

**CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
December 19, 2022**

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

A regular meeting of the Brenham Planning and Zoning Commission was held on December 19, 2022, at 5:00 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Deanna Alfred, Vice Chairman
Chris Cangelosi
Artis Edwards, Jr.

Calvin Kossie
Cayte Neil
Marcus Wamble

Commissioners absent:

M. Keith Behrens, Chairman

Staff present:

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

Citizens / Media present:

DeeAnna Marek

1. Call Meeting to Order

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

2. Public Comments

There were no public comments.

3. Reports and Announcements

Stephanie Doland, Director of Development Services stated that:

- The 2023 Planning and Zoning Commission meeting and submission calendar was placed on the dais.
- City Council recently appointed Darren Heine to serve a 2-year term and fill the place of Marcus Wamble and he will be starting the first meeting of January, 2023.

CONSENT AGENDA

4. Statutory Consent Agenda

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

- 4-a. **Minutes from the November 21, 2022 Planning and Zoning Commission Meeting.**
- 4-b. **Case No. P-22-028: A request by Arete Property Group, LLC for approval of a Preliminary Plat creating Lot 1 (0.338-acres) and Lot 2 (0.204-acres), Block 1 of the Arete Subdivision, being 0.541-acres of land out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas.**
- 4-c. **Case No. P-22-029: A request by Arete Property Group, LLC for approval of a Final Plat creating Lot 1 (0.338-acres) and Lot 2 (0.204-acres), Block 1 of the Arete Subdivision, being 0.541-acres of land out of the Arrabella Harrington Survey, A-55, in Brenham, Washington County, Texas.**
- 4-d. **Case No. P-22-030: A request by Brenham Market Square, L.P. for approval of a Commercial Replat of Reserve "A1" of the Market Square Brenham Subdivision to create Reserve "A2" (26.139-acres) and Lot 10 (2.647-acres) for a total of 28.786-acres, and further described as part of the John Long Survey, A-156, in Brenham, Washington County, Texas.**

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

REGULAR SESSION

- 5. **Public Hearing, Discussion and Possible Action on Case P-22-027: A request by Chris and Deanna Marek for a specific use permit to allow an Accessory Dwelling Unit (ADU) in an R-2 Mixed Residential Use Zoning District on property addressed as 604 S. Baylor Street, and described as Lot E PT 3A, E PT 4A, Block 91, of the Original Town Addition in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. P-22-027 (on file in the Development Services Department). Ms. Laauwe stated that this is a request from Chris and DeeAnna Marek for approval of a Specific Use Permit to allow construction of an accessory dwelling unit (ADU) on their property at 604 S. Baylor Street, which is located on the west side of S. Baylor Street and the north side of Gilder Street. Applicant plans to remove an existing metal shed and replace the shed with the proposed ADU. The subject property is zoned as R-2, Mixed Residential Use District and the property is currently developed with a single-family residence. The Future Land Use Map identifies this property as single-family residential with a Corridor Mixed Use to the east.

The subject lot is approximately 16,798 square feet and has an existing home that is approximately 1,743 square feet. The proposed accessory dwelling unit is a 24'x24' (576 square feet) structure that will be pier and beam construction with hardiplank with a similar roof and paint color to compliment the existing home. Ten-foot side and rear setbacks are required; however, the ADU is proposed to have the following setbacks:

- Front yard – 66’
- North side yard – 11.5’
- South side yard – 24’
- Rear yard – 12’

Maximum lot coverage for the R-2 district is 55%. The existing lot coverage is 10.55% and the proposed lot coverage is 23% so the lot coverage is well under the maximum coverage allowed.

The R-2 Zoning District allows ADU’s with approval of a specific use permit and the following additional development standards:

- The existing single-family dwelling will be the primary residence of the property owners.
- The addition will be the same general architectural style and building material.
- The side and rear yards exceed the 10-foot requirement.
- The driveway and parking area will need to be improved with an impervious surface.
- The proposed 576 square foot ADU is less than ½ of the habitable area of the principal structure (1,743 square feet).
- The ADU is not a HUD-code manufacture home.

Ms. Laauwe noted that currently the subject property is two lots that will need to be replatted into one lot. If the SUP is granted, the ADU will have to adhere to the R-2 development standards.

Public Notice was posted in the Banner Press and property owners within 200-feet were mailed notices on December 7, 2022. Staff received two letters of support one in opposition of the request.

Development Services staff have reviewed the request and finds that approval of this Specific Use Permit would allow compatible increased density and is appropriate given the zoning, existing development, conformance with the Comprehensive Plan; therefore, Staff recommends approval of the requested Specific Use Permit.

Vice Chairman Alfred opened the Public Hearing at 5:40 pm. There were no citizen comments. The Applicant, DeeAnna Marek, stated that her parents are aging and they may have to stay there initially with the possibility of it being a rental unit (short-term or other) at some point in the future. She further stated that they are just trying to beautify their property and looking to have extra space for family and/or rental capacity.

In response to Commissioner questions/comments, the following clarifications were made:

- Limitations cannot be placed on the number of days the unit can be rented.
- In 2018/2019, the Accessory Dwelling Unit (ADU) Ordinance was adopted to allow ADU’s by right in the B-1 Zoning District and with approval of a Specific Use Permit in the Residential Zoning Districts.
- Commissioner Edwards stated that he would be in support of a change to allow SUP’s by right in the R-2 Zoning District as well.

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

A motion was made by Commissioner Neil and seconded by Commissioner Kossie to recommend to City Council approval of the request by Chris and Deanna Marek for a specific use permit to allow an Accessory Dwelling Unit (ADU) in an R-2 Mixed Residential Use Zoning District on property addressed as 604 S. Baylor Street with the stipulations that the property has to be replatted and the driveway/parking area be improved with asphalt or concrete, as presented. The motion carried unanimously.

6. Public Hearing, Discussion and Possible Action on Case Number P-22-031: A City initiated request to approve an Ordinance of the City of Brenham, Texas Amending the 2022 Thoroughfare Plan Map and Repealing All Ordinances or Parts of Ordinances in Conflict Herewith and Providing an Effective Date.

Stephanie Doland, Director of Development Services, presented the staff report for Case No. P-22-031 (on file in the Development Services Department). Ms. Doland stated that this is a request for amendment to the City's Thoroughfare Plan Map. Mr. David Klingler owns 140-acres outside the city limits but within the City's extraterritorial jurisdiction (ETJ). The tract is generally located near the northeast city limits of Brenham, abutting the city limits line along the east side of Old Masonic Road, and being north of Brookside Drive and west of FM 2935. Mr. Klingler wishes to plat a 10.60-acre portion of his tract for the development of four (4) residential lots. As the property is within the ETJ, the proposed plat is approved through the Planning and Zoning Commission. During a preliminary review, it was found that the Thoroughfare Plan Map shows a proposed collector street going through the tract. Mr. Klingler is requesting that the proposed collector street, that would require an 80-foot right-of-way dedication at the time of platting, be removed from the official Thoroughfare Plan Map that was adopted in February 2022 as part of the overall Thoroughfare Plan. Staff researched this request and feels that this proposed collector street may have been a residue from the 2014 Thoroughfare Map and that it may have been proposed as a tie-in to FM 2935. Staff concurs with Mr. Klingler's request to abandon this line and remove it from this tract. Removal of this proposed collector street would allow development of these lots.

Public Notice was posted in the Banner Press on December 11, 2022. Staff did not receive any comments in support of or against the request.

Development Services staff researched this request and feels that this proposed collector street may have been a residue from the 2014 Thoroughfare Map and that it may have been proposed as a tie-in to FM 2935. Staff concurs with and supports Mr. Klingler's request to abandon this line and remove it from this tract. Removal of this proposed collector street would allow development of these lots.

Commissioner Edwards asked if removing this proposed collector street would affect any development on FM 2935. Ms. Doland responded that it would not have a negative effect since even if the 100+ acres were to develop, a local street may be needed but not a collector street. Commissioner Neil stated that Scenic Drive dead ends into this property.

Vice Chairman Alfred opened the Public Hearing at 5:51 pm. There were no citizen comments.

Vice Chairman Alfred closed the Public Hearing at 5:52 pm.

A motion was made by Commissioner Neil and seconded by Commissioner Kossie to recommend to City Council approval of the City initiated request to approve an Ordinance of the City of Brenham, Texas Amending the 2022 Thoroughfare Plan Map and Repealing All Ordinances or Parts of Ordinances in Conflict Herewith and Providing an Effective Date, as presented. The motion carried unanimously.

7. Adjourn.

A motion was made by Commissioner Neil and seconded by Commissioner Wamble to adjourn the meeting at 5:57 pm. The motion carried unanimously.

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

Certification of Meeting Minutes:

M. Keith Behrens
Planning and Zoning Commission

M. Keith Behrens
Chair

January 23, 2023
Meeting Date

Kim Hodde
Attest

Kim Hodde
Staff Secretary

January 23, 2023
Meeting Date