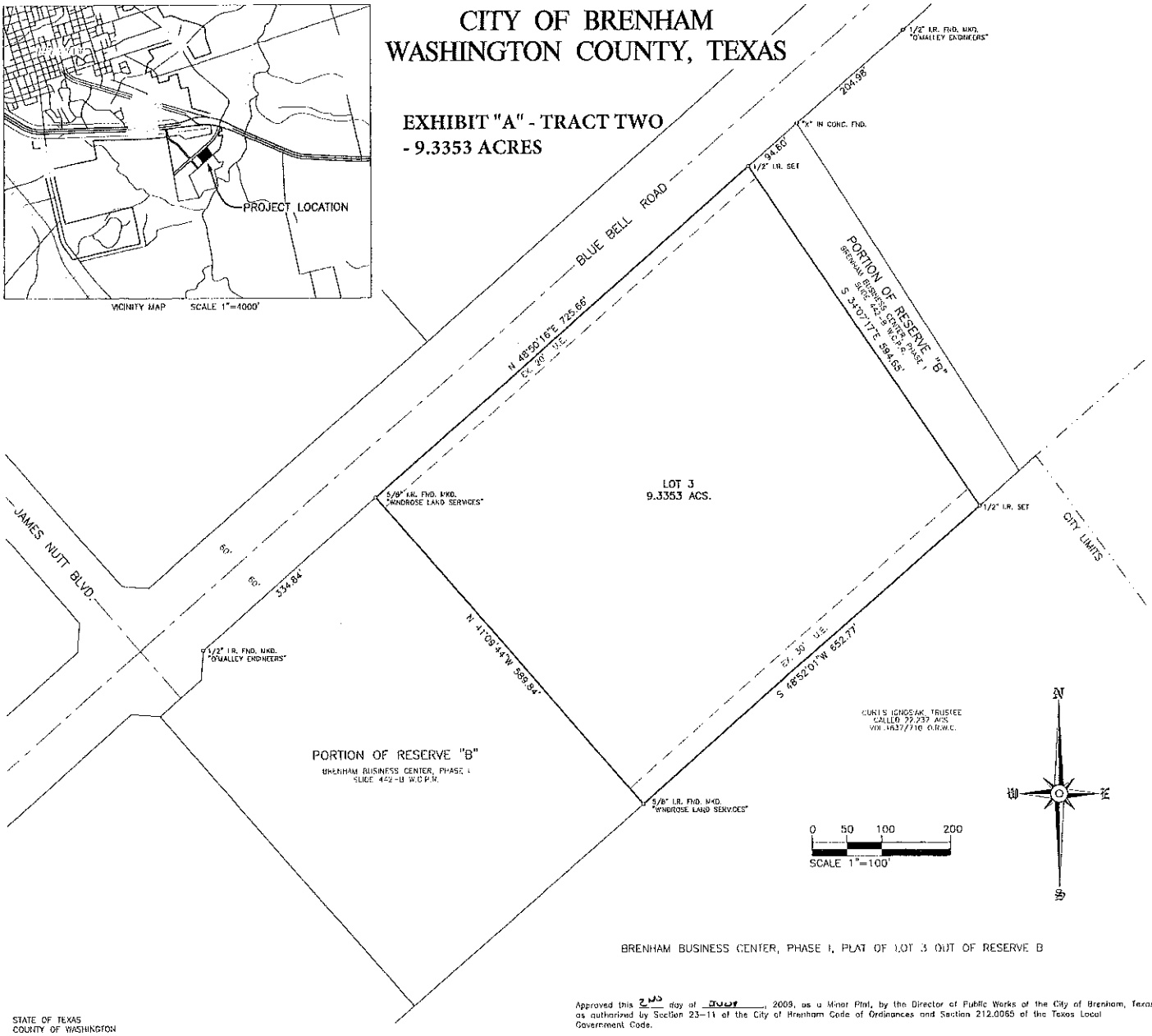
STATE OF TEXAS
REGISTERED
JON E. HODDE
5197
PROFESSIONAL
LAND SURVEYOR

HODDE & HODDE LAND SURVEYING, INC.
613 EAST HORTON STREET
BRENHAM, TEXAS 77833
(979)–836–5681
FAX (979)–836–5683
WWW.HODDESURVEYING.COM
(DELS4928.FLX – LYS) – W.O. NO. 4928

CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS

EXHIBIT "A" - TRACT TWO
- 9.3353 ACRES

VICINITY MAP SCALE 1"=4000'



BRENHAM BUSINESS CENTER, PHASE I, PLAT OF LOT 3 OUT OF RESERVE B

STATE OF TEXAS
COUNTY OF WASHINGTON

The Brenham Community Development Corporation, owners of the property subdivided in the foregoing plat of Lot 3, Reserve B of Brenham Business Center, Phase I to the City of Brenham, Texas, do hereby make subdivision of said property according to the lines, streets, lots, alleys, building lines, and easements thereon shown and designate said subdivision as Lot 3, Reserve B of Brenham Business Center, Phase I to the City of Brenham, located in Brenham, Washington County, Texas, and we do hereby dedicate to public use, as such the streets, alleys, and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets and alleys to conform to such grades, and do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend the title to the land 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. Five foot (5') aerial easement being adjacent to streets, boulevards, and reserve boundary lines.

We hereby covenant and agree that the area within the boundaries of this subdivision is for business purposes unless otherwise noted.

Witness my hand at Brenham, Washington County, Texas on this the 3rd day of June, 2009.

Alwood Kenjura, Chairman of the
Brenham Community Development Corporation

Attest: Secretary of the
Brenham Community Development Corporation

STATE OF TEXAS
COUNTY OF WASHINGTON

Before me the undersigned authority, on this day personally appeared Alwood Kenjura, Chairman of the Brenham Community Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 3 day of June, 2009.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Robert C. Schmidt, R.P.L.S., do hereby certify, that this survey was performed on the ground under my supervision and completed May 29, 2009. It is my professional opinion that this map represents the facts as found.

Robert C. Schmidt, RPLS
Texas Registered Professional Land
Surveyor No. 4705

STATE OF TEXAS
REGISTERED
ROBERT C. SCHMIDT
4705
PROFESSIONAL
LAND SURVEYOR

Approved this 2ND day of JUNE, 2009, as a Minor Plat, by the Director of Public Works of the City of Brenham, Texas, as authorized by Section 23-11 of the City of Brenham Code of Ordinances and Section 212.0065 of the Texas Local Government Code.

Doug Baker
Director of Public Works

I, Beth Rotherme I, County Clerk in and for Washington County, hereby certify that the foregoing instrument with its certificate of authentication was filed in my office this 3rd day of June, AD. 2009, at 3:45 o'clock P.m., in the Plat Records in Slide No 692A. Witnessed my hand and seal of the County Court of the said County, at office in Brenham, Texas.

By: Tadrisha Weed
Deputy

Beth Rotherme I, County Clerk
Washington County, Texas

General Notes:

1. *Bearings are based on bearings of record as recorded in Plat Slide 403-A, of the Washington County Plat Records.*
2. *The surveyor has not abstracted the property. This survey was performed without the benefit of a current abstract of property or title report and would be subject to any conditions, restrictions or exceptions that a current title opinion might disclose.*
3. *This survey is valid only if it bears the original seal and signature of the surveyor.*
4. *This property does not lie in a flood hazard area according to the Flood Hazard Boundary Maps of Washington County, Texas Community Panel No. 481188 0006 A, and 0009 A, effective 5-24-1977.*
5. *All 1/2" iron rods set are marked with plastic caps stamped "O'MALLEY ENGINEERS".*

BRENHAM BUSINESS CENTER, PHASE I
PLAT OF LOT 3 OUT OF RESERVE B, 9.3353 ACRES
OUT OF THE ISAAC LEE SURVEY, A-77
CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS

O'MALLEY ENGINEERS
203 S. JACKSON ST. BRENHAM, TEXAS
(979) 836-7937 FAX (979) 836-7936

JOB NO. 608.13 LF DWG. NO. BDRYADJ-RES-B.DWG

EXHIBIT "A" - TRACT THREE - 8.07 ACRES

Del Sol
8.07 Acres

Isaac Lee Survey
Abstract No. 77

STATE OF TEXAS §

COUNTY OF WASHINGTON §

A **METES & BOUNDS** description of a certain 8.07 acre tract situated in the Isaac Lee Survey, Abstract No. 77 in Washington County, Texas, being a portion of a 32.16 acre tract as surveyed by William Krueger, R.P.L.S. No. 2835 on October 24, 2013; said 8.07 acre tract being more particularly described as follows with all bearings being based on a northeasterly line of said 32.16 acre tract having a record bearing of North 49°18'35" East;

BEGINNING at a called found 1/2-inch iron rod marking the west corner of the herein described subject tract being common with the west corner of said 32.16 acre tract and being in the southeast line of Lot Two of the Brenham Business Center, Phase 1 recorded in Plat Cabinet File No. 518 A of the Plat Records of Washington County;

THENCE along the common lines of the herein described subject tract and said Lot Two the following two (2) courses and distances:

1. North 49°18'35" East, 499.96 feet to a called set 5/8-inch iron rod for angle;
2. North 13°49'19" East, 383.41 feet to a called found 1/2-inch iron rod marking the northwest corner of the herein described subject tract being common with a westerly corner of aforementioned 32.16 acre tract and the southwest corner of a called 5.200 acre tract conveyed by Warranty Deed to John F. Beckendorf recorded in Volume 1131, Page 705 of the Official Records of Washington County;

THENCE along the common lines of the herein described subject tract and said 5.200 acre tract the following two (2) courses and distances:

1. North 89°31'08" East, 413.43 feet to a called found 1/2-inch iron rod (with cap stamped "1070") for angle;
2. South 44°45'53" East, 19.93 feet to a called found 1/2-inch iron rod (with cap stamped "1070") marking the most easterly northeast corner of the herein described subject tract being common with a westerly interior corner of aforementioned 32.16 acre tract and a southeasterly corner of said 5.200 acre tract;

THENCE over and across said 32.16 acre tract the following three (3) courses and distances:

1. South 45°16'31" West, 197.58 feet to a point-for-corner;
2. South 24°50'11" West, 100.62 feet to a point-for-corner;
3. South 08°27'54" West, 508.75 feet to a called found 3/8-inch iron rod marking the southeast corner of the herein described subject tract being common with a southwesterly interior corner of said 32.16 acre tract and the north corner of a called 3.000 acre tract conveyed by Warranty Deed to George Klatt recorded in Volume 317, Page 148 of the Deed Records of Washington County;

RECEIVED
NOV - 1 2017

EXHIBIT "A" - TRACT THREE - 8.07 ACRES

Del Sol
8.07 Acres

Isaac Lee Survey
Abstract No. 77

THENCE South 76°12'30" West, along the common line of the herein described subject tract and said 3.000 acre tract, 531.20 feet to a called set 5/8-inch iron rod marking the south corner of the herein described subject tract being common with a southwesterly corner of aforementioned 32.16 acre tract and the west corner of said 3.000 acre tract and being in the northeast line of a called 22.237 acre tract conveyed by Executor's Deed to the Justin Margist Trust recorded in Volume 1037, Page 710 of the Official Records of Washington County;

THENCE North 35°51'00" West, along the common line of the herein described subject tract and said 22.237 acre tract, 212.96 feet to the **POINT OF BEGINNING, CONTAINING** 8.07 acres of land in Washington County, Texas.

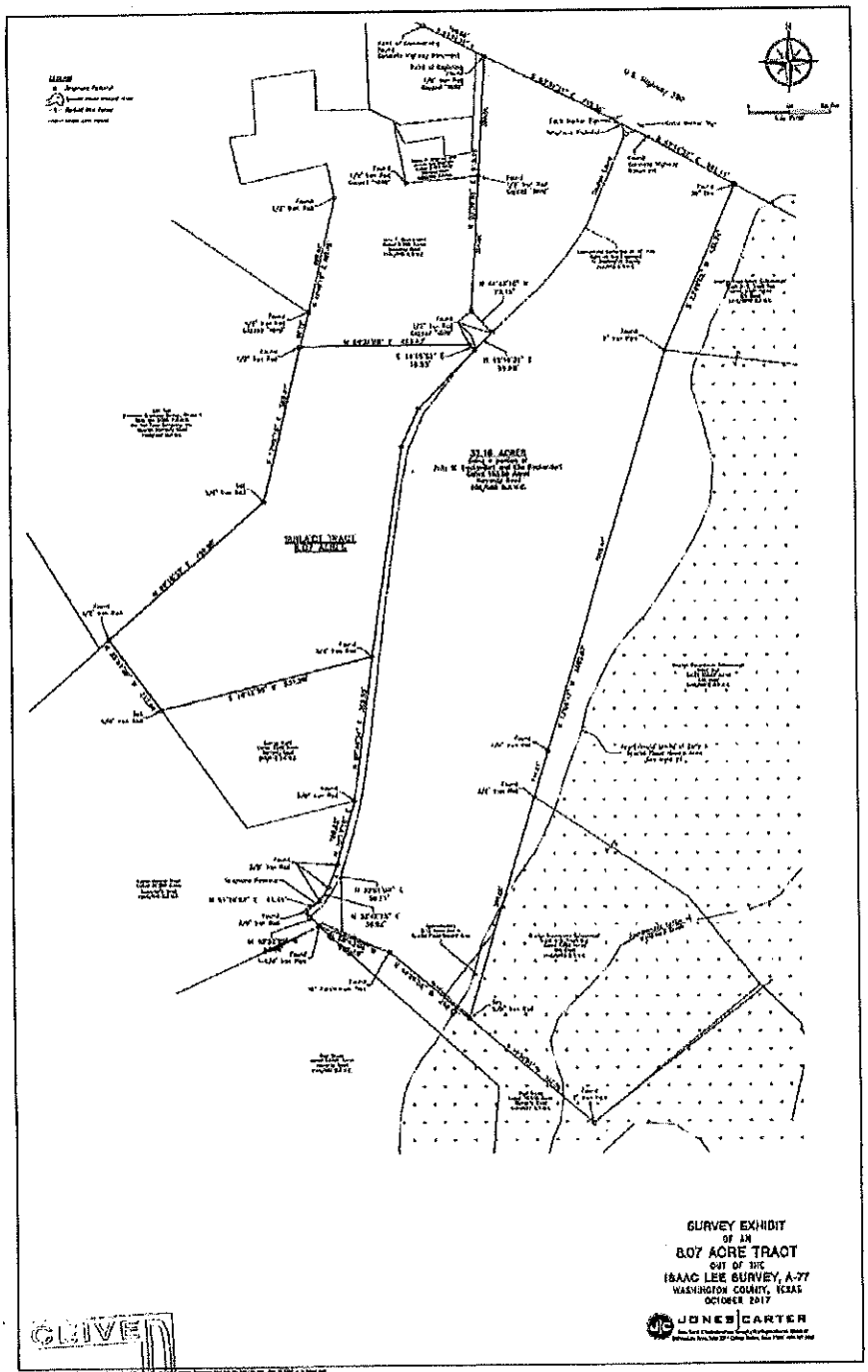
The metes and bounds description of the herein described subject tract was prepared under 22 TAC §663.21, and does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the zoning district for which it was prepared.

10/25/17

STATE OF TEXAS
REGISTERED TO
CHRISTOPHER E. CURTIS
5111
PROFESSIONAL
LAND SURVEYOR

RECEIVED
NOV - 1 2017

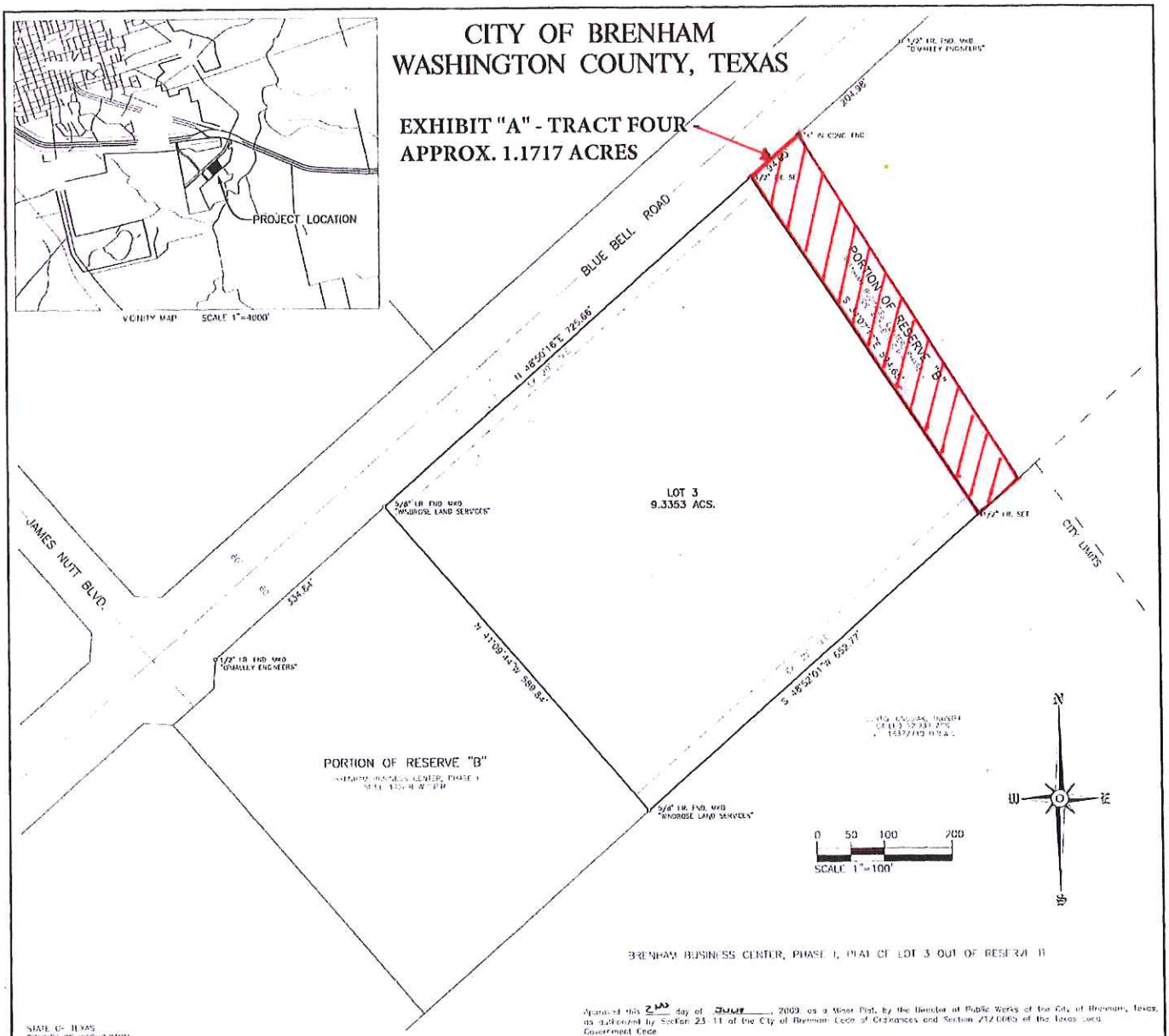
EXHIBIT "A" - TRACT THREE - 8.07 ACRES



CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS

EXHIBIT "A" - TRACT FOUR
APPROX. 1.1717 ACRES

VICINITY MAP SCALE 1"=4000'



BRENHAM BUSINESS CENTER, PHASE I, PLAT OF LOT 3 OUT OF RESERVE B

STATE OF TEXAS
COUNTY OF WASHINGTON

The Brenham Community Development Corporation, owners of the property subdivided in the foregoing plat of Lot 3, Reserve B of Brenham Business Center, Phase I to the City of Brenham, Texas, do hereby make subdivision of said property according to the lines, streets, lots, alleys, building lines, and easements thereon shown, and designate said subdivision as Lot 3, Reserve B of Brenham Business Center, Phase I to the City of Brenham, Texas, located in Brenham, Washington County, Texas, and we do hereby dedicate to public use, as such the streets, alleys, and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets and alleys to conform to such grades, and do hereby bind ourselves our heirs, executors, and administrators to warrant and forever defend the title to the land 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. The feet (5') aerial easement being adjacent to streets, boulevards, and reserve boundary lines.

No survey easement are agree that the area within the boundaries of this subdivision is for business purposes unless otherwise noted.

Witness my hand at Brenham, Washington County, Texas on this the 3rd day of June, 2009.

Maxed Kenjura, Chairman of the
Brenham Community Development Corporation

Attest Secretary of the
Brenham Community Development Corporation

STATE OF TEXAS
COUNTY OF WASHINGTON

Before me the undersigned authority, on this day personally appeared Maxed Kenjura, Chairman of the Brenham Community Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 3 day of June, 2009

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Robert C. Schmidt, R.P.L.S., do hereby certify, that this survey was performed on the ground under my supervision and completed May 20, 2009. It is my professional opinion that this map represents the facts as found.

Robert C. Schmidt, RPLS
Texas Registered Professional Land
Surveyor No. 4705

STATE OF TEXAS
REGISTERED
ROBERT C. SCHMIDT
4705
PROFESSIONAL
LAND SURVEYOR

Approved this 2nd day of June, 2009, as a Minor Plat, by the Director of Public Works of the City of Brenham, Texas, as authorized by Section 23.11 of the City of Brenham Code of Ordinances and Section 212.0065 of the Texas Local Government Code.

Craig Buhc
Director of Public Works

I, Beth Rotherme1, County Clerk in and for Washington County, Hereby certify that the foregoing instrument with its certificate of authentication was filed in my office this 3rd day of June, AD, 2009, at 3:45 o'clock P.m., in the Plat Records a Side the 82A. Witnessed my hand and seal of the County Court of the said County, at office in Brenham, Texas.

Deputy

Beth Rotherme1, County Clerk
Washington County, Texas

General Notes

1. Bearings are based on bearings of record as recorded in Plat Slide 103 A, of the Washington County Plat Records.
2. The surveyor has not abstracted the property. This survey was performed without the benefit of a current abstract of property or title report and would be subject to any conditions, restrictions or exceptions that a current title search might disclose.
3. This survey is valid only if it bears the original seal and signature of the surveyor.
4. This property does not lie in a flood hazard area according to the Flood Insurance Boundary Maps of Washington County, Texas Community Panel No. 480188 0005 A, and 0009 A effective 5-24-1977.
5. All 1/2" iron rods set are marked with plastic caps stamped "O'MALLEY ENGINEERS".

BRENHAM BUSINESS CENTER, PHASE I
PLAT OF LOT 3 OUT OF RESERVE B,
9.3353 ACRES
OUT OF THE ISAAC LEE SURVEY, A-77
CITY OF BRENHAM,
WASHINGTON COUNTY, TEXAS

O'MALLEY ENGINEERS
203 S. JACKSON ST. BRENHAM, TEXAS
(979) 836-7937 FAX (979) 836-7936

JOB NO. 608.13 (F DWG NO. 608YADU-RES B.DWG

AGENDA ITEM 17

DATE OF MEETING: July 26, 2019	**DATE SUBMITTED:** August 1, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☒ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas 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 (Case Number P-19-023)

SUMMARY STATEMENT: City Staff have recently been asked to consider an amendment to the Code of Ordinances, Appendix A – Zoning, to reduce the standard parking space dimensions. In the coming twelve to eighteen months, the city is expecting to see an increase in the number of building permits for residential and commercial development.

Parking standards are not only considered for new, greenfield development, but are also considered when an existing site re-develops or when a new tenant requests electricity for a new use in an existing building. Often times retrofitting existing sites to meet the city's minimum parking standards is challenging. Therefore, staff recommends a reduction to the minimum parking space size for 45°, 60°, and 90° spaces and proposes a minimum parking space size for compact parking spaces.

In addition to revising the standard parking space dimensions, staff proposes to consider parking lot standards in general and consider an amendment to increase landscaping requirements in parking areas. Currently landscaping is required to be provided at 5% of the parking areas with no tree or shrub requirements. Staff recommends approval of an ordinance to increase the minimum landscaping to 15% of the developed area (8% for redeveloping property) and establish tree and screening requirements.

Please see the attached staff report for a more detailed description and summary of the proposed amendments.

On Monday, July 22, 2019, the Planning and Zoning Commission met to consider the proposed text amendment. No comments were made during the public hearing portion of the proposed amendment. Following the public hearing, the Commission **voted unanimously to recommend approval** of the proposed text amendment **with the recommendation that the minimum parking space size be 9'x20' as oppose to the staff recommendation of 9'x19'.**

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): Staff recommends amending, Appendix A – Zoning of the Brenham Code of Ordinances to revise standards related to parking and landscaping requirements.

A. PROS:

- Approving the proposed amendment will allow for additional parking spaces on property redeveloping or developing for the first time in Brenham.
- Approving the proposed amendment will clarify any inconsistencies between the Brenham Code of Ordinance and City's adopted design standards.
- Approval of the proposed ordinance will increase the landscaping requirements and allow for the orderly, attractive and healthful development of property and promote general welfare of the community.
- The proposed amendment is in accordance with the goals established in the City's adopted zoning ordinance and in accordance with the Comprehensive Plan.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

1. Approve the proposed amendment, as recommended by City Staff;
2. Approve the proposed amendment, as recommended by the Planning and Zoning Commission;
3. Deny the proposed text amendment.

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on Its First Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas 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 (Case Number P-19-023)

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, AMENDING APPENDIX A – "ZONING" OF THE CODE OF ORDINANCES BY PROVIDING FOR THE AMENDMENT OF PART II, DIVISION I, SECTION 12 – LANDSCAPING AND BUFFERING, TO ESTABLISH STANDARDS RELATED TO THE LANDSCAPING OF NON-RESIDENTIAL AND MULTIPLE-FAMILY DEVELOPMENT; PROVIDING FOR THE AMENDMENT OF PART II, DIVISION 1, SECTION 16 – OFF-STREET PARKING REQUIREMENTS, TO AMEND MINIMUM PARKING SPACE SIZE STANDARDS AND ESTABLISH A STANDARD PARKING SPACE SIZE FOR SPACES DESIGNATED AS COMPACT PARKING.

WHEREAS, the City of Brenham has requested that Appendix A – "Zoning" of the Code of Ordinances be amended; and

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Brenham, Texas, have published notice and conducted public hearings regarding the request to amend Appendix A – "Zoning" of the Code of Ordinances; and

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

WHEREAS, these amendments were recommended for approval by the City of Brenham Planning & Zoning Commission in its final report during its regular meeting July 22, 2019; and

WHEREAS, the City Council deems it appropriate to approve the requested amendments to Appendix A – "Zoning" of the Code of Ordinances; Now Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS THAT APPENDIX A – "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1.

That Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas Part II, Division 1, Section 12, Landscaping and Buffering, Sec. 12.05, is hereby amended to read as follows:

(Sec.12.05) Minimum Landscaping Requirements for Nonresidential and Multiple-Family Uses.

(1) For all nonresidential and multiple-family parcels an area equal to fifteen percent (15%) of the developed area (building site) shall be required to be landscaped area in accordance with the City of Brenham Zoning Ordinance. Said landscaping shall be integrated into the design of the parking area such that it will not create a traffic or safety hazard by obscuring driver or pedestrian vision at the intersections of walkways, driveways, collector lanes and streets or any combination thereof.
(2) Any development existing, occupied, and in use at the time of passage of the ordinance from which this Section 12.05 is derived may continue to be so until such time the site undergoes a change of use, change of ownership, change of tenant, voluntary site improvement, structural alteration, relocation, or enlargement. At that time, an area equal to eight percent (8%) of the developed area (building site) shall be required to be landscaped in accordance with the City of Brenham Zoning Ordinance.
(3) In order to maximize the preservation of existing trees, surveyed trees in good health that have a caliper of at least four (4) inches measured six inches (6") from the ground may provide credit towards the landscaping requirement. Each existing tree preserved between four (4") and twelve (12") inches in diameter measured six inches (6") from the ground may receive landscape credits for two (2) trees. Each existing tree preserved greater than twelve (12") inches in diameter measured six inches (6") from the ground may receive a landscape credit for three (3) trees.
(4) All required landscaping shall be irrigated by either an underground sprinkler system, drip or micro irrigation system or hose attachment within one hundred feet (100') of all landscaping.
(5) A combination of trees, shrubs, and groundcover and a mix of species shall be provided to meet the minimum landscape requirement, no more than 50 percent (50%) of plantings may be from the same species.
(6) A landscape plan in accordance with Section 12 and applicable provisions of the City of Brenham Zoning Ordinance shall be submitted and approved prior to issuance of a building permit for such development. Landscape plans shall include location, size, and species of all trees and vegetation to be planted or preserved, layout and description of irrigation or water systems, and any other landscape features. All required landscaping and irrigation approved on the landscape plan shall be installed prior to issuance of a Certificate of Occupancy.

(Sec.12.06) Parking Lot Minimum Landscaping Requirements.

(1) 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 one hundred (100) square feet per tree. The remainder of all parking lot islands shall be fully landscaped with shrubs, grass, live groundcovers, and/or non-vegetative groundcover.

(2) A minimum of one (1) tree is required within 110’ of every parking space (one tree per every twelve (12) parking spaces).
(3) Each parking stall in excess of the minimum required parking shall be calculated as one and one-half stalls for purposes of calculating the minimum required number of trees.
(4) Tree wells/diamond planters shall be permitted at the head of parking stalls and encroach into the parking space. Minimum tree well dimensions shall be three feet (3’) by three feet (3’).
(5) Required 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.
(6) Required trees shall be seven feet (7’) tall and two inches (2”) in diameter when measured six inches (6”) from the ground. Fifty percent (50%) of required trees shall be canopy (shade) trees, remaining trees may be non-canopy (ornamental) trees.
(7) Dumpster enclosures with a minimum capacity of two (2) cubic yards, shall provide a concrete pad at least six inches (6”) thick and solid fence screening on three (3) sides. Dumpsters visible from the right-of-way or adjacent residential property, shall be required to provide a solid screening fence on four (4) sides.
(8) A decorative wall or landscaped earth berm at least two feet (2’) in height, or dense hedge having year-round foliage at least three feet (3’) in height at maturity, is required as a visual buffer along street frontages in the following circumstances:
    a. Where outdoor parking areas are located within fifty feet (50’) of any street right-of-way, except for driveway openings providing access from the street to the parking area;
    b. Where fuel pumps are located in any parking area, driveway, or maneuvering area between the principal building and any street; or
    c. Where a vehicle drive-up window faces a street.
(9) Required landscaping shall be located so as to be visible from public streets.

(Sec.12.07) Installation and maintenance. The owner, tenant and agent, if any, shall be jointly and severally responsible for installing and maintaining all landscaping in a healthy, neat and orderly condition. Landscaping shall be sufficiently fertilized and watered as necessary to maintain the plant material in a healthy condition. Landscape areas shall be maintained so as to present a healthy, neat, and orderly appearance at all times and shall be kept free of refuse and debris. Dead trees or plants shall be replaced no later than the earlier of: 1) within one hundred and twenty (120) days of notification by the zoning administrator; or 2) by the beginning of the next planting season.

SECTION 2.

That Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas Part II, Division 1, Section 16, Off-Street Parking Requirements, Sec. 16.02, is hereby amended to read as follows:

(Sec.16.02) *Minimum dimensions for off-street parking.* All parking spaces and aisles shall meet the minimum standards provided in Table 4a, Table 4b and subsections (1) through (4) below.

TABLE 4-a
PARKING SPACE AND AISLE DIMENSIONS (One-Way)

A	B	C	D	E	F	G	H	I	J
0^0	—	22	8	—	—	10*	—	—	26
45^0	9	14.1	21.1	30	17.6	10*	48.7	45.2	52.2
60^0	9	11.5	22.3	25.7	19.8	14*	56.1	53.6	58.6
90^0	9	10	19	20	—	24	—	—	64

A=PARKING ANGLE	F=STALL DEPTH INTERLOCK
B=STALL WIDTH	G=AISLE WIDTH
C=CURB LENGTH	H=WALL TO INTERLOCK
D=STALL DEPTH	I=INTERLOCK TO INTERLOCK
E=STALL LINE LENGTH	J=WALL TO WALL

*Aisle width dimension is for aisle of less than 150 feet in length. Longer aisle will require aisle width to increase to 17 feet to allow cars to pass.

TABLE 4-b PARKING SPACE AND AISLE DIMENSIONS (Two-Way)

A	B	C	D	E	F	K	L	M	N
0^0	—	22	8	—	—	20	—	—	36
45^0	9	14.1	21.1	30	17.6	20	58.7	55.2	62.2
60^0	9	11.5	22.3	25.7	19.8	20	62.1	59.6	64.6
90^0	9	10	19	20	—	24	—	—	64

A=PARKING ANGLE	F=STALL DEPTH INTERLOCK
B=STALL WIDTH	K=AISLE WIDTH
C=CURB LENGTH	L=WALL TO INTERLOCK
D=STALL DEPTH	M=INTERLOCK TO INTERLOCK
E=STALL LINE LENGTH	N=WALL TO WALL

(1) When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement ("G" and "K" In Table 4a and 4b respectively).

(2) Where off-street parking facilities are provided in excess of the minimum amounts herein specified, or when off-street parking facilities are provided but not required by this ordinance, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.

(3) Circulation within a parking area with more than one aisle shall be such that a vehicle need not enter the street in order to reach another aisle within the same parking area. Dead-end aisles are not permitted for parking spaces with angles greater than zero (0) degrees and less than ninety (90) degrees unless adequate turnarounds as approved by the city engineer are provided.

(4) All parking spaces shall be clearly marked on the pavement with yellow or white traffic paint or raised pavement markers approved by the city engineer.
(5) If a development requires ten (10) or more parking spaces, up to ten percent (10%) of the required spaces may be designated as compact car parking. Compact spaces shall be denoted as either "Compact Cars Only" or "Compact Parking" and shall be a minimum of eight (8) feet by sixteen (16) feet.

SECTION 3.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and **APPROVED** on its first reading this the ___ day of _____, 2019.

PASSED and **APPROVED** on its second reading this the ___ day of _____, 2019.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

AGENDA ITEM 18

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 25, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☒ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the tracts of Land described in said Ordinance (Case Number P-19-026)

SUMMARY STATEMENT: On June 11, 2019, the City of Brenham received a rezoning request application by Circle K, to rezone their property at the eastern corner of the intersection of FM-577 and State Highway 105 from a Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology Use District (B-2).

The reason for the rezoning request by Circle K is to allow the demolition of the current property improvements and reconstruction of a Convenience Store/Fuel Station (Automobile Service Station) at the existing location. The City of Brenham Zoning ordinance does not permit by-right the use of an Automobile Service Station in the B-1 zoning district. In the past and currently, Circle K has been operating as a grandfathered (legally nonconforming) use. With the proposed demolition, Circle K desires to rezone the property to allow the re-construction to be in compliance with the city's adopted zoning ordinance.

When examining the proposed rezoning request by Circle K, city staff found that adjacent properties in the vicinity of Circle K are also zoned B-1 and are also developed with legally non-conforming uses. Furthermore, it was identified that rezoning the Circle K property alone would be considered "spot zoning" as adjacent properties on all sides of the Circle K property are currently zoned B-1. Property located further north, along SH-105 were annexed into the City of Brenham city limits in 2006 and at that time were zoned B-2. Due to the aforementioned circumstances, city staff finds that it is appropriate to rezone property located north of the intersection of FM-577 and SH-105 to the B-2 district.

The proposed city initiated rezoning includes four properties with four different owners. Each of the four properties are currently zoned as B-1, Local Business/Residential Mixed Use District and suggested to be rezoned to B-2, Commercial Research and Technology District. The B-2 zoning district allows all uses allowed in B-1 (with the exception of single-family residential) and includes additional commercial and light industrial uses including: automobile/vehicular uses, lumber yards, and wholesale uses.

The proposed rezoning request is in accordance with land use policies adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that industrial and commercial/retail uses generating an increased amount of traffic are appropriate adjacent to major arterials.

No public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): On July 22, 2019, the Planning and Zoning Commission upheld the staff recommendation and **unanimously voted to recommend approval of the proposed rezoning** request to a Commercial Research and Technology Use District (B-2).

A. PROS: Allowing the proposed rezoning request would be in keeping with the development pattern in the general vicinity as well as bring the non-conforming uses into conformity.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

1. Approve the requested zoning change, as recommended by the Planning and Zoning Commission;
2. Deny the requested zoning change.

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the tracts of Land described in said Ordinance (Case Number P-19-026)

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES, AND THE OFFICIAL ZONING MAP OF THE CITY OF BRENHAM, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM A LOCAL BUSINESS RESIDENTIAL MIXED USE DISTRICT (B-1) TO A COMMERCIAL, RESEARCH AND TECHNOLOGY DISTRICT (B-2) ON CERTAIN PROPERTIES GENERALLY LOCATED ALONG STATE HIGHWAY 105, EAST OF THE INTERSECTION OF STATE HIGHWAY 105 AND N. BLUE BELL ROAD, BEING MORE PARTICULARLY DESCRIBED AND IDENTIFIED IN THIS ORDINANCE.

WHEREAS, during evaluation of a proposed rezoning request for 1708 State Highway 105 (Circle K), the City of Brenham found that the certain properties in the vicinity are also zoned Local Business Residential Mixed Use (B-1) District and may be developed with legally non-conforming uses. These particular properties are described as follows:

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 (f/k/a 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 and 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); and

WHEREAS, it was further determined that that rezoning the Circle K property alone would be considered "spot zoning" because adjacent properties on all sides of the Circle K property are currently zoned Local Business Residential Mixed Use District (B-1). Property located further north, along State Highway 105 ("SH-105") were annexed into the City of Brenham city limits in 2006 and at that time were zoned Commercial, Research and Technology (B-2) District; and

WHEREAS, due to the aforementioned circumstances, City staff finds that it is appropriate to rezone the above described property located north of the intersection of FM-577 and SH-105 to a Commercial, Research and Technology (B-2) District; and

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

WHEREAS, Appendix A – "Zoning" of the City of Brenham Code of Ordinance authorizes the City Council to grant zoning changes by adopting ordinances amending Appendix A for each individual permanent zoning change; and

WHEREAS, at least ten (10) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

WHEREAS, this amendment was recommended for approval by the City of Brenham Planning and Zoning Commission in its final report during its regular meeting on July 22, 2019; and

WHEREAS, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

WHEREAS, the City Council deems it appropriate to grant such proposed change in the zoning district classification of the Property.

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham are hereby amended by changing the zoning district classification from a Local Business Residential Mixed Used (B-1) District to a Commercial, Research and Technology (B-2) District on the following tracts of land, said areas of land being more particularly depicted in Exhibit "A" attached hereto and incorporated herein for all purposes.

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 (f/k/a 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 and 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)

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the ___day of _____, 2019.

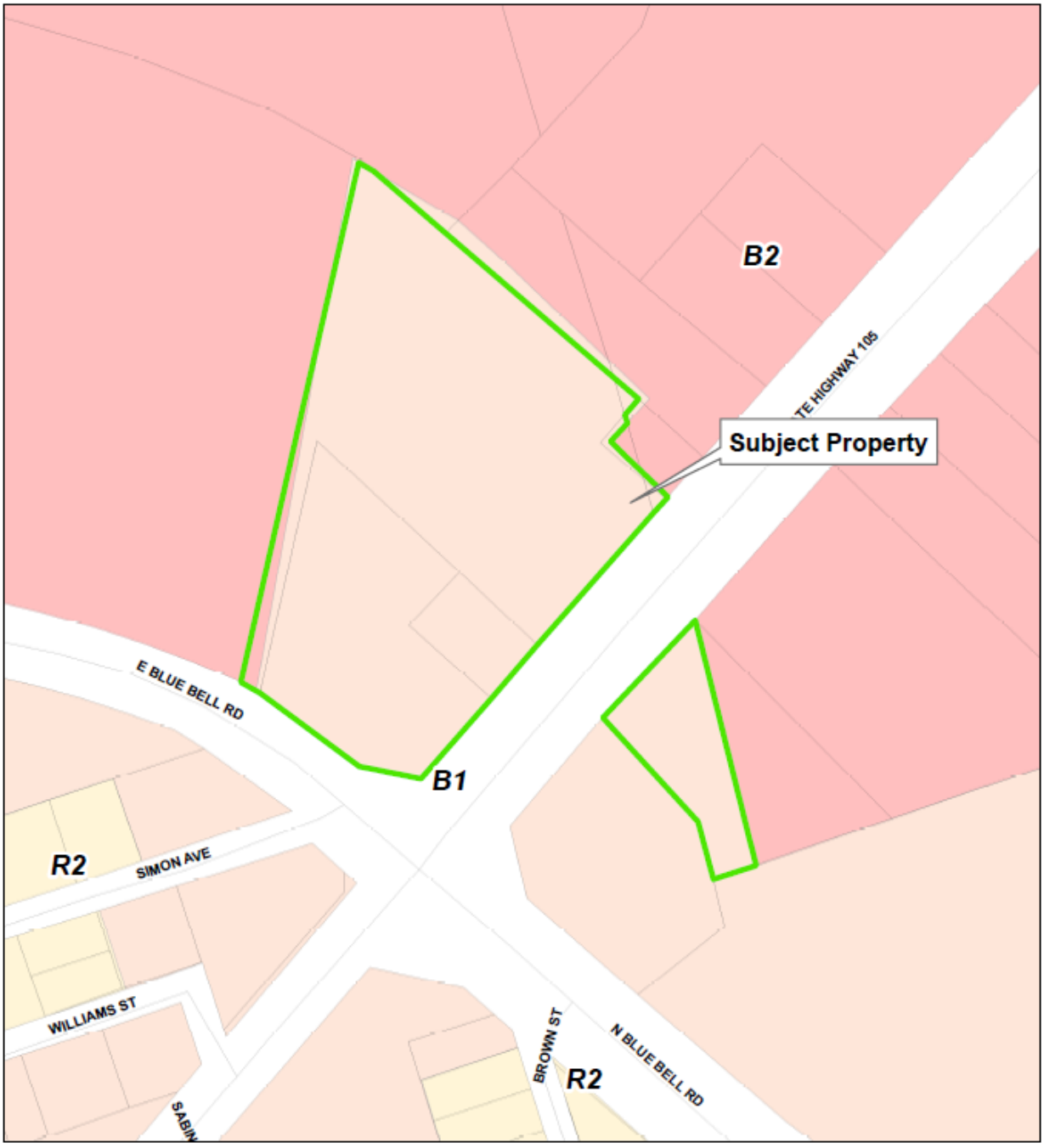
PASSED and APPROVED on its second reading this the ___ day of _____, 2019.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit “A”



State Highway 105
City-Initiated Rezoning

1 inch = 153 feet

- B1 Local Business Mixed
- B2 Commercial Research and Technology
- B3 Historical and Central Business
- B4 Neighborhood Business District
- I Industrial
- P1 Planned Development
- R1 Residential Single Family
- R2 Mixed Residential
- R3 Manufactured Home Residential
- DBROD Downtown Business/Residential Overlay District

City of BRENHAM

AGENDA ITEM 19

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 25, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☒ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology 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 (Case Number P-19-024)

SUMMARY STATEMENT: Circle K is the property owner of a 1.056-acre tract of land located at the southeast corner of the intersection of State Highway 105 and N. Blue Bell Road. This property is developed with an existing convenience store, car wash, and gas pumps. The applicant is requesting that the property be rezoned from a Local Business Residential Mixed Use District (B-1) to a Commercial Research and Technology District (B-2) to demolish the current property improvements and redevelop the site with a convenience store / fuel station.

The proposed rezoning request is in accordance with land use policies adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that industrial and commercial/retail uses generating an increased amount of traffic are appropriate adjacent to major arterials.

No public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): On July 22, 2019, the Planning and Zoning Commission upheld the staff recommendation and unanimously voted to **recommend approval of the proposed rezoning request** to a Commercial Research and Technology Use District (B-2).

A. PROS: Allowing the proposed rezoning request would be in keeping with the development pattern in the general vicinity of the subject 1.056-acre tract of land and would allow redevelopment of the property with a convenience store and fuel station.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

1. Approve the requested zoning change, as recommended by the Planning and Zoning Commission;
2. Deny the requested zoning change.

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on its First Reading Amending the 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 District (B-2) on a 1.056-acre Tract of Land Located at the Southeast Corner of the Intersection of State Highway 105 and N. Blue Bell Road in Brenham, Washington County, Texas. (Case No. P-19-024)

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES, AND THE OFFICIAL ZONING MAP OF THE CITY OF BRENHAM, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM A LOCAL BUSINESS RESIDENTIAL MIXED USE (B-1) DISTRICT TO A COMMERCIAL, RESEARCH AND TECHNOLOGY (B-2) DISTRICT ON A 1.056-ACRE TRACT OF LAND, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE HIGHWAY 105 AND N. BLUE BELL ROAD, ADDRESSED AS 1708 STATE HIGHWAY 105, AND BEING FURTHER DESCRIBED AS LOT 1 OF THE SOUTHEAST PORTION OF POST OAK GROVE ADDITION, IN BRENHAM, WASHINGTON COUNTY, TEXAS.

WHEREAS, the owner(s) of a 1.056-acre tract of land generally located at the southeast corner of the intersection of State Highway 105 and N. Blue Bell Road, addressed as 1708 State Highway 105 and being further described as Lot 1 of the Southeast Portion of Post Oak Grove Addition, in Brenham, Washington County, Texas, (the "Property"), have requested that the Property be rezoned; and

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

WHEREAS, Appendix A – "Zoning" of the City of Brenham Code of Ordinance authorizes the City Council to grant zoning changes by adopting ordinances amending Appendix A for each individual permanent zoning change; and

WHEREAS, at least ten (10) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

WHEREAS, this amendment was recommended for approval by the City of Brenham Planning and Zoning Commission in its final report during its regular meeting on July 22, 2019; and

WHEREAS, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

WHEREAS, the City Council deems it appropriate to grant such proposed change in the zoning district classification of the Property.

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham are hereby amended by changing the zoning district classification from a Local Business Residential Mixed Use (B-1) District to a Commercial, Research and Technology (B-2) District on a 1.056-acre tract of land generally located at the southeast corner of the intersection of State Highway 105 and N. Blue Bell Road, addressed as 1708 State Highway 105 and being further described as Lot 1 of the Southeast Portion of Post Oak Grove Addition, in Brenham, Washington County, Texas, said area of land being more particularly depicted in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the ___ day of _____, 2019.

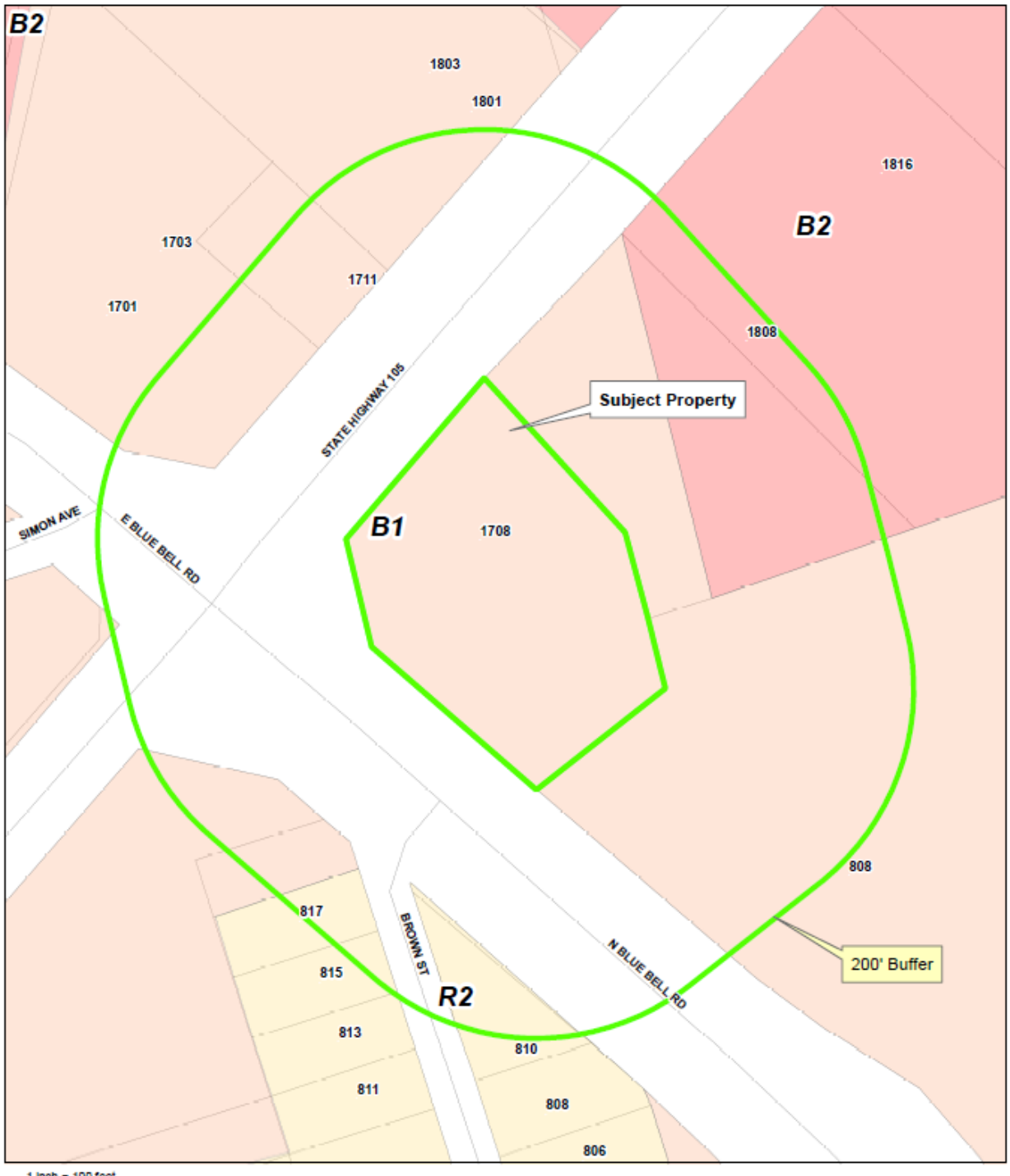
PASSED and APPROVED on its second reading this the ___ day of _____, 2019.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit “A”



1708 State Highway 105

AGENDA ITEM 20

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 25, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	**CLASSIFICATION:**	**ORDINANCE:**
☒ **REGULAR**	☐ **PUBLIC HEARING**	☒ **1ST READING**
☐ **SPECIAL**	☐ **CONSENT**	☐ **2ND READING**
☐ **EXECUTIVE SESSION**	☒ **REGULAR**	☐ **RESOLUTION**
	☐ **WORK SESSION**	

AGENDA DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 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 (Case Number P-19-025)

SUMMARY STATEMENT: The subject property was acquired by Blinn College in the early 1990's and is zoned as R-2, Mixed Residential Use Zoning District. The subject tract consists of 2.29 acres platted into various lots as part of the Keys 1st Subdivision and is located along West Fifth Street between Prairie Lea Street and High Street.

Blinn College, 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 at a later date. Blinn College has requested that the property be rezoned to B-2, which allows for College and University uses by-right.

The proposed rezoning request is in accordance with future land use map adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that commercial/retail uses are appropriate at this location.

No public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): On July 22, 2019, the Planning and Zoning Commission upheld the staff recommendation and **unanimously voted to recommend approval of the** proposed rezoning request to a Commercial Research and Technology Use District (B-2).

A. PROS: Allowing the proposed rezoning request would be in keeping with the development pattern in the general vicinity of the subject 2.29 acres of land and would allow redevelopment of the property with a College and University uses.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

1. Approve the requested zoning change, as recommended by the Planning and Zoning Commission;
2. Deny the requested zoning change.

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 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 (Case Number P-19-025)

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES, AND THE OFFICIAL ZONING MAP OF THE CITY OF BRENHAM, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM MIXED RESIDENTIAL DISTRICT (R-2) TO A COMMERCIAL, RESEARCH AND TECHNOLOGY DISTRICT (B-2) ON APPROXIMATELY 2.29 ACRES OF LAND ADDRESSED AS 901, 905, 909, 911 AND 913 W. FIFTH STREET AND 1104 AND 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.

WHEREAS, the owner(s) of the 2.29 acres of land generally located near the intersection of W. Fifth Street and High Street, addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 1106 High Street, and being further described as Lots 1, 2A and 4 in Block 21 of the Key's First Addition, in Brenham, Washington County, Texas, (the "Property"), have requested that the Property be rezoned; and

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

WHEREAS, Appendix A – "Zoning" of the City of Brenham Code of Ordinance authorizes the City Council to grant zoning changes by adopting ordinances amending Appendix A for each individual permanent zoning change; and

WHEREAS, at least ten (10) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

WHEREAS, this amendment was recommended for approval by the City of Brenham Planning and Zoning Commission in its final report during its regular meeting on July 22, 2019; and

WHEREAS, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

WHEREAS, the City Council deems it appropriate to grant such proposed change in the zoning district classification of the Property.

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham are hereby amended by changing the zoning district classification from a Mixed Residential District (R-2) to a Commercial, Research and Technology District (B-2) on approximately 2.29 acres of land addressed as 901, 905, 909, 911 913 W. Fifth Street and 1104 and 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, said area of land being depicted in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the ___ day of _____, 2019.

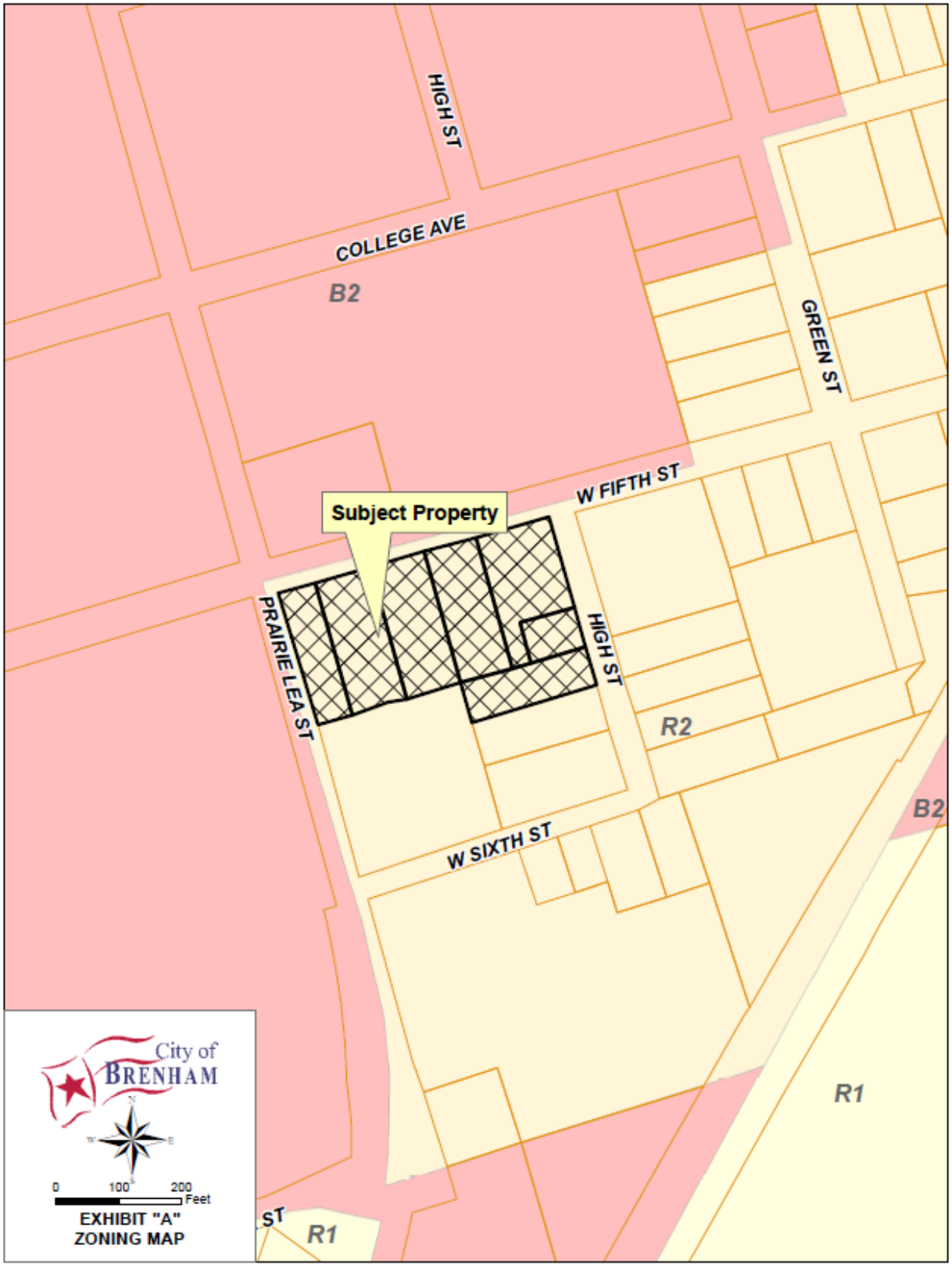
PASSED and APPROVED on its second reading this the ___ day of _____, 2019.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit “A”


HIGH ST
COLLEGE AVE
B2
GREEN ST
W FIFTH ST
Subject Property
PRAIRIE LEA ST
HIGH ST
R2
B2
W SIXTH ST
R1
R1
City of
BRENHAM
0
100
200
Feet
EXHIBIT "A"
ZONING MAP

AGENDA ITEM 21

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 24, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☒ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)

SUMMARY STATEMENT: Texas Plumbing Supply (applicant) together with the Boettcher Family (current property owners) are requesting approval of a Specific Use Permit on approximately 2.19 acres of land 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 is currently zoned as B-1, Local Business/Residential Mixed Use Zoning District. 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 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. Mr. Fuller proposes to completely screen from view by adjacent right-of-way and property owners any outdoor storage located on the property.

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.

Two public comments in support of the proposed SUP were received prior to the Planning and Zoning Commission meeting. On Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission **voted unanimously to recommend approval** of the SUP request, **with the condition that all outdoor storage be completely screened from view by adjacent right-of-way and residential property.**

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Allow for the subject property to re-develop in a manner that is compatible with existing development and in accordance with the Comprehensive Plan.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

1. Approve the requested Specific Use Permit, as recommended by the Planning and Zoning Commission;
2. Deny the requested Specific Use Permit.

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO GRANT A SPECIFIC USE PERMIT TO TEXAS PLUMBING SUPPLY, 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 DESCRIBED AS PART OF LOTS 1 & 2, AND LOTS 3-7 IN BLOCK L OF THE STONE SUBDIVISION, IN BRENHAM, WASHINGTON COUNTY, TEXAS.

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

WHEREAS, Appendix A – "Zoning" of the City of Brenham Code of Ordinance authorizes the City Council to grant specific use permits for specific uses within the various zoning districts; and

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on July 22, 2019 with a condition that all outdoor storage be completely screened from view by adjacent right-of-way and residential property; and

WHEREAS, this amendment will include a condition to require screening of all open (outdoor) display or storage of retail merchandise on the subject 2.190 acre tract from view by all adjacent property and rights-of-way. The open storage area shall be screened from view by screening fence, vegetation, or combination thereof; and

WHEREAS, the City Council desires to approve this Ordinance granting the specific use permit, with conditions, as described herein below;

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to grant a Specific Use Permit for 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 (the "Property"), said 2.190 acres of land being more particularly described on Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2. The development of the Property shall be in accordance with the special conditions, restriction and regulation that all open (outdoor) display or storage of retail merchandise on the subject 2.190 acre tract shall be screened from view by all adjacent property and rights-of-way by means of screening fence, vegetation, or combination thereof, the location of said screening more particularly depicted on Exhibit "B" attached hereto and incorporated herein for all purposes.

SECTION 3. Upon holding a properly notified public hearing, the City Council may amend, change, or rescind the Specific Use Permit granted by this Ordinance if:

a. There is a violation and conviction of any of the provisions of this Ordinance, or any ordinance of the City of Brenham, that occurs on the Property;

b. The premises, or Property, used pursuant to the Specific Use Permit granted by this Ordinance are enlarged, modified, structurally altered, or otherwise significantly changed unless a separate Specific Use Permit is granted for such enlargement, modification, structural alteration, or change;

c. As otherwise permitted by law and/or Brenham's Zoning Ordinance, as it exists or may be amended.

SECTION 4. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the ___ day of _____, 2019.

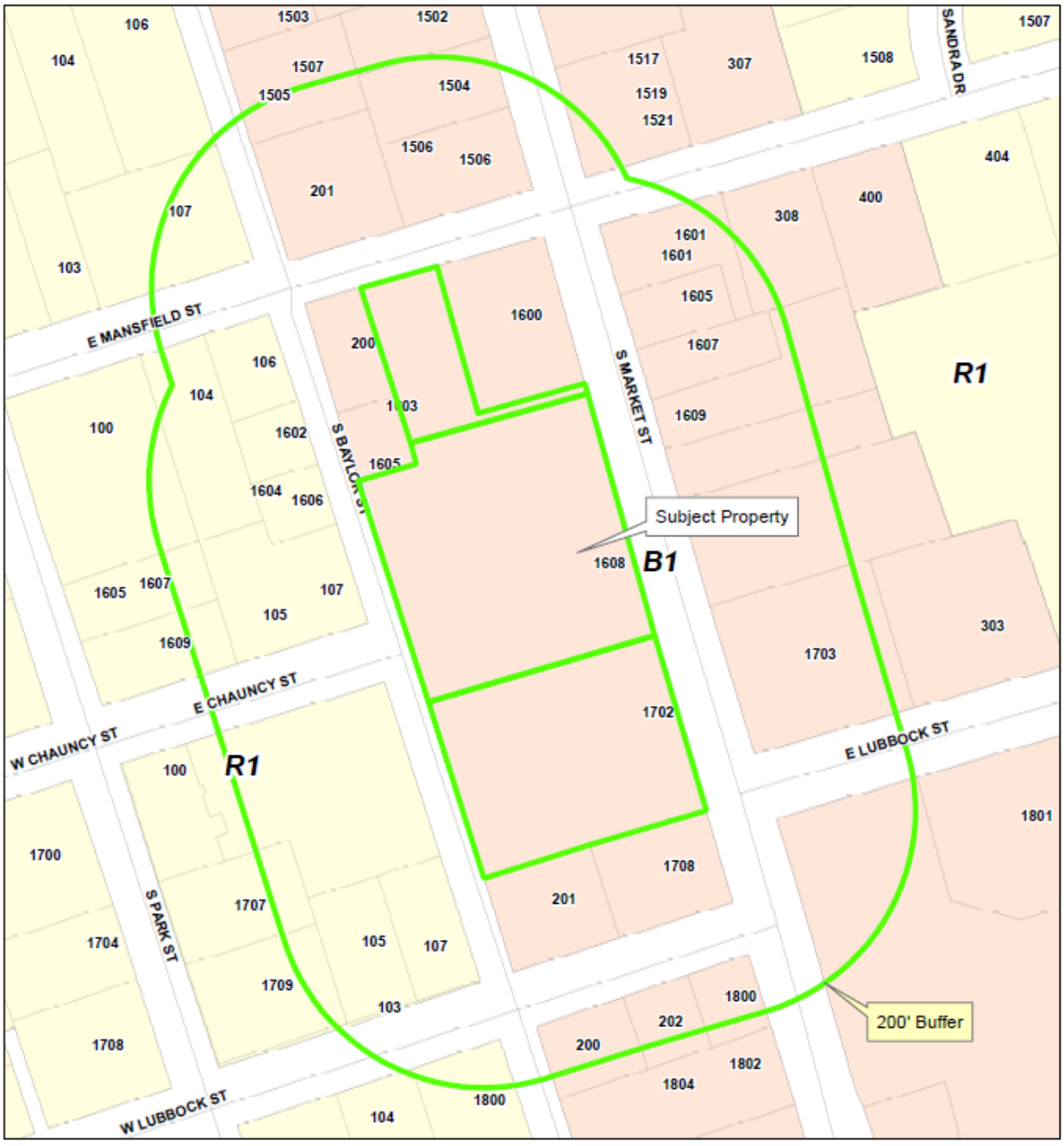
PASSED and APPROVED on its second reading this the ___ day of _____, 2019.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit “A”



Texas Plumbing Supply
Specific Use Permit Request

1 Inch = 124 feet

- B1 Local Business Mixed
- B2 Commercial Research and Technology
- B3 Historical and Central Business
- B4 Neighborhood Business District
- I Industrial
- P1 Planned Development
- R1 Residential Single Family
- R2 Mixed Residential
- R3 Manufactured Home Residential
- DBROD Downtown Business/Residential Overlay District

City of BRENHAM

Exhibit “B”

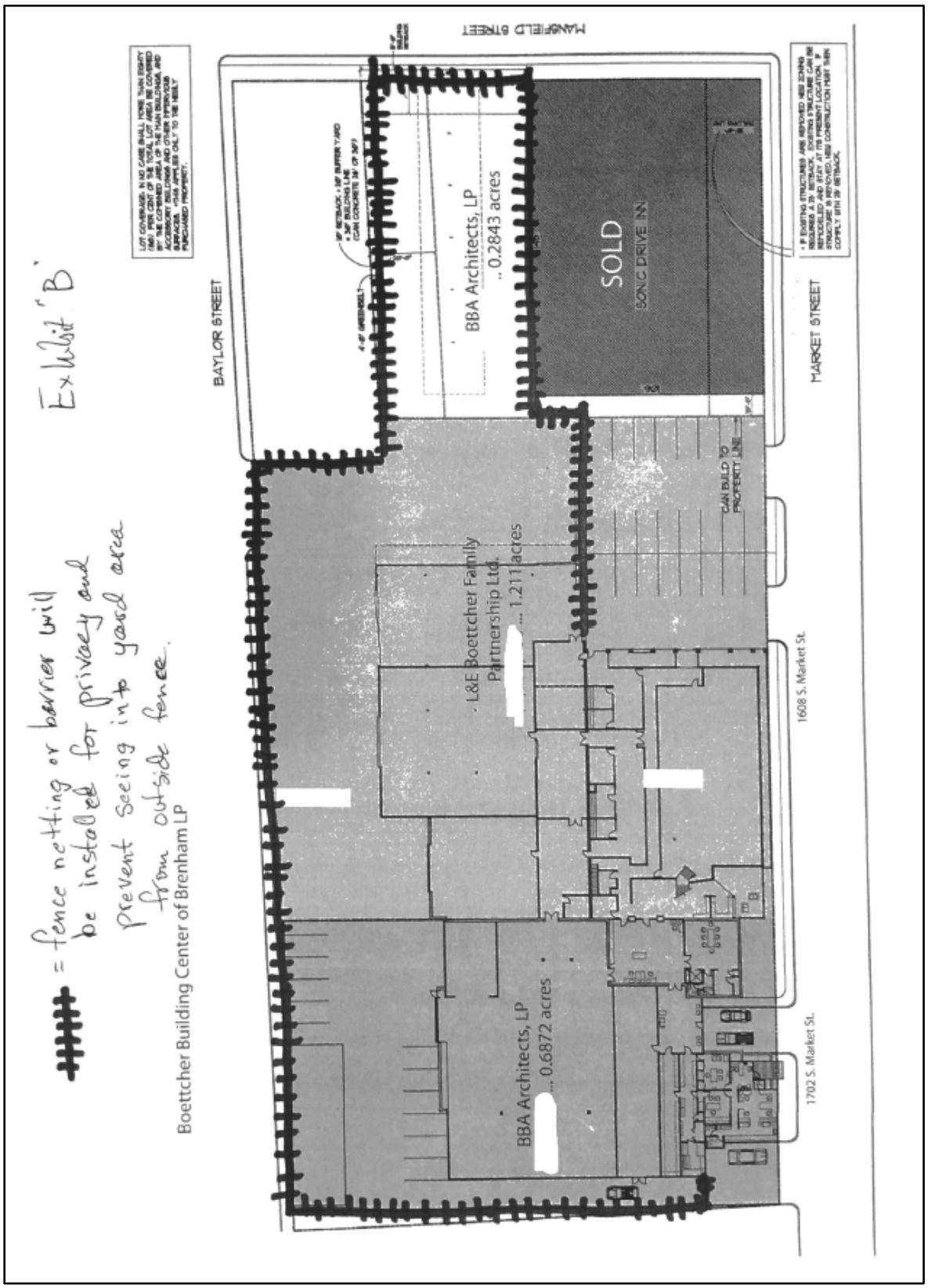


Exhibit 'B'
= fence netting or barrier will be installed for privacy and prevent seeing into yard area from outside fence.
Boettcher Building Center of Brenham LP
BAYLOR STREET
MANSFIELD STREET
MARKET STREET
BBA Architects, LP
.. 0.2843 acres
SOLD
SONIC DRIVE IN
L&E Boettcher Family Partnership Ltd.
... 1.211 acres
BBA Architects, LP
... 0.6872 acres
1608 S. Market St.
1702 S. Market St.

AGENDA ITEM 22

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 26, 2019
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Stephanie Doland

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☒ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-19-020 Authorizing the Acceptance of Infrastructure Improvements in the Oak Alley Phase I and Phase II Subdivision

SUMMARY STATEMENT: Washington County Oak Alley LLC has completed infrastructure improvements (water and sanitary sewer) related to the development of Phase 1 and 2 of the Oak Alley Subdivision, an approximately 25 lot residential subdivision located northeast of the intersection of South Blue Bell Road and County Road 84. Infrastructure related to streets and drainage shall be retained for ownership and maintenance by the Oak Alley Subdivision Homeowners Association. The infrastructure improvements have been constructed and inspected according to the City of Brenham ordinances and regulations and are ready for acceptance by the City of Brenham.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Resolution No. R-19-020; (2) Acceptance of Water and Wastewater Lines – Oak Alley, Phase 1 and 2; (3) Final Plat Oak Alley, Phase 1 and 2; and (4) Letter of Guarantee

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve Resolution No. R-19-020 authorizing the acceptance of infrastructure improvements in the Oak Alley Phase I and Phase II Subdivision

APPROVALS: James Fisher

RESOLUTION NO. R-19-020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, AUTHORIZING THE ACCEPTANCE OF CERTAIN PUBLIC IMPROVEMENTS IN THE OAK ALLEY SUBDIVISION, PHASE 1 AND 2; AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, Oak Alley Subdivision, Phase 1 and 2, consists of 23 residential Lots and Unrestricted Reserve "A" being an approximately 12.15 acre subdivision developed by Washington County Oak Alley LLC; and

WHEREAS, water, sewer, street, drainage improvements, and public infrastructure improvements were constructed by the developer; and

WHEREAS, the water and sewer public infrastructure improvements have been inspected by the City and found to be constructed in accordance with the City's Standards and Specifications; and

WHEREAS, the City of Brenham desires to formally accept the water and sewer improvements within the Oak Alley Subdivision, Phase 1 and 2.

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

The City of Brenham hereby accepts the water and sewer improvements in Oak Alley Subdivision, Phase 1 and 2, in the City of Brenham, Texas and authorizes the Mayor to execute any necessary documentation.

RESOLVED this 1st day of August, 2019.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

City of BRENHAM

Development Services and Engineering Division

200 W. Vulcan St.
Brenham, Texas 77833

P.O. Box 1059
Brenham, Texas 77834-1059

July 26, 2019

Washington County Oak Alley LLC
215 West Commerce Street
Brenham, Texas 77833

ATTN: Lynnette Sheffield
RE: ACCEPTANCE OF WATER AND WASTEWATER LINES
Oak Alley Phases 1 and 2

Dear Ms. Sheffield:

Please be advised that the water and wastewater lines in Oak Alley Phase 1 and 2 have been accepted by the City of Brenham as shown below:

Water Lines

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft.)	Pipe Size (in.)	Dollar Value
		Lat.	Long.	Lat.	Long.			
Carondelet Court	E	N030.154639	W096.365322	N030.153236	W096.364747	535	8 & 4	$19,747
Oak Alley Blvd	S	N030.153639	W096.366667	N030.154103	W096.365031	554	8	$23,268
Esplanade Court	N&E	N030.154264	W096.366225	N030.153836	W096.365839	258	4	$7,482

Wastewater Lines

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft.)	Pipe Size (in.)	Dollar Value
		Lat.	Long.	Lat.	Long.			
Carondelet Court	W	N030.154617	W096.365353	N030.154142	W096.365189	180	8	$8,460
Oak Alley Blvd.	N	N030.153711	W096.368456	N030.154142	W096.365189	1090	8	$51,230
Esplanade Court	W	N030.153881	W096.366222	N030.154156	W096.366269	135	8	$6,345

Date of Acceptance: August 1, 2019

The above described improvements were reviewed by the City of Brenham Engineering Consultant, Grant Lischka, PE and approved for acceptance on July 25, 2019. The one year warranty period begins on **July 25, 2019** and ends on **July 25, 2020** for the infrastructure listed above.

Sincerely,

Stephanie Doland
Development Services Director

cc: Tim Wolff, P.E., Bleyl Engineering

OWNER ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF WASHINGTON

We, Washington County Oak Alley, LLC, owner of the property subdivided in the foregoing map of Oak Alley, Phase 1 to the City of Brenham, Texas, do hereby make subdivision of said property according to the lines, streets, lots, alleys, parks, building lines, and easements thereon shown and designate said subdivision as Oak Alley, Phase 1 to the City of Brenham, Texas, located in Brenham, Washington County, Texas, and we do hereby dedicate to public use, as such the streets, alleys, parks, and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets and alleys to conform to such grades, and do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend the title to the land 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. We hereby covenant and agree that all lots within the boundaries of this subdivision are for residential purposes unless otherwise noted.

Witness my hand and at Brenham, Washington County, Texas on this the 9TH day of FEBRUARY, 2015.

LYNNETTE SHEFFIELD, MANAGER

NOTARY PUBLIC ACKNOWLEDGMENT

KIM HODDE
MY COMMISSION EXPIRES
September 14, 2017

THE STATE OF TEXAS
COUNTY OF Washington

This instrument was acknowledged before me on the 9th day of February, 2015, by Lynnette Sheffield

NOTARY PUBLIC, STATE OF TEXAS

NOTARY'S NAME (PRINTED): Kim Hodde

NOTARY'S COMMISSION EXPIRES: 9-14-2017

LIENHOLDERS ACKNOWLEDGMENT

Bank, owner and holder of a lien against the property described in the plat shown hereon, said lien being evidenced by instrument of record in Volume 1240, Page 508 of the Official Records of Washington County, Texas, does hereby in all things subordinate to said plat said lien, and hereby confirms they are the present owner of said lien and has not assigned the same nor any part thereof.

Brenham National Bank

NAME:

Senior Vice President

TITLE:

COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT

THE STATE OF TEXAS
COUNTY OF WASHINGTON

I, Beth A. 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 Feb. 11, 2015 at 11:15 o'clock, a m., and duly recorded on February 16, 2015, at 11:15 o'clock a m. in cabinet ____ sheet 648B of record of Plat for said county.

Witness my hand and seal of office, at Brenham, Washington County, Texas, the day and date last above written.

Janice Barria, Deputy

CLERK, COUNTY COURT
WASHINGTON COUNTY, TEXAS

PLANNING AND ZONING COMMISSION APPROVAL

Approved this ____ day of _____, 20__, by the Planning and Zoning Commission of the City of Brenham, Texas.

CHAIRMAN

SECRETARY

CERTIFICATE OF SURVEYOR

STATE OF TEXAS

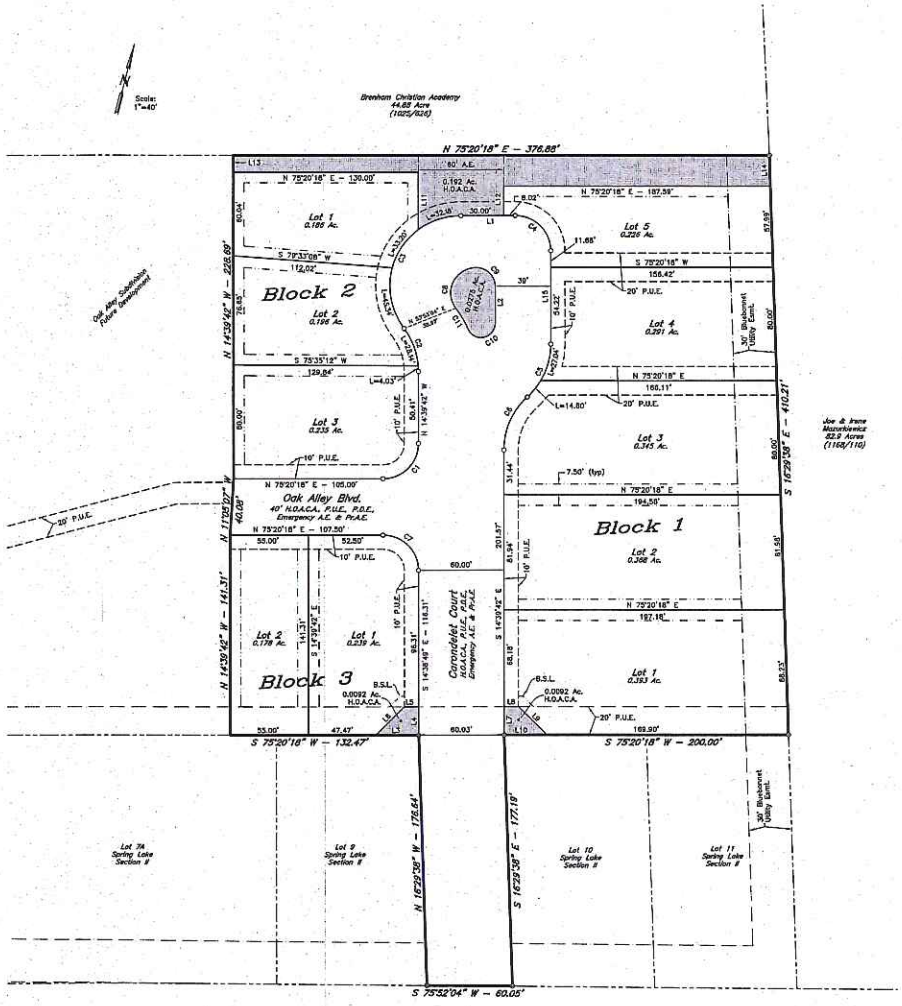
COUNTY OF BRAZOS

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

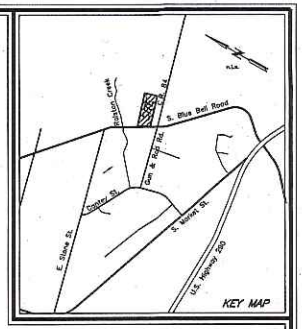
Kevin R. McClure, RPLS No. 5650

4/6/15

STATE OF TEXAS
KEVIN R. McCLURE
5650
REGISTERED
LAND SURVEYOR



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 75°20'18" E	38.02'
L2	S 14°39'42" E	28.41'
L3	N 75°20'18" E	30.00'
L4	S 14°26'49" E	20.00'
L5	S 75°20'18" W	10.00'
L6	S 39°20'44" W	28.29'
L7	S 14°39'42" E	20.00'
L8	N 75°20'18" E	10.00'
L9	S 59°48'34" E	28.36'
L10	N 75°20'18" E	30.10'
L11	S 14°39'42" E	41.28'
L12	N 14°39'42" W	21.28'
L13	S 14°39'42" E	12.00'
L14	N 16°28'38" W	22.01'
L15	S 14°39'42" E	85.90'



CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	90°00'00"	25.00'	39.27'	25.00'	N 30°20'18" E	35.36'
C2	36°52'12"	50.00'	32.18'	16.67'	N 33°05'48" W	31.62'
C3	126°52'12"	50.00'	110.71'	100.00'	N 11°54'12" E	89.44'
C4	90°00'00"	25.00'	39.27'	25.00'	S 59°39'42" E	35.36'
C5	47°56'59"	50.00'	41.84'	22.23'	S 9°18'48" W	40.63'
C6	47°56'59"	50.00'	41.84'	22.23'	S 9°18'48" W	40.63'
C7	90°00'00"	25.00'	39.27'	25.00'	S 59°39'42" E	35.36'
C8	126°39'41"	18.00'	39.79'	35.84'	N 12°00'27" E	32.17'
C9	88°43'40"	13.32'	20.62'	13.02'	S 60°17'32" E	18.62'
C10	154°04'08"	10.00'	27.24'	47.18'	S 83°22'21" W	19.57'
C11	12°43'48"	77.00'	17.11'	8.59'	N 44°57'30" W	17.03'

1. ORIGIN OF BEARING SYSTEM: Monuments found marking the north line (N 75°20'18" E) of the 11.905 acre tract described in Volume 1064, Page 245, Official Records, Washington County, Texas.
2. According to the Flood Insurance Rate Maps for Washington County, Texas and the City of Brenham, Community Panel No. 48477C0310C effective date of August 16, 2011, no portion of the subject property lies within the 100 year Flood Hazard Area.
3. Building Setback Lines are 7.5' from every property line unless shown otherwise.
4. All distances shown along curves are arc lengths.
5. Unless otherwise indicated, all lot corners are marked with 1/2" iron Rods. Additionally PK Nail Control Monuments are set in the Asphalt Pvmt. at ℄ intersections, ℄ Points of Curvatures and the ℄ Radius of Culdesacs.
6. Direct access from lots or common areas will not be permitted to collector or arterial streets.
7. Unless otherwise noted all corners are marked with 1/2" iron Rods
   - ○ – 1/2" Iron Rod Found
   - ○ – 1/2" Iron Rod Set
   - ⊙ – 5/8" Iron Rod Found
   - □ – TxDOT Right-of-way Monument Found
   - ▷ – Project Benchmark
   - ○ – PK Nail Control Marker
8. Abbreviations:
   - A.E. – Access Easement
   - P.U.E. – Public Utility Easement
   - P.D.E. – Public Drainage Easement
   - Pr.A.E. – Private Access Easement
   - H.O.A.C.A. – Homeowner's Association Common Area

FINAL PLAT

OAK ALLEY PHASE 1

LOTS 1–5, BLOCK 1, LOTS 1–3, BLOCK 2
AND LOTS 1–2, BLOCK 3

3.862 ACRES

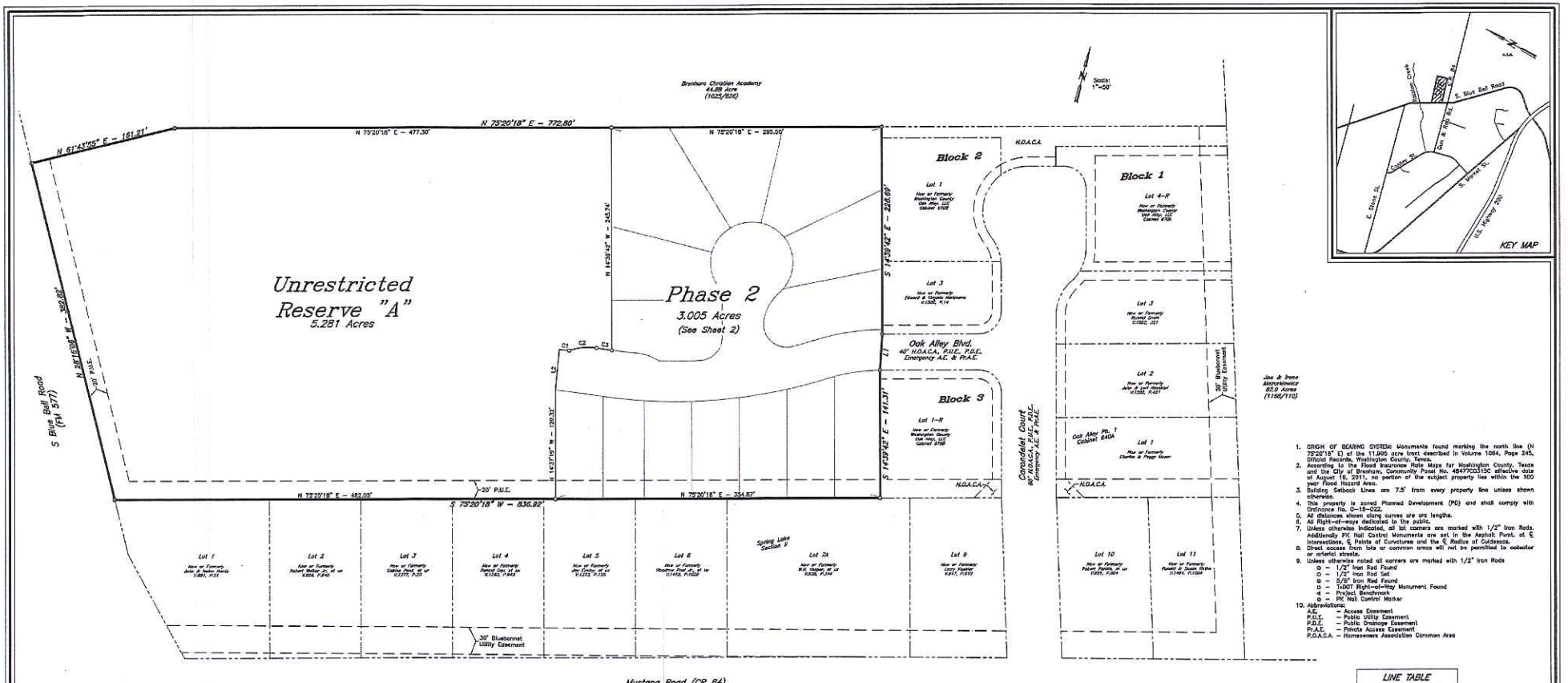
JAMES WALKER SURVEY, A–106
BRENHAM, WASHINGTON COUNTY, TEXAS

MAY 2014
SCALE: 1" = 40'

Owner:
Washington County Oak Alley, LLC
Lynnette Sheffield, Manager
215 West Commerce Street
Brenham, Tx 77833
979-836-6880

Surveyor:
McClure & Browne Engineering/Surveying, Inc.
1008 Woodcreek Dr., Suite 103
College Station, Texas 77845
(979) 693–3838

MB



1. ORIGIN OF BEARING SYSTEM: Monuments found marking the north line (N 75°20'18" E) of the 11.905 acre tract described in Volume 1064, Page 245, Official Records, Washington County, Texas.
2. According to the Flood Insurance Rate Maps for Washington County, Texas and the City of Brenham, Community Panel No. 48477C0115C effective date of August 18, 2011, no portion of the subject property lies within the 100 year Flood Hazard Area.
3. Building Setback Lines are 7.5' from every property line unless shown otherwise.
4. This property is zoned Planned Development (PD) and shall comply with Ordinance No. 0-18-022.
5. All distances shown along curves are arc lengths.
6. All Right-of-ways dedicated to the public.
7. Unless otherwise indicated, all lot corners are marked with 1/2" iron Rods. Additionally PK Nail Control Monuments are set in the Asphalt Pvmt. at ℄ intersections, ℄ Points of Curvatures and the ℄ Radius of Culdesacs.
8. Direct access from lots or common areas will not be permitted to collector or arterial streets.
9. Unless otherwise noted all corners are marked with 1/2" iron Rods
   - O – 1/2" Iron Rod Found
   - ○ – 1/2" Iron Rod Set
   - ⊕ – 5/8" Iron Rod Found
   - D – TxDOT Right-of-Way Monument Found
   - ⊲ – Project Benchmark
   - ⊙ – PK Nail Control Marker
10. Abbreviations:
    - A.E. – Access Easement
    - P.U.E. – Public Utility Easement
    - P.D.E. – Public Drainage Easement
    - P.A.E. – Private Access Easement
    - H.O.A.C.A. – Homeowners Association Common Area

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 11°05'07" E	40.68'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	1°03'49"	587.81'	10.91'	5.46'	N 81°14'54" E	10.91'
C2	31°43'39"	55.00'	30.46'	15.63'	N 89°40'13" E	30.07'
C3	1°56'15"	495.00'	16.84'	8.42'	N 84°35'55" E	16.84'

OWNER ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF WASHINGTON

We, Washington County Oak Alley, LLC, owner of the property subdivided in the foregoing map of Oak Alley, Phase 1 to the City of Brenham, Texas, do hereby make subdivision of said property according to the lines, streets, lots, alleys, parks, building lines, and easements thereon shown and designate said subdivision as Oak Alley, Phase 2 to the City of Brenham, Texas, located in Brenham, Washington County, Texas, and we do hereby dedicate to public use, as such the streets, alleys, parks, and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets and alleys to conform to such grades, and do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend the title to the land 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. We hereby covenant and agree that all lots within the boundaries of this subdivision are for residential purposes unless otherwise noted.

Witness my hand and seal at Brenham, Washington County, Texas on this the 27th day of June, 2018.

Lynnette Sheffield
LYNNETTE SHEFFIELD, MANAGER

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF Washington

This instrument was acknowledged before me on the 27th day of June, 2018, by Lynnette Sheffield

Kim Hoddle
NOTARY PUBLIC, STATE OF TEXAS

NOTARYS NAME (PRINTED): Kim Hoddle

NOTARYS COMMISSION EXPIRES: 9-14-2021

KIM HODDLE
My Notary ID # 125056818
Expires September 14, 2021

LIENHOLDERS ACKNOWLEDGMENT

Brenham National Bank, owner and holder of a lien against the property described in the plat shown hereon, said lien being evidenced by instrument of record in Volume 1240, Page 508 of the Official Records of Washington County, Texas, does hereby in all things subordinate to said plat said lien, and hereby confirms they are the present owner of said lien and has not assigned the same nor any part thereof.

Richard Radcliff
NAME: Richard Radcliff
TITLE: Executive Vice President

COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT

THE STATE OF TEXAS
COUNTY OF WASHINGTON

I, Beth A. 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 July 9, 2018 at 9:21A o'clock, P m., and duly recorded on July 9, 2018 at 9:21A o'clock, P m. in cabinet ____ sheet 1176 & 1177 of record of ____ for said county.

Witness my hand and seal of office, at Brenham, Washington County, Texas, the day and date last above written.

Beth A. Rothermel, deputy
CLERK, COUNTY COURT
WASHINGTON COUNTY, TEXAS

PLANNING AND ZONING COMMISSION APPROVAL

Approved this 26th day of February, 2018 by the Planning and Zoning Commission of the City of Brenham, Texas.

CHAIRMAN

SECRETARY

CERTIFICATE OF SURVEYOR

STATE OF TEXAS

COUNTY OF BRAZOS

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

Kevin R. McClure, R.P.L.S. No. 5650
6/2/18

STATE OF TEXAS
REGISTERED
KEVIN R. McCLURE
5650
PROFESSIONAL
LAND SURVEYOR

FINAL PLAT

OAK ALLEY

PHASE 2
LOTS 4-10, BLOCK 2, LOTS 3-7, BLOCK 3
AND LOT 1, BLOCK 4
3.005 ACRES

RESERVE "A"
5.281 ACRES

JAMES WALKER SURVEY, A-106
BRENHAM, WASHINGTON COUNTY, TEXAS

FEBRUARY, 2018
SCALE: 1" = 50'

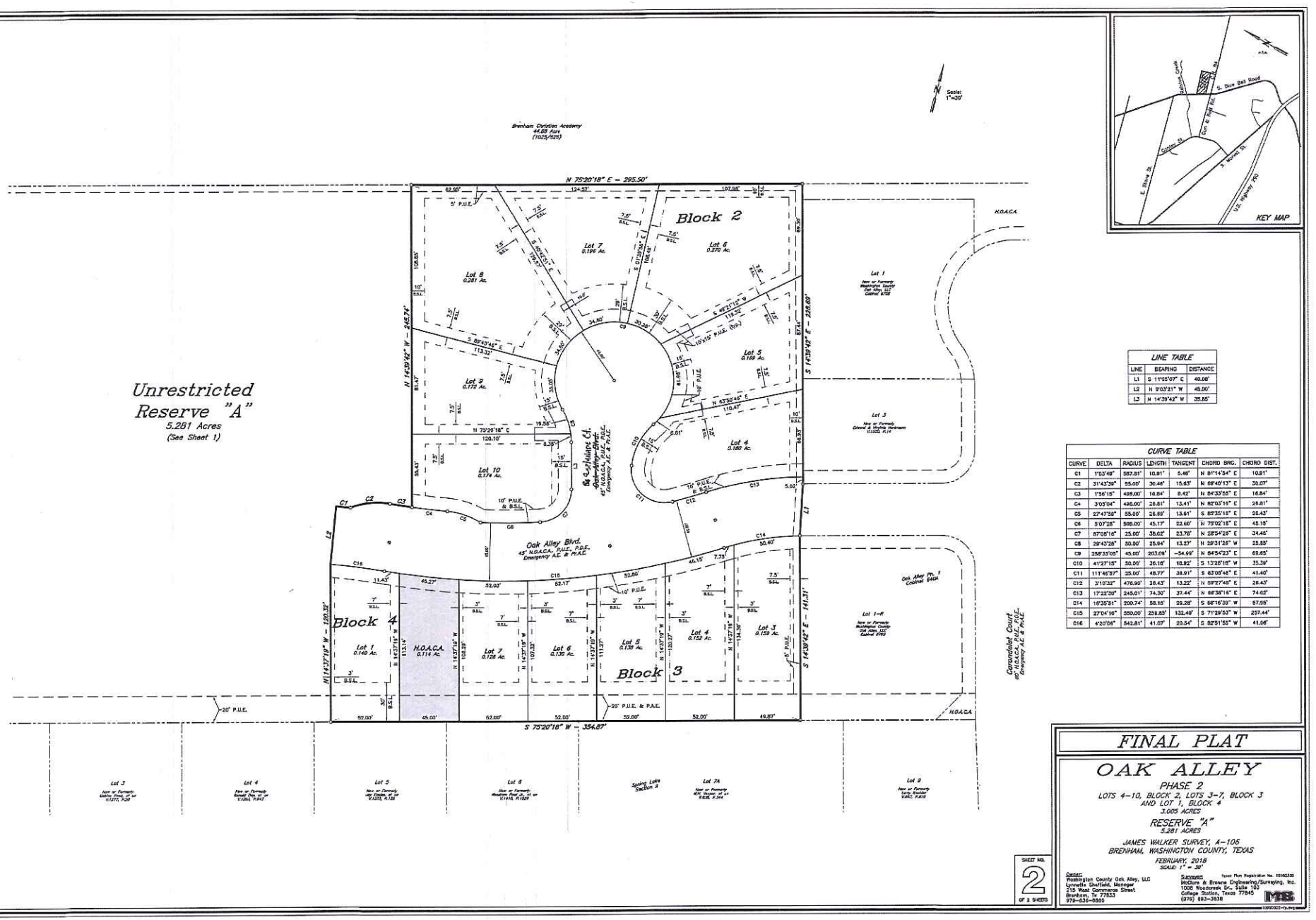
SHEET NO. 1 OF 2 SHEETS

Owner:
Washington County Oak Alley, LLC
Lynnette Sheffield, Manager
216 West Commerce Street
Brenham, Tx 77833
979-836-8880

Surveyor:
Texas Firm Registration No. 10103300
McClure & Browne Engineering/Surveying, Inc.
1008 Woodcreek Dr., Suite 103
College Station, Texas 77845
(979) 693-3838

MB

10/05/2022-fs.dwg



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 11°05'07" E	40.08'
L2	N 9°03'21" W	45.00'
L3	N 14°39'42" W	35.85'

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG.	CHORD DIST.
C1	1°03'49"	587.81'	10.91'	5.46'	N 81°14'34" E	10.91'
C2	31°43'39"	55.00'	30.46'	15.63'	N 69°40'13" E	30.07'
C3	1°56'15"	498.00'	16.84'	8.42'	N 84°33'55" E	16.84'
C4	3°05'04"	496.00'	26.81'	13.41'	N 82°03'16" E	26.81'
C5	27°47'59"	55.00'	26.69'	13.61'	S 85°35'16" E	26.43'
C6	5°07'28"	505.00'	45.17'	22.60'	N 75°02'18" E	45.15'
C7	87°05'16"	25.00'	38.02'	23.78'	N 28°54'26" E	34.46'
C8	29°43'28"	30.00'	25.94'	13.27'	N 29°31'26" W	25.83'
C9	258°35'05"	45.00'	203.09'	-54.99'	N 64°54'23" E	69.65'
C10	41°27'15"	50.00'	36.16'	18.92'	S 13°28'18" W	35.39'
C11	111°46'37"	25.00'	48.77'	38.91'	S 63°08'46" E	41.40'
C12	3°10'32"	476.90'	26.43'	13.22'	N 59°27'46" E	26.43'
C13	17°22'39"	245.01'	74.30'	37.44'	N 66°38'16" E	74.02'
C14	16°35'51"	200.74'	58.15'	29.28'	S 66°16'39" W	57.95'
C15	27°04'16"	550.00'	259.83'	132.40'	S 71°29'53" W	257.44'
C16	4°20'06"	542.81'	41.07'	20.54'	S 82°51'55" W	41.06'

FINAL PLAT

OAK ALLEY

PHASE 2

LOTS 4–10, BLOCK 2, LOTS 3–7, BLOCK 3
AND LOT 1, BLOCK 4
3.005 ACRES

RESERVE "A"
5.281 ACRES

JAMES WALKER SURVEY, A–106
BRENHAM, WASHINGTON COUNTY, TEXAS

FEBRUARY, 2018
SCALE: 1" = 30'

SHEET NO. 2 OF 2 SHEETS

Owner:
Washington County Oak Alley, LLC
Lynnette Sheffield, Manager
215 West Commerce Street
Brenham, Tx 77833
979-836-8866

Surveyor: Texas Firm Registration No. 10100300
McClure & Browne Engineering/Surveying, Inc.
1008 Woodcreek Dr., Suite 102
College Station, Texas 77845
(979) 693-3838

ONE YEAR GUARANTEE
OF MATERIALS AND WORKMANSHIP

DATE: July 24, 2019

TO: City of Brenham
Development Services Director

RE: OAK ALLEY SUBDIVISION PHASE 1 and 2

The Developer shall well, truly, and faithfully maintain and keep in good repair the work performed and all public improvements installed for a period of one (1) year from the date of acceptance in writing by the City of Brenham, and Developer shall do all necessary work and repair of any defective conditions, known or unknown, at any time during the period which the city engineer, whose judgment shall be final and conclusive, determines to be the result of defective work, materials or labor, including but not limited to, water lines and sewer lines, drainage improvements, vegetative cover, and erosion control measures.

SIGNED

Lynnette Sheffield 7-26-19
Developer **Date**

Savanah Gutierrez 7-26-19
Contractor **Date**

Lynnette Sheffield
Washington County Oak Alley LLC
215 West Commerce Street
Brenham, Texas 77833
(979) 830-3927

Savanah Gutierrez
Legacy Concrete Works
2201 Becker Drive
Brenham, Texas 77833
(979) 836-5415

AGENDA ITEM 23

DATE OF MEETING: August 1, 2019	**DATE SUBMITTED:** July 26, 2019
DEPT. OF ORIGIN: Public Works	**SUBMITTED BY:** Dane Rau

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR	☐ PUBLIC HEARING	☐ 1ST READING
☐ SPECIAL	☐ CONSENT	☐ 2ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION
	☐ WORK SESSION	

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Bid for Contract No. 2018-04-R Related to the 2018 Louanna Estates Drainage Project Rebid and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY: On July 17, 2019 Strand Associates and City of Brenham personnel open bids regarding budgeted drainage work in the Lou Anna Estates Subdivision (Tracye Lea, Blake Dr, and FM 389). There were six bids received and bids were very competitive. The bid consisted of a base bid, which was the major portion of the drainage improvements and consisted of the larger storm sewer work of 24", 27", 30" and 36" pipe installation. The alternate consisted of a smaller section of older storm sewer that ran through easements and backyards of properties bordering Tracye Lea and Blake Dr. that we have had numerous issues on in the past and would like to correct this while we are in the area. Bids came back within our allocated funds even when considering awarding the alternate bid. Based off the bids and when considering the alternate the lowest overall bidder was Solid Bridge Construction from Huntsville, TX. Solid Bridge's base bid was $198, 207.000 and the alternate bid price was $99,341.00 totaling $292,633.00. Solid Bridge is currently doing work for the City of Brenham and has done a great job. They are very communicative and get the job done quickly and their quality of work is good.

As seen by Strands recommendations along with our experience we would ask council to award the Lou Anna Drainage Project to Solid Bridge Construction for both the base bid and alternate #1 in the total amount of $292,633.00. This project is completely funded by the City of Brenham and part of the scope of work pertains to installing concrete storm drain pipe across FM 389 near Blake Dr, which both the City of Brenham and the contractor will be working with TxDOT.

Currently this project is funded with 2017 bond proceeds in which was earmarked for several projects including this one.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Will be upsizing infrastructure in the Lou Anna Estates Subdivision and under FM 389 which will help residents on Tracye Lea, Blake Dr. and those abutting FM 389. Bids came back positive.

B. CONS: None

ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Bid Tabulation; (2) Apparent Low Bidder Letter; (3) Resulting Bid Tabulation Letter; and (4) Site Map
FUNDING SOURCE (Where Applicable): 2017 Bond Proceeds
RECOMMENDED ACTION: Award a bid for Contract No. 2018-04-R to Solid Bridge Construction, in the amount of $292,633.00 including the alternate bid, related to the 2018 Louanna Estates Drainage Project Rebid and authorize the Mayor to execute any necessary documentation
APPROVALS: James Fisher

Bids Received: 02:30 PM
July 17, 2019

STRAND ASSOCIATES, INC.®
1906 Niebuhr Street
Brenham, TX 77833

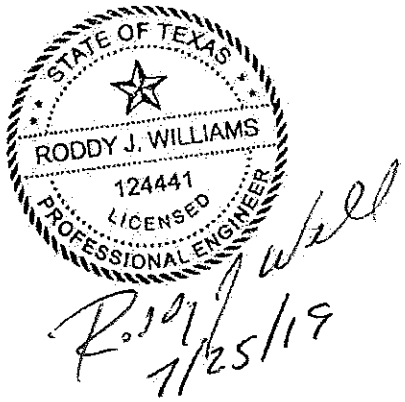
2018 LOUANNA ESTATES DRAINAGE PROJECT REBID
CONTRACT 2018-04-R
CITY OF BRENHAM, TEXAS

BID TABULATION SUMMARY

Bidder and Address	Bid Bond	Addenda Acknowledged	Base Unit Price Bid	Alternate Table	Total Bid Price
Palasota Contracting, LLC 13651 Highway 21 North Zulch, TX 77872	5%	Yes	$197,775.00	$99,341.00	$297,116.00
Solid Bridge Construction 1204 Sam Houston Avenue #1 Huntsville, TX 77340	5%	Yes	$198,207.00	$94,426.00	$292,633.00
Barclays Premier Utility Services, LLC 1630 Gault Road Houston, TX 77039	5%	Yes	$208,100.00	$89,695.00 *$89,195.00	$297,795.00 *$297,295.00
DL Glover, Inc. 24460 Needham Road Porter, TX 77365	5%	Yes	$218,878.00	$4,832,658.00 *$111,114.00	$5,051,536.00 *$329,992.00
Mercer Construction Company 909 North Colorado Edna, TX 77957	5%	Yes	$223,915.00	$117,080.00	$340,995.00

Bidder and Address	Bid Bond	Addenda Acknowledged	Base Unit Price Bid	Alternate Table	Total Bid Price
Collier Construction, LLC P.O. Box 1889 Brenham, TX 77834	5%	Yes	$239,125.00	$99,964.00	$339,089.00

Reviewed by: Hollie Schrader



Bids Received: 02:30 PM, July 17, 2019

STRAND ASSOCIATES, INC.®
1906 Niebuhr Street
Brenham, TX 77833

2018 LOUANNA ESTATES DRAINAGE PROJECT REBID
CONTRACT 2018-04-R
CITY OF BRENHAM, TEXAS

BID TABULATION BREAKDOWN

				Patasota Contracting, LLC 13651 Highway 21 North Zulch, TX 77872		Solid Bridge Construction 1204 Sam Houston, Ave.#1 Huntsville, TX 77340		Barclays Premier Utility Services, LLC 1630 Gault Road Houston, TX 77039		DL Glover, Inc. 24460 Needham Road Porter, TX 77365		Mercer Construction Co. 809 North Colorado Edna, TX 77957		Collier Construction, LLC P.O. Box 1889 Brenham, TX 77834	
No.	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1.	Mobilization	1	LS	$ 30,000.00	$ 30,000.00	$ 9,000.00	$ 9,000.00	$ 35,000.00	$ 35,000.00	$ 22,500.00	$ 22,500.00	$ 20,000.00	$ 20,000.00	$ 8,000.00	$ 8,000.00
2.	Traffic Control	1	LS	$ 10,000.00	$ 10,000.00	$ 4,500.00	$ 4,500.00	$ 15,000.00	$ 15,000.00	$ 12,500.00	$ 12,500.00	$ 5,000.00	$ 5,000.00	$ 1,267.00	$ 1,267.00
3.	Remove and dispose of existing curb and gutter	153	LF	$ 10.00	$ 1,530.00	$ 60.00	$ 9,180.00	$ 35.00	$ 5,355.00	$ 16.00	$ 2,448.00	$ 25.00	$ 3,825.00	$ 31.00	$ 4,743.00
4.	Remove and dispose of existing curb inlet	3	EA	$ 500.00	$ 1,500.00	$ 2,850.00	$ 8,550.00	$ 850.00	$ 2,550.00	$ 1,550.00	$ 4,650.00	$ 850.00	$ 2,550.00	$ 736.00	$ 2,208.00
5.	Remove and dispose of existing junction box	1	EA	$ 500.00	$ 500.00	$ 3,500.00	$ 3,500.00	$ 1,500.00	$ 1,500.00	$ 2,250.00	$ 2,250.00	$ 850.00	$ 850.00	$ 736.00	$ 736.00
6.	Remove and dispose of existing storm sewer (all sizes)	142	LF	$ 20.00	$ 2,840.00	$ 82.00	$ 11,644.00	$ 50.00	$ 7,100.00	$ 23.00	$ 3,266.00	$ 25.00	$ 3,550.00	$ 80.00	$ 11,360.00
7.	Silt fence	52	LF	$ 5.00	$ 260.00	$ 3.00	$ 156.00	$ 5.00	$ 260.00	$ 2.00	$ 104.00	$ 10.00	$ 520.00	$ 8.00	$ 416.00
8.	Storm inlet protection	6	EA	$ 300.00	$ 1,800.00	$ 100.00	$ 600.00	$ 100.00	$ 600.00	$ 55.00	$ 330.00	$ 550.00	$ 3,300.00	$ 206.00	$ 1,236.00
9.	Install 5-FT by 5-FT junction box	1	EA	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 6,000.00	$ 4,500.00	$ 4,500.00	$ 7,500.00	$ 7,500.00	$ 4,850.00	$ 4,850.00	$ 6,099.00	$ 6,099.00
10.	Install 10-FT curb inlet	2	EA	$ 6,600.00	$ 13,200.00	$ 7,000.00	$ 14,000.00	$ 5,000.00	$ 10,000.00	$ 7,500.00	$ 15,000.00	$ 5,100.00	$ 10,200.00	$ 7,596.00	$ 15,192.00
11.	Install 15-FT curb inlet	3	EA	$ 7,500.00	$ 22,500.00	$ 7,500.00	$ 22,500.00	$ 5,000.00	$ 15,000.00	$ 7,500.00	$ 22,500.00	$ 5,800.00	$ 17,400.00	$ 8,360.00	$ 25,080.00

No.	Description	Quantity	Unit	Palasota Contracting, LLC 13651 Highway 21 North Zulch, TX 77872		Solid Bridge Construction 1204 Sam Houston, Ave.#1 Huntsville, TX 77340		Barclays Premier Utility Services, LLC 1630 Gault Road Houston, TX 77039		OL Glover, Inc. 24460 Needham Road Porter, TX 77365		Mercer Construction Co. 909 North Colorado Edna, TX 77957		Collier Construction, LLC P.O. Box 1869 Brenham, TX 77834	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
12.	Install 24-IN RCP storm sewer	155	LF	$ 100.00	$ 15,500.00	$ 85.00	$ 13,175.00	$ 125.00	$ 19,375.00	$ 137.00	$ 21,235.00	$ 105.00	$ 16,275.00	$ 130.00	$ 20,150.00
13.	Install 30-IN RCP storm sewer	237	LF	$ 125.00	$ 29,625.00	$ 100.00	$ 23,700.00	$ 150.00	$ 35,550.00	$ 147.00	$ 34,839.00	$ 125.00	$ 29,625.00	$ 150.00	$ 35,550.00
14.	Install 27-IN by 44-IN arch pipe RCP storm sewer	84	LF	$ 350.00	$ 29,400.00	$ 288.00	$ 24,192.00	$ 350.00	$ 29,400.00	$ 310.00	$ 26,040.00	$ 425.00	$ 35,700.00	$ 503.00	$ 42,252.00
15.	Install 36-IN RCP storm sewer	12	LF	$ 175.00	$ 2,100.00	$ 250.00	$ 3,000.00	$ 220.00	$ 2,640.00	$ 195.00	$ 2,340.00	$ 175.00	$ 2,100.00	$ 293.00	$ 3,516.00
16.	Install concrete headwall with flared wings	1	EA	$ 3,500.00	$ 3,500.00	$ 4,700.00	$ 4,700.00	$ 7,500.00	$ 7,500.00	$ 5,000.00	$ 5,000.00	$ 10,500.00	$ 10,500.00	$ 9,099.00	$ 9,099.00
17.	Install riprap (stone, Type R, grouted, 8-IN thick)	70	CY	$ 100.00	$ 7,000.00	$ 165.00	$ 11,550.00	$ 75.00	$ 5,250.00	$ 75.00	$ 5,250.00	$ 75.00	$ 5,250.00	$ 20.00	$ 1,400.00
18.	Install 6' wide reinforced concrete flume with 6-IN curb (include channel excavation)	100	SY	$ 70.00	$ 7,000.00	$ 82.00	$ 8,200.00	$ 15.00	$ 1,500.00	$ 60.00	$ 6,000.00	$ 275.00	$ 27,500.00	$ 191.00	$ 19,100.00
19.	Perform backfilling and concrete pavement repair in driveways and sidewalks	25	SY	$ 60.00	$ 1,500.00	$ 80.00	$ 2,000.00	$ 50.00	$ 1,250.00	$ 65.00	$ 1,625.00	$ 175.00	$ 4,375.00	$ 128.00	$ 3,200.00
20.	Perform backfilling and asphalt pavement repair in city streets (not in TxDOT right-of-way)	35	SY	$ 60.00	$ 2,100.00	$ 80.00	$ 2,800.00	$ 50.00	$ 1,750.00	$ 57.00	$ 1,995.00	$ 75.00	$ 2,625.00	$ 140.00	$ 4,900.00
21.	Perform backfilling and asphalt pavement repair in TxDOT right-of-way	40	SY	$ 60.00	$ 2,400.00	$ 80.00	$ 3,200.00	$ 50.00	$ 2,000.00	$ 131.00	$ 5,240.00	$ 175.00	$ 7,000.00	$ 241.00	$ 9,640.00
22.	Perform trench safety, all depths, per Tech. Spec. 02229	520	LF	$ 1.00	$ 520.00	$ 3.00	$ 1,560.00	$ 1.00	$ 520.00	$ 2.00	$ 1,040.00	$ 1.00	$ 520.00	$ 6.50	$ 3,380.00
23.	Perform seeding in all areas disturbed by construction (not in TxDOT right-of-way)	1	LS	$ 1,000.00	$ 1,000.00	$ 3,500.00	$ 3,500.00	$ 500.00	$ 500.00	$ 2,363.00	$ 2,363.00	$ 950.00	$ 950.00	$ 901.00	$ 901.00
24.	Perform seeding in all areas disturbed by construction within TxDOT right-of-way	1	LS	$ 1,000.00	$ 1,000.00	$ 3,500.00	$ 3,500.00	$ 500.00	$ 500.00	$ 2,363.00	$ 2,363.00	$ 950.00	$ 950.00	$ 1,127.00	$ 1,127.00
25.	Perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1	LS	$ 5,000.00	$ 5,000.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 3,500.00	$ 10,500.00	$ 10,500.00	$ 8,500.00	$ 8,500.00	$ 8,553.00	$ 8,553.00
ENGINEER'S COMPUTED TOTAL ITEMS NO. 1 THROUGH 25					$ 197,775.00		$ 198,207.00		$ 208,100.00		$ 218,878.00		$ 223,915.00		$ 239,125.00
CONTRACTOR'S COMPUTED TOTAL ITEMS NO. 1 THROUGH 25					$ 197,775.00		$ 198,207.00		$ 208,100.00		$ 218,878.00		$ 223,915.00		$ 239,125.00

* CONTRACTOR'S COMPUTED TOTAL

Reviewed by Hollie Adkerson

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Bids Received: 02:30 PM, July 17, 2019

STRAND ASSOCIATES, INC.®
1906 Niebuhr Street
Brenham, TX 77833

2018 LOUANNA ESTATES DRAINAGE PROJECT REBID
CONTRACT 2018-04-R
CITY OF BRENHAM, TEXAS

ALTERNATE TABLE

				Palasota Contracting, LLC 13651 Highway 21 North Zulch, TX 77872		Solid Bridge Construction 1204 Sam Houston, Ave.#1 Huntsville, TX 77340		Barclays Premier Utility Services, LLC 1630 Gault Road Houston, TX 77039		DL Glover, Inc. 24460 Needham Road Porter, TX 77365		Mercer Construction Co. 909 North Colorado Edna, TX 77957		Collier Construction, LLC P.O. Box 1869 Brenham, TX 77834	
No.	Description	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1.	Remove and dispose of existing curb and gutter	90	LF	$ 10.00	$ 900.00	$ 55.00	$ 4,950.00	$ 35.00	$ 3,150.00	$ 16.00	$ 1,440.00	$ 25.00	$ 2,250.00	$ 26.00	$ 2,340.00
2.	Remove and dispose of existing concrete	60	SF	$ 5.00	$ 300.00	$ 55.00	$ 3,300.00	$ 15.00	$ 900.00	$ 25.00	$ 1,500.00	$ 10.00	$ 600.00	$ 6.75	$ 405.00
3.	Remove and dispose of existing area inlet	2	EA	$ 500.00	$ 1,000.00	$ 1,250.00	$ 2,500.00	$ 150.00	$ 300.00	$ 1,850.00	$ 3,700.00	$ 850.00	$ 1,700.00	$ 999.00	$ 1,998.00
4.	Remove and dispose of existing junction box	1	EA	$ 500.00	$ 500.00	$ 3,500.00	$ 3,500.00	$ 1,500.00	$ 1,500.00	$ 3,500.00	$ 3,500.00	$ 850.00	$ 850.00	$ 999.00	$ 999.00
5.	Remove, salvage, and reinstall chainlink fence	304	LF	$ 10.00	$ 3,040.00	$ 20.00	$ 6,080.00	$ 5.00	$ 1,520.00	$ 10.00	$ 3,040.00	$ 50.00	$ 15,200.00	$ 22.00	$ 6,688.00
6.	Remove, salvage, and reinstall board fence	278	LF	$ 10.00	$ 2,780.00	$ 20.00	$ 5,560.00	$ 5.00	$ 1,390.00	$ 18.00	$ 5,004.00	$ 60.00	$ 16,680.00	$ 39.00	$ 10,842.00
7.	Silt fence	27	LF	$ 5.00	$ 135.00	$ 3.00	$ 81.00	$ 5.00	$ 135.00	$ 2.00	$ 54.00	$ 10.00	$ 270.00	$ 8.00	$ 216.00
8.	Storm inlet protection	4	EA	$ 300.00	$ 1,200.00	$ 125.00	$ 500.00	$ 100.00	$ 400.00	$ 55.00	$ 220.00	$ 250.00	$ 1,000.00	$ 206.00	$ 824.00
9.	Install 4' x 4' type "x" inlet	1	EA	$ 5,300.00	$ 5,300.00	$ 3,500.00	$ 3,500.00	$ 5,000.00	$ 5,000.00	$ 6,000.00	$ 6,000.00	$ 4,650.00	$ 4,650.00	$ 5,792.00	$ 5,792.00
10.	Install 5' curb inlet	1	EA	$ 5,500.00	$ 5,500.00	$ 4,100.00	$ 4,100.00	$ 5,000.00	$ 5,000.00	$ 7,700.00	$ 7,700.00	$ 4,850.00	$ 4,850.00	$ 5,423.00	$ 5,423.00
11.	Install 10' curb inlet	1	EA	$ 6,500.00	$ 6,500.00	$ 6,000.00	$ 6,000.00	$ 5,000.00	$ 5,000.00	$ 6,900.00	$ 6,900.00	$ 5,100.00	$ 5,100.00	$ 6,227.00	$ 6,227.00

No.	Description	Quantity	Unit	Palasota Contracting, LLC 13651 Highway 21 North Zulch, TX 77872		Solid Bridge Construction 1204 Sam Houston, Ave.#1 Huntsville, TX 77340		Barclays Premier Utility Services, LLC 1630 Gault Road Houston, TX 77039		DL Glover, Inc. 24460 Needham Road Porter, TX 77365		Mercer Construction Co. 909 North Colorado Edna, TX 77957		Collier Construction, LLC P.O. Box 1869 Brenham, TX 77834	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
12.	Install 15' curb inlet	1	EA	$ 7,200.00	$ 7,200.00	$ 7,500.00	$ 7,500.00	$ 5,000.00	$ 5,000.00	$ 6,850.00	$ 6,850.00	$ 5,800.00	$ 5,800.00	$ 6,854.00	$ 6,854.00
13.	Install 18" RCP storm sewer	378	LF	$ 121.00	$ 45,738.00	$ 75.00	$ 28,350.00	$ 100.00	$ 37,800.00	$ 116.00	$ 43,848.00	$ 100.00	$ 37,800.00	$ 79.00	$ 29,862.00
14.	Install 24" RCP storm sewer	108	LS	$ 131.00	$ 14,148.00	$ 85.00	$ 9,180.00	$ 125.00	$ 13,500.00	$ 43,848.00	$4,735,584.00	$ 110.00	$ 11,880.00	$ 113.00	$ 12,204.00
											*$43,848.00				
15.	Perform backfilling and concrete pavement repair in driveways and sidewalks	25	SY	$ 60.00	$ 1,500.00	$ 75.00	$ 1,875.00	$ 50.00	$ 1,250.00	$ 84.00	$ 2,100.00	$ 175.00	$ 4,375.00	$ 106.00	$ 2,650.00
16.	Perform backfilling and asphalt pavement repair in city streets (not in TxDOT right-of-way)	35	SY	$ 60.00	$ 2,100.00	$ 70.00	$ 2,450.00	$ 50.00	$ 1,750.00	$ 53.00	$ 1,855.00	$ 75.00	$ 2,625.00	$ 116.00	$ 4,060.00
									*$1,250.00						
17.	Perform trench safety, all depths, per Tech. Spec. 02229	500	LF	$ 1.00	$ 500.00	$ 2.00	$ 1,000.00	$ 1.00	$ 500.00	$ 2.00	$ 1,000.00	$ 1.00	$ 500.00	$ 1.25	$ 625.00
18.	Perform seeding in all areas disturbed by construction (not in TxDOT right-of-way)	1	LS	$ 1,000.00	$ 1,000.00	$ 4,000.00	$ 4,000.00	$ 5,600.00	$ 5,600.00	$ 2,363.00	$ 2,363.00	$ 950.00	$ 950.00	$ 1,955.00	$ 1,955.00
ENGINEER'S COMPUTED TOTAL ITEMS NO. 1 THROUGH 18					$ 99,341.00		$ 94,426.00		$ 89,695.00		$4,832,658.00		$ 117,080.00		$ 99,964.00
CONTRACTOR'S COMPUTED TOTAL ITEMS NO. 1 THROUGH 18					$ 99,341.00		$ 94,426.00		*$89,195.00		*$111,114.00		$ 117,080.00		$ 99,964.00

* CONTRACTOR'S COMPUTED TOTAL

Reviewed by Hollie Schaefer

Strand Associates, Inc.®
1906 Niebuhr Street
Brenham, TX 77833
(P) 979-836-7937

July 25, 2019

Mr. Travis Hanus
Solid Bridge Construction
1204 Sam Houston
Avenue #1
Huntsville, TX 77340

Re: 2018 Louanna Estates Drainage Project Rebid
Contract No. 2018-04-R
City of Brenham, Texas

Dear Travis,

On July 17, 2019, Bids were received for the above-referenced project. Your firm is the apparent low Bidder.

Please forward the contract's insurance requirements to your insurance carrier and have them review. Please forward any questions regarding insurance as soon as possible to expedite processing of the policies. Note that the insurance certificate often omits naming OWNER and ENGINEER as additional insureds, omits specified endorsements, and/or does not include the required umbrella policy. In addition, all completed operations insurance shall remain in effect for at least three years after final payment. Please bring these items to your insurance carrier's attention.

Sincerely,

STRAND ASSOCIATES, INC.®

Roddy J. Williams, Ph.D., P.E.
Senior Vice President

Enclosures

c: Dane Rau, City of Brenham

Strand Associates, Inc.®
1906 Niebuhr Street
Brenham, TX 77833
(P) 979-836-7937

July 25, 2019

Mr. Dane Rau, Director of Public Works
City of Brenham
200 West Vulcan
Brenham, TX 77833

Re: 2018 Louanna Estates Drainage Project Rebid
Contract No. 2018-04-R
City of Brenham, Texas

Dear Dane,

Bids for the above-referenced project were opened on July 17, 2019. Six bids were received with the resulting bid tabulation enclosed.

Based on the expressed desire to award the Base Bid plus Alternate Bid, Solid Bridge Construction of Huntsville, Texas, was the apparent low bidder at $292,633.00. The bid included a bid bond for 5 percent and Addendum No. 1 was acknowledged.

Strand Associates, Inc.® has previously worked with Solid Bridge Construction on projects for drainage improvements. Based on our previous experience with this contractor, we have found Solid Bridge Construction to be responsible.

We suggest that you consider evaluating Solid Bridge Construction's financial status prior to award and other information submitted to you as required by Article 19.05.2 found in the Instructions to Bidders of the Contract Documents.

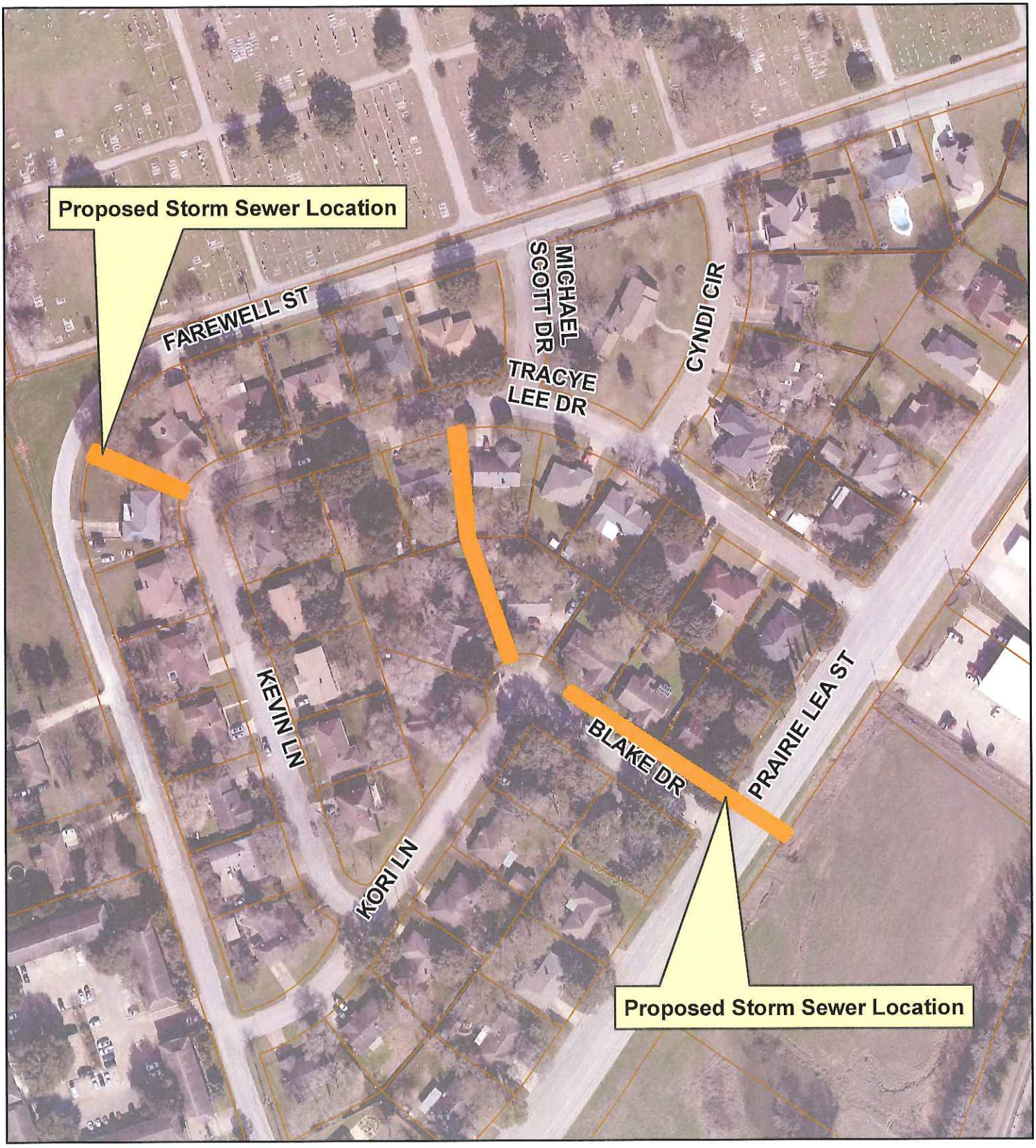
Sincerely,

STRAND ASSOCIATES, INC.®

Roddy J. Williams, Ph.D., P.E.
Senior Vice President

Enclosure

TBPE No. F-8405
TBPLS No. 10030000



Louanna Estates Storm Water Improvements

1 inch = 165 feet

City of BRENHAM