



**NOTICE OF A REGULAR MEETING
BRENHAM PLANNING AND ZONING COMMISSION
MONDAY, DECEMBER 16, 2019 AT 5:15 P.M.
SECOND FLOOR CITY HALL BUILDING
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

1. Call Meeting to Order

2. Public Comments

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

3. Reports and Announcements

CONSENT AGENDA

4. Statutory Consent Agenda

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

4-a. Minutes from the November 25, 2019 Planning and Zoning Commission Meeting

REGULAR AGENDA

- 5. Public Hearing, Discussion and Possible Action on Case No. P-19-044: Replat of Lot 2 and Lot 3 of the Little Sandy Subdivision to create Lots 2A, 3A, 3B and 3C of the Little Sandy Subdivision, consisting of four residential lots containing approximately 2.787 acres of land located east of North Dixie Street in Brenham, Washington County, Texas.**
- 6. Public Hearing, Discussion and Possible Action on Case No. P-19-045: Replat of Lot 1, Block 1 of the George Henry Subdivision to create Lot 1A and Lot 1B, Block 1 of the George Henry Subdivision, consisting of two residential lots containing approximately 0.396 acres of land located northeast of the intersection of Kerr Street and Pecan Street in Brenham, Washington County.**
- 7. Discussion and Possible Action on Case No. P-19-047: Replat of Lot 1 of the Blue Bell Subdivision, Section II, consisting of one lot containing approximately 34.659 acres of land located at 1101 South Blue Bell Road in Brenham, Washington County.**

8. Discussion and Possible Action on Case No. P-19-048: Preliminary Plat of the Prairie Lea Cemetery, being 29.30 acres of land out of the Phillip H. Coe Survey, A-31 in Brenham, Washington County, Texas.

9. Public Hearing, Discussion and Possible Action on Case No. P-19-046: A request by Pierre Roberts, Jr., Charles Duncan, Jr., Donald Roberts, Gary Roberts, and Herbert Faske 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 Planned Development District (PD) on an approximately 72.7-acre tract of land out of the Arrabella Harrington Survey located east of the intersection of W. Blue Bell Road (FM-577) and State Highway 36, in Brenham, Washington County, Texas.

10. Adjourn

CERTIFICATION

I certify that a copy of the December 16, 2019, agenda of items to be considered by the Planning & Zoning Commission was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on December 11, 2019, at 3:30 pm.

Kim Hodde

Kim L. 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 twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

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

Signature

Title

**CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
November 25, 2019**

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

A regular meeting of the Brenham Planning and Zoning Commission was held on November 25, 2019 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

M. Keith Behrens, Chair
Dr. Deanna Alfred, Vice Chair
Leroy Jefferson
Nancy Low
Lynnette Sheffield
Marcus Wamble

Commissioners absent:

Calvin Kossie (excused)

Staff present:

Stephanie Doland, Development Services Director
Kim Hodde, Planning Technician

Citizens present:

Alyssa Faykus (Brenham Banner Press)	Josh Blaschke (KWHI)
Beverly Love	Shirley Harris Jackson
Jerry Love	Jim Kruse

1. Call Meeting to Order

Chairman Behrens called the meeting to order at 5:19 pm with a quorum of six (6) Commissioners present.

2. Public Comments

There were no public comments.

3. Reports and Announcements

Stephanie Doland made the following announcements:

- Thank you to the Board members that requested re-appointment to the P & Z Commission.
- The December meeting will be held on December 16th and there are three (3) cases already scheduled for that meeting. Commissioner Sheffield noted that she would not be available at that meeting.

CONSENT AGENDA

4. Statutory Consent Agenda

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

4-a. Minutes from the October 28, 2019 Planning and Zoning Commission Meeting

Chairman Behrens asked for any corrections or additions to the minutes as presented. Kim Hodde noted that Lynnette Sheffield was not in attendance at the last meeting as the minutes reflected; therefore, this change would be made. A motion was made by Commissioner Low and seconded by Commissioner Sheffield to approve the minutes from the October 28, 2019 meeting, as corrected. The motion carried unanimously.

REGULAR MEETING

5. Public Hearing, Discussion and Possible Action on Case Number P-19-041: A request by Bank of Brenham for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Mixed Residential Use District (R-2) to a Commercial Research and Technology Use District (B-2) on an approximately 0.18-acre tract of land described as Lot 4A in Block 93 of the Original Town Addition, in Brenham, Washington County, Texas.

Stephanie Doland presented the staff report for Case No. P-19-041 (on file in the Development Services Department). Ms. Doland stated that this property was recently purchased by the Bank of Brenham. The applicant would like to rezone the property to B-2 to be inline with the rest of their property and to be incorporated for use as Bank of Brenham property. One comment was received in support of the rezoning; however, they asked for a privacy fence along the north line of the property. Ms. Doland stated that since the property to the north is a grandfathered residential use, screening would be required. Staff recommends approval of the requested rezoning.

On behalf of the applicant, Jim Kruse stated that the home that is on this lot will either be demolished or moved off of the lot but regardless it will be removed. He stated that the proposed use for this property is an additional access road and parking. In response to a question from Commissioners, Mr. Kruse stated that the existing parking lot is used for after-hours parking and this could be discussed.

Chairman Behrens opened the Public Hearing at 5:30 pm and asked for any public comments. There were no citizen comments.

Chairman Behrens closed the Public Hearing at 5:31 pm.

A motion was made by Commissioner Alfred and seconded by Commissioner Sheffield to recommend approval of the request by Bank of Brenham for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Mixed Residential Use District (R-2) to a Commercial Research and Technology Use District (B-2) on an approximately 0.18-acre tract of land, as presented. The motion carried unanimously.

6. Public Hearing, Discussion and Possible Action on Case No. P-19-043: Replat of Parkview Addition Section II, former park site and unimproved section of Parkview Street right-of-way, to create Block 1, Lot 1, being 3.948 acres of land in Brenham, Washington County, Texas.

Stephanie Doland presented the staff report for Case No. P-19-043 (on file in the Development Services Department). Ms. Doland stated that this property is owned by the Boettcher family. There was a note on the original plat that dedicated park land and dedicated right-of-way. The right-of-way was never developed and the park land was never accepted; therefore, the applicant desires to replat the property to remove these dedications. One comment was received in support of the replat. Engineering and Development Services have reviewed the proposed replat for compliance with the City of Brenham's applicable regulations and ordinances and recommends approval.

Chairman Behrens opened the Public Hearing at 5:32 pm and asked for any public comments. There were no citizen comments.

Chairman Behrens closed the Public Hearing at 5:33 pm.

A motion was made by Commissioner Wamble and seconded by Commissioner Sheffield to approve the Replat of Parkview Addition Section II, former park site and unimproved section of Parkview Street right-of-way, to create Block 1, Lot 1, as presented. The motion carried unanimously.

7. Public Hearing, Discussion and Possible Action on Case No. P-19-042 to Consider Amending Appendix A – "Zoning" of the Code of Ordinances to Assign Zoning District Classifications to the Properties Being Considered for Annexation into the City of Brenham, Said Properties Being More Specifically Described Below:

- a) Section 2019-1: Approximately 44.068 Acres of Land Situated in Washington County, Texas, Out of the Phillip Coe Survey, A-31, Consisting of a Single Tract of Land with Frontage Along Industrial Blvd., FM 332 and FM 389.**
- b) Section 2019-2: Approximately 0.643 Acres of Land Situated in Washington County, Texas, Part of the A. Harrington Survey, A-55, Consisting of Portions of Multiple Tracts of Land with Frontage Along the West Side of Old Masonic Road.**
- c) Section 2019-3: Approximately 194.762 Acres of Land Situated in Washington County, Texas, Part of the A. Harrington Survey, A-55, Consisting of Multiple Tracts of Land with Frontage Along the East Side of Farmers Road Between FM 389 and Old Mill Creek Road, and the North Side of Old Mill Creek Road Between the Current C**

Stephanie Doland presented the staff report for Case No. P-19-042 (on file in the Development Services Department). Ms. Doland stated that this item is for assigning a zoning classification for three areas that have been proposed for annexation and included in City Council's annexation plan.

- a) Section 2019-1 is approximately 44 acres of land owned by the Brenham Community Development Corporation (BCDC). This is an owner requested annexation for a future phase of the Southwest Industrial Park. The adjacent land is mostly street right-of-way and a manufactured home park. The Future Land Use Map shows this property as Industrial; therefore, staff recommends that this tract be annexed into the City limits with an Industrial (I) zoning classification.

- b) Section 2019-2 is approximately a 0.6-acre tract of land consisting of portions of multiple tracts of land with frontage along the west side of Old Masonic Road. This is essentially correction of a boundary error. These 0.6 acres are the back portion of residential properties adjacent to Old Masonic Road that was not included in the previous annexation. In accordance with the Future Land Use Map, staff recommends that this tract be annexed into the City limits with a Residential (R-1) zoning classification.

- c) Section 2019-3 is approximately 194.762 acres of land consisting of multiple tracts of land with frontage along the east side of Farmers Road between FM 389 and Old Mill Creek Road, and the north side of Old Mill Creek Road between the current City limit and Jackson Creek. This area was considered as part of the annexation plan adopted by City Council on May 7, 2019. City staff requests additional time to complete a utility and impact analysis for these 194+ acres to better understand the feasibility of annexation. Staff recommends that this property be postponed for consideration at this time.

Chairman Behrens opened the Public Hearing at 5:47 pm and asked for any public comments. There were no citizen comments.

Chairman Behrens closed the Public Hearing at 5:48 pm.

A motion was made by Commissioner Low and seconded by Commissioner Alfred to recommend approval of staff's recommendation of Industrial (I) Zoning for **Section 2019-1**, consisting of approximately 44.068 acres of land, as presented. The motion carried unanimously.

A motion was made by Commissioner Wamble and seconded by Commissioner Alfred to recommend approval of staff's recommendation of Residential (R-1) Zoning for **Section 2019-2**, consisting of approximately 0.643 acres of land, as presented. The motion carried unanimously.

Commissioner Sheffield recused herself from voting on the item for Section 2019-3. A motion was made by Commissioner Alfred and seconded by Commissioner Low to recommend that the City Council postpone consideration of the annexation and the establishment of a formal zoning designation for **Section 2019-3**, consisting of approximately 194.762 acres of land, in accordance with staff's recommendation. The motion carried unanimously.

8. Adjourn

A motion was made by Commissioner Low and seconded by Commissioner Wamble to adjourn the meeting at 5:50 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>December 16, 2019</u>
Planning and Zoning Commission	Chairman	Meeting Date
	<u>Kim Hodde</u>	<u>December 16, 2019</u>
Attest	Staff Secretary	Meeting Date



CASE P-19-044

REPLAT: LITTLE SANDY SUBDIVISION, LOTS 2 AND 3 TO CREATE LOTS 2A, 3A, 3B AND 3C

PLAT TITLE: Replat of Lots 2 and 3 of the Little Sandy Subdivision to create Lots 2A, 3A, 3B and 3C **CITY/ETJ:** City Limits

PLAT TYPE: Replat

OWNER/APPLICANT: James Hanath

LOT AREA /LOCATION: 2.787 acres of land located east of N. Dixie Street in Brenham, Washington County, Texas

PROPOSED LEGAL DESCRIPTION: Lots 2A, 3A, 3B and 3C of the Little Sandy Subdivision in Brenham, Washington County, Texas

ZONING DISTRICT R-1, Residential Single Family

EXISTING USE: Single-family home and vacant land

COMP PLAN FUTURE LAND USE: Single-Family Residential

REQUEST: A request to replat Lots 2 and 3 of the Little Sandy Subdivision in Brenham, Washington County, Texas.

BACKGROUND:

The subject property comprises of a total of 2.787 acres and is located north of West Main Street and the east side of North Dixie Street. The Owner/Applicant requests approval of a Replat of Lots 2 and 3 of the Little Sandy Subdivision for further development of this property. An existing lot (Lot 2) is being reconfigured into a more developable rectangular lot and existing Lot 3 will be split into three lots (Lots 3A, 3B, and 3C). Lots 3A and 3B will be approximately 0.2 acres each and front onto North Dixie Street. The remainder, Lot 3C comprises of 2.193 acres of land that has a large portion within the Approximate Special Flood Hazard Area (Zone AE).

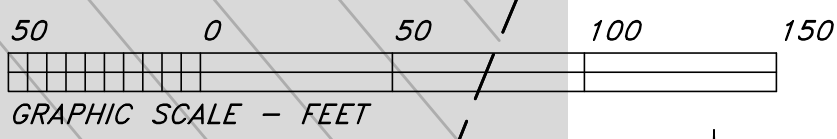
STAFF RECOMMENDATION:

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

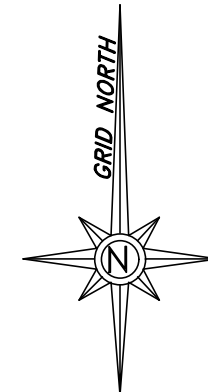
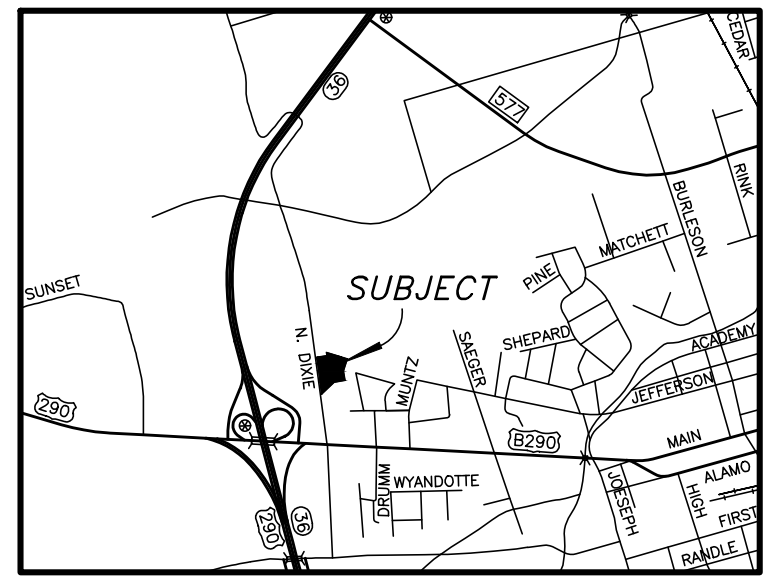
EXHIBITS:

- A. Proposed Replat Document

PHILIP COE SURVEY, A-31
CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS



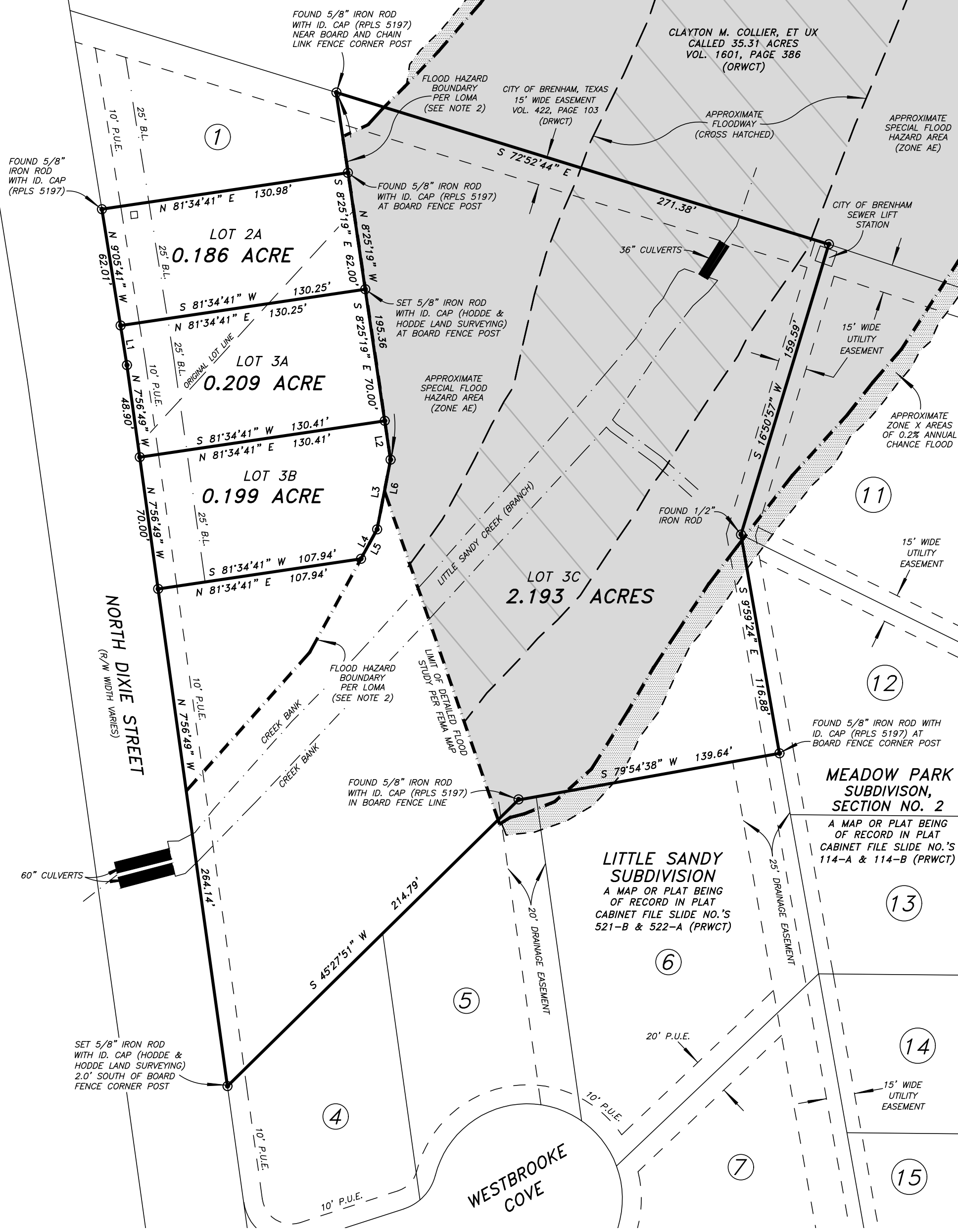
VICINITY MAP
(NOT TO SCALE)



SCALE: 1" = 50'

NOTES:

1. THE BEARING SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE GRID SYSTEM, NAD-83, CENTRAL ZONE 4203, DISTANCES SHOWN ARE GROUND DISTANCES. CONVERGENCE ANGLE AT N: 10,050,474.023 - E: 3,541,046.622 IS 2'-01"-44.10", COMBINED SCALE FACTOR IS 0.99997562. DISTANCES AND COORDINATES SHOWN HEREON ARE U.S. SURVEY FEET.
2. PART OF LOT 3C LIES WITHIN THE SPECIAL FLOOD HAZARD AREA AND FLOODWAY ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBER 48477C0295C, EFFECTIVE DATE AUGUST 16, 2011. CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS AND SHOWN HEREON (SHADED). ALL OF LOT 2 OF LITTLE SANDY SUBDIVISION WAS REMOVED FROM SAID SPECIAL FLOOD HAZARD AREA BY LETTER OF MAP AMENDMENT (LOMA) CASE NO. 19-06-3116A, DATED AUGUST 5, 2019 AND A PORTION OF LOT 3 OF LITTLE SANDY SUBDIVISION WAS REMOVED FROM SAID SPECIAL FLOOD HAZARD AREA BY LETTER OF MAP AMENDMENT (LOMA) CASE NO. 19-06-3439A, DATED SEPTEMBER 3, 2019 AND SHOWN HEREON AS FLOOD HAZARD BOUNDARY PER LOMA.
3. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH BOTTS TITLE COMPANY TITLE EVIDENCE REPORT G.F. NO. OR FLIE NO. WA-19-342, EFFECTIVE DATE OCTOBER 23, 2019, 8:00 AM, ISSUED OCTOBER 25, 2019, PM.
4. (S) DENOTES A 5/8" IRON ROD SET WITH ID. CAP STAMPED "HODDE & HODDE LAND SURVEYING" UNLESS OTHERWISE NOTED ON THE PLAT.
5. 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.
6. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND A TITLE REPORT DATED EFFECTIVE OCTOBER 23, 2019.
7. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND A TITLE REPORT DATED EFFECTIVE OCTOBER 23, 2019.
8. 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.
9. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
10. SUBJECT TO BUILDING SETBACK LINES AND YARD REQUIREMENTS ACCORDING TO ZONE AND USE AS SET FORTH IN THE CITY OF BRENHAM ZONING ORDINANCE.
11. (DRWCT) DENOTES DEED RECORDS OF WASHINGTON COUNTY, TEXAS.
(ORWCT) DENOTES OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
(PRWCT) DENOTES PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
B.L. DENOTES BUILDING LINE
P.U.E. DENOTES PUBLIC UTILITY EASEMENT



SURVEY MAP

SHOWING A SURVEY AND REPLAT OF LOT 2 AND LOT 3 OF LITTLE SANDY SUBDIVISION, LYING AND BEING SITUATED IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS, PART OF THE PHILIP COE SURVEY, A-31, A MAP OR PLAT OF SAID SUBDIVISION BEING OF RECORD IN PLAT CABINET FILE SLIDE NOS. 521-B & 522-A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, OR BEING PART OF THE SAME LAND CALLED 5.265 ACRES AS CONVEYED IN THE DEED FROM WOODSON LUMBER CO. OF BRENHAM TO JAMES HANATH, DATED MAY 28, 2001, AS RECORDED IN VOLUME 1003, PAGE 852, 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 2.787 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 6TH DAY OF NOVEMBER, 2019, A.D.

(PRELIMINARY)

JON E. HODDE, RPLS NO. 5197
DATE: NOVEMBER 18, 2019

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
BREHMAN, TEXAS 77833
(979)-836-5681
TBPE & LS SURVEY FIRM
REGISTRATION NO. 10018800

PLANNING AND ZONING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 2019 BY
THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENHAM, TEXAS.

CHAIRMAN

SECRETARY

LINE TABLE

NUM	BEARING	DISTANCE
L1	N 9°05'41" W	21.10'
L2	S 8°25'19" E	20.66'
L3	S 10°54'29" W	37.34'
L4	S 28°44'04" W	17.69'
L5	N 28°44'04" E	17.69'
L6	N 10°54'29" E	37.34'

OWNER ACKNOWLEDGMENT

I, JAMES HANATH, THE OWNER OF THE LAND DESCRIBED HEREON AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY ACKNOWLEDGE THE CHANGES TO SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON. THE PLATTED PROPERTY REMAINS SUBJECT TO EXISTING DEDICATIONS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

BY: _____
(SIGNATURE)

(PRINTED NAME & TITLE)

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF _____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2019, BY _____

NOTARY PUBLIC, STATE OF TEXAS

(SEAL)

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 _____, 2019, AT _____ O'CLOCK, _____ M., AND DULY RECORDED ON THE _____ DAY OF _____, 2019, 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 BREHMAN, WASHINGTON COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

CLERK OF THE COUNTY COURT
WASHINGTON COUNTY, TEXAS

**REPLAT OF LOT 2 AND LOT 3 OF
LITTLE SANDY SUBDIVISION
CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS**
TO FORM LOTS 2A, 3A, 3B AND 3C
CONTAINING 2.787 ACRES
DATE: NOVEMBER 2019

**SHEET 1
OF 1**

W. O. NO. 7533 (HANATH7533SPC.DWG/MVIEW) REF: HANATH7533.SURVEY

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



CASE P-19-045

**REPLAT: LOT 1, BLOCK 1 OF THE GEORGE HENRY SUBDIVISION TO CREATE LOTS
1A AND 1B**

PLAT TITLE: Replat of Lot 1, Block 1 of the George Henry Subdivision to create Lots 1A and 1B **CITY/ETJ:** City Limits

PLAT TYPE: Replat

OWNER/APPLICANT: MC Property Holdings, LLC

LOT AREA /LOCATION: .396 acres of land located northeast of the intersection of Kerr Street and Pecan Street in Brenham, Washington County, Texas

PROPOSED LEGAL DESCRIPTION: Lots 1A and 1B, Block 1 of the George Henry Subdivision in Brenham, Washington County, Texas

ZONING DISTRICT R-1, Residential Single-Family District

EXISTING USE: Vacant land

COMP PLAN FUTURE LAND USE: Single-Family Residential

REQUEST: A request to replat Lot 1, Block 1 of the George Henry Subdivision in Brenham, Washington County, Texas.

BACKGROUND:

The Owner/Applicant requests approval of a Replat of Lot 1, Block 1 of the George Henry Subdivision for further development of this property. The Replat splits Lot 1, Block 1 into two lots designated Lot 1A and Lot 1B that are 0.238-acres and 0.158-acres, respectfully. No additional easements were required with the replat.

STAFF RECOMMENDATION:

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

EXHIBITS:

- A. Proposed Replat Document

OWNER - DEVELOPER

MC PROPERTY HOLDINGS, LLC
 1330 SOUTH BERLIN
 BRENHAM, TEXAS 77833
 1-281-914-9416
 www.armriver.com

**GEORGE HENRY SUBDIVISION
 REPLAT
 OF
 LOT 1, BLOCK 1
 INTO
 LOT 1A & LOT 1B, BLOCK 1
 (0.238 Acre) (0.158 Acre)
 GEORGE HENRY SUBDIVISION
 PLAT CABINET FILE No. 633B, P.R.W.C.T.
 CITY OF BRENHAM
 A. HARRINGTON LEAGUE, A-55
 WASHINGTON COUNTY, TEXAS**

OWNER ACKNOWLEDGEMENT

THE STATE OF TEXAS
 COUNTY OF WASHINGTON

WE, MC PROPERTY HOLDINGS, LLC, THE OWNER OF THE LAND DESCRIBED HEREON WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY OFFER, ADOPT AND ACKNOWLEDGE THE SUBDIVISION OF SAID PROPERTY IN ACCORDANCE WITH THE MINOR RE-PLAT SHOWN HEREON.

DARA CHILDS, MC PROPERTY HOLDINGS, LLC

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2019, BY DARA CHILDS.

NOTARY PUBLIC NOTARY NAME (PRINTED)
 STATE OF TEXAS NOTARY COMMISSION EXPIRES

SURVEYOR CERTIFICATION

THE STATE OF TEXAS
 COUNTY OF WASHINGTON

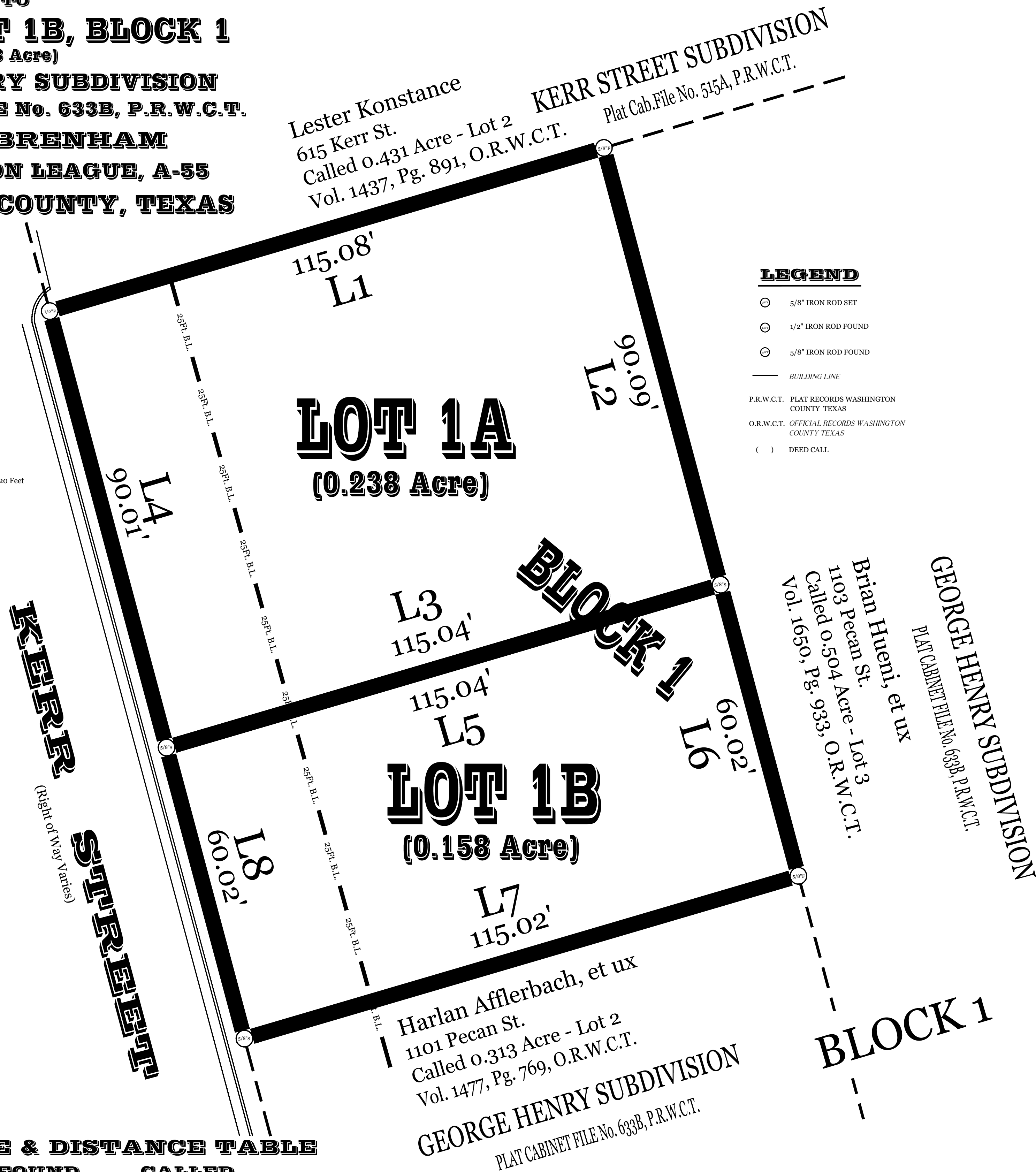
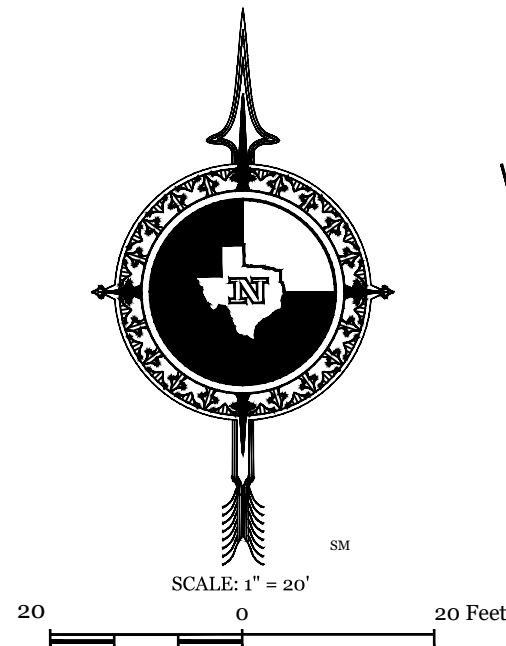
KNOW ALL MEN BY THESE PRESENTS: THAT I, RONALD K. BRYANT, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY STATE THAT I PREPARED THIS REPLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS AS SHOWN THEREON WERE PROPERLY PLACED OR LOCATED UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BRENHAM, TEXAS.

RONALD K. BRYANT DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4361

FLOOD HAZARD STATEMENT

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION FOR WASHINGTON COUNTY, TEXAS, THE SUBJECT TRACT DOES NOT LIE WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY, AND IS IN ZONE "X" AS GRAPHICALLY DETERMINED BY FLOOD HAZARD BOUNDARY MAP NO. 48477C0295C, EFFECTIVE DATE: AUGUST 16, 2011, WASHINGTON COUNTY, TEXAS.

DIGITAL PDF COPY OF THE
 PRELIMINARY RE-PLAT
 FOR EXHIBIT PURPOSES ONLY
 NOT FOR RECORDATION PURPOSES



**COURSE & DISTANCE TABLE
 FOUND CALLED**

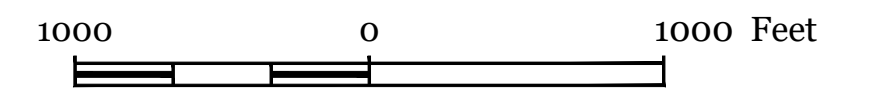
LINE	BEARING	DISTANCE	BEARING	DISTANCE
L1	N 73°35'16" E	115.08'	N 73°35'16" E (Basis of Bearings)	115.04'
L2	S 14°57'47" E	90.09'	S 14°58'38" E	N. A.
L3	S 73°37'30" W	115.04'	N. A.	N. A.
L4	N 14°59'03" W	90.01'	N 14°58'38" W	N. A.
L5	N 73°37'30" E	115.04'	N. A.	N. A.
L6	S 14°57'47" E	60.02'	S 14°58'38" E	N. A.
L7	S 73°37'30" W	115.02'	S 73°35'16" W	115.04'
L8	N 14°59'03" W	60.02'	N 14°58'38" W	N. A.

LEGEND

- 5/8" IRON ROD SET
- 1/2" IRON ROD FOUND
- 5/8" IRON ROD FOUND
- BUILDING LINE
- P.R.W.C.T. PLAT RECORDS WASHINGTON COUNTY TEXAS
- O.R.W.C.T. OFFICIAL RECORDS WASHINGTON COUNTY TEXAS
- () DEED CALL



KEY MAP



COUNTY CLERK CERTIFICATION

THE STATE OF TEXAS
 COUNTY OF WASHINGTON

I, BETH ROTHERMEL, COUNTY CLERK IN AND FOR WASHINGTON COUNTY, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED IN MY OFFICE THE _____ DAY OF _____, 2019, A.D. AT _____ O'CLOCK AND _____ M., AND DULY RECORDED THE _____ DAY OF _____, 2019 A.D. AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS IN SLIDE NO. _____ WITNESSED BY HAND AND SEAL OF THE COUNTY COURT OF WASHINGTON COUNTY, IN BRENHAM, TEXAS.

DEPUTY BETH ROTHERMEL
 COUNTY CLERK
 WASHINGTON COUNTY,
 TEXAS

PLANNING AND ZONING COMMISSION

APPROVED THIS _____ DAY OF _____, 2019 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENHAM.

CHAIRMAN

SECRETARY

GENERAL NOTES

1. THE SURVEYOR HAS CONDUCTED A LIMITED ABSTRACT OF THE SUBJECT PROPERTY.
2. THIS MINOR RE-PLAT IS BASED ON A TITLE REPORT ISSUED BY BOTTS TITLE COMPANY, UNDER G.F. NO. WA-19-329, ISSUED OCTOBER 9, 2019.
3. SUBJECT TO EASEMENTS, ORDINANCES, CONDITIONS, RESTRICTIONS AND ANY, AND ALL ADDITIONAL APPLICABLE INSTRUMENTS THAT MAY OR MAY NOT BE OF RECORD THAT AFFECTS OR COULD AFFECT THE SUBJECT PARCEL. NO SUB-SURFACE FEATURES WERE INVESTIGATED OR INCLUDED WITHIN THE SCOPE OF THIS SURVEY; AND THOSE CERTAIN COVENANTS, CONDITIONS, RESERVATIONS, EASEMENTS, BUILDING LINES AND RESTRICTIONS APPLICABLE TO GEORGE HENRY SUBD., AS SHOWN ON PLAT RECORDED IN PLAT CABINET NO. 633B, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
4. SUBJECT TO EASEMENT TO CITY OF BRENHAM AS RECORDED IN VOLUME 251, PAGE 181, DEED RECORDS WASHINGTON COUNTY, TEXAS.
5. SUBJECT TO THOSE CERTAIN TWENTY-FIVE FT. (25 FT.) BUILDING LINES AS SHOWN ON PLAT RECORDED IN PLAT CABINET NO. 633B, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
6. SUBJECT TO THOSE CERTAIN TEN FT. (10 FT.) BUILDING LINES AS SHOWN ON PLAT RECORDED IN PLAT CABINET NO. 633B, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
7. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
8. THIS PLAT DOES NOT ATTEMPT TO REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
9. 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.

RE-PLAT PREPARED BY

A-SURVEY, INC.
"THE MASTERS OF MEASUREMENT"™
 19 NORTH MILLER
 BELLVILLE, TEXAS 77418
 979-865-8111
 1-800-4-A-SURVEY
 4ASURVEY.COM
 4ASURVEY@GMAIL.COM
 T.B.P.L.S. FIRM REG. LIC. No. 10076700
 PROJECT No.: 19244A



CASE P-19-047
REPLAT: LOT 1, BLOCK 1 OF THE BLUE BELL SUBDIVISION, SECTION II TO
INCLUDE A 1.871-ACRE PARCEL OF LAND

PLAT TITLE: Blue Bell Subdivision, Section 2, Lot 1 **CITY/ETJ:** City Limits

PLAT TYPE: Replat

OWNER/APPLICANT: Blue Bell Creameries, LP

LOT AREA /LOCATION: 34.659 acres located at 1101 South Blue Bell Road in Brenham, Washington County, Texas

PROPOSED LEGAL DESCRIPTION: Lot 1 of the Blue Bell Subdivision, Section II in Brenham, Washington County Texas

ZONING DISTRICT I, Industrial

EXISTING USE: Industrial

COMP PLAN

FUTURE LAND USE: Industrial

REQUEST: A request to replat Lot 1 of the Blue Bell Subdivision, Section 2, in Brenham, Washington County, Texas.

BACKGROUND:

The Owner/Applicant requests approval of a Replat of Lot 1 of the Blue Bell Subdivision, Section 2 to include a 1.871-acre parcel of land recently acquired. This plat also vacates a portion of a 20-foot City of Brenham Utility Easement that ran along the southern property line of the newly acquired parcel, in order to redirect it to a new 15-foot utility easement that is adjacent and perpendicular to the vacated easement.

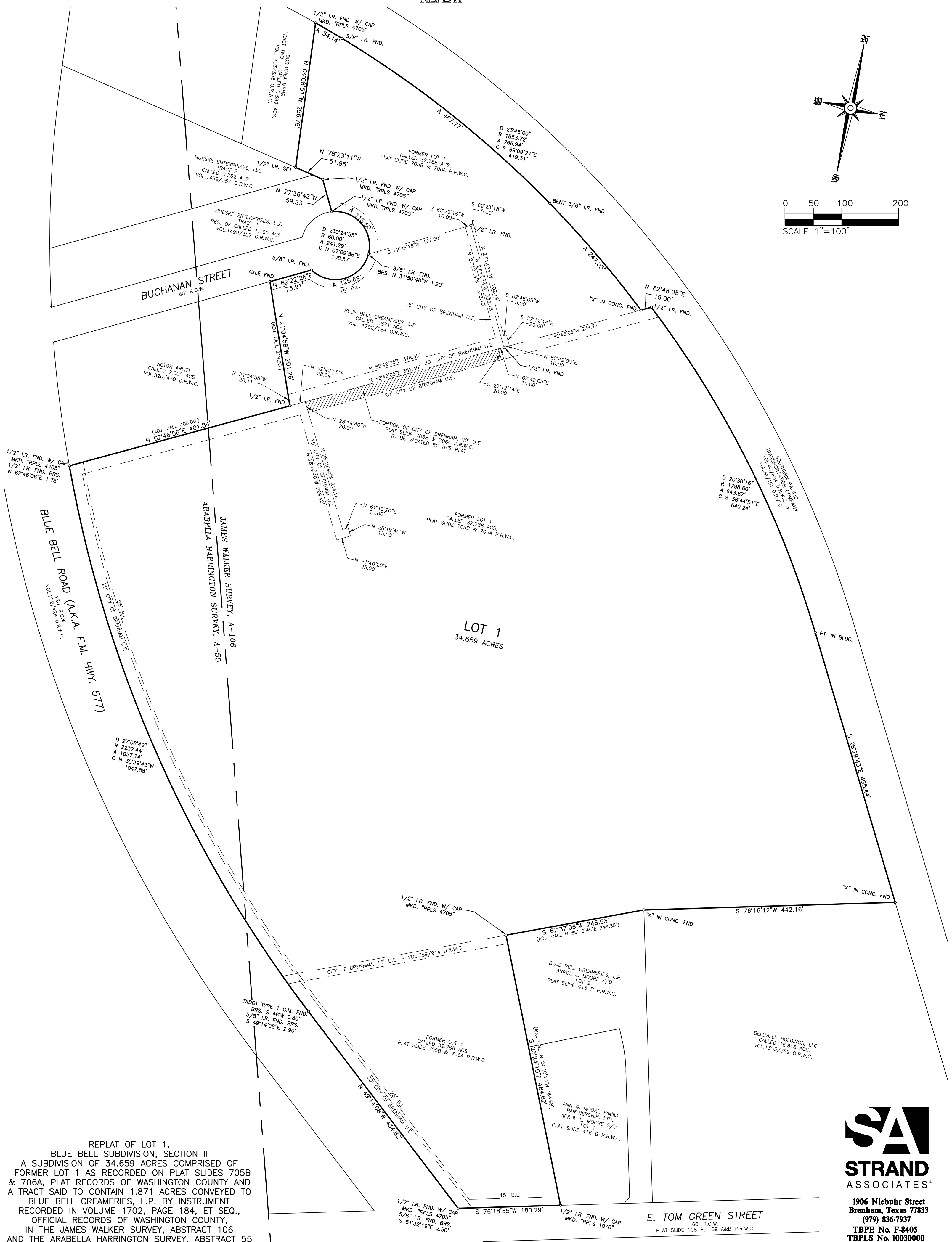
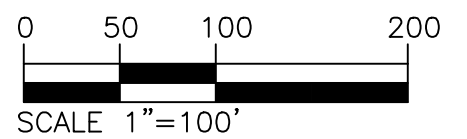
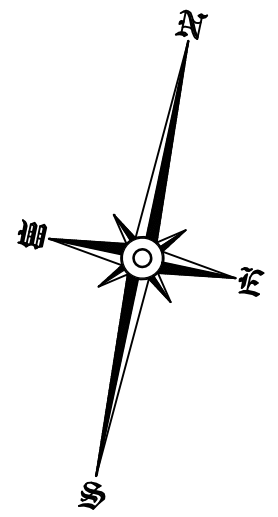
STAFF RECOMMENDATION:

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

EXHIBITS:

- A. Proposed Replat Document

BLUE BELL SUBDIVISION, SECTION II REPLAT



LOT 1
34.659 ACRES

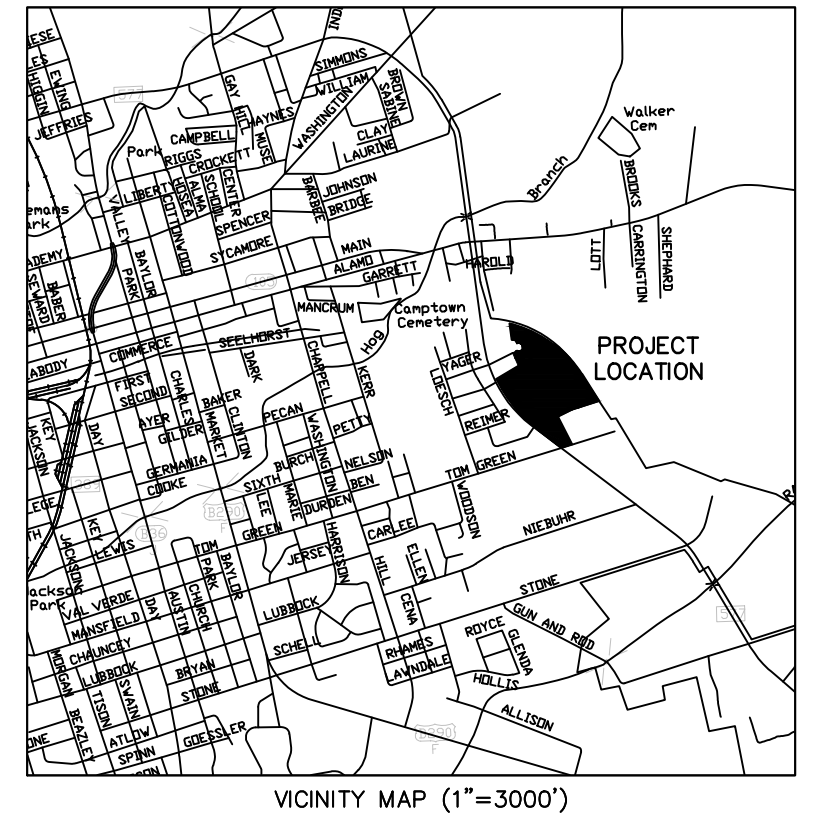
REPLAT OF LOT 1,
BLUE BELL SUBDIVISION, SECTION II
A SUBDIVISION OF 34.659 ACRES COMPRISED OF
FORMER LOT 1 AS RECORDED ON PLAT SLIDES 705B
& 706A, PLAT RECORDS OF WASHINGTON COUNTY AND
A TRACT SAID TO CONTAIN 1.871 ACRES CONVEYED TO
BLUE BELL CREAMERIES, L.P. BY INSTRUMENT
RECORDED IN VOLUME 1702, PAGE 184, ET SEQ.,
OFFICIAL RECORDS OF WASHINGTON COUNTY,
IN THE JAMES WALKER SURVEY, ABSTRACT 106
AND THE ARABELLA HARRINGTON SURVEY, ABSTRACT 55
CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS

SA
STRAND
ASSOCIATES®

1906 Niebuhr Street
Brenham, Texas 77833
(979) 836-7937
TBPE No. F-8405
TBPLS No. 10030000

BLUE BELL SUBDIVISION, SECTION II REPLAT

REPLAT OF LOT 1,
BLUE BELL SUBDIVISION, SECTION II
A SUBDIVISION OF 34.659 ACRES COMPRISED OF
FORMER LOT 1 AS RECORDED ON PLAT SLIDES 705B
& 706A, PLAT RECORDS OF WASHINGTON COUNTY AND
A TRACT SAID TO CONTAIN 1.871 ACRES CONVEYED TO
BLUE BELL CREAMERIES, L.P. BY INSTRUMENT
RECORDED IN VOLUME 1702, PAGE 184, ET SEQ.,
OFFICIAL RECORDS OF WASHINGTON COUNTY,
IN THE JAMES WALKER SURVEY, ABSTRACT 106
AND THE ARABELLA HARRINGTON SURVEY, ABSTRACT 55
CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS



NOTES:

1. Bearings are based on the Texas State Plane Coordinate System, Central Zone (4203), NAD83 as determined from GPS observations. All distances are surface value.
2. The subject property as shown on the above plat lies within the "Zone X" area determined to be outside the 0.2% annual chance floodplain, according to the Flood Insurance Rate Maps of Washington County, Texas Map No. 48477C0295C, effective August 16, 2011.
3. o - 1/2" iron rod set with a cap stamped "RPLS 4705" unless otherwise shown.
4. This survey is valid only if it bears the seal and original signature of the surveyor.
5. Building setback lines shall be in accordance with the City of Brenham Code of Ordinances.
6. This plat does not attempt to amend or remove any valid covenants or restrictions.
7. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Robert C. Schmidt, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that it is my professional opinion that this map showing a survey of the proposed Replat of Blue Bell Subdivision, Section II is true and correct in accordance with an actual survey made on the ground under my personal direction and supervision and completed on December 6, 2019 and the property legally described hereon has no apparent discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way, except as shown or stated hereon, and except as same may exist on or under the ground that was not visible or locatable under normal surveying procedures, and the property shown hereon is subject to any existing or recorded easements that we may not be aware of, or that may be of record that may not be shown on this map. Also said property abuts a public roadway, except as shown or stated hereon.

Robert C. Schmidt
Texas RPLS No. 4705



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

Chairman

Secretary

I, _____, County Clerk in and for Washington County, hereby certify that the foregoing instrument with its certificate of authentication was filed in my office the ____ day of _____, 20____, at ____ o'clock ____m., in the Plat Records in Slide No. _____. Witnessed my hand and seal of the County Court of the said County, at office in Brenham, Texas.

By: _____, County Clerk
Deputy Washington County, Texas

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Wayne Hugo, Vice President of Operations of Blue Bell Creameries, L.P., owner of the property subdivided in the foregoing map of the First Replat of Blue Bell Subdivision, Section I, do hereby make subdivision of the tract shown hereon according to the lines, streets, lots, alleys, parks, building lines, and easements thereon shown and we do hereby dedicate to public use, as such the streets, alleys, parks, and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets and alleys to conform to such grades, and do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend the title to the land so dedicated.

Witness my hand at Brenham, Washington County, Texas on this the ____ day of _____, 20____.

Wayne Hugo, Vice President of Operations of Blue Bell Creameries, L.P.

STATE OF TEXAS
COUNTY OF WASHINGTON

Before me the undersigned authority, on this day personally appeared Wayne Hugo, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed. Given under my hand and seal of office this ____ day of _____, 20____.

Notary Public in and for the State of Texas





CASE P-19-048
PRELIMINARY PLAT: PRAIRIE LEA CEMETERY

PLAT TITLE: Prairie Lea Cemetery **CITY/ETJ:** City

PLAT TYPE: Preliminary Plat

OWNER/APPLICANT: Brenham Cemetery Association

ADDRESS/LOCATION: 405 South Saeger Street

LEGAL DESCRIPTION: Lot 1, Block 1 Prairie Lea Cemetery, 29.30 acres out of the Philip H. Coe Survey, A-31.

LOT AREA: 29.30 acres

ZONING DISTRICT: B-2, Commercial Research and Technology

EXISTING USE: Vacant land

COMP PLAN Local Public Facilities
FUTURE LAND USE:

REQUEST:

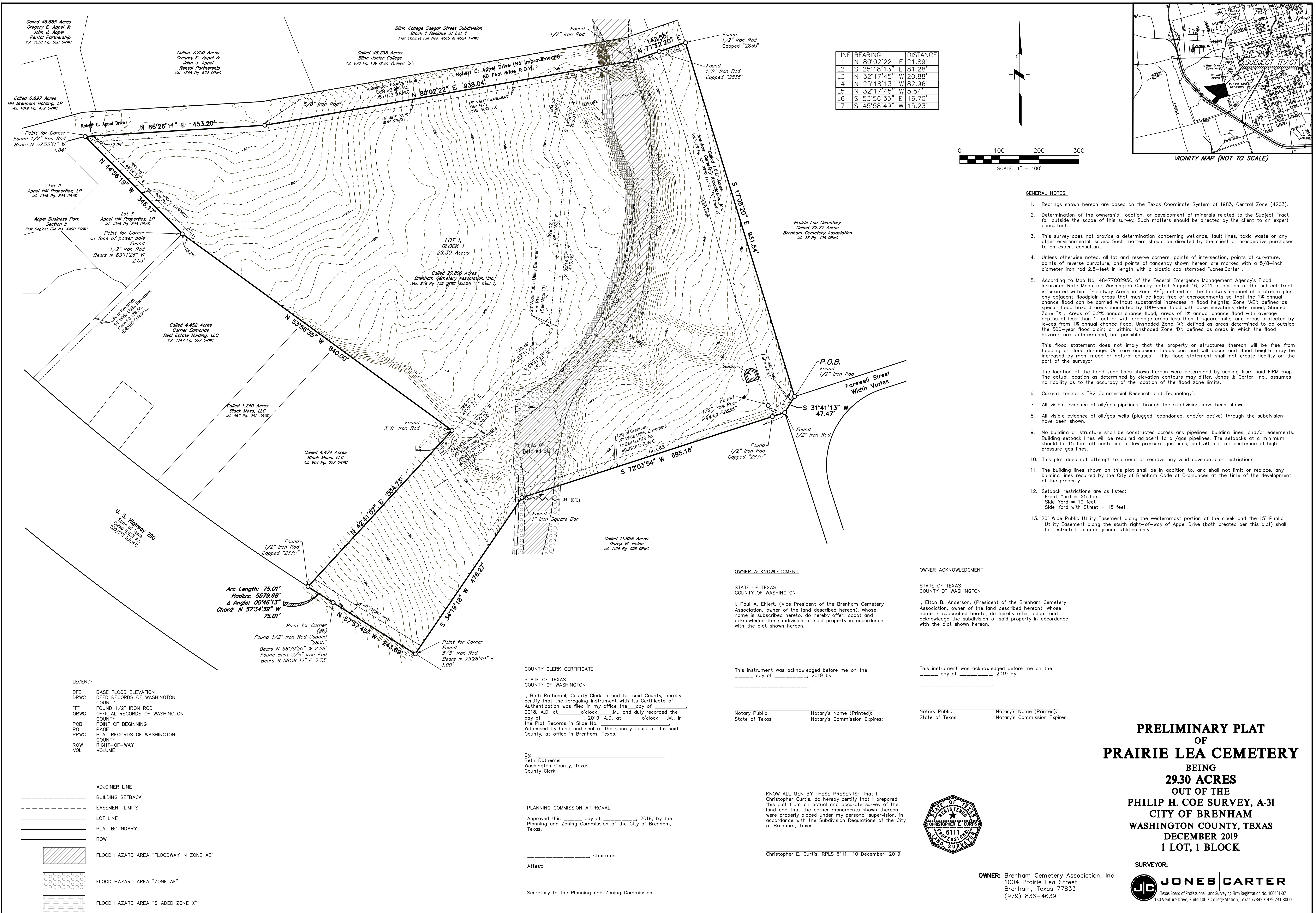
The applicant/owner requests approval of a Preliminary Plat of Prairie Lea Cemetery that comprises of 29.30-acres in order to allow for the expansion of the existing Brenham Cemetery. The subject site has not previously been platted and thus, the Preliminary Plat and subsequent Final Plat is required for future development. The Final Plat will be presented at the January 27, 2020 Planning and Zoning Commission meeting.

STAFF ANALYSIS AND RECOMMENDATION:

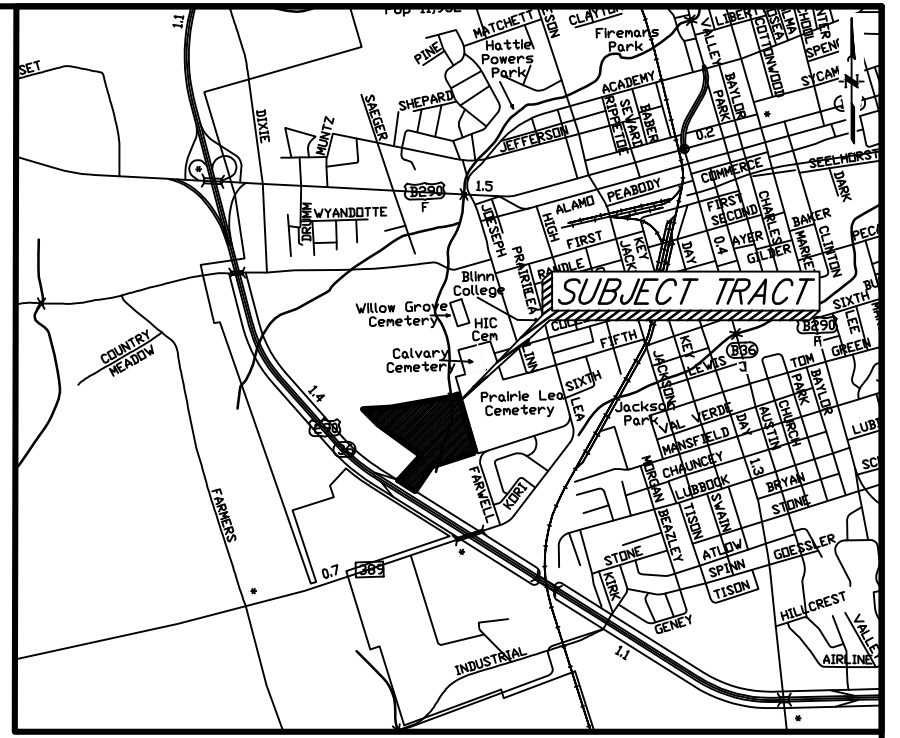
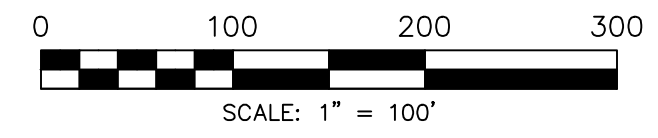
Development Services has reviewed this preliminary plat for compliance with applicable City of Brenham regulations and ordinances of the City of Brenham, Texas and **recommends approval** of this plat as presented.

EXHIBITS:

- A. Proposed Preliminary Plat



LINE	BEARING	DISTANCE
L1	N 80°02'22" E	21.89'
L2	S 25°18'13" E	81.28'
L3	N 32°17'45" W	20.88'
L4	N 25°18'13" W	82.96'
L5	N 32°17'45" W	5.54'
L6	S 53°56'35" E	16.70'
L7	S 45°58'49" W	15.23'



- GENERAL NOTES:**
- Bearings shown hereon are based on the Texas Coordinate System of 1983, Central Zone (4203).
 - Determination of the ownership, location, or development of minerals related to the Subject Tract fall outside the scope of this survey. Such matters should be directed by the client to an expert consultant.
 - This survey does not provide a determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
 - Unless otherwise noted, all lot and reserve corners, points of intersection, points of curvature, points of reverse curvature, and points of tangency shown hereon are marked with a 5/8-inch diameter iron rod 2.5-feet in length with a plastic cap stamped "Jones/Carter".
 - According to Map No. 48477C0295C of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Washington County, dated August 16, 2011, a portion of the subject tract is situated within: "Floodway Areas in Zone AE", defined as the floodway channel of a stream plus any adjacent floodplain areas that must be kept free of encroachments so that the 1% annual chance flood can be carried without substantial increases in flood heights; Zone "AE"; defined as special flood hazard areas inundated by 100-year flood with base elevations determined, Shaded Zone "X"; Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood, Unshaded Zone "X"; defined as areas determined to be outside the 500-year flood plain; or within: Unshaded Zone "D"; defined as areas in which the flood hazards are undetermined, but possible.
- This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- The location of the flood zone lines shown hereon were determined by scaling from said FIRF map. The actual location as determined by elevation contours may differ. Jones & Carter, Inc., assumes no liability as to the accuracy of the location of the flood zone limits.
- Current zoning is "B2 Commercial Research and Technology".
 - All visible evidence of oil/gas pipelines through the subdivision have been shown.
 - All visible evidence of oil/gas wells (plugged, abandoned, and/or active) through the subdivision have been shown.
 - 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.
 - This plat does not attempt to amend or remove any valid covenants or restrictions.
 - 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.
 - Setback restrictions are as listed:
Front Yard = 25 feet
Side Yard = 10 feet
Side Yard with Street = 15 feet
 - 20' Wide Public Utility Easement along the westernmost portion of the creek and the 15' Public Utility Easement along the south right-of-way of Appel Drive (both created per this plat) shall be restricted to underground utilities only.

OWNER ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Paul A. Ehler, (Vice President of the Brenham Cemetery Association, owner of the land described hereon), whose name is subscribed hereto, do hereby offer, adopt and acknowledge the subdivision of said property in accordance with the plat shown hereon.

This instrument was acknowledged before me on the _____ day of _____, 2019 by _____

Notary Public
State of Texas

Notary's Name (Printed):
Notary's Commission Expires:

OWNER ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Elton B. Anderson, (President of the Brenham Cemetery Association, owner of the land described hereon), whose name is subscribed hereto, do hereby offer, adopt and acknowledge the subdivision of said property in accordance with the plat shown hereon.

This instrument was acknowledged before me on the _____ day of _____, 2019 by _____

Notary Public
State of Texas

Notary's Name (Printed):
Notary's Commission Expires:

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Beth Rothemel, County Clerk in and for said County, hereby certify that the foregoing instrument with its Certificate of Authentication was filed in my office the _____ day of _____, 2018, A.D. at _____ o'clock _____ M., and duly recorded the day of _____, 2019, A.D. at _____ o'clock _____ M., in the Plat Records in _____ Slide No. _____.

Witnessed by hand and seal of the County Court of the said County, at office in Brenham, Texas.

By: _____
Beth Rothemel
Washington County, Texas
County Clerk

PLANNING COMMISSION APPROVAL

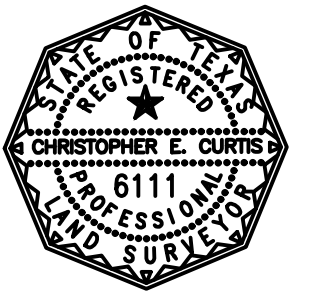
Approved this _____ day of _____, 2019, by the Planning and Zoning Commission of the City of Brenham, Texas.

Chairman

Secretary to the Planning and Zoning Commission

KNOW ALL MEN BY THESE PRESENTS: That I, Christopher Curtis, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Brenham, Texas.

Christopher E. Curtis, RPLS 6111 10 December, 2019



PRELIMINARY PLAT
OF
PRAIRIE LEA CEMETERY
BEING
2930 ACRES
OUT OF THE
PHILIP H. COE SURVEY, A-31
CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS
DECEMBER 2019
1 LOT, 1 BLOCK

SURVEYOR:
JONES | CARTER
Texas Board of Professional Land Surveying Firm Registration No. 100461-07
150 Venture Drive, Suite 100 • College Station, Texas 77845 • 979.731.8000

OWNER: Brenham Cemetery Association, Inc.
1004 Prairie Lea Street
Brenham, Texas 77833
(979) 836-4639

- LEGEND:**
- BFE BASE FLOOD ELEVATION
 - DRWC DEED RECORDS OF WASHINGTON COUNTY
 - "I" FOUND 1/2" IRON ROD
 - ORWC OFFICIAL RECORDS OF WASHINGTON COUNTY
 - POB POINT OF BEGINNING
 - PG PAGE
 - PRWC PLAT RECORDS OF WASHINGTON COUNTY
 - ROW RIGHT-OF-WAY
 - VOL VOLUME

- ADJOINER LINE
- BUILDING SETBACK
- EASEMENT LIMITS
- LOT LINE
- PLAT BOUNDARY
- ROW
- FLOOD HAZARD AREA "FLOODWAY IN ZONE AE"
- FLOOD HAZARD AREA "ZONE AE"
- FLOOD HAZARD AREA "SHADED ZONE X"



CASE NUMBER P-19-026

ZONE CHANGE REQUEST – Establishing a Planned Development District on 76.9 acres of land east of the intersection of SH 36 and FM 577

STAFF CONTACT: Stephanie Doland, Development Services Director

OWNERS: Pierre Roberts Jr., Charles Duncan, Jr., Donald Roberts, Gary Roberts, and Herbert J. Faske

APPLICANT: Philip Bargas on behalf of DR Horton

ADDRESS/LOCATION: East of the intersection of State Highway 36 and W. Blue Bell Road (Exhibit A).

LEGAL DESCRIPTION: A portion of Tract 35 of the Phillip Coe Survey, A-31, and a portion of Tract 219 and Tract 278 of the A. Harrington Survey, A-55

LOT AREA: Approximately 76.9 acres of land

ZONING DISTRICT/USE: Commercial Research and Technology District (B-2) and Residential District (R-1) / Vacant undeveloped land (Exhibit B)

FUTURE LAND USE: Combination of Commercial -Retail and Single-Family Residential

REQUEST: A request to change the zoning classification to Planned Development District (PD) for the development of a single-family home subdivision (Exhibit C).

BACKGROUND:

The subject property is located generally east of the intersection of State Highway 36 N and W Blue Bell Road. The above referenced 76.9 acre tract of land is adjacent to Blue Bell Road, Burlson Street and State Highway 36 N. The property is currently vacant land and contains a combination of two zoning districts including, Commercial Research and Technology District (B-2) and Residential District (R-1). The applicant, Philip Bargas on behalf of DR Horton homebuilders is requesting the subject 76.9 acres be rezoned to Planned Development District for the development of a single-family home subdivision.

PROPOSED PLANNED DEVELOPMENT (PD) DISTRICT “LIBERTY VILLAGE PD”

The applicants are requesting rezoning of the property to PD district to establish alternative standards to the City’s typical zoning and subdivision development standards. The proposed PD establishes the underlying base zoning district as the Residential (R-1) district for the construction of single-family dwellings. The applicants are proposing the following development standards for the Liberty Village PD. The complete PD proposal and exhibits are enclosed (Exhibit D).

Physical Development:

- Sidewalks 5-feet in width shall be included on each side of streets within the development.

- A looped trail system and sports equipment (ie. soccer goals or frisbee golf) shall be provided in detention/common areas.
- A centralized public park shall be constructed during phase 1 of the subdivision and include a looped walking path, playground facilities and a pavilion.
- Protected pedestrian crossings (pedestrian peninsulas) shall be provided at three locations within the development to mitigate against increased vehicle speeds on residential streets.
- A sidewalk connection shall be included (and coordinated with BISD) to Brenham Elementary.
- Each lot shall include a fully irrigated yard and a 2" caliper tree and shrubs in each front yard.
- Prior to the first certificate of occupancy for each phase, trees shall be planted throughout the community at a ratio of ½ the number of lots in each phase. Fifty percent of the required trees shall be canopy trees and shall be 2" caliper.
- A stained, capped, and trimmed fence with masonry columns shall be provided along the perimeter of the subdivision where visible from rights-of-way.
- Minimum two car garage provided for each dwelling.
- Minimum house size of 1,225 square feet.
- No house elevations shall be repeated more than every 3rd lot.
- 20% masonry requirement for the front elevation of each dwelling.
- A subdivision entry monument sign shall be located along Blue Bell and Burleson Road.

Subdivision of Land:

- 25-foot front setback
- 7.5-foot side setback
- 20-foot rear setback
- 115-foot lot depth
- 55-foot lot width
- Minimum right-of-way width of 50' with 30' of pavement
- Minimum lot area of 6,325 square feet
 - 40% of lots shall be 7,000 square feet or greater
 - 60% of lots shall be 6,600 square feet or greater

RELATION TO THE BRENHAM COMPREHENSIVE PLAN, PLAN 2040: HISTORIC PAST, BOLD FUTURE

Plan 2040 was adopted as the City of Brenham Comprehensive Plan on September 19, 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, and standards which produce a quality neighborhood design. Staff finds the following excerpt from Plan 2040 (page 37-38) is relevant for consideration of this request:

Typical features of a quality neighborhood design include:

- Some focal point, whether a park or central green, school, community center, place of worship, or small-scale commercial activity, that enlivens the neighborhood and provides a gathering place.
- Equal importance of pedestrian and vehicular circulation. Street design accommodates, but also calms, necessary automobile traffic. Sidewalks along or away from streets, and/or a network of off-street trails, provide for pedestrian and bicycle circulation (especially for school children) and promote interconnectivity of adjacent neighborhoods.
- A variety of compatible dwelling types to address a range of needs among potential residents (based on age, income level, household size, etc.).
- Access to schools, recreation and daily conveniences within relatively close proximity to the neighborhood, if not within or at its edges (such as along bordering major streets).

- An effective street layout that provides multiple paths to external destinations (and critical access for emergency vehicles) while also discouraging non-local or cut-through traffic.
- Appealing streetscapes, whether achieved through street trees or other design elements, which “soften” an otherwise intensive atmosphere and draw residents to enjoy common areas of their neighborhood. This should include landscape designs consistent with local climate and vegetation.
- Compatibility of fringe or adjacent uses, or measures to buffer the neighborhood from incompatible development.
- Evident definition of the neighborhood “unit” through recognizable identity and edges, without going so far (through walls and other physical barriers) as to establish “fortress” neighborhoods.
- Set-aside of conservation areas, greenbelts or other open space as an amenity, to encourage leisure and healthful living, and to contribute to neighborhood buffering and definition.
- Use of local streets for parking to reduce the lot area that must be devoted to driveways and garages, and for the traffic calming benefits of on-street parking.

ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:

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

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

The subject property is located east of the intersection of State Highway 36 and FM 577 and generally north of Brenham Elementary School. Property to the north and west is zoned for Commercial/Retail development and is primarily vacant land. Property to the east along Burleson Road is zoned Residential District (R-1) and is developed with rural residential uses. Approval of the proposed rezoning would allow the subject property to develop as a single-family home subdivision.

The applicant proposes 300+ single-family homes to be built in three phases. The proposed development plan deviates from City of Brenham standard zoning by including a mixture of lot sizes, approximately 40% of which will be 6,325 square feet or greater, an additional 40% at 7,000 square feet (city standard) and the remaining 20% at or greater than 6,600 square feet. Additionally, the development plan includes a reduction to the side building setback from 10-foot side yards to 7.5-foot side yards and to the rear setback from 25-foot to a 20-foot rear yard. In exchange for the reductions to the lot standards, the applicant proposes to provide amenities that provide open space, landscaping and public amenities through the development of sidewalks, trails, a centralized park with play equipment and two “passive” parks with trails and sport equipment.

The City of Brenham Subdivision and Zoning Ordinances seek to establish standards which provide for the orderly, safe and healthful development of the community and protect the morals and general welfare of residents and citizens while protecting small town character as reflected in the Comprehensive Plan. Staff finds that the proposed Liberty Ridge PD meets the intent of the development standards by providing neighborhood design characteristics and elements which make a subdivision attractive and valuable for the long-term.

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

The future land use map portion of Plan 2040: Historic Past, Bold Future, suggests the subject 76.9

acres may be appropriate for a combination of commercial/retail uses along State Highway 36 and single-family residential uses behind (to the south) the business uses. The applicant proposes to allow an approximately 10+ acre portion of land at the immediate eastern corner of the SH 36 and FM 577 intersection for Commercial/Retail development. If the requested zone change were approved, the subject property would allow for development in keeping with the Future Land Use Plan and polices by allowing business uses along the highly visible rights-of-way and a single-family home subdivision with a system of local streets adjacent to businesses uses.

Furthermore, the proposed Liberty Village PD includes amenities and subdivision design characteristics that exceed the City's standard subdivision and zoning standards as recommended in Plan 2040. Plan 2040 includes an excerpt which highlights what neighborhood attributes contribute to a sustainable and attractive subdivision. The applicants are proposing to meet a majority of these guidelines by providing features such as, traffic calming measures, street scaping, a central park, a design with equal importance to pedestrian and vehicular traffic, and pedestrian access to Brenham Elementary. Staff finds that the proposed request is aligned with the goals and land use policies established in the Comprehensive Plan.

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

The subject property has access to City of Brenham water, gas and sanitary sewer along FM 577 as well as access to additional water services along Burleson Road. The applicant plans to extend services located at the property throughout the development. The 76.9 acres are located in the Bluebonnet electric service area and the applicant has been in contact with this provider for extension of services. Staff finds that utilities in the area can be extended to serve the subject property and the proposed development.

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

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

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

Property owners within 200 feet of the project site were mailed notifications of this request on December 5, 2019. The Notice of Public Hearing was published in the Brenham Banner on December 4, 2019. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

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

If approved, the subject property will be required to adhere to site development standards established in the proposed Liberty Village PD, all applicable ordinances adopted by the City of Brenham for the R-1 zoning district and not specified in the PD document. Furthermore, adherence to adopted building codes, maximum impervious coverage requirements, and drainage standards for property zoned R-1 shall apply to the subject tract. Additionally, the proposed Liberty Village PD includes development of open space throughout the development to account for a mixture of lot sizes in the development, specifically those which fall below the adopted minimum lot size of 7,000

square feet. To account for substandard lot size, the applicant proposes sidewalks throughout the development, a 0.84 acre central park, and 6.78 acres of common area containing 4,000 linear feet of trail systems. Staff finds that the public green space requirements will ensure that adequate open spaces are maintained throughout the proposed subdivision.

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

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

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

The applicant proposes a variety of subdivision standards that contribute to quality neighborhood culture and promote land development consistent with adopted development standards and the adopted Comprehensive Plan. For example, the City of Brenham subdivision ordinance does not currently require the development of sidewalks or parks within a single-family home subdivision. However, the applicant proposes to provide 5-foot wide sidewalks on both sides of the street as well as a centralized park, common areas and trails. While smaller than normal lot sizes are proposed, the aforementioned amenities meet the intent of the ordinance in terms of preserving open spaces within the development.

Additionally, the applicant proposes landscaping on each platted lot and throughout the development. Also proposed in the development is the construction of a fence with masonry columns and a capped, trimmed and stained wooden fence to delineate the neighborhood identity and contribute to neighborhood buffering. The City's development standards do not require the aforementioned fence or landscaping standards for residential development and staff finds that these offerings (and the additional proposed standards) will ensure the long term viability of the subdivision as well as preserve the view of the development from the City's major thoroughfares, State Highway 36 and FM 577. In summary, staff finds that the proposed Liberty Village PD, if approved will allow for the development of a single-family neighborhood in accordance with the adopted development standards and Plan 2040 in terms of promoting land uses consistent with the community's plan.

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

The subject property is adjacent to vacant land, commercial uses (veterinary clinic), and existing rural single-family uses. The proposed development plan includes buffering the existing commercial uses with a common area/detention pond, and additional buffer requirements shall be applied to any subsequent commercial development adjacent to the residential use. Existing rural single-family homes are located adjacent to the subject property with access to Burleson Street from a private access easement. While the density of the existing residential is significantly lower than the proposed residential development, a screening fence is proposed along the proposed neighborhood boundary.

- (10) The city's zoning should assist in stabilizing property values by limiting or prohibiting the

development of incompatible land uses or uses of land or structures, which negatively impact adjoining properties.

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

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

If approved, the proposed rezoning will allow for the development of a single-family home subdivision. The proposed rezoning includes changing the zoning classification from a commercial use to a residential use on property located south of State Highway 36. However, staff finds that the proposed rezoning if approved will still allow for commercial, retail, office and general business uses along a majority of the highly visible highway. Furthermore, approval of the proposed zoning change, will allow for commercial development which could serve the proposed residential subdivision and land in the general vicinity.

- (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 undeveloped, vacant land. Staff is not aware of any hindrances on the property created by legally existing incompatible uses. The proposed rezoning will allow for compatible, legally conforming development.

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

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

PLANNED DEVELOPMENT DISTRICT GENERAL GUIDELINES:

In addition to the zoning policies above, Planned Development Districts must also meet the following guidelines:

- (1) A Planned Development District shall conform to applicable regulations and standards established by this ordinance.

The zoning regulations that the Liberty Village PD deviates from do not undermine the density requirements or intent of the single-family residential zoning district. Furthermore, modifications to lot size, setbacks, and right-of-way widths are accommodated by quality neighborhood design standards as specified in the Comprehensive Plan, Plan 2040.

- (2) A Planned Development District should be compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

This proposed single-family residential development is compatible with the surrounding land uses, including rural residential and commercial uses. The proposed Liberty Village PD includes the underlying R-1 zoning district standards and does not deviate from building

height, drainage, access or impervious coverage requirements. As mentioned above, the smaller than standard lot sizes proposed are mitigated by the additional open spaces and trail system proposed within the development.

- (3) A Planned Development District shall not create unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of the planned development.

There are no foreseen unfavorable effects or impacts on the area.

- (4) A Planned Development District shall not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed development and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

This property abuts two major transportation corridors, SH 36 and FM 577 and has a secondary access to Burluson Road. State Highway 36 and FM 577 are classified as a freeway and arterial roadway, respectively, on the City of Brenham Thoroughfare Plan. These roadways are capable of accommodating large volumes of traffic and providing connectivity to road systems throughout Brenham. Furthermore, the applicant has submitted a traffic impact analysis which shows the subdivision at build out generating 2,584 vehicle trips per day on to FM 577 and 456 vehicles per day on to Burluson Road. The applicant has been in discussions with TXDOT about the possibility of a signalized intersection at the subdivision entrance. Staff contends that at the time of platting traffic movements will be further studied to ensure vehicular circulation through and around the development.

Additionally, a feature of quality neighborhood design listed in Plan 2040 includes placing equal importance on vehicular and pedestrian traffic. The provided TIA accounts for approximately 1,200+ vehicle movements within the neighborhood at the busiest location. To mitigate against cut-through traffic and protect pedestrians, three pedestrian peninsulas are proposed within the development to ensure vehicles abide by posted speeds and pedestrians feel safe walking within the subdivision.

Staff finds the proposed Liberty Village PD accounts for the safety and convince of vehicular and pedestrian traffic generated with the development of 300+ dwellings at this location.

- (5) A Planned Development District must reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

Drainage information will be required at the time of platting and a Homeowners Association will be created with bylaws and governing documents pertaining to the maintenance of the proposed detention areas.

- (6) A Planned Development District shall not adversely affect traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff is unable to determine any adverse impacts caused by inappropriate lighting or types of signs. The applicant proposes two subdivision entry monument signs which will be located adjacent to FM 577 and Burluson Street. The proposed signage shall meet the City's adopted sign ordinance which accounts for size, lighting and landscaping around residential

entry monument signage. As previously mentioned, vehicular and pedestrian traffic will be accounted for and discussed with TXDOT should the proposed PD be approved.

- (7) A Planned Development District must protect the public health, safety, or welfare, and shall not be materially injurious to properties or improvements in the vicinity.

This request should not have any adverse impact on the public health, safety or welfare of adjacent property or property in the general vicinity. Furthermore, the proposed amenities within the subdivision will enhance the public health and welfare of the Liberty Village homeowners and City of Brenham residents in general.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed rezoning to Planned Development District (PD) for the subject 76.9-acre tract known as the Liberty Village PD.

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. Future Land Use Map
- D. Proposed Planned Development District and Exhibits
- E. Site photos

EXHIBIT "A"
AERIAL MAP



EXHIBIT "B"
ZONING MAP

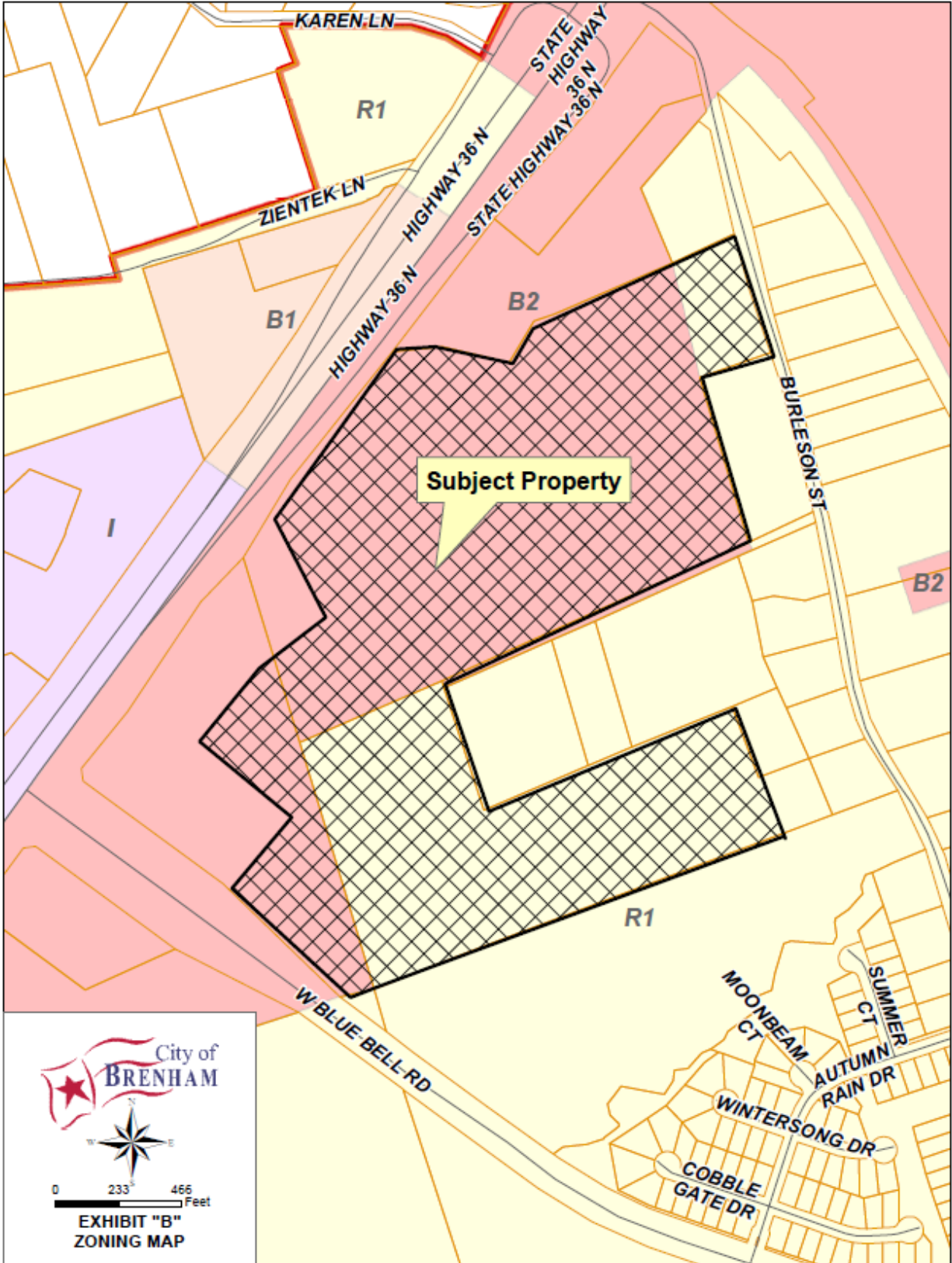


EXHIBIT "C"
FUTURE LAND USE MAP

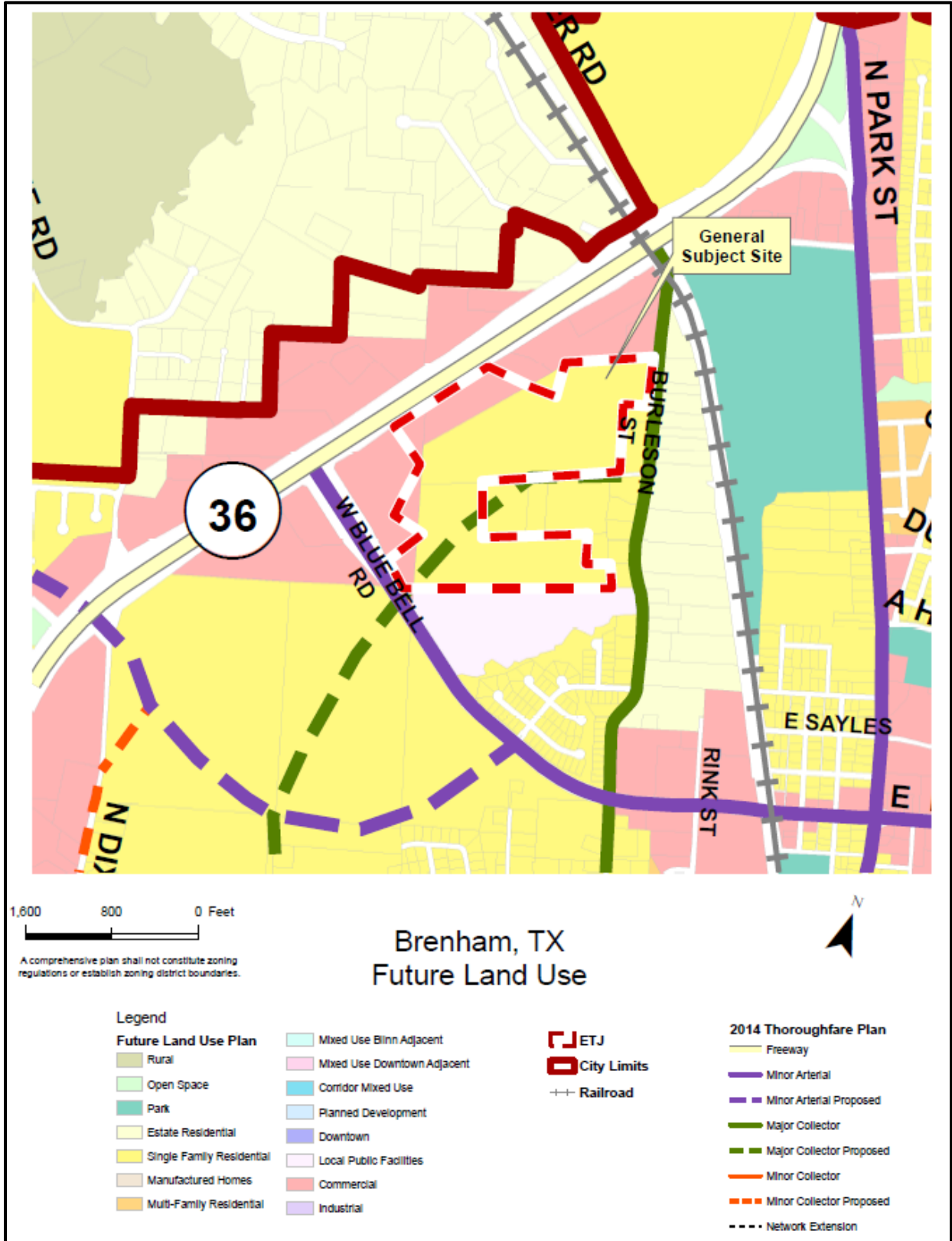


EXHIBIT “D”
PROPOSED PLANNED DEVELOPMENT DISTRICT AND EXHIBITS

Development Requirements for the Liberty Village Planned Development (PD) District

I. Purpose and Intent:

The Liberty Village Planned Development District (“Liberty Village PD”) is intended to guide land use and physical development of the subject property. This development plan is enacted as a means to provide the City and the Developer with alternative standards set forth by the City for their mutual benefit. This Liberty Village PD is intended to improve property utilization by facilitating the highest and best uses, strengthen the area economy, and promote the general welfare of the surrounding community. The Liberty Village PD reflects the goals of the City’s adopted Comprehensive Plan - Historic Past, Bold Future: Plan 2040 which establishes recommendations for developing quality neighborhood design. To this end, the Liberty Village Subdivision shall include public amenities such as, sidewalks, trails, landscaping and parkland which exceed City of Brenham subdivision standards and are believed to provide a valuable product for the Brenham Community. The Liberty Village PD shall allow single-family residential uses on approximately 76.9 acres of land out of the Arrabella Harrington Survey, being generally east of the intersection of FM-577 and State Highway 36 (Planning Area Exhibit 1).

II. Definitions:

Terms that are not expressly defined below shall have the meanings set forth in the City of Brenham Code of Ordinances. Terms not defined in either this Liberty Village PD or the City of Brenham Code of Ordinances shall have their ordinary dictionary meanings, based on the latest edition of Merriam-Webster’s Unabridged Dictionary.

- A. Liberty Village Residential Association, Inc. (“Residential Association”) – shall mean the residential homeowner’s association formed for the purpose of the enforcement and administering of the provisions of the Declaration of Covenants, Conditions and Restrictions for the Liberty Village Subdivision (Residential Property), including maintenance of Common Areas, Centralized Park, Landscaping and Regional Hike and Bike Trails to be recorded in the Real Property Records of Washington County, Texas.
- B. Liberty Village Residential Guidelines – shall mean the guidelines promulgated by the board of directors of the Residential Association and recorded in the Real Property Records of Washington County, Texas, as may be amended and/or supplemented from time to time.
- C. Front elevation – shall mean the front exterior appearance (façade) of a dwelling visible from the street.
- D. Pedestrian Peninsula – shall mean a curb extension that shortens the distance of crosswalks to enhance pedestrian safety.
- E. Play Activities – shall mean the activities included on playground equipment including, but not limited to, slides, fire pole, cargo net, etc.

III. Land Use and Physical Development:

Unless stated otherwise, the physical development in this PD district shall comply with development standards and limitations of the City of Brenham Code of Ordinances that generally apply to the Residential (R-1) zoning district, and subject to additions, modifications or exceptions described herein:

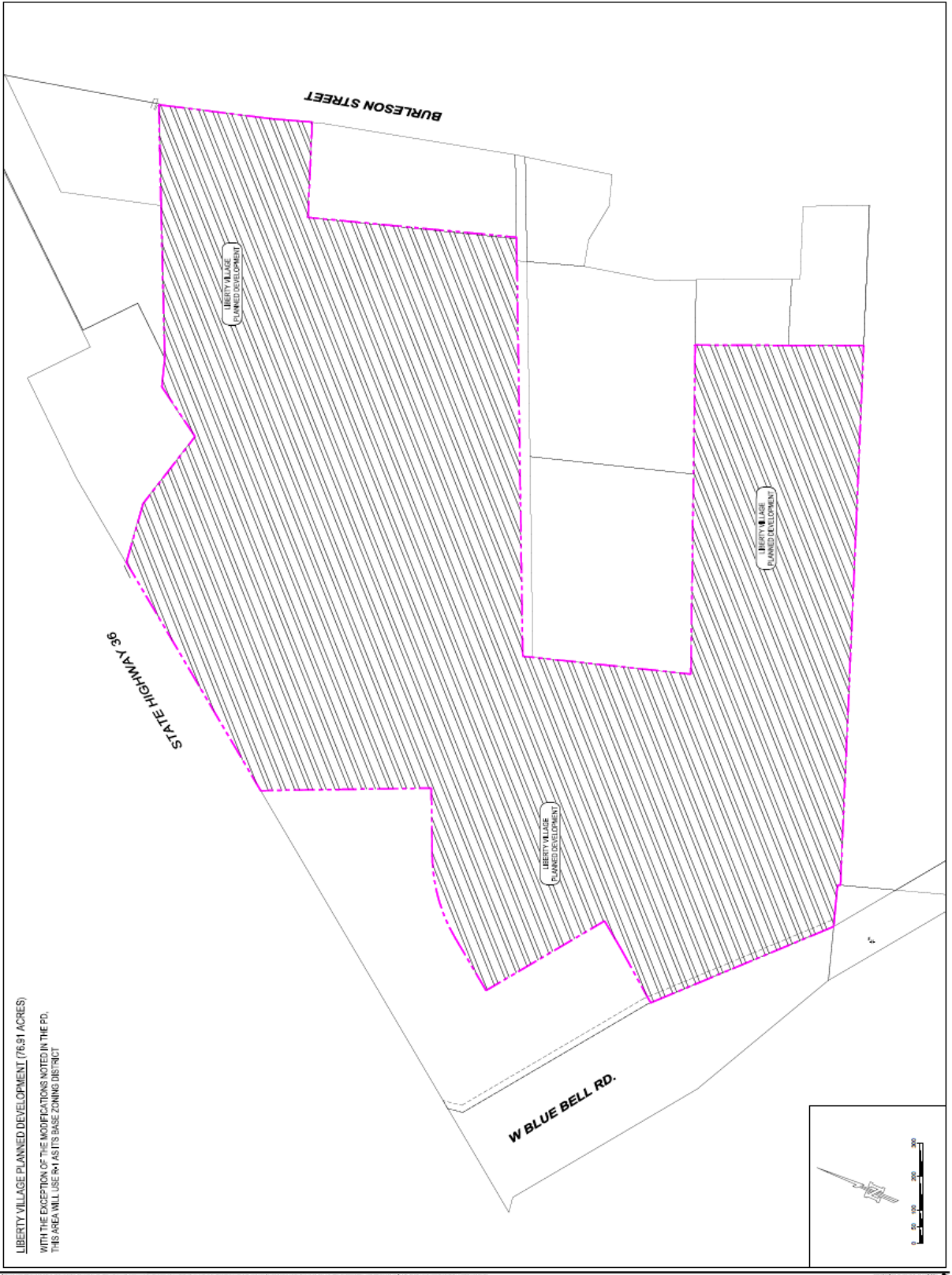
- A. As stipulated by the Liberty Village Residential Guidelines, the front elevation of each home shall have a minimum 20% masonry requirement exclusive of windows, doors, gables, walls above roof lines and porches and patios greater than 4-foot x 8-foot.
- B. No house elevations shall be repeated more than every third lot. Each home must have a different front elevation from the house across the street.
- C. Minimum house square footage shall be 1,225 Square Feet.
- D. Each single-family dwelling shall include, at a minimum, a two-car private garage.
- E. Each lot shall be landscaped and irrigated, at minimum, with a fully sodded yard. Within each front yard, one, 2-inch caliper hardwood shade tree as measured at 6-inches above the tree base, and five, 1-gallon shrubs shall be planted prior to the issuance of the certificate of occupancy.
- F. Public sidewalks shall be constructed on both sides of public right-of-way within the development and shall be constructed of sufficient thickness to ensure long-term durability and shall have a minimum width of 5-feet. Sidewalk segments shall be installed concurrently throughout the development as shown on Sidewalk and Trails Exhibit 3.
- G. To promote safety and help reduce vehicular traffic, the developer shall coordinate a pedestrian access point to the Brenham Independent School District (BISD) property to the southeast and shall be maintained by the Residential Association. The location of this access point will be coordinated with BISD and will terminate at the common property line.
- H. Common Areas and Detention Areas, as shown on Planning Area Exhibit 2, shall serve as public access passive parks to be maintained by the Residential Association. On the perimeter of the drainage detention facilities, sports equipment, such as soccer goals, frisbee golf and/or other open space activity equipment, shall be provided to supplement these areas. Additionally, a minimum of 4,000 linear feet, concrete, 5-foot wide All-Weather Trail(s) shall be constructed around the Common Areas cumulatively and shall connect to the public sidewalk system proposed throughout the subdivision.
- I. A stained, capped and trimmed, wooden perimeter fence with masonry columns spaced every 150-feet shall be maintained by the Residential Association, adjacent to Blue Bell Road, State Highway 36, and Burleson Street rights-of-way (Sidewalk and Trails Exhibit 3). All other perimeter fencing shall be stained 6-foot wooden, privacy fence.
- J. A standalone, public centralized park to be maintained by the Residential Association, shall be provided within the development (Planning Area Exhibit 2). Within the park, there shall be a looped 5-foot wide All-Weather Trail, playground equipment facilities with 5 play activities, and a minimum 20-foot x 20-foot pavilion. Construction of the centralized park shall be completed prior to issuance of the first Certificate of Occupancy in Phase 2.
- K. In accordance with the City of Brenham Sign Ordinance and maintained by the Residential Association, a main entry monumentation and landscaping shall be provided at the entrance on Blue Bell Road. A secondary monument and landscaping shall be provided on the entrance from Burleson Street.
- L. Prior to the first Certificate of Occupancy being issued for each phase of the development, trees shall be planted throughout the community at a ratio of ½ the number of lots in each phase reflected on the plat. Required trees shall be placed in Common Areas, Parks, along trails and sidewalks, or visible from Blue Bell Road, State Highway 36 and Burleson Street. Fifty percent of the required trees shall be canopy trees measuring 6-feet tall and 2-inches in caliper when measured 6-inches from the ground.

IV. Subdivision of Land:

The subdivision of land within the Liberty Village PD shall be in accordance with subdivision standards for properties in the Residential (R-1) zoning district with the following exceptions or additions to ordinary standards:

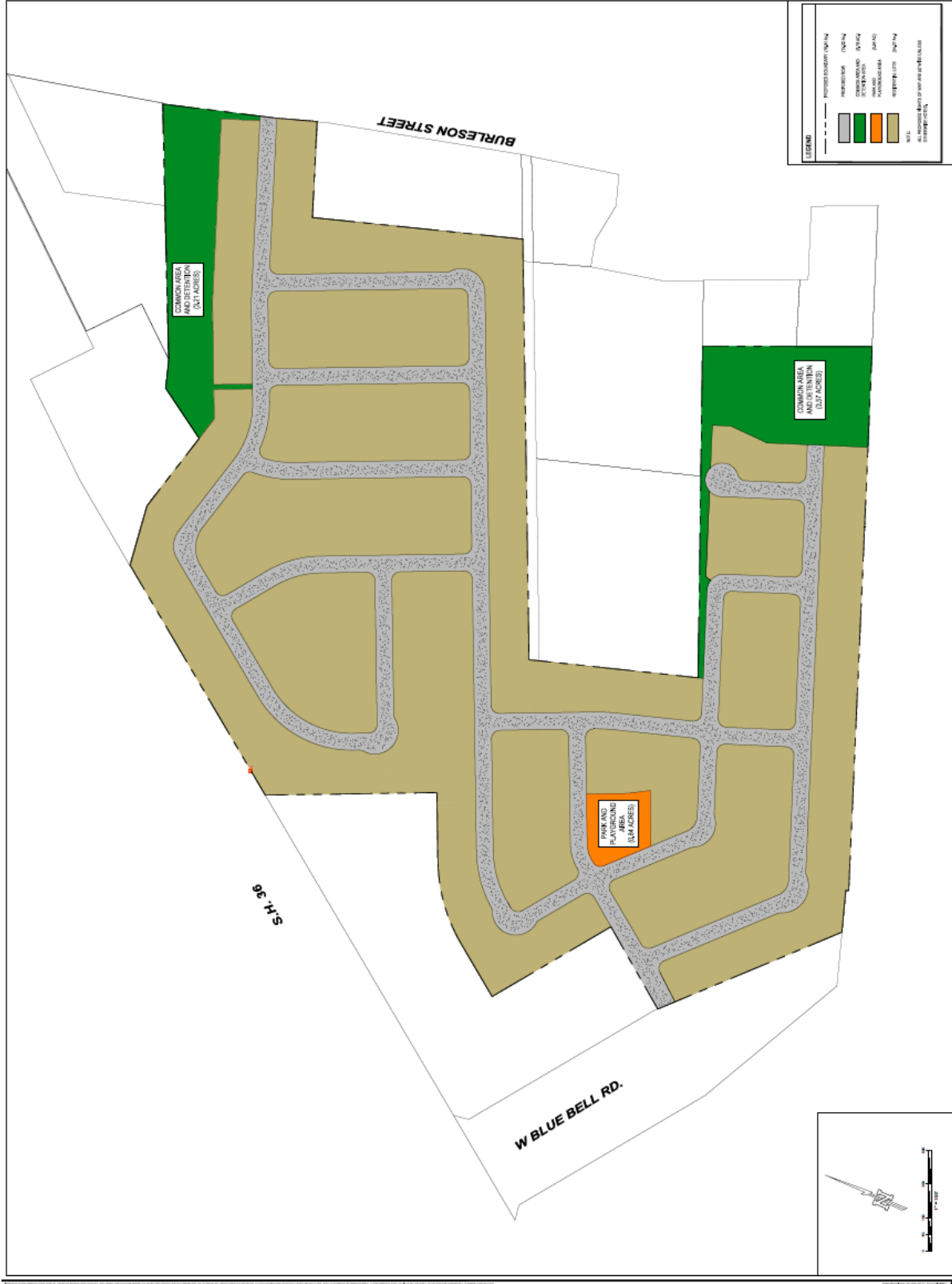
- A. Front yard shall have a minimum depth of 25-feet as per current city ordinance.
- B. Side yards shall have a minimum depth of 7.5-feet unless adjacent to a side street in which case the minimum side yard shall be 15-feet.
- C. Rear yards shall have a minimum depth of 20-feet.
- D. The average lot depth shall not be less than 115-feet as per current city ordinance.
- E. The minimum lot width shall be 55-feet.
- F. The minimum lot area shall be 6,325 square feet.
- G. A minimum of 40% of all platted lots within the development shall be a minimum of 7,000 square feet or greater.
- H. A minimum of 60% of all platted lots within the development shall be a minimum of 6,600 square feet or greater.
- I. The minimum right-of-way standards shall be a 50-foot wide dedicated right-of-way with 30-foot wide pavement, measured from back-of-curb to back-of-curb.
- J. Three pedestrian peninsulas as shown on Planning Area Exhibit 2 shall be provided as traffic calming measures to break up longer than average block lengths. Pedestrian crossings shall be provided at the pedestrian peninsula locations.

NO.	DATE	DESCRIPTION



LIBERTY VILLAGE PLANNED DEVELOPMENT (76.91 ACRES)
 WITH THE EXCEPTION OF THE MODIFICATIONS NOTED IN THE PD,
 THIS AREA WILL USE R-1 AS ITS BASE ZONING DISTRICT

DATE	DESCRIPTION



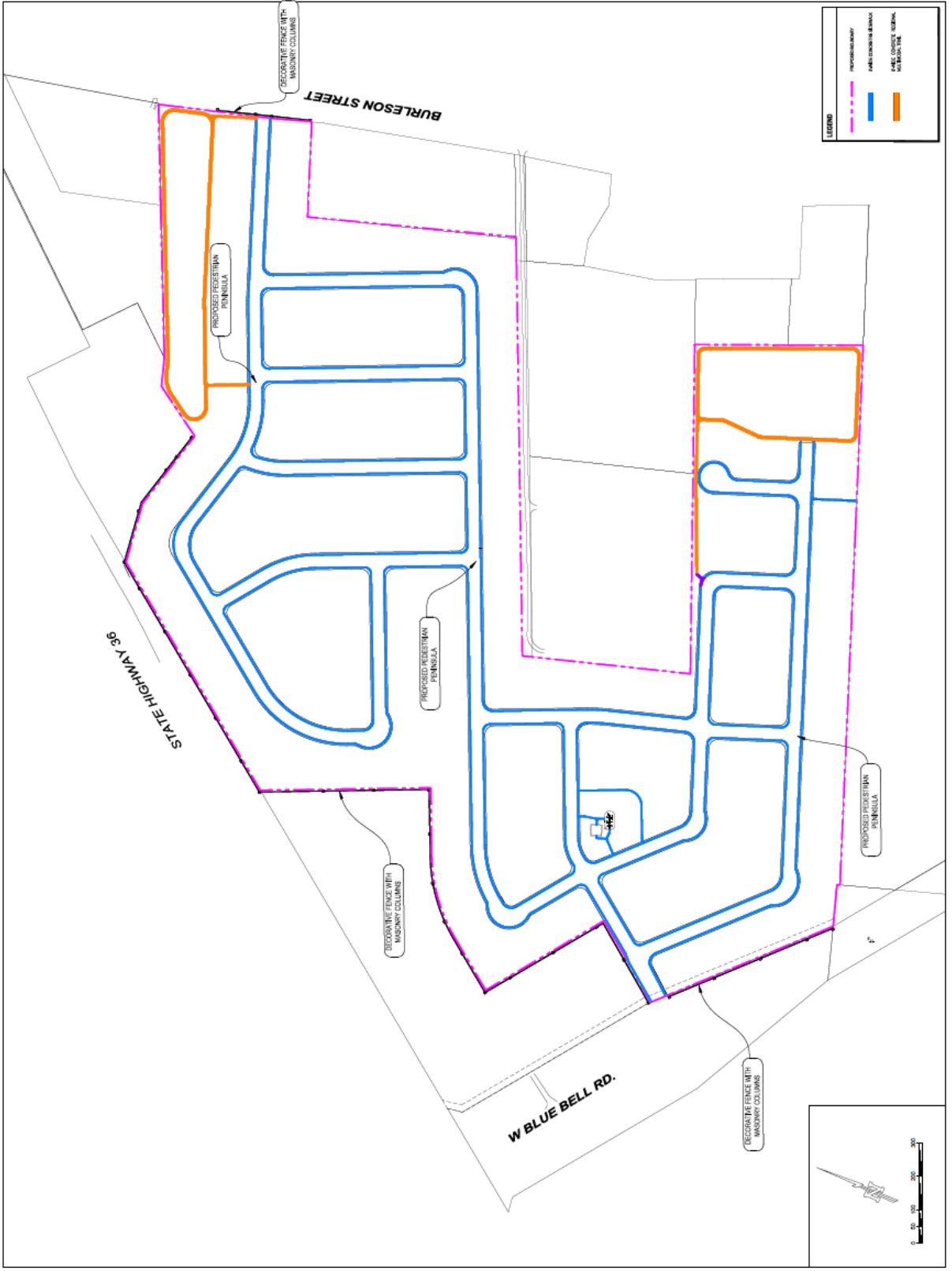
SIDEWALKS AND TRAILS

EXHIBIT 3

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12

LIBERTY VILLAGE PLANNED DEVELOPMENT DISTRICT
 17.9 ACRES
 BLUE BELL ROAD & STATE HIGHWAY 36
 BRENNAM, TEXAS

JOHNSON MFG. CO.
 3801 W. WYOMING ST.
 DALLAS, TEXAS 75243
 TEL: 972.353.1600
 WWW.JMCINC.COM

LEGEND

- PROPOSED SIDEWALK
- PROPOSED PATH
- PROPOSED DECORATIVE FENCE WITH MASONRY COLUMNS
- PROPOSED PEDESTRIAN PENINSULA

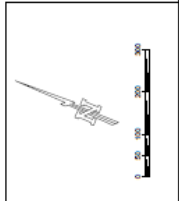


EXHIBIT "E"
SITE PHOTOS



View from Blue Bell Road (FM 577)



View from Burleson Street