

CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
August 28, 2023

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 August 28, 2023, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

M. Keith Behrens, Chairman
Chris Cangelosi
Calvin Kossie
Darren Heine
Cayte Neil

Commissioners absent:

Deanna Alfred, Vice Chair

Staff present:

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

Citizens / Media present:

Cyd Dillahunty
Jim Kolkhorst
JT Davis
Eric Benitez
Mary McKenzie

1. Call Meeting to Order

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

2. Public Comments

There were no public comments.

3. Reports and Announcements

Stephanie Doland, Director of Development Services informed the Commission of the following:

- Commissioner Artis Edwards has moved out of the city limits and has resigned from his position on the Planning and Zoning Commission. Staff will look at filling this vacant position towards the end of the year when Board appointments/re-appointments are done.
- CIAC (Impact fee group) – There was a lot of dialogue at the last meeting. Strand Associates have completed their assumptions and calculations. The next meeting is being planned for September 11th. Additional information will be distributed as it becomes available.

- Small Area Plan – a joint meeting of the public working group for the Small Area Plan, the TIRZ Board, City Council, the Planning and Zoning Commission, Tom Whitehead, and Gary Crocker is being planned for September 18th at 3:30 pm. Additional information will be distributed as it becomes available.

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 July 24, 2023, Planning and Zoning Commission Meeting.**
- 4-b. Case No. P-23-028: A request from The Vineyard Church of Brenham for approval of a Preliminary Plat of The Vineyard Church Division creating Lot 1 being 0.661 acres of land and Lot 2 being 0.408-acres of land for a total of 1.069-acres of land that is part of the James Walker Survey, A-106 in Brenham, Washington County, Texas.**
- 4-c. Case No. P-23-029: A request from The Vineyard Church of Brenham for approval of a Final Plat of The Vineyard Church Division creating Lot 1 being 0.661 acres of land and Lot 2 being 0.408-acres of land for a total of 1.069-acres of land that is part of the James Walker Survey, A-106 in Brenham, Washington County, Texas.**
- 4-d. Case No. P-23-030: A request by Powerfam Washes, LLC for approval of a Commercial Replat of Lots 10A and 11A of the Replat of Lots 2 through 31 of the College Heights Addition and a called 0.331-acre tract, and the Residue of Lot 48, College Heights Addition to create Lot 1 of the Powerfam Washes Subdivision, being 1.997-acres of land out of the Arabella Harrington Survey, A-55, in Brenham, Washington County, Texas.**
- 4-e. Case No. P-23-032: A request by Yi Shi Chen and Meiling Chen for approval of a Preliminary Plat creating Lot 1, Block 1 of the Fortune Future Subdivision, and Dedicating 0.0256-acres of Right-of-Way for US Highway 290 Frontage Road, being 8.3054-acres of land out of the Moses N. Combs Survey, A-124 and the John Carrington Survey, A-120, in Brenham, Washington County, Texas.**
- 4-f. Case No. P-23-033: A request by Yi Shi Chen and Meiling Chen for approval of a Final Plat creating Lot 1, Block 1 of the Fortune Future Subdivision, and Dedicating 0.0256-acres of Right-of-Way for US Highway 290 Frontage Road, being 8.3054-acres of land out of the Moses N. Combs Survey, A-124 and the John Carrington Survey, A-120, in Brenham, Washington County, Texas.**

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

REGULAR SESSION

5. **Public Hearing, Discussion and Possible Action on Case No. P-23-027: A request by Silverback Real Estate, LLC/Eric Benitez, Matthew Gene Canatella, and Brenham Design and Construction, Inc./Kenneth Phillips for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Commercial, Research and Technology Use District (B-2) to a Local Business Residential Mixed Use District (B-1) on the properties currently addressed as 307 Peabody Street, 309 Peabody Street, and 401 Peabody Street, and being further described as Lot 4A of the Kerr Addition, Lot 1 of the Stolz Addition, and the east part of Lots 2 & 3 of the Kerr Addition, respectively, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. P-23-027 (on file in the Development Services Department). Ms. Laauwe stated that the property owners for this request are:

- Silverback Real Estate, LLC / Eric Benitez – 307 Peabody Street
- Matthew Gene Canatella – 309 Peabody Street
- Brenham Design and Construction, Inc. / Kenneth Phillips – 401 Peabody Street

All three property owners signed the rezoning application. The current land uses are office for 307 Peabody, single-family for 309 Peabody, and commercial (cabinet making) for 401 Peabody Street. The future land use map designation shows the properties as Mixed Use Downtown Adjacent. The current zoning is B-2, Commercial, Research and Technology District. The request is to change the zoning classification for these three properties from the B-2, Commercial, Research and Technology District to the B-1, Local Business/Residential Use District. These properties are surrounded by R-2 zoning to the north and west, railroad right-of-way and the Washington County Chamber of Commerce to the east, Industrial and B-4 (Neighborhood Business District) zoning to the south. This is a transition area and the request is a downzoning, which will better align with the future land use map. The applicant, Eric Benitez, would like to renovate the existing office into a single-family residence. B-2 zoning doesn't allow single-family residential. B-1 zoning is a good transition next to the R-2 zoning and would allow a variety of uses – both residential and neighborhood commercial. The rezoning would make 401 Peabody non-conforming since a cabinet making business is a B-2 zoning use; however, the use would be grandfathered.

Any development would be subject to the applicable B-1 development and building standards. In response to Commissioner questions about whether B-4 would be a more appropriate zoning, staff explained that B-4 zoning only allows commercial on the first floor and residential has to be located on the second floor; therefore, this is a more appropriate.

A Public Hearing Notice was published in the Banner Press on August 17, 2023 and notices were mailed to property owners within 200-feet of the subject properties. Staff received several phone calls with questions about this request but did not receive any written comments for or against the proposed rezoning request.

In response to a question from a Commissioner, Stephanie Doland stated that the B-1 is a more appropriate zoning rather than the B-4 zoning since B-4 would only allow residential on the second floor.

Chairman Behrens closed the regular session and opened the public hearing at 5:31 pm. There were no citizen comments.

Chairman Behrens closed the public hearing and re-opened the regular session at 5:31 pm.

A motion was made by Commissioner Heine and seconded by Commissioner Kossie to recommend to City Council approval of the request by Silverback Real Estate, LLC/Eric Benitez, Matthew Gene Canatella, and Brenham Design and Construction, Inc./Kenneth Phillips for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Commercial, Research and Technology Use District (B-2) to a Local Business Residential Mixed Use District (B-1) on the properties currently addressed as 307 Peabody Street, 309 Peabody Street, and 401 Peabody Street. The motion carried unanimously.

6. Public Hearing, Discussion and Possible Action on Case No. P-23-031: A request by Powerfam Washes, LLC for a Specific Use Permit to allow an Automobile (Car) Wash in a B-1, Local Business Residential Mixed Use Zoning District on property addressed as 1604 State Highway 105, and described as Lots 10A and 11A of the Replat of Lots 2 Through 31 of College Heights Addition, and the residue of Lot 48, College Heights Addition, being a total of 1.997-acres out of the Arrabella Harrington Survey in Brenham, Washington County, Texas.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-23-031 (on file in the Development Services Department). Ms. Laauwe stated that the property owner and applicant is Powerfam Washes, LLC and the current land use is vacant land. The future land use designation is Multi-family residential. The current zoning is B-1, Local Business/Residential Mixed-Use District. The property is located on the southwest corner of the intersection of State Highway 105 and Blue Bell Road. The other three corners of the intersection are developed as commercial uses (convenience store/gas station). The approximately 1.997-acre property is surrounded by a variety of uses: Moore Dirt Services to the west, proposed townhome development to the south, State Highway 105 to the north, and single-family homes on Brown Street to the east and southeast.

The request is for approval of a specific use permit to allow an automobile (car wash) in a B-1 zoning district. The proposed car wash will be open from 7:00 am to 7:00 pm and will have an attendant on duty at all time to assist with payment, pre-wash scrubbing and site maintenance. The car wash is a single-tunnel automatic car wash. The tunnel is approximately 140-feet by 22-feet (3,073 SF) with an attached office space that is approximately 120-feet by 13-feet (1,551 SF).

Bufferyards are required for the commercial use next to the residential uses as follows: An additional 15-foot setback (25-foot total) from the Townhome development to the south and 20-feet from the single-family residential to the east. There is no side yard setback so the 20-foot buffer is a stand-alone buffer to the side and 30-feet from the rear. The car wash tunnel is approximately 80-feet from the proposed townhome development to the south and 29.4-feet from the single-family on Brown Street.

The proposed vacuum stations are centralized and the nearest vacuum is 84.3-feet from the south property line and 110-feet from the east property line. There are nineteen parking spaces required. With 26 vacuum stations, 7 employee parking spots, and 20 cueing spaces, this site can accommodate up to 54 vehicles at one time. The plans are currently under review. The landscape plans show a 6-foot screening fence along the south and east property lines along with shrubs along Sabine Street so this meets the City's parking area landscaping requirements. The tallest point of the building is 36-feet and the overall average height is 23.5-feet. This request is in character with the commercial uses along and near the intersection of State Highway 105 and N. Blue Bell Road; therefore, staff recommends approval of this request.

A Public Hearing Notice was published in the Banner Press on August 18, 2023 and notices were mailed to property owners within 200-feet of the subject properties. Staff received several phone calls with questions about this request but the only written response was from the applicant who was in support of the proposed rezoning request.

Commissioner Heine questioned whether the window on the east side (adjacent to the single-family residential) was a good idea with regards to the noise of the carwash and blowers.

Chairman Behrens closed the regular session and opened the public hearing at 5:48 pm. Jim Kolkhorst (5505 Spreen Road) stated that technology is continually being improved for the blowers. He also stated that the blower is located inside the building before the car actually exits the building to help mitigate any noise.

Chairman Behrens closed the public hearing and re-opened the regular session at 5:50 pm.

A motion was made by Commissioner Cangelosi and seconded by Commissioner Neil to recommend to City Council approval of the request by Powerfam Washes, LLC for a Specific Use Permit to allow an Automobile (Car) Wash in a B-1, Local Business Residential Mixed Use Zoning District on property addressed as 1604 State Highway 105, and described as Lots 10A and 11A of the Replat of Lots 2 Through 31 of College Heights Addition, and the residue of Lot 48, College Heights Addition. The motion carried unanimously.

7. Adjourn.

A motion was made by Commissioner Heine and seconded by Commissioner Kossie to adjourn the meeting at 5:51 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

September 25, 2023
Meeting Date

Kim Hodde
Attest

Kim Hodde
Staff Secretary

September 25, 2023
Meeting Date