



**NOTICE OF A REGULAR MEETING
BRENHAM PLANNING AND ZONING COMMISSION
MONDAY, JUNE 23, 2025, AT 5:15 PM
SECOND FLOOR CITY HALL BUILDING
COUNCIL CHAMBERS
200 W. VULCAN STREET
BRENHAM, TEXAS**

1. Call Meeting to Order

2. Public Comments

[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]

3. Reports and Announcements

CONSENT AGENDA

4. Statutory Consent Agenda

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

4-a. Minutes from April 7, 2025, Planning and Zoning Commission Meeting.

4-b. Minutes from June 16, 2025, Joint Planning and Zoning Commission, Board of Adjustment, Brenham City Council Meeting (training).

4-c. Case Number LOTLINE-25-0006: A request by Brenham Market Square, L.P. for approval of a Commercial Replat of Reserve "A5" and Lot 11 of the Market Square Brenham Subdivision to create Lot 11A (1.500-acres), Lot 12 (1.297-acres) and Reserve "A6" (10.337-acres) for a total of 13.134-acres, and further described as part of the John Long Survey, A-156, in Brenham, Washington County, Texas.

REGULAR AGENDA

5. Public Hearing, Discussion and Possible Action on Case Number SPCUSE-25-0006: A request by Korbin Scott for a Specific Use Permit to allow an Accessory Dwelling Unit (ADU) in an R-1 Single-Family Residential Use Zoning District on property addressed as 1604 Eldon Street, and described as Meadow Park, Sec II, Lot 23, in Brenham, Washington County, Texas.

6. **Public Hearing, Discussion and Possible Action on Case Number SPCUSE-25-0008: A request by Lizeth Andrada & Jorge Mendez Vite for a Specific Use Permit to allow an Accessory Dwelling Unit (ADU) in an R-1 Single-Family Residential Use Zoning District on property addressed as 1306 Ewing Street, and described as Washington Terrace, Block 16, Lot PT 3, All 5 & 7, in Brenham, Washington County, Texas.**

7. **Adjourn**

CERTIFICATION

I certify that a copy of June 23, 2025, agenda of items to be considered by the Planning & Zoning Commission, was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on June 20, 2025, at 11:00 a.m.

Kim Hodde

Kim Hodde, Planning Technician

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 seventy-two (72) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____, 2025 at _____.

Signature

Title

**CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
APRIL 7, 2025**

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

A special meeting of the Brenham Planning and Zoning Commission was held on April 7, 2025, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

M. Keith Behrens, Chair
Deanna Alfred, Vice Chair
Darren Heine
Calvin Kossie
Cayte Neil
Cyndee Smith

Commissioners absent:

Chris Cangelosi

Staff present:

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

Citizens/Media present:

Sarah Forsythe, Brenham Banner

1. Call Meeting to Order

Chairman Behrens called the meeting to order at 5:16 pm with a quorum of six (6) Commissioners present.

2. Public Comments

There were no public comments.

3. Reports and Announcements

Stephanie Doland, Development Services Director, reported to the Commission that based on their previous recommendation, she has met with several real estate groups, including the Brenham Area Real Estate Investors and Landlords (BAREIL), Commercial Brokers Luncheon, and the South-Central Board of Realtors (SCBOR) regarding impact fees and the basics of how development would be affected.

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 February 24, 2025, Planning and Zoning Commission Meeting.**
- 4-b. Case Number LOTLINE-25-0005: A request by the Brenham Community Development Corporation (BCDC) for approval of a Replat (Commercial) of Lot 2, Southwest Industrial Park Section III to create Lot 2-A, containing 29.124-acres, and Lot 2-B, containing 19.868-acres, and dedication of 1.199-acres of Right-of-Way to the City of Brenham for the future extension of Longwood Drive, being a total of 50.191-acres currently addressed as 2602 Longwood Drive, and further described as part of the Philip Coe Survey, A-31, in Brenham, Washington County, Texas.**

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

REGULAR SESSION

- 5. Public Hearing, Discussion and Possible Action on Case Number LOTLINE-25-0004: A request by Sanvaez Properties, LLC for approval of a Replat of the middle part of Lot 26 of the Norris Addition (unrecorded) to create Lot 1 of the Sanvaez Addition containing 0.215-acres currently addressed as 1005 Nelson Street, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. LOTLINE-25-0004. Ms. Laauwe stated that the property owner and applicant is Sanvaez Properties, LLC, and the surveyor is Reid Ullrich/Kerr Surveying. The subject property, currently identified as the middle part of Lot 1 of the Norris Addition, which is an unrecorded plat, is approximately 0.215-acres total and is generally located on the north side of Nelson Street, west of Kerr Street. The lot is approximately 65.5' x 143' (9,386 square feet) which exceeds the minimum lot requirements of 60' x 115' (7,000 square feet). The property is currently vacant land. The property owner would like to replat the property for the future development of a single-family residence on proposed Lot 1.

A Public Hearing Notice was published in the Banner Press and notices were mailed to property owners within 200 feet of the subject properties on March 21, 2025. No written comments regarding the request were received.

The requested replat meets all city ordinances and regulations; therefore, Staff recommends approval of the replat as presented.

Chairman Behrens closed the regular session and opened the public hearing at 5:23 pm. There were no public comments.

Chairman Behrens closed the public hearing and re-opened the regular session at 5:23 pm.

A motion was made by Commissioner Kossie and seconded by Commissioner Smith to approve the request by Sanvaez Properties, LLC for approval of a Replat of the middle part of Lot 26 of the Norris Addition (unrecorded) to create Lot 1 of the Sanvaez Addition containing 0.215-acres currently addressed as 1005 Nelson Street, as presented. The motion carried unanimously.

6. **Public Hearing, Discussion and Possible Action on Case Number TEXT AMEND-25-001: A City initiated request to amend the City of Brenham’s Code of Ordinances, Appendix A: Zoning to create two (2) definitions in Section 5.02, Definitions, to define Smoke Shop and Vape Shop uses, and; to amend Section 4.02, Permitted uses within the B-2, Commercial, Research, and Technology District to include the two new defined uses within the list of permitted uses:**
- **Appendix A: Zoning, Part I, Division 1, Section 5.02, instating proposed definitions to Smoke Shop and Vape Shop uses, to include distance requirements; and**
 - **Appendix A: Zoning, Part II, Division 2, Section 4.02, regarding the addition of Smoke Shop and Vape Shop uses to the list of permitted uses within the B-2, Commercial, Research and Technology District.**

Shauna Laauwe, City Planner, presented the staff report for Case No. TEXT AMEND-25-0001 as detailed below. Ms. Laauwe stated this is a companion item to the workshop item that was presented at the last Planning and Zoning Commission meeting and to City Council. Staff is bringing the item back before the Planning and Zoning Commission for a formal recommendation to City Council for text amendments to the City of Brenham’s Zoning Ordinance. She further stated that the City of Brenham initiated this request to amend the City of Brenham’s Code of Ordinances, Appendix A: Zoning to create two (2) definitions in Section 5.02, Definitions, to define Smoke Shop and Vape Shop uses, and; to amend Section 4.02, Permitted uses within the B-2, Commercial, Research, and Technology District to include the two new defined uses within the list of permitted uses.

Ms. Laauwe stated that the Zoning Ordinance is a living document that requires revisions from time to time to reflect new codes, make corrections, revise/add new definitions, to allow for new uses or perhaps remove uses that are no longer seen as compatible within a particular zoning district or development pattern. The City of Brenham has seen an increase in the number of permits for vape and smoke shops, with currently seven (7) such businesses that are currently an undefined use and have been simply regarded as a general retail use in all commercial zoning districts to include the B-1, Local Business/Residential Mixed-Use District and the B-3 and B-4 Downtown districts. This text amendment request is to add use definitions for smoke shops and vape shops and to designate them as permitted uses in the B-2, Commercial, Research and Technology District.

Electronic cigarettes, also known as e-cigarettes and vapes, come in a variety of shapes and sizes, with components that typically include a battery, a heating element, and a place to hold liquid. The liquid, that may contain nicotine, flavorings, and other chemicals, is heated to make an aerosol that is breathed into the lungs.¹ Though considered smokeless, bystanders may also breathe in the aerosol when the user exhales into the air.² It has also been found that since 2014, e-cigarettes have been the most used tobacco product among youth and young adults.³ In addition, the Centers of Disease Control studies show that e-cigarettes appeal to young people due to flavoring and taste, curiosity, and low perceptions of harm. Due to concerns of the growing number of vape and smoke shop businesses that have formed over the last few years, many Texas communities have adopted ordinances restricting vape shops and similar tobacco businesses based on the concerns for the health, safety and welfare of their residents. In 2023, State laws were enacted that prohibit vaping in public schools and regulated the use of vape products to individuals over the age of 21. The current 89th Texas Legislature Session has seen many bills introduced that could potentially enact minimum distances of vape and smoke shops from uses such as public schools, churches, similar uses, and residential neighborhoods.

¹ Centers for Disease Control and Prevention. (2024). About E-Cigarettes

² Ibid.

³ Centers for Disease Control and Prevention. (2023). E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. https://www.cdc.gov/tobacco/sgr/e-cigarettes/pdfs/2016_sgr_entire_report_508.pdf

In researching municipal vape shop regulations, city staff compared the requirements of seven cities throughout Texas. Please refer to Appendix A that summarizes the explicit standards regarding vape and tobacco shops that have been adopted in the researched cities since 2023. The regulations found are comparable to one another as each municipality amended their zoning or unified develop codes to define vape shop use, with some also defining and restricting “smoke shops” and “lounges.” The City of Sugar Land banned new vape shops, smoke shops and hookah bars outright and grandfathered existing affected shops with limits on expansions. However, most municipalities chose to place location buffers on such businesses, from between 300 to 1,000 feet from public and private schools, churches, and similar establishments, with some also restricted distances from single-family zoned property, hospitals and public parks. Lastly, about half of the municipalities researched placed limited hours of operation, with none having a closing time later than 10PM.

After reviewing the research and considering the needs and opportunities within the City of Brenham, Staff recommends that smoke shops and vape shops should be categorized as defined uses rather than general retail uses. This is accomplished by adding a definition for each use in Appendix A: Zoning Ordinance under Section 5.02 and then listing the use as either a permitted or a specific use within a zoning district. Given the health effects and studies showing the prevalence of e-cigarette use in youth, the tendency of such shops to be near one another, and recent State Laws, staff finds that smoke shop and vape shop uses should be listed as permitted uses only in the B-2, Commercial, Research, and Technology District. As permitted uses in the B-2 District, the uses would be limited to the B-2 District and the I, Industrial District, which allows all permitted commercial uses. Gas stations and convenience stores, which are only allowed by right in the B-2 District, also sell vape and smoking products. This provision would protect the Historic Downtown and residential areas as smoke shop and vape shop uses would not be allowed in the B-1, Local Business and Residential Mixed-Use District, or in the downtown districts that include the B-3, Historical Central Business District and B-4 Neighborhood Business District. Existing smoke and vape shops in the B-1, B-3, or B-4 Districts would become legally nonconforming uses. In addition, the proposed definitions also include use distance requirements that are like those imposed by the Texas Alcoholic and Beverage Commission (TABC) for alcohol and liquor sales. Lastly, it should be noted that limitations on the hours of operation are not recommended, and that lounge uses, such as cigar or hookah lounges, are not affected by these proposed regulations as they are establishments for on-premises consumption by adults that are 21 or older and not solely for the sale of e-cigarettes or tobacco products.

Proposed Amendments:

Appendix A: Zoning, Part I, Division 1, Section 5.02, instating proposed use definitions to Smoke Shop and Vape Shop uses, to include distance requirements:

- **(Section 5.02) [Definitions.]**
 - ***Smoke Shop:*** A retail outlet whose main purpose is selling tobacco products, as that term is defined by the Food and Drug Administration, and smoking equipment for off-site consumption. Smoke shops shall have a minimum distance (from property lines) of 300 feet from single-family residential use; and 1,000 feet from public or private schools, public parks, religious facility, public hospital, day care facility, and from another smoke shop or vape Shop that is in current operation.
 - ***Vape Shop:*** A retail outlet whose main purpose is selling vaping products for off-site consumption. Vaping means using a vaporizer or inhalant-type devise, also known as an electronic cigarette, that contains a power source and heating element designed to heat a substance and inhaling the vapor of the device directly through the mouth, whether or not

the vapor contains nicotine. Vape shops shall have a minimum distance (from property lines) of 300 feet from single-family residential use; and 1,000 feet from public or private schools, public parks, religious facility, public hospital, day care facility, and from another vape shop or smoke shop that is currently in operation.

Appendix A: Zoning, Part II, Division 2, Section 4.02, addition of Smoke Shop and Vape Shop uses to the list of permitted uses within the B-2, Commercial, Research and Technology District.

- Sec. 4. B-2 Commercial, Research and Technology District

(Sec. 4.01) Purpose. The B-2 District is established as a mixed-use district to preserve and to protect appropriate locations for existing light industry. It is also designed to include new high-tech commercial uses such as technical laboratories, computer centers, engineering/ operations and research facilities that will benefit from direct access and/or close proximity to highway routes, while providing safe and convenient locations for multifamily uses through the strict enforcement of performance standards.

(Sec. 4.02) Permitted uses:

(25) **Smoke Shop.**

(26) Upholstering shops which may involve furniture manufacturing.

(27) **Vape Shop.**

(28) Veterinarian or animal hospital.

(29) Wholesale establishments and warehouses.

(30) Uses similar to the abovementioned permitted uses, provided activities conducted observe applicable performance standards as provided in Part II, Division 2 of this ordinance.

(31) Accessory buildings and uses customarily incident to any of the above uses, provided that such uses observe applicable performance standards as provided in Part II, Division 2 of this ordinance.

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. This includes Brenham's historical places, places of cultural importance and places that reflect the predominant community values as reflected in the City's Comprehensive Plan.

The City of Brenham's Comprehensive Plan titled Historic Past, Bold Future: Plan 2040 was adopted in September 2019 and serves as the City's guiding document in determining zoning and land uses decisions. Adopted with the Comprehensive Plan is the Future Land Use Plan and the establishment of use-specific land use policies, general city-wide land use policies, standards which produce a quality neighborhood, and guiding principles. Staff finds that Guiding Principle # 1 from Plan 2040 (page 12) is relevant to this text amendment request: "Brenham will emphasize QUALITY as it grows, ensuring growth is managed in a way that adds value to the city, while also strengthening existing neighborhoods and commercial areas." The Comprehensive Plan also highlights the importance of maintaining the historic downtown district and a goal to improve commercial corridors. Staff finds that the proposed text amendments to define Smoke Shops and Vape Shops and to designate the uses as permitted uses in the B-2 District will build upon Downtown's success, maintain Brenham's "small town feel," support a healthy active community, and preserve the corridor appearance. These proposed text amendments are in line with the vision of the Comprehensive Plan.

A notice of Public Hearing for the proposed Text Amendments was published in the Brenham Banner on March 23, 2025. Any public comments submitted to staff will be provided prior to the Planning and Zoning Commission meeting and the City Council meeting prior to their decision on the matter.

Staff recommends approval to amend Appendix A: Zoning, Part 1, Division 1, Section 5.02, instating proposed definitions to Smoke Shop and Vape Shop uses, to include distance requirements; and Appendix A: Zoning, Part II, Division 2, Section 4.02, regarding the addition of Smoke Shop and Vape Shop uses to the list of permitting uses within the B-2, Commercial, Research and Technology District.

Chairman Heine asked if the distance measurements would be from door-to-door or property line-to-property line. Ms. Laauwe clarified it would be 300-foot or 1,000-feet on all sides of the property. Several Commissioners stated that they were not really in favor of the grandfathering clause where if a non-conforming use closed, it could re-open if it was not closed longer than twelve (12) months. Commissioners asked if this time frame could be removed or lessened? Staff stated that this could be researched to see how it is handled in similar cities. There were no further questions by the Commissioners.

Chairman Behrens closed the regular session and opened the public hearing at 5:45 pm. There were no public comments.

Chairman Behrens closed the public hearing and re-opened the regular session at 5:45 pm.

A motion was made by Commissioner Heine and seconded by Commissioner Kossie for a recommendation to City Council for approval of a City initiated request to amend the City of Brenham’s Code of Ordinances, Appendix A: Zoning to create two (2) definitions in Section 5.02, Definitions, to define Smoke Shop and Vape Shop uses, and; to amend Section 4.02, Permitted uses within the B-2, Commercial, Research, and Technology District to include the two new defined uses within the list of permitted uses, as presented. The Board also requested that Staff evaluate the non-conforming use standards of the Zoning ordinance in relation to the proposed amendments and the Ordinance in general. The motion carried unanimously.

7. Adjourn.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to adjourn the meeting at 5:55 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:

_____	<u>M. Keith Behrens</u>	<u>June 23, 2025</u>
Planning and Zoning Commission	Chair	Meeting Date
_____	<u>Kim Hodde</u>	<u>June 23, 2025</u>
Attest	Staff Secretary	Meeting Date

**CITY OF BRENHAM
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION / CITY COUNCIL
JOINT MEETING (TRAINING) MINUTES**

June 16, 2025

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

A special joint meeting (Training) with the Board of Adjustment, Planning and Zoning Commission, and the City of Brenham City Council was held on June 16, 2025, in the Roberta C. Johnson Program Room of the Nancy Carol Roberts Memorial Library, located at 100 Martin Luther King, Jr. Parkway, Brenham, Texas.

BOA Commissioners present:

Jon Hodde, Chair
Arlen Thielemann, Vice Chair
Dax Flisowski
Mary Lou Winkelmann
Walt Edmunds (alternate)

P & Z Commissioner present:

Keith Behrens, Chair
Deanna Alfred, Vice Chair
Chris Cangelosi
Darren Heine
Calvin Kossie
Cayte Neil
Cyndee Smith

Commissioners absent:

Darren Huckert (BOA)

City Councilmembers present:

Atwood Kenjura, Mayor
Clint Kolby, Mayor Pro Tem
Leah Cook
Paul LaRoche

Staff present:

Stephanie Doland, Development Services Director
Shauna Laauwe, City Planner
Megan Mainer, Assistant City Manager
Dane Rau, Public Works Director
Richard J. O'Malley, Director of Engineering
Kim Hodde, Planning Technician

Citizens present:

Justin Golbabai (Speaker)

1. Call Meeting to Order

Clint Kolby, Mayor Pro Tem, called the Brenham City Council meeting to order at 12:06 pm with a quorum of four (4) members present. [Mayor Kenjura jointed the meeting late due to a schedule conflict]

Jon Hodde, Chair, called the Board of Adjustment meeting to order at 12:06 pm with a quorum of five (5) members present.

Keith Behrens, Chair, called the Brenham Planning and Zoning Commission meeting to order at 12:06 pm with a quorum of seven (7) members present.

WORKSHOP AGENDA

2. The Planning and Zoning Commission, Board of Adjustment, and City of Brenham City Council will Participate in a Training Session Conducted by Justin Golbabai, AICP, CNU-A, CFM, Professor of Urban Planning at Texas A& M University

Stephanie Doland introduced the speaker, Justin Golbabai, AICP, CNU-A, CFM, who is an Associate Professor of the Practice and a Coordinator of the Bachelors of Urban Planning and Regional Sciences Program at Texas A&M University. Mr. Golbabai holds certifications from the American Institute of Certified Planners (AICP), The Congress for the New Urbanism (CNU), and the Association of State Floodplain Managers (CFM). Mr. Golbabai his presentation entitled “Neighborhood Planning and Design” that included topics such as:

Impact of Neighborhood Design

- His Personal Example
- Less Kids Walking & Bicycling to School
- Auto Orientation & Obesity
- Television Oriented Habits
- Loneliness
- Social Capital Decline

Design of Community

- 3rd Places (places to “hang out” and socialize)

Traditional Neighborhood Development

- Clarence Perry’s Neighborhood Unit
- Neighborhood Unit: Centering the School
- Neighborhood Unit: Streets
- Neighborhood Unit: Edges
- Neighborhood Unit: Parks & Greenspaces

Rise of Modern Suburban Development Pattern

- Rise of Single Use Zoning
- Evolving Street Networks
- Connectivity in Subdivision Regulations
- Mass Subdivision Buildings
- Subdivision Experience

Development Patterns in Brenham

- Traditional Neighborhoods vs Suburban Sprawl
- Land Use & Zoning in Brenham

Brenham Citizen Feedback on Development Types

- Brenham Comprehensive Plan – Small Town Feel – What Does It Mean?
- Community Survey Results
- Translating Comprehensive Plan into Subdivision Language

Neighborhood Design Principles Applied to Subdivision Regulations

- Items to Look At: Exterior Connections
- Items to Look At: Internal Pedestrian Connectivity
- Sidewalks and Access Ways
- Civic/Community Center/Parkland Dedication
- Payment of Fee-In-Lieu: Sidewalk-Fee-In-Lieu & Parkland Dedication

- Voter Politics: Public vs HOA Areas
- Street Trees
- Difference Trees Make
- Neighborhood Appropriate Uses in SF Zoning Along Major Streets
- Stormwater Management as Neighborhood Amenities
- Multi-Use Stormwater Areas
- Zoning/Negotiation Gives: Allowing for Thinner Lot Widths & Reduced Side Setbacks

Resources and Organizations

- Congress for the New Urbanism (www.cnu.org)
- Incremental Development Alliance (www.incrementaldevelopment.org)
- Dutch Cycling Embassy (<https://dutchcycling.nl>)
- City of Austin, TX's Neighborhood Partnering Program (<https://www.austintexas.gov/department/neighborhood-partnering-program>)

Concluding Thoughts

- Questions
- "We shape our buildings; Thereafter, they shape us." - Winston Churchill

A copy of the presentation is on file in the Development Services Department and will be emailed to all participants.

3. Adjourn

Mayor Pro Tem Kolby adjourned the Brenham City Council meeting at 1:25 pm.

Chairman Hodde adjourned the Board of Adjustment meeting at 1:25.

Chairman Behrens adjourned the Planning and Zoning Commission meeting at 1:25.

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

Certification of Meeting Minutes:

_____	<u>M. Keith Behrens</u>	<u>June 23, 2025</u>
Planning and Zoning Commission	Chairman	Meeting Date

_____	<u>Kim Hodde</u>	<u>June 23, 2025</u>
Attest	Staff Secretary	Meeting Date



CASE LOTLINE-25-0006
REPLAT: RESERVE "A5" AND LOT 11 TO CREATE LOT 11A, LOT 12 AND
AND RESERVE "A6" IN THE
MARKET SQUARE BRENHAM SUBDIVISION

PLAT TITLE: Market Square Brenham Subdivision **CITY/ETJ:** City

PLAT TYPE: Replat

STAFF CONTACT: Shauna Laauwe ACIP, City Planner

OWNER/APPLICANT: Brenham Market Square LP / Hodde & Hodde Land Surveying, Inc.

ADDRESS/LOCATION: Located at the intersection of US Highway 290 E., Cantey Street and South Market Street.

LEGAL DESCRIPTION: Replat of Reserve "A5" and Lot 11 of the Market Square Brenham Subdivision to create Lot 11A (1.500-acres), Lot 12 (1.297-acres) and Reserve "A6" (10.337-acres), containing a total of 13.134-acres, out of the John Long Survey, Abstract No. 156 in Brenham, Washington County, Texas.

LOT AREA: 13.134-acres total

ZONING DISTRICT: B-2 Commercial Research and Technology District

EXISTING USE: Undeveloped Vacant land

COMP PLAN Corridor Mixed-Use to the north along S. Market Street/Commercial on the
FUTURE LAND USE: southern portion

REQUEST:

The subject 13.134 acres of land is owned by Brenham Market Square, LP. Paul Leventis, on behalf of Brenham Market Square, LP, desires to replat Reserve "A5" and Lot 11 of the Market Square Brenham Subdivision to create Lot 11A (1.500-acres), Lot 12 (1.297-acres) and Reserve "A6" (10.337-acres), containing a total of 13.134-acres, for further development of this property.

STAFF ANALYSIS AND RECOMMENDATION:

The proposed replat includes the location of previously dedicated easements and building setback lines in relation to established property lines. This proposed plat creates proposed Lot 12, (1.297-acres) and includes the dedication of a 25-foot access easement on the east side of proposed Lot 12 that connects to the access easement along the southern property line of Lot 11 and the northern property line for proposed Lot 12. This plat also eliminates the previously dedicated 30' wide public access easement along the easternmost property line for Lot 11 that was previously dedicated for a shared driveway onto South

Market Street. This plat reconfigures the previous Reserve "A5" and Lot 11 and creates Lot 11A (1.500-acres), Lot 12 (1.297-acres) and Reserve "A6" (10.337-acres) for future subdivision and development.

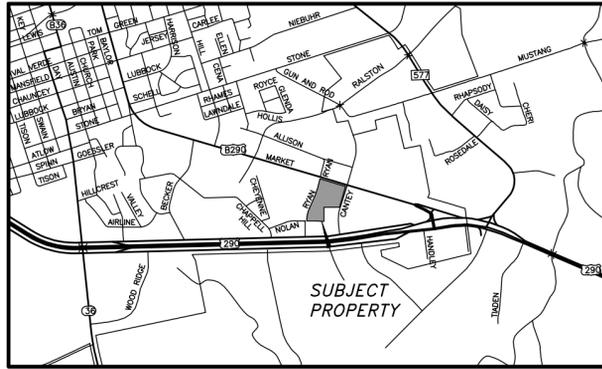
Development Services and Engineering have reviewed this replat for compliance with applicable City of Brenham regulations and ordinances of the City of Brenham, Texas and **recommends approval** of this plat as presented.

EXHIBITS:

- A. Proposed Replat

VICINITY MAP

SCALE: 1" = 3000'



100 0 100 200 300

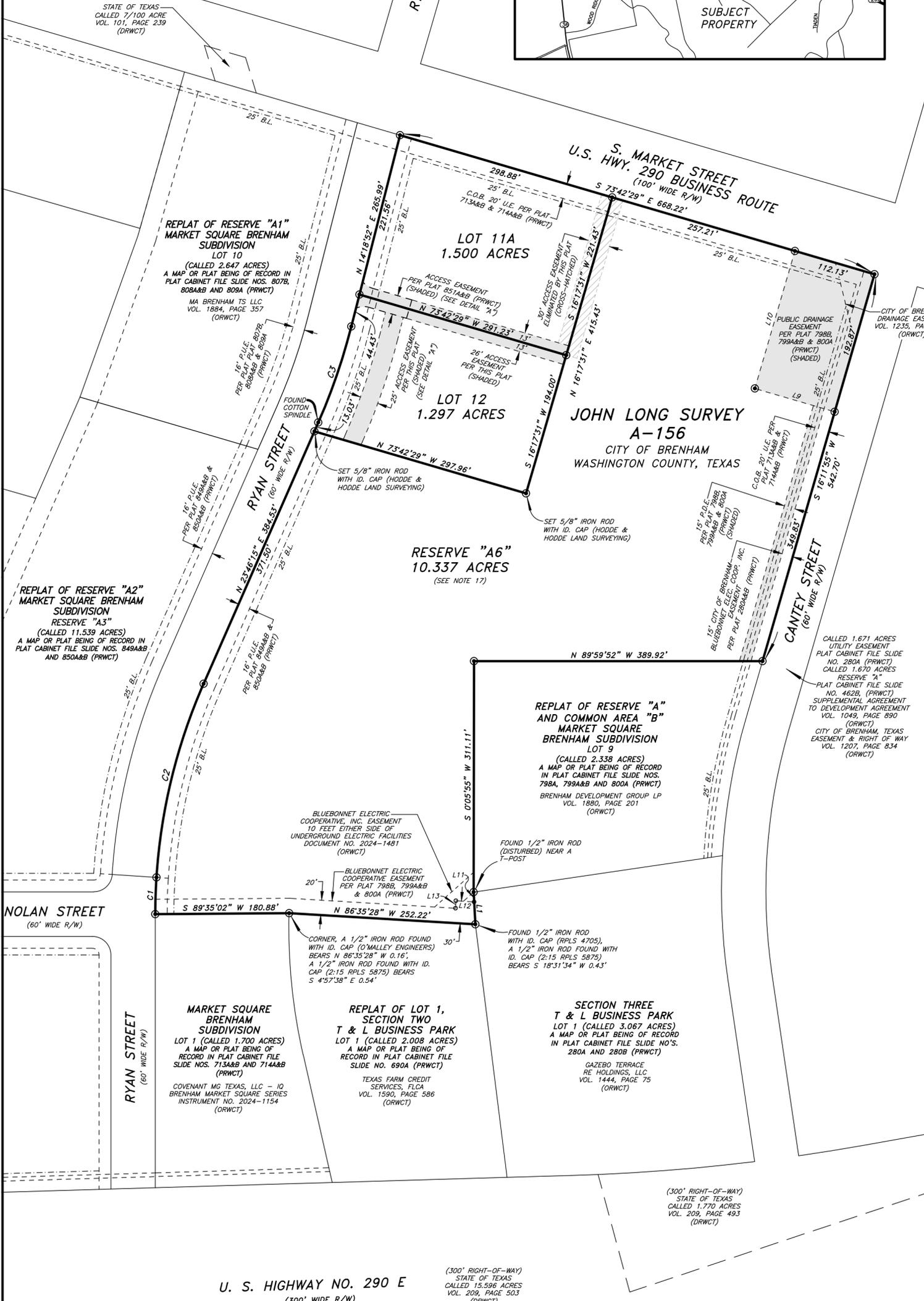
GRAPHIC SCALE - FEET



SCALE: 1" = 100'

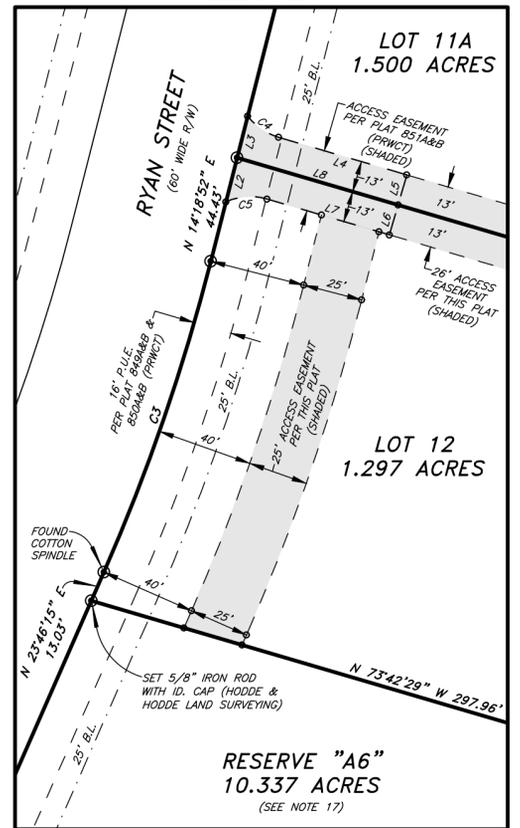
LEGEND

- FOUND 5/8" IRON ROD WITH ID. CAP (HODDE & HODDE LAND SURVEYING) UNLESS OTHERWISE NOTED
- BOUNDARY LINES
- - - EASEMENT LINES
- BUILDING LINES



DETAIL "A"

SCALE: 1" = 50'



LINE TABLE

NUM	BEARING	DISTANCE
L1	S 3°08'24" E	43.41'
L2	N 14°18'52" E	18.94'
L3	N 14°18'52" E	17.87'
L4	S 73°42'29" E	55.80'
L5	S 16°17'31" W	13.00'
L6	S 16°17'31" W	13.00'
L7	N 73°42'29" W	53.18'
L8	S 73°42'29" E	70.00'
L9	N 73°48'05" W	112.43'
L10	N 16°17'25" E	193.05'
L11	S 3°08'24" E	13.22'
L12	N 86°35'28" W	24.73'
L13	S 3°24'32" W	10.00'

CURVE TABLE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	3°41'18"	49.57'	770.00'	N 1°50'39" E	49.56'
C2	20°04'58"	269.89'	770.00'	N 13°43'46" E	268.51'
C3	9°27'23"	136.99'	830.00'	N 19°02'34" E	136.83'
C4	36°20'20"	15.86'	25.00'	S 55°32'19" E	15.59'
C5	40°17'36"	17.58'	25.00'	S 86°08'43" W	17.22'

REPLAT OF RESERVE "A5" AND LOT 11 MARKET SQUARE BRENHAM SUBDIVISION

FORMING LOT 11A (1.500 ACRES), LOT 12 (1.297 ACRES) AND RESERVE "A6" (10.337 ACRES) CONTAINING 13.134 ACRES TOTAL JOHN LONG SURVEY, A-156 CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS

(PRELIMINARY)

JON E. HODDE, RPLS NO. 5197 DATE: MAY 15, 2025

THE PURPOSE OF THIS DOCUMENT IS FOR PRELIMINARY REVIEW ONLY. PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

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

W. O. NO. 8385 (BRENHAMMARKETSQUARE7826.DWG) REF: MKTSO7826LEICABLEICA

NOTES:

- 1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE GRID SYSTEM, NAD-83 {2011}, CENTRAL ZONE 4203. CONVERGENCE ANGLE AT N: 10037905.626" - E: 3544925.146" IS 2'-02"-04.23", COMBINED SCALE FACTOR IS 0.99998033, U.S. SURVEY FEET, UTILIZING TXDOT CONTROL MONUMENTS FOR U.S. HWY. 290. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
- 2. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAPS (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBER 48477C0295C, EFFECTIVE DATE AUGUST 16, 2011 AND 48477C0315D, MAP REVISED MAY 16, 2019, CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS.
- 3. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH LAWYERS TITLE COMPANY OF BRAZOS COUNTY (STEWART TITLE GUARANTY COMPANY), TITLE COMMITMENT OF NO. S48765, EFFECTIVE DATE MARCH 3, 2025, 07:00 AM, ISSUED MARCH 11, 2025 AND SOUTH LAND TITLE, LLC, TITLE REPORT FILE NO. WCTP2500622, DATED APRIL 25, 2025 AT 8:00 AM.
- 4. SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND BUILDING LINES APPLICABLE TO T&L BUSINESS PARK, AS RECORDED IN PLAT CABINET FILE SLIDE NO. 462B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, POHLMAYER SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NO. 463A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 713A, 713B, 714A & 714B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF LOT 2, MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 757A, 757B, 758A & 758B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF LOT 2A, MARKET SQUARE BRENHAM SUBDIVISION AND THE RESIDUE OF RESERVE C - COMMERCIAL, MARKET SQUARE DEVELOPMENT, SECTION 1, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 782A, 782B, 783A & 783B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF RESERVE "A" AND COMMON AREA "B", MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 798B, 799A, 799B & 800A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF RESERVE "A1", MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 807B, 808A, 808B & 809A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF RESERVE "A2", MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 849A, 849B, 850A & 850B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS AND REPLAT OF RESERVE "A4", MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 851A & 851B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
- 5. SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND ACCESS RIGHTS OF MARKET SQUARE BRENHAM, AS RECORDED IN VOLUME 1681, PAGE 469, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND ACCESS RIGHTS OF MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN VOLUME 1803, PAGE 694, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND ACCESS RIGHTS OF MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN VOLUME 1867, PAGE 650, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND SUPPLEMENTAL AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND ACCESS RIGHTS OF MARKET SQUARE BRENHAM SUBDIVISION, AS RECORDED IN INSTRUMENT NO. 2024-2431, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 6. SUBJECT TO RIGHT OF WAY DEED DATED FEBRUARY 11, 1929, EXECUTED BY WILL KOLWES TO M&M PIPE LINE COMPANY, AS RECORDED IN VOLUME 95, PAGE 6, IN THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS, PARTIAL RELEASE OF RIGHT-OF-WAY AGREEMENT AND RIGHT OF WAY DEED, AS RECORDED IN VOLUME 1894, PAGE 227, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND PARTIAL RELEASE OF RIGHT-OF-WAY AGREEMENT AND RIGHT OF WAY DEED, AS RECORDED IN VOLUME 1894, PAGE 230, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 7. SUBJECT TO RIGHT OF WAY GRANT DATED FEBRUARY 23, 1954, EXECUTED BY WILL KOLWES, SR. TO TEXAS SOUTHEASTERN GAS COMPANY, AS RECORDED IN VOLUME 197, PAGE 455, IN THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS, PARTIAL RELEASE OF RIGHT-OF-WAY AGREEMENT AND RIGHT OF WAY DEED, AS RECORDED IN VOLUME 1894, PAGE 227, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND PARTIAL RELEASE OF RIGHT-OF-WAY AGREEMENT AND RIGHT OF WAY DEED, AS RECORDED IN VOLUME 1894, PAGE 230, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 8. SUBJECT TO EASEMENT DATED AUGUST 13, 1946, EXECUTED BY WILL KOLWES TO L. HAUSMAN, AS RECORDED IN VOLUME 149, PAGE 222, IN THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. {NOT PLOTTABLE}
- 9. SUBJECT TO QUITCLAIM DEED DATED DECEMBER 21, 2022, EXECUTED BY CITY OF BRENHAM TO BRENHAM MARKET SQUARE, LP, AS RECORDED IN VOLUME 1872, PAGE 92, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 10. SUBJECT TO EASEMENT FROM BRENHAM MARKET SQUARE, L.P. TO BLUEBONNET ELECTRIC COOPERATIVE, INC., DATED APRIL 5, 2023, AS RECORDED IN INSTRUMENT NO. 2024-1481, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
- 11. 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 THE EASEMENTS SHOWN HEREON.
- 12. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA, TITLE COMMITMENT DATED MARCH 3, 2025 AND TITLE REPORT DATED APRIL 25, 2025.
- 13. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA, TITLE COMMITMENT DATED MARCH 3, 2025 AND TITLE REPORT DATED APRIL 25, 2025.
- 14. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- 15. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- 16. THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NOT LIMIT OR REPLACE, ANY BUILDING LINES REQUIRED BY THE CITY OF BRENHAM CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.
- 17. BEFORE DEVELOPMENT OF RESERVE "A6" (10.337 ACRES), A PLAT OF THE TRACT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL ACCORDING TO THE DEVELOPMENT CODE OF THE CITY OF BRENHAM.
- 18. (DRWCT) DENOTES DEED RECORDS OF WASHINGTON COUNTY, TEXAS.
(ORWCT) DENOTES OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
(PRWCT) DENOTES PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
(PCFSN) DENOTES PLAT CABINET FILE SLIDE NO.
B.L. DENOTES BUILDING LINE
U.E. DENOTES UTILITY EASEMENT
P.U.E. DENOTES PUBLIC UTILITY EASEMENT
D.E. DENOTES DRAINAGE EASEMENT
P.D.E. DENOTES PUBLIC DRAINAGE EASEMENT
C.O.B. DENOTES CITY OF BRENHAM

SURVEY MAP

SHOWING A SURVEY AND REPLAT FORMING LOT 11A (1.500 ACRES), LOT 12 (1.297 ACRES) AND RESERVE "A6" (10.337 ACRES), LYING AND BEING SITUATED IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS, PART OF THE JOHN LONG SURVEY, A-156. SAID LOT 11A (1.500 ACRES) BEING LOT 11 (CALLED 1.500 ACRES) OF THE REPLAT OF RESERVE "A4", MARKET SQUARE BRENHAM SUBDIVISION, A MAP OR PLAT OF SAID SUBDIVISION BEING OF RECORD IN PLAT CABINET FILE SLIDE NOS. 851A & 851B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS OR BEING THE SAME LAND AS CONVEYED IN THE DEED FROM BRENHAM MARKET SQUARE, LP TO BRENHAM BVOMS MEDICAL PLAZA LLC, DATED JULY 31, 2024, AS RECORDED IN INSTRUMENT NO. 2024-4467, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS. SAID LOT 12 (1.297 ACRES) AND SAID RESERVE "A6" (10.337 ACRES) BEING PART OF RESERVE "A5" (CALLED 11.634 ACRES) OF THE REPLAT OF RESERVE "A4", MARKET SQUARE BRENHAM SUBDIVISION, A MAP OR PLAT OF SAID SUBDIVISION BEING OF RECORD IN PLAT CABINET FILE SLIDE NOS. 851A & 851B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS OR BEING PART OF THE SAME LAND DESCRIBED AS 51.119 ACRES IN THE DEED FROM THE FIRST BAPTIST CHURCH OF BRENHAM, TEXAS TO BRENHAM MARKET SQUARE, LP, DATED AUGUST 27, 2018, AS RECORDED IN VOLUME 1644, PAGE 324, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS AND BEING CORRECTED IN INSTRUMENT DATED AUGUST 31, 2018, AS RECORDED IN VOLUME 1645, PAGE 90, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.

CERTIFICATION

THE STATE OF TEXAS
COUNTY OF WASHINGTON

I, JON E. HODDE, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5197 OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS MAP SHOWING A SURVEY AND REPLAT OF 13.134 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 15TH DAY OF MAY, 2025, A.D.

(PRELIMINARY)

JON E. HODDE, RPLS NO. 5197
DATE: MAY 15, 2025
THE PURPOSE OF THIS DOCUMENT IS FOR PRELIMINARY REVIEW ONLY.
PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

(PRELIMINARY)

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

OWNER ACKNOWLEDGMENT

WE, BRENHAM MARKET SQUARE, LP, A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH PAUL J. LEVENTIS, AS PRESIDENT OF ITS GENERAL PARTNER, BRENHAM MARKET SQUARE GP LLC, A TEXAS LIMITED LIABILITY COMPANY, THE OWNERS OF THE LAND DESCRIBED HEREON AND WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY ACKNOWLEDGE THE CHANGES TO SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON. THE PLATTED PROPERTY REMAINS SUBJECT TO EXISTING DEDICATIONS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

BRENHAM MARKET SQUARE LP,
A TEXAS LIMITED PARTNERSHIP

BY: BRENHAM MARKET SQUARE GP LLC,
A TEXAS LIMITED LIABILITY COMPANY
ITS: GENERAL PARTNER

BY: _____
(SIGNATURE)

(PRINTED NAME & TITLE)

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF _____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____

DAY OF _____, 2025, BY _____

NOTARY PUBLIC, STATE OF TEXAS

(SEAL)

LIENHOLDERS' ACKNOWLEDGMENT AND SUBORDINATION STATEMENT

WE, EXTRACO BANKS, N.A., THE OWNERS AND HOLDERS OF A LIEN AGAINST THE PROPERTY DESCRIBED HEREON, DO HEREBY IN ALL THING SUBORDINATE TO SAID PLAT OF WASHINGTON COUNTY, TEXAS, SAID LIEN AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: _____
(SIGNATURE)

(PRINTED NAME & TITLE)

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF _____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____

DAY OF _____, 2025, BY _____

NOTARY PUBLIC, STATE OF TEXAS

(SEAL)

OWNER ACKNOWLEDGMENT

WE, BRENHAM BVOMS MEDICAL PLAZA LLC, A TEXAS LIMITED LIABILITY COMPANY, THE OWNERS OF THE LAND DESCRIBED HEREON AND WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY ACKNOWLEDGE THE CHANGES TO SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON. THE PLATTED PROPERTY REMAINS SUBJECT TO EXISTING DEDICATIONS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

BRENHAM BVOMS MEDICAL PLAZA LLC,
A TEXAS LIMITED LIABILITY COMPANY

BY: _____
(SIGNATURE)

(PRINTED NAME & TITLE)

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF _____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____

DAY OF _____, 2025, BY _____

NOTARY PUBLIC, STATE OF TEXAS

(SEAL)

PLANNING AND ZONING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 2025 BY
THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENHAM, TEXAS.

CHAIRMAN

SECRETARY

COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT

THE STATE OF TEXAS §
COUNTY OF WASHINGTON §

I, _____, CLERK OF THE COUNTY COURT OF WASHINGTON COUNTY, TEXAS DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON THE ____ DAY OF _____, 2____, AT _____ O'CLOCK. ____M., AND DULY RECORDED ON THE ____ DAY OF _____, 2____, AT _____ O'CLOCK. ____M. IN CABINET _____ SHEET _____ OF RECORD IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.

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

CLERK OF THE COUNTY COURT
WASHINGTON COUNTY, TEXAS

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

**REPLAT OF RESERVE "A5" AND LOT 11
MARKET SQUARE BRENHAM SUBDIVISION
FORMING LOT 11A (1.500 ACRES), LOT 12 (1.297 ACRES)
AND RESERVE "A6" (10.337 ACRES)
CONTAINING 13.134 ACRES TOTAL
JOHN LONG SURVEY, A-156
CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS**

OWNER/DEVELOPER
BRENHAM MARKET SQUARE, LP
1722 BROADMOOR DRIVE, SUITE 212
BRYAN, TEXAS 77802
PHN. 979-774-2900



CASE NUMBER SPCUSE-25-0006
1604 ELDON STREET
SPECIFIC USE PERMIT REQUEST – ACCESSORY DWELLING UNIT

STAFF CONTACT:	Shauna Laauwe AICP, City Planner
APPLICANT/OWNER:	Korbin Scott
ADDRESS/LOCATION:	1604 Eldon Street
LEGAL DESCRIPTION:	Meadow Park Sec II, Lot 23
LOT AREA:	10,585 square feet, approximately 0.24-acres
ZONING DISTRICT/USE:	R-1 Single-Family Residential District (Exhibit B)
FUTURE LAND USE:	Single-Family Residential District (Exhibit C)
REQUEST:	A request for a Specific Use Permit to allow a proposed Accessory Dwelling Unit (ADU) in a R-1 Single-Family Residential Zoning District (Exhibit B).

BACKGROUND:

The subject property is a 10,585 square foot (0.24-acre) lot that is addressed as 1604 Eldon Street and generally located at the north side of Eldon Street, west of Edward Street and east of N. Drumm Street. The subject property is owned by Korbin Scott and is an irregular rectangular shaped lot that varies in width from approximately 80 feet along the south property line at Eldon Street to 88.7 feet at the north property line, while the lot is approximately 133 feet in depth on the east property line and 134 feet along the west property line. The subject property is developed with a 1,110 square foot single-family dwelling (living area only) and associated garage, porch and patio areas in the amount of 1,246 square feet that was constructed in 1978. As shown in Figure 1, the subject and adjacent properties are currently zoned R-1, Single-Family Residential District and developed with single-family dwelling units. The existing principal

Figure 1



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 a 10,585 square foot lot that is located on the north side of Eldon Street and mid-block between N. Drumm Street to the west and Edward Street to the east. As shown in Figure 1, the subject property, and all adjacent and neighboring properties are located within an R-1, Single-Family Residential District. The subject property and adjacent properties to the north and south are developed as single-family homes within the Meadow Park Subdivision that were predominately built in the 1970s-1980s.

The applicant is requesting a SUP to allow for the construction of an 18' x 30' (540 square feet), one-story detached accessory structure near the northeast property line of the subject lot. The allowance and standards for ADUs were adopted within in the Zoning Regulations with Ordinance No. O-19-012 that was approved on March 7, 2019. The adopted regulations allow any homeowner living in the R-1 District to build an ADU with prior approval of a Specific Use Permit and a building permit. Any homeowner or business owner located in an R-2 or B-1 zoning district may build an ADU with a building permit. Section 10.02(4) of the Zoning Regulations lists additional development standards that pertain to ADUs:

- a) Should the primary use be a single-family dwelling, the property owner's primary residence shall be the single-family dwelling or ADU.

The property owner plans to continue to reside in the principal home and proposes to utilize the ADU as home for his father.

- b) An ADU must be designed and constructed in keeping with the general architecture and building material of the principal structure.

The proposed addition will be in the same general architecture style and building material of the principal structure.

- c) An attached ADU shall be subject to the regulations affecting the principal structure. A detached ADU shall have side yards of not less than the required side yard for the principal structure and rear yards of not less than ten (10) feet.

The proposed ADU exceeds the rear and side yard setback requirements with a rear yard setback of 20-feet, a west side yard setback of 41-feet and an east side yard setback of 11-feet.

- d) One (1) on-site parking space, located to the side or rear of the primary structure, shall be provided for the ADU in addition to the required parking for the principal structure.

The subject property is required to have two (2) parking spaces for the principal home and one (1) dedicated parking space for the ADU. The subject site has a one-car garage and a 10-foot x 39-foot driveway that combined, accommodates 3 vehicles. However, there is not

a parking space to the rear or side of the primary structure dedicated to the ADU. The applicant may construct a second driveway or circular drive, as the subject property has a lot width of 80-feet, that meets the minimum width to have a second driveway access. Another option is to widen the existing driveway to allow for a parking space that would not be potentially blocked.

- e) The maximum habitable area of an ADU is limited to either one-half (1/2) of the habitable area of the principal structure, or one thousand (1,000) square feet, whichever is smaller.

The principal structure is 1,110 square feet in area and the proposed ADU is 540 square feet, less than ½ of the habitable area of the principal structure.

- f) ADUs shall not be HUD-code manufactured home or mobile home.

The proposed ADU will not be a HUD-code manufactured home or mobile home.

The SUP process allows staff to identify additional land uses, which may be appropriate in special circumstances. The proposed structure is to be utilized for the property owner's family member. The site plan provided by the applicant indicates that the structure will have ample setbacks, with proposed setbacks of approximately 60 feet from Eldon Street, 20 feet from the rear property line to the north, an 11-foot side yard setback to the east property line, and a 41-foot setback from the west side property line. While the site plan does not currently show a dedicated off-street parking space, the site does currently have three off-street parking spaces and width to widen the existing driveway. The proposed development complies with the development standards for accessory dwelling units and the SUP request promotes the initiatives of the housing task force.

- (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 Historic Past, Bold Future 2040 Comprehensive Plan suggests the subject property and the area to the north and south of Eldon Street is envisioned as single-family use (Exhibit "C"). Properties further south, along W. Main Street are envisioned as Corridor Mixed-Use, while properties to the west, along N. Dixie Street, are envisioned as commercial. The subject property and the surrounding properties are developed as single-family homes with the area transitioning to mixed commercial and residential uses to the south along W. Main Street. The requested SUP would not deter from the envisioned use. Staff finds that the proposed request aligns with the goals and land use policies established in the Comprehensive Plan.

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

The subject property has existing utilities available along Eldon Street in addition to a sewer line that is also located within a 10-foot easement along the north property line. ADUs are an opportunity to increase density in a compatible manner within a residential area as they do not require additional infrastructure to be built to accommodate the new dwelling unit.

- (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 the 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 June 12, 2025 and the Notice of Public Hearing was published in the Brenham Banner on June 12, 2025. As of June 18, 2025, Staff have received no written citizen comment forms regarding the proposed ADU. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

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

If approved, the property will be required to adhere to the regulations of the R-1 District to include, the accessory dwelling unit development standards, minimum building setbacks and maximum impervious coverage requirements. The applicant has submitted a site plan (Exhibit D) which shows the proposed location of the ADU. As discussed previously, both the principal home and the ADU meet or exceed all R-1 setback requirements. The subject property has a lot size of 10,585 square feet and is comparable in area to the lots along Eldon Street and within the Meadow Park Subdivision. The existing principal structure is 1,110 square feet and the proposed ADU is 540 square foot ADU, for a total living space of 1,650 square feet on the subject property. While not including the driveways and covered porches, the impervious cover of the subject property is less than the maximum lot coverage of 55 percent allowed within the R-1 District. 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 ensure Brenham's attractiveness for the future location of business and housing by preserving an attractive and safe community environment in order to enhance the quality of life for all residents.

Staff finds that the requested land use is appropriate in this location given the existing development in the vicinity and conformance with the City's adopted Comprehensive Plan and Future Land Use 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 and all surrounding properties are located within an R-1 District. The Future Land Use Map, as part of the Comprehensive Plan adopted in September 2019, envisions the subject property as single-family residential. The subject property, adjacent properties, and surrounding area to the north are currently developed as single-family uses, while neighborhood commercial uses are to the south along W. Main Street.

The surrounding single-family properties in the area consist predominately of ranch style homes built in the 1970-1980s and have attached garages. While no other ADUs are currently within the immediate area, Staff finds that the proposed ADU is consistent with the land use policies established in the Comprehensive Plan and the existing neighborhood culture.

- (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 to allow for further development of the property with an ADU will promote the orderly development of the community. This request, to allow a proposed 18' x 30' (540 square foot) detached accessory structure to be located on the north portion of the 10,585 square foot lot, will not 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 finds that the proposed development will not have an adverse effect on the surrounding area and will be compatible with anticipated uses surrounding this property. The applicant proposes utilizing the ADU as a home for his father. The proposed ADU will meet the architectural character of the existing home and the adjoining properties. The proposed structure meets the development standards set forth in the zoning ordinance and is proposed to be in character with both the principal structure and nearby residential properties. If approved, the applicant is required to submit a building permit for the ADU showing that it meets all applicable building and fire code requirements.

- (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 for the construction of a one-bedroom, 540 square foot ADU that will be utilized as living quarters for the property owner's father. Commercial districts are located to the south along W. Main Street, and to the west along N. Dixie Road. While W. Main Street is mostly developed, vacant commercial property is available for future development. The nearby commercial zoned land along N. Dixie Road is predominately unusable State right-of-way. Staff finds 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 currently developed as a single-family home within an R-1, Single-Family Residential District. The existing principal structure was built in 1978 and according to documents provided, appears to be in conformance with all the of the zoning requirements in terms of lot size, setbacks and uses.

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

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

STAFF RECOMMENDATION:

Staff recommends *approval* of a Specific Use Permit to allow a detached accessory dwelling unit to be located within a R-1 Mixed Residential Use Zoning District for the subject 0.24-acre tract of land that is located at 1604 Eldon Street and legally described as Meadow Park Sec. II, Lot 23, with the following condition:

1. That a dedicated off-street parking space of concrete or asphalt be provided for the Accessory Dwelling Unit.

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. Future Land Use Map
- D. Applicant Cover Letter
- E. Site Plan
- F. Floor Plan
- G. Site photos

EXHIBIT "A"
AERIAL MAP



Location Map
Specific Use Permit for ADU
1604 Eldon Street

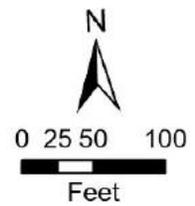


EXHIBIT "B"
ZONING MAP



Zoning Map
Specific Use Permit for ADU
1604 Eldon Street

Legend

- City Parcels
- B1 Local Business Mixed
- P1 Planned Development
- R1 Residential Single Family
- City Roads

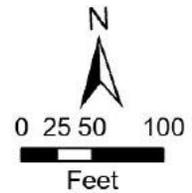
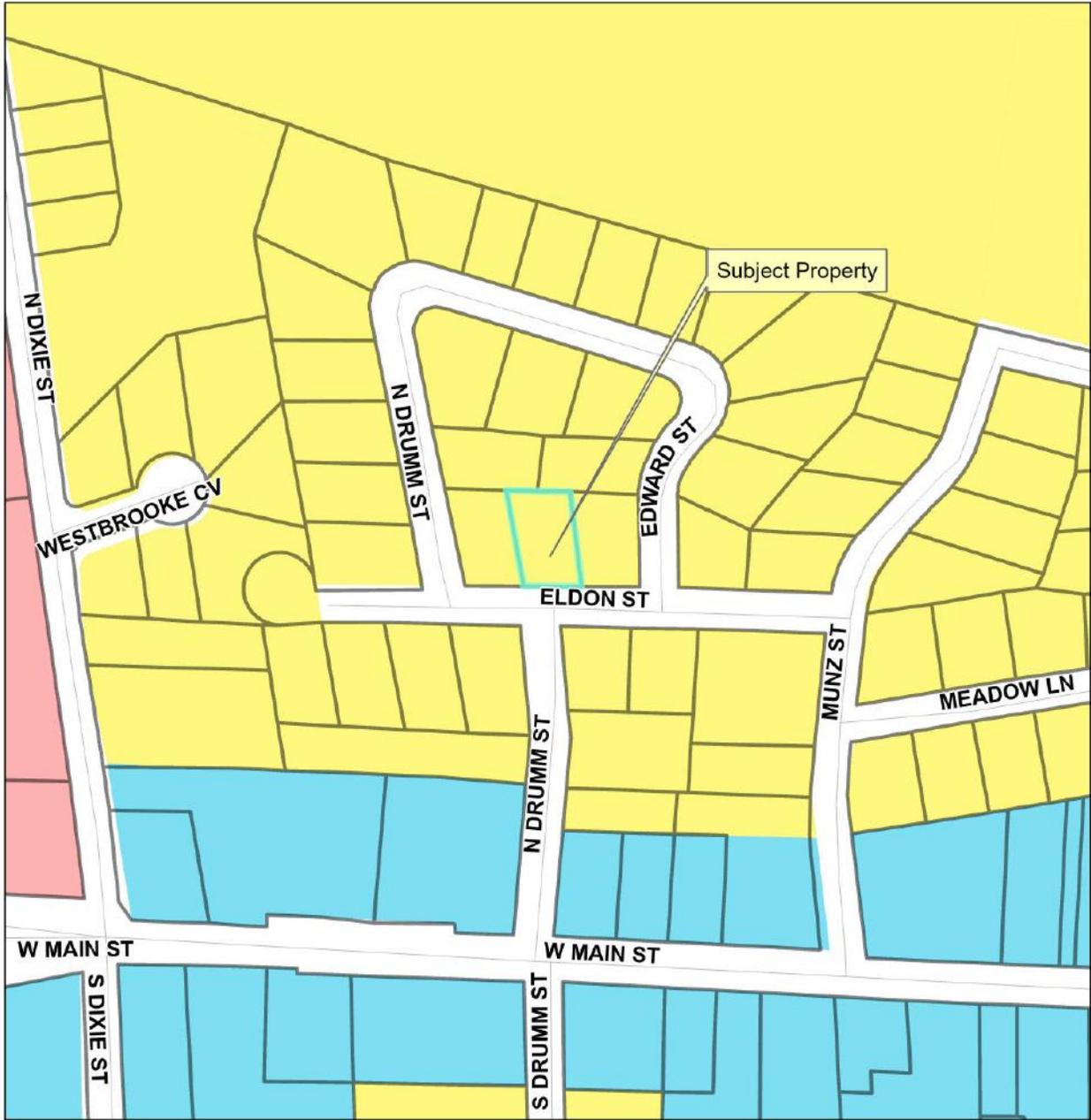


EXHIBIT "C"
FUTURE LAND USE MAP



Legend

- Future Land Use Plan
FLU_FINAL
- Single Family Residential
 - Corridor Mixed Use
 - Commercial

Future Land Use Map
Specific Use Permit - ADU
1604 Eldon Street



1:2,164



EXHIBIT "D"
COVER LETTER

Cover Letter to Brenham Planning and Zoning Commission

Korbin Scott, 1604 Eldon Street. Brenham, Texas, 77833

To the Members of the Brenham Planning and Zoning Commission,

Good afternoon, I hope you are all doing well. I'm writing to explain the reasoning behind my request to construct an Additional Dwelling Unit (ADU) on my property.

The proposed structure will be an 18'x30' single-story unit, located on the right side of my backyard. Despite the addition, there will still be plenty of yard space remaining due to the size of the lot. The exterior building material will consist of hardy siding and a metal roof, materials I also intend to use on the main home in the future for their durability and long-term benefits.

My property currently includes three parking spaces: one in the garage and two in the driveway, all easily accessible from the proposed ADU. The unit is intended as a single occupant dwelling for my father, and will include a kitchen, bathroom, and combined bedroom/living area. If any additional information or clarification is needed, I'm more than happy to provide it.

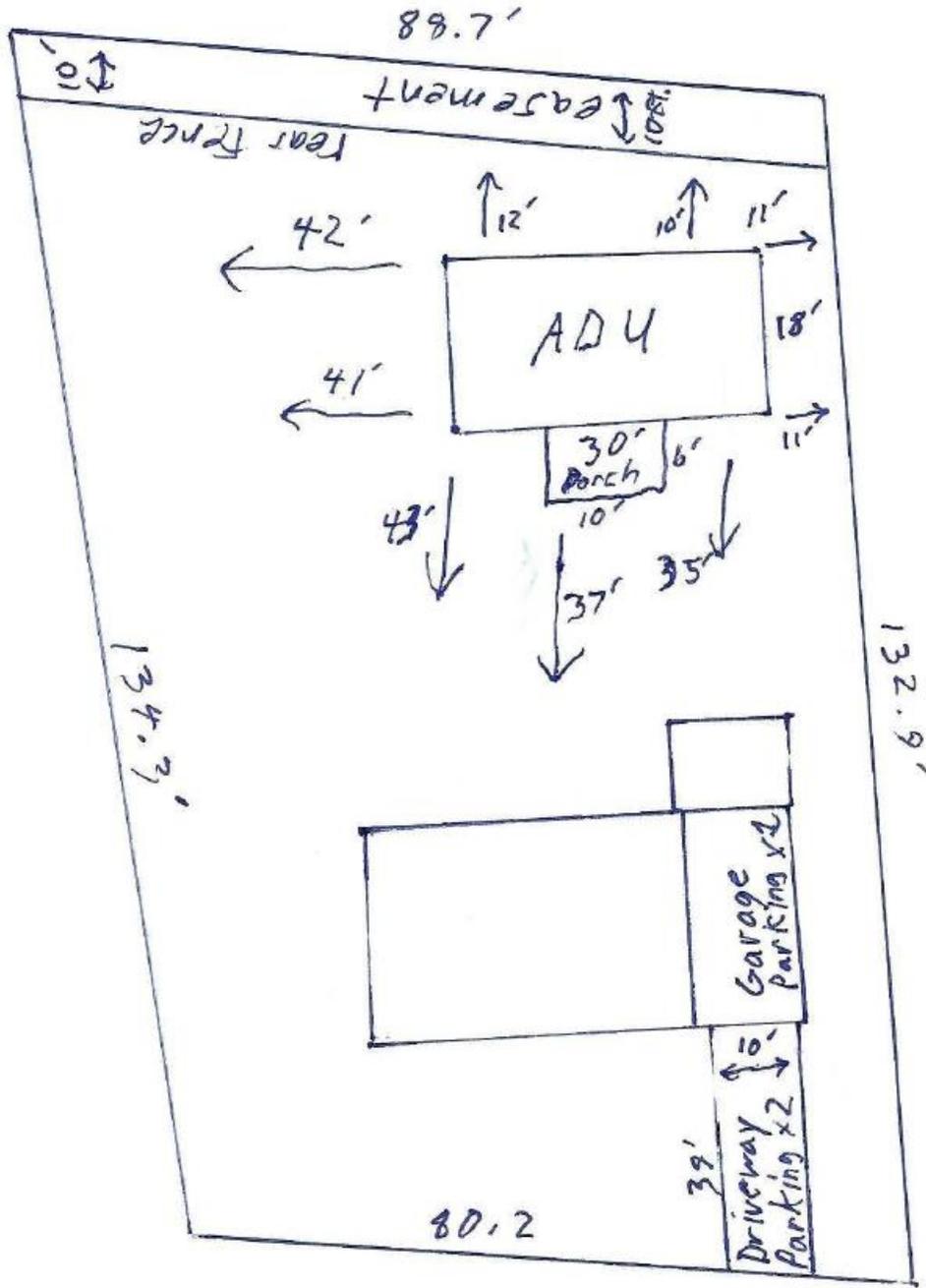
The reason behind my request is that my father had been living with my grandmother, assisting her with expenses, property upkeep, and companionship after the loss of her husband. Sadly, she passed earlier this year, and my father's siblings have decided to sell the home, leaving him in need of a new place to live.

As someone who has experienced the challenges of single-person housing firsthand, I understand how difficult it can be to secure affordable and stable housing. I was fortunate to rent from a family member before purchasing my own home. Now that I am in a position to help, I want to support my father as he has always supported me. Beyond the practical benefits, having him nearby would be a source of comfort as I navigate homeownership, and would bring both of us peace of mind knowing we have a stable, long-term living arrangement.

Thank you for taking the time to read my request. I truly appreciate your consideration, and I hope you all have a wonderful day.

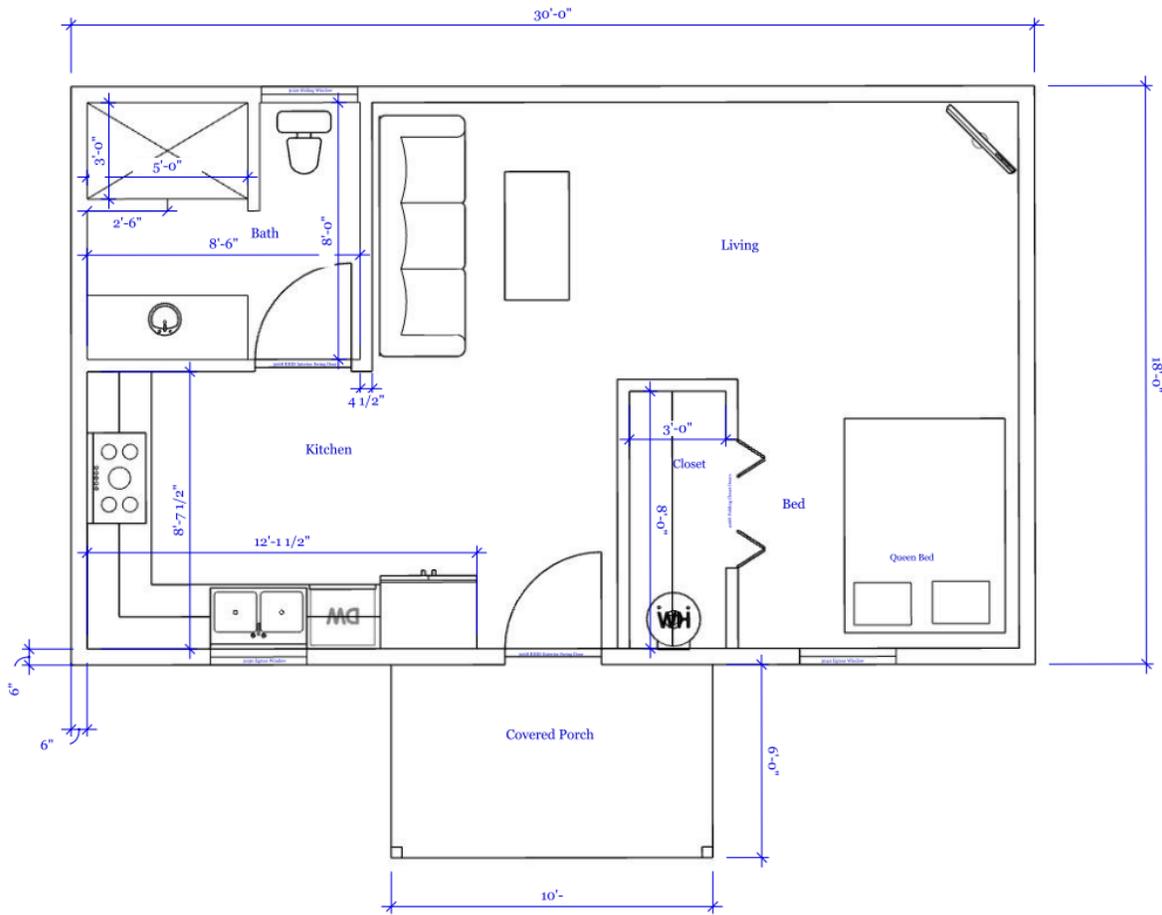
Sincerely,
Korbin Scott

EXHIBIT "E"
PROPOSED SITE PLAN

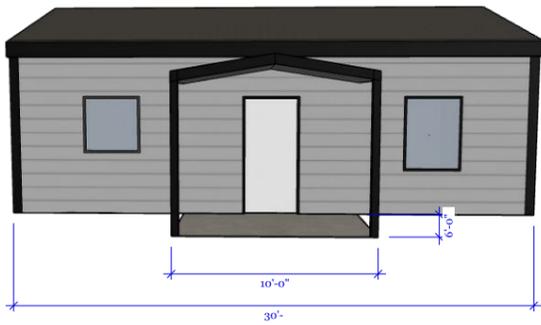


1604 Eldon St.

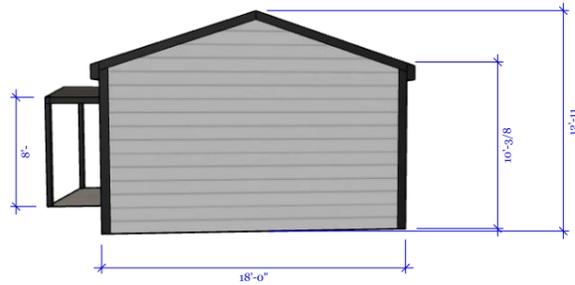
EXHIBIT "F" FLOOR PLAN & ELEVATIONS



Front



Left



Back



Right

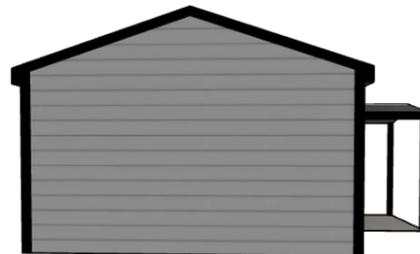


EXHIBIT "G"
SITE PHOTOS



1604 Eldon Street



East side yard, potentially placement of widened driveway



Adjacent neighbor's secondary driveway- disallows property owner to place a drive on west side yard.



Looking East on Eldon Street



Looking West on Eldon Street



CASE NUMBER SPCUSE-25-0008
1306 EWING STREET
SPECIFIC USE PERMIT REQUEST – ACCESSORY DWELLING UNIT

STAFF CONTACT:	Shauna Laauwe AICP, City Planner
APPLICANT/OWNER:	Lizeth Andrade and Jorge Mendez Vite
ADDRESS/LOCATION:	1306 Ewing Street
LEGAL DESCRIPTION:	Washington Terrace, Block 16, Lot PT 3, All 5 & 7
LOT AREA:	14,331 square feet, approximately 0.33-acres
ZONING DISTRICT/USE:	R-1 Single-Family Residential District (Exhibit B)
FUTURE LAND USE:	Single-Family Residential (Exhibit C)
REQUEST:	A request for a Specific Use Permit to allow a proposed Accessory Dwelling Unit (ADU) in a R-1 Single-Family Residential Zoning District (Exhibit B).

BACKGROUND:

The subject property is a 14,331 square foot (0.33-acre) lot that is addressed as 1306 Ewing Street and located on the east side of Ewing Street, north of Sayles Street and south of McNeese Street. The subject property is owned by Lizeth Andrade and Jorge Mendez Vite and is a rectangular lot that is approximately 100 feet in width and 141 feet in depth that is developed with an 845 square foot single-family dwelling. As shown in Figure 1, the subject and adjacent properties to the west, north and south are currently zoned R-1, Single-Family Residential District and developed with single-family dwelling units. The properties to the east are zoned B-1, Local Business Mixed Use Zoning and mostly developed with single-family dwelling units. However, an adjacent property to the east did receive a variance on June 9, 2025, for a reduced front yard setback for a proposed multifamily townhome type development, however no building plans have been submitted or approved. The

Figure 1



applicant would like to build an accessory dwelling unit on this property to accommodate family members and guests.

The existing principal structure meets the current required front, rear, and side street setbacks for a single-family home. As shown in Figure 2, the proposed ADU will have ample setbacks and would be situated to the south and rear of the principal structure and setback 40-feet from the front property line, 57-feet from the rear property line, approximately 77-feet from the north side property line and 15'-4" from the south side property line.

The proposed 18-foot by 22-foot (396 square feet) ADU structure is to be built on pier and beam foundation with a metal roof and have hardy plank siding. The existing principal home was likely constructed in the 1950s and has a slab foundation with composition roof shingles. The applicant states that they are currently waiting on insurance claims regarding the roof on the existing home and plan to replace the shingle roof with metal that will match the proposed ADU. The proposed floor plan, as shown in Figure 3, consists of a living and kitchen space, a bedroom with a closet, a bathroom, and a covered porch area. The proposed ADU will also have its own 10-foot x 40-foot driveway for the required off-street parking. The existing and proposed off-street parking will provide sufficient parking for the residents and guests of both the principal structure and accessory dwelling unit.

The R-1 District allows accessory dwelling units (ADUs) with prior approval of a Specific Use Permit (SUP). Thus, the applicant and property owner are seeking a SUP for construction of a 396 square foot accessory dwelling unit on a 0.33-acre tract of land in a R-1, Single-Family Residential Use District.

Figure 2

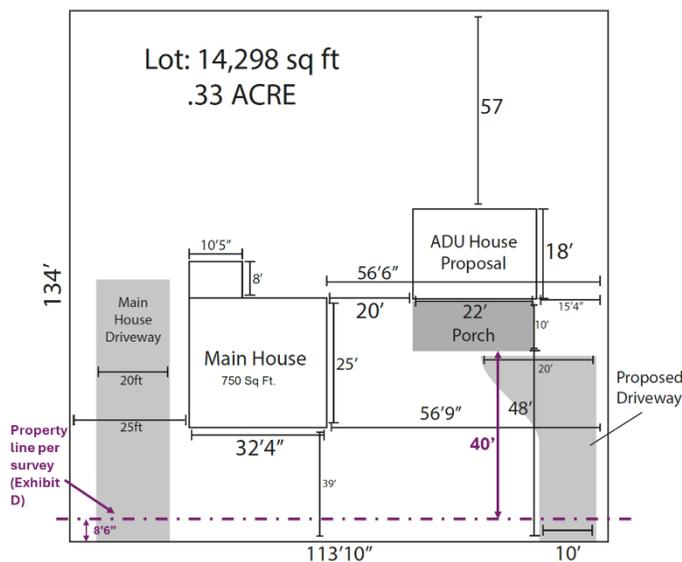
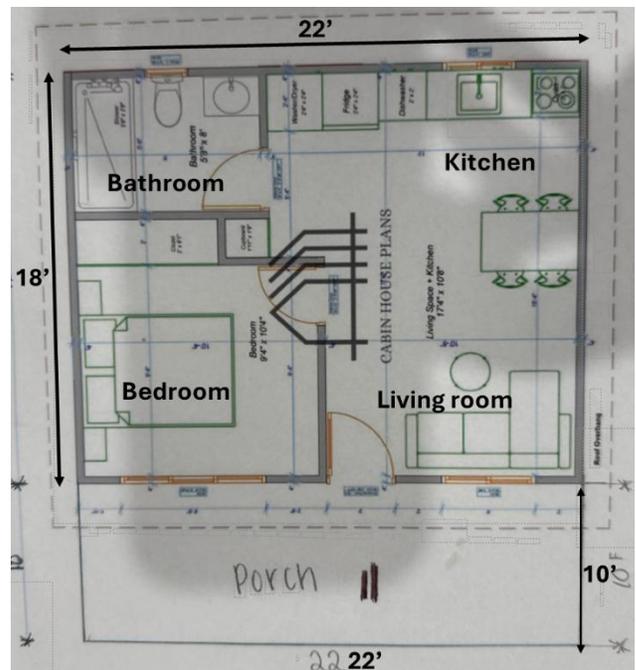


Figure 3



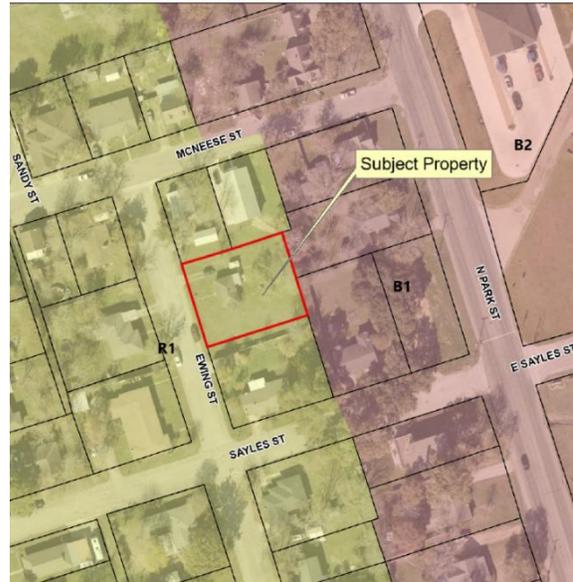
ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:

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 a 14,331 square foot, 0.33-acre lot that is located midblock, south of McNeese Street and north of Sayles Street. As shown in Figure 1, the subject property, and adjacent and neighboring properties to the north, south, and west are located within an R-1, Single-Family Residential District. The subject property and surrounding residential properties to the north, south and west are developed as single-family homes that were predominately built in the 1940-1950s. The adjacent properties to the east are located within a B-1, Local Business, Residential Mixed Use District along the N. Park Street corridor. The properties to the east are developed with a mix of single-family homes, duplexes, multifamily and commercial uses.

Figure 1



The applicant is requesting a SUP to allow the construction of a 18' x 22' (396 square feet), one-story ADU near the south property line of the subject lot. The allowance and standards for ADUs were adopted within in the Zoning Regulations with Ordinance No. O-19-012 that was approved on March 7, 2019. The adopted regulations allow any homeowner living in the R-1 District to build an ADU with prior approval of a Specific Use Permit and a building permit. Any homeowner or business owner located in an R-2 or B-1 zoning district may build an ADU with a building permit. Section 10.02(4) of the Zoning Regulations lists additional development standards that pertain to ADUs:

- a) Should the primary use be a single-family dwelling, the property owner's primary residence shall be the single-family dwelling or ADU.

The property owner plans to continue to reside in the principal home and proposes to utilize the ADU as a guest house for family and friends.

- b) An ADU must be designed and constructed in keeping with the general architecture and building material of the principal structure.

The proposed addition will be in the same general architecture style and building material of the principal structure.

- c) An attached ADU shall be subject to the regulations affecting the principal structure. A detached ADU shall have side yards of not less than the required side yard for the principal structure and rear yards of not less than ten (10) feet.

The proposed ADU meets the rear and side yard setback requirements with a rear yard setback of 57-feet, a north side yard setback of approximately 77-feet and a south side yard setback of approximately 15-feet 4-inches.

- d) One (1) on-site parking space, located to the side or rear of the primary structure, shall be provided for the ADU in addition to the required parking for the principal structure.

The proposed site plan (Figure 2 and Exhibit "D") shows a 10'x40' driveway to be constructed on the south side of the subject property for the use of the ADU. The subject property meets the minimum 80-foot lot width for an additional driveway and the proposed driveway will meet the requirement for a dedicated parking space for the ADU. The subject property, however, is currently nonconforming in terms of off-street parking for the principal structure. Single-family homes are required to provide two off-street parking spaces, and the existing property does not have any impervious parking. With a condition that both driveways are to be constructed with impervious material, the off-street parking will meet the two (2) required parking spaces for the principal home and one (1) dedicated parking space for the ADU.

- e) The maximum habitable area of an ADU is limited to either one-half (1/2) of the habitable area of the principal structure, or one thousand (1,000) square feet, whichever is smaller.

The principal structure is 845 square feet in area and the proposed ADU is 396 square feet, less than ½ of the habitable area of the principal structure.

- f) ADUs shall not be HUD-code manufactured home or mobile home.

The proposed ADU will not be a HUD-code manufactured home or mobile home.

The SUP process allows staff to identify additional land uses, which may be appropriate in special circumstances. The proposed structure is to be utilized as guest accommodation for the property owner. As described before, the subject property is a large 0.33-acre lot, and the site plan provided indicates that the proposed ADU structure will exceed all required setbacks. The proposed development complies with the development standards for accessory dwelling units, and the SUP request promotes the initiatives of the housing task force.

- (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 Historic Past, Bold Future 2040 Comprehensive Plan suggests the subject property and the area to the west of N. Park Street are envisioned as Single-Family Uses, with the properties to the east of N. Park being envisioned as commercial uses (Exhibit "C"). The subject property and the surrounding properties to the west of N. Park Street are developed as a variety of uses to include single-family homes, duplexes, and neighborhood commercial, whereas the uses to the west of N. Park Street are developed as commercial uses such as IQ car wash, and institutional uses such Adult and Teen Challenge Center and the BISD Hasskarl Tennis Courts. The requested SUP would not deter from the uses envisioned. Staff finds that the proposed request aligns with the goals and land use policies established in the Comprehensive Plan.

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

The subject property has existing utilities available along Ewing Street, as well as a sewer line within an adjacent alley to the east. ADUs are an opportunity to increase density in a compatible manner within a residential area as they do not require additional infrastructure to be built to accommodate the new dwelling unit.

- (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 the 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 June 12, 2025 and the Notice of Public Hearing was published in the Brenham Banner on June 12, 2025. As of June 18, 2025, Staff have received no written citizen comment forms regarding the proposed ADU. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

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

If approved, the property will be required to adhere to the regulations of the R-1 District to include, the accessory dwelling unit development standards, minimum building setbacks and maximum impervious coverage requirements. The applicant has submitted a site plan (Exhibit D) which depicts the proposed location of the ADU and access. The subject property has a lot size of 14,331 square feet and is comparable in area to many of the lots on Ewing Street and within the surrounding neighborhood. The existing 845 square foot principal home and proposed 396 square foot ADU are of modest size. The maximum impervious lot coverage allowed in an R-1 District is 55 percent. As discussed previously, both the principal home and the ADU meet or exceed all R-1 setback requirements. 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 ensure Brenham's attractiveness for the future location of business and housing by preserving an attractive and safe community environment in order to enhance the quality of life for all residents.

Staff finds that the requested land use is appropriate in this location given the existing development in the vicinity and conformance with the City's adopted Comprehensive Plan and Future Land Use 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 and all surrounding properties to the north, south, and west are located within an R-1 District, with adjacent property to the east being within a B-1 District. The Future Land Use Map, as part of the Comprehensive Plan adopted in September 2019, envisions the subject property and the adjacent properties as single-family use, with properties to the east of N. Park Street envisioned as commercial uses. As such, the area has a variety of uses within the nearby zoning districts. The subject property and the adjacent properties to the north, south, and west are currently developed as single-family uses, while adjacent to the east there are a mix of single-family, two-family, institutional, and commercial uses along N. Park Street.

The surrounding single-family properties in the area consist predominately of homes built in the early 1940s and 1950s before Zoning and Subdivision Regulations were adopted in the City of Brenham in 1968. Many of the neighboring properties have either a garage or other accessory structure within the rear yard. While no other ADUs are currently within the immediate area, Staff finds that the proposed ADU is consistent with the land use policies established in the Comprehensive Plan and the existing neighborhood culture.

- (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 to allow for further development of the property with an ADU will promote the orderly development of the community. This request, to allow a proposed 18' x 22' (396 square foot) detached accessory structure to be located on the south portion of the 0.33-acre lot, will not 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.

The proposed development will not have an adverse effect on the surrounding area and will be compatible with the anticipated uses surrounding this property. The applicant proposes utilizing the ADU as accommodation for both visiting guests and family members. The proposed structure meets the development standards set forth in the zoning ordinance and is proposed to be in character with both the principal structure and nearby residential properties. The applicant would be required to provide both the driveway shown on the site plan for the proposed ADU and to construct an additional driveway/parking area to meet the two off-street parking space requirements for the principal dwelling unit as well. If the SUP is approved, the applicant would be required to submit a building permit for the ADU showing that it meets all applicable building and fire code requirements.

- (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 specific use permit will allow the construction of a 396 square foot ADU to be situated near the south property line to provide accommodation for both family members and guests. The nearest commercial district is to the east along N. Park Street, which is a B-1, Local Business Mixed Residential Use District corridor. While mostly developed, vacant commercial property is in the vicinity along N. Park Street. Staff finds 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 currently developed as a single-family home within an R-1, Single-Family Residential District. The existing principal structure was likely built in the 1940s or 1950s like many homes of the Washington Terrace neighborhood, before the Subdivision and Zoning Regulations were adopted in 1968. The property owner states that they recently bought their home and did not know that the existing grass-over driveway was nonconforming. By improving the existing driveway to

accommodate the required two off-street parking spaces for the principal residence, as well as constructing the proposed driveway for the ADU parking space, the subject property will come into compliance with the zoning regulations. With the improvement of the existing property, the applicant's request will allow the subject property to develop in a compatible, legally conforming manner.

(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 orderly growth and development in the general vicinity and throughout the city.

STAFF RECOMMENDATION:

Staff recommends *approval* of a Specific Use Permit to allow a detached accessory dwelling unit to be located within a R-1 Mixed Residential Use Zoning District for the subject 0.33-acre tract of land that is located at 1306 Ewing Street and legally described as Washington Terrace, Block 16, Lot PT 3, All 5 & 7, with the following condition:

1. Provide required two (2) off-street parking spaces for the principal dwelling unit per zoning regulations Section 16.01(1).

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. Future Land Use Map
- D. Property Survey
- E. Site Plan
- F. Floor Plan
- G. Site photos

EXHIBIT "A"
AERIAL MAP



**Location Map
Specific Use Permit for ADU
1306 Ewing Street**

 City Parcels
 City Roads

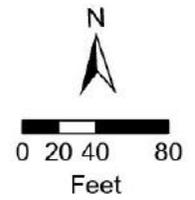
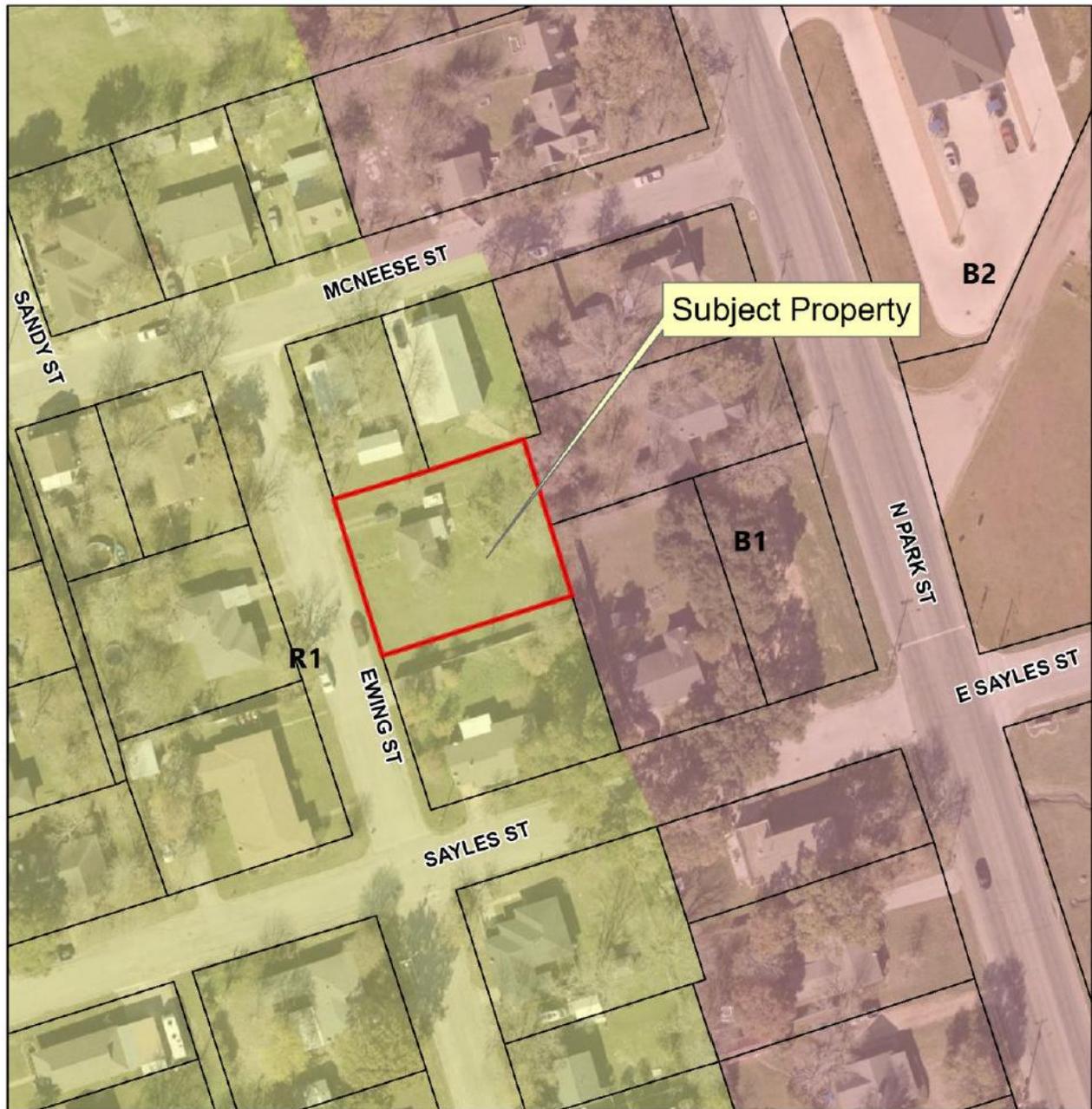


EXHIBIT "B"
ZONING MAP



Legend

-  City Parcels
-  B1 Local Business Mixed
-  B2 Commercial Research and Technology
-  R1 Residential Single Family
-  CityRoads

**Zoning Map
Specific Use Permit for ADU
1306 Ewing Street**

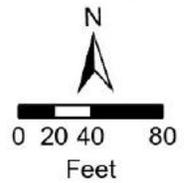
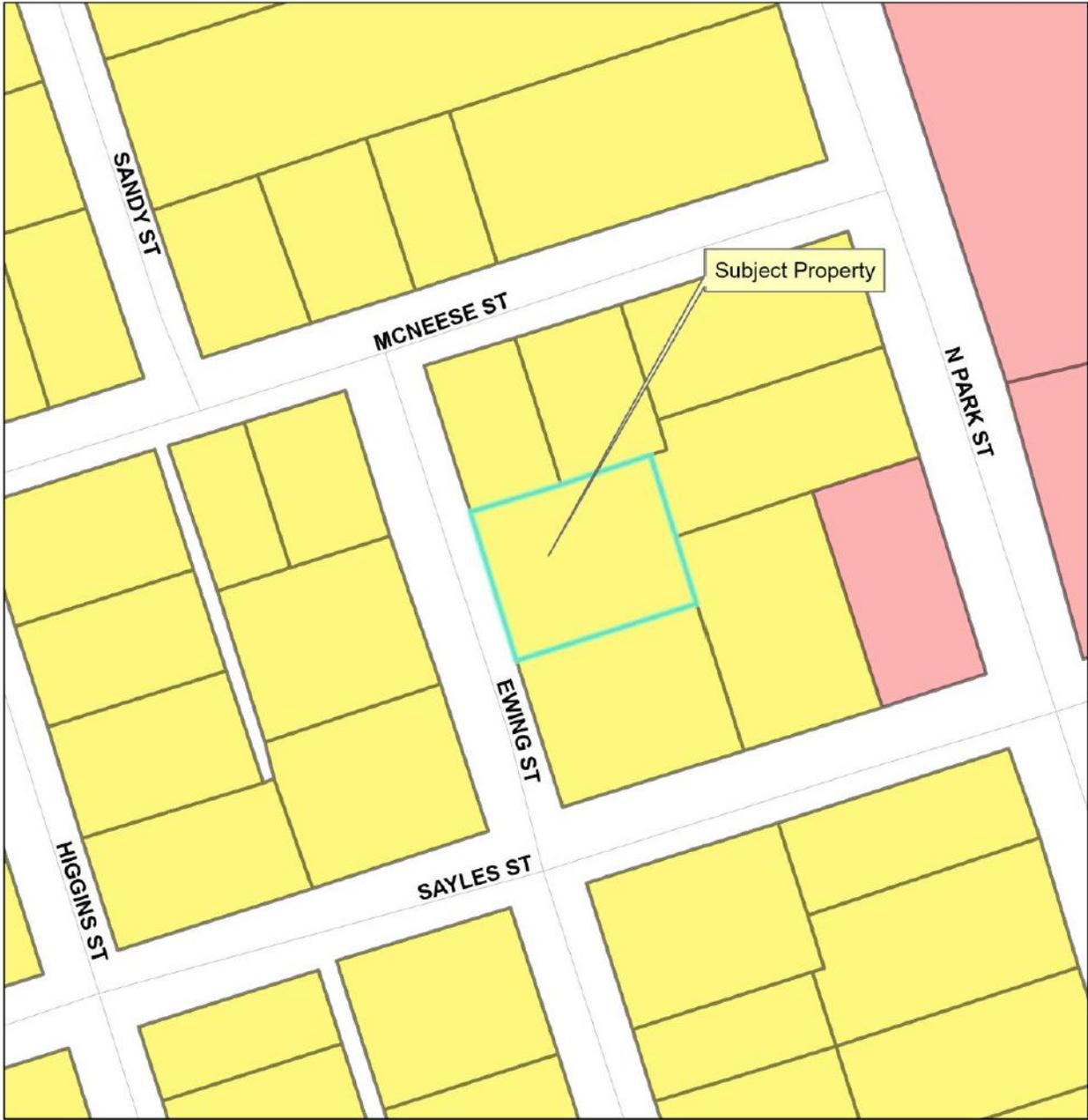


EXHIBIT "C"
FUTURE LAND USE MAP



Legend

Future Land Use
Plan

FLU_FINAL

-  Single Family Residential
-  Commercial

**Future Land Use Map
Specific Use Permit - ADU
1306 Ewing Street**

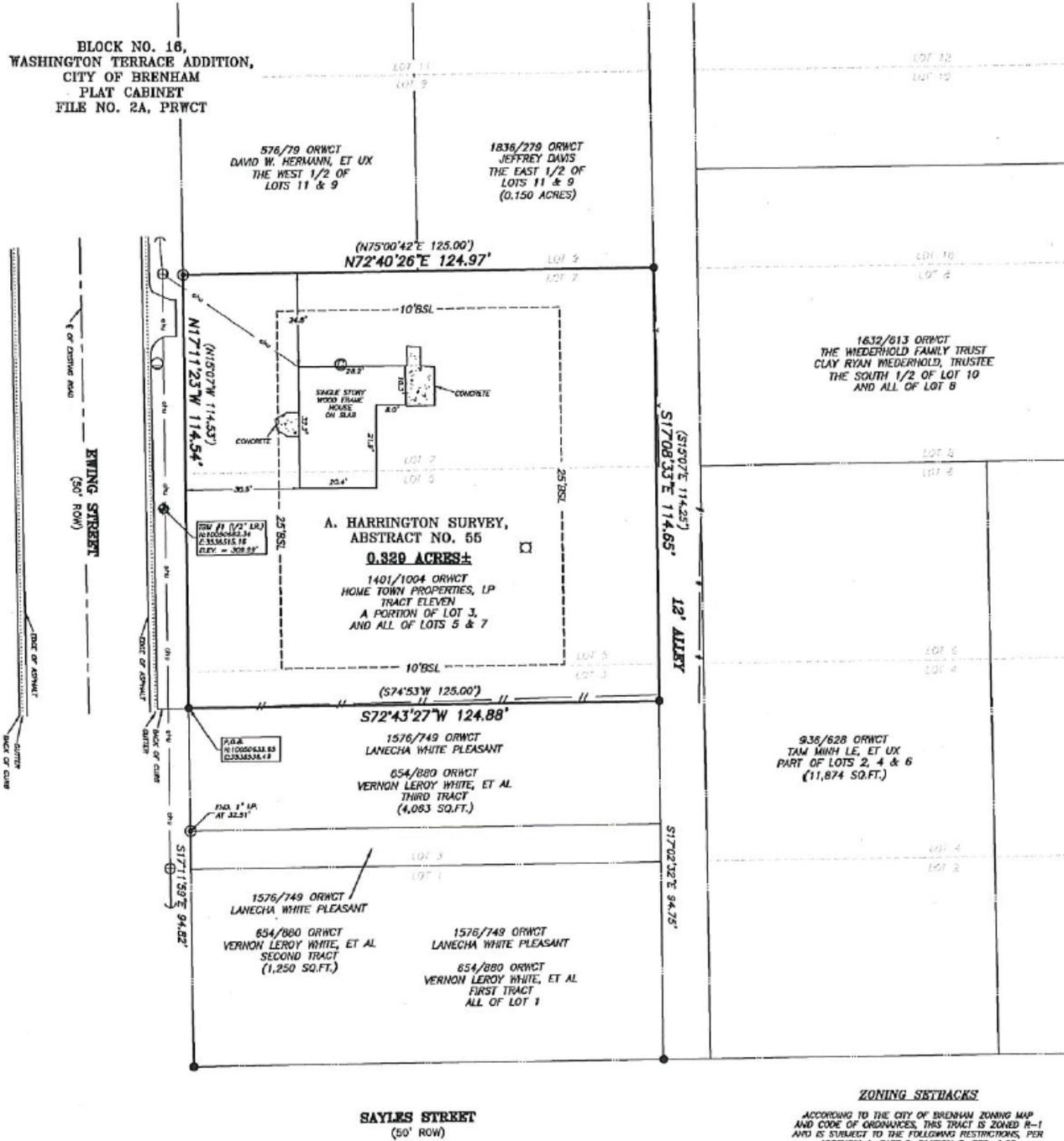


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EXHIBIT "D"
PROPERTY SURVEY

BLOCK NO. 18,
WASHINGTON TERRACE ADDITION,
CITY OF BRENHAM
PLAT CABINET
FILE NO. 2A, PRWCT



G.F. NO. WA-24-063

EXHIBIT "E"
PROPOSED SITE PLAN

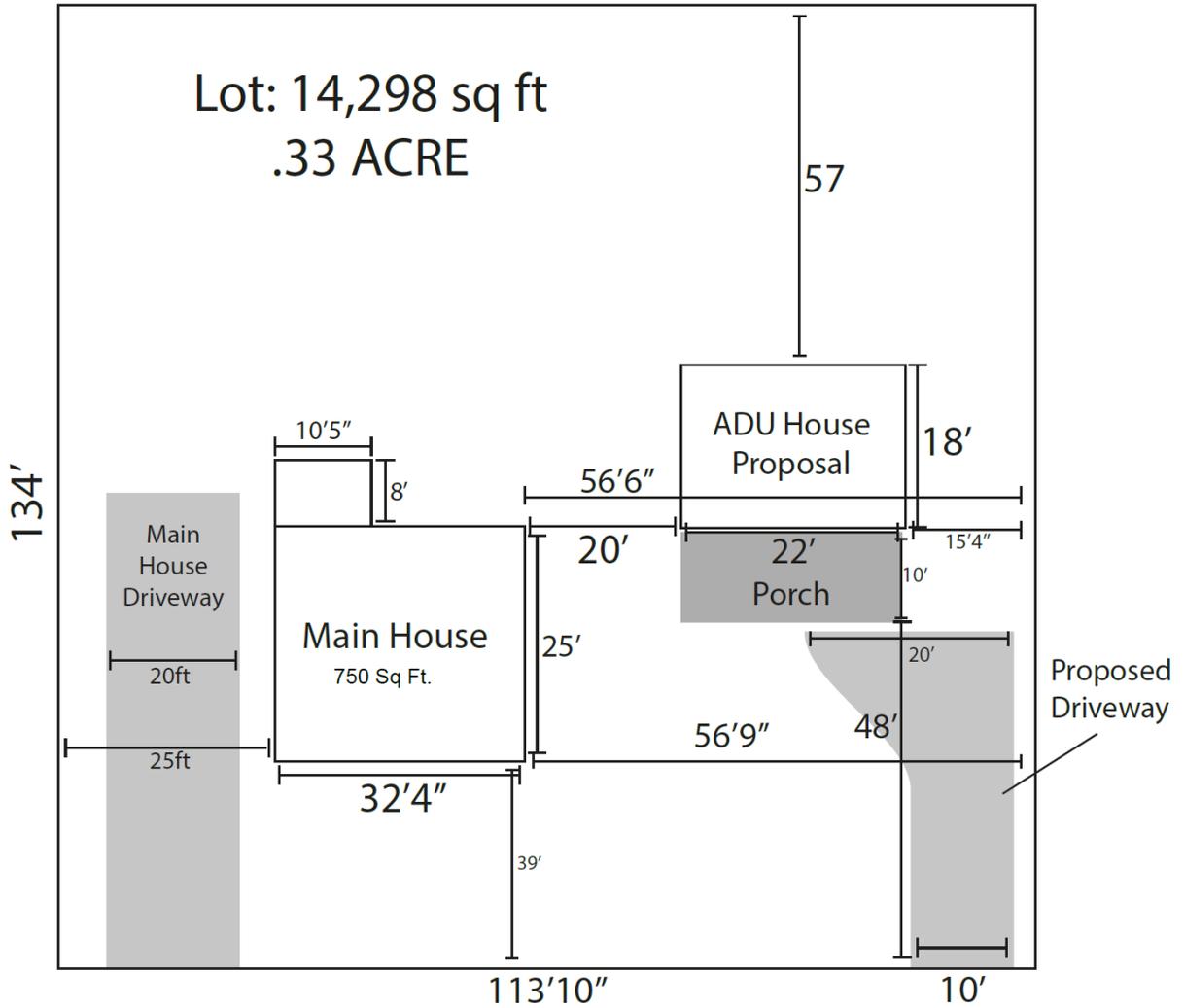


EXHIBIT "F"
FLOOR PLAN

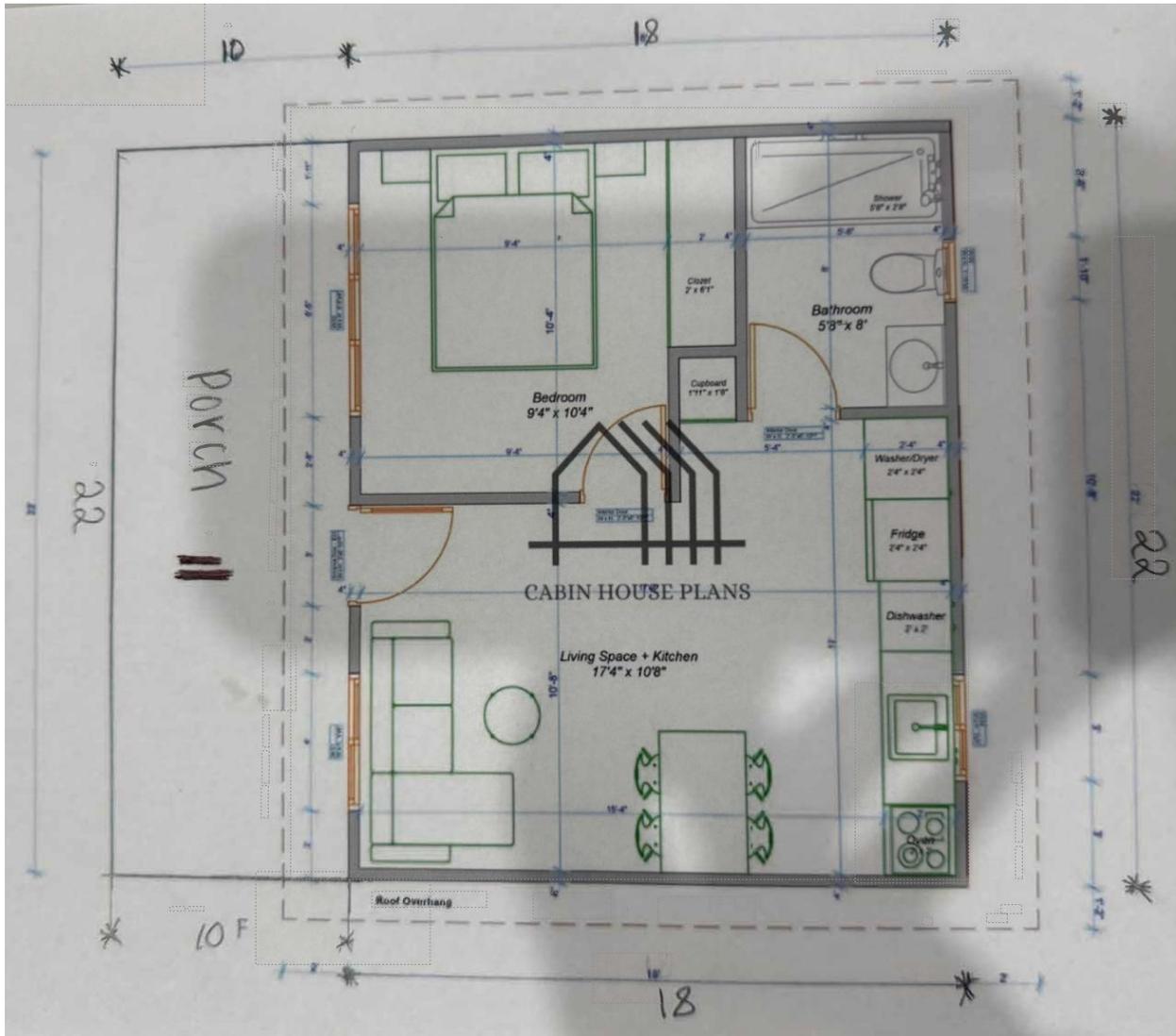


EXHIBIT "G"
SITE PHOTOS



1306 Ewing Street



South side yard – Proposed location of Accessory Dwelling Unit and new driveway



Galaxy S21 Ultra 5G

North side yard – existing unimproved driveway



Galaxy S21 Ultra 5G

Adjacent property to the north – several accessory structures



Galaxy S21 Ultra 5G

Looking north on Ewing Street.