



**NOTICE OF A REGULAR MEETING
BRENHAM PLANNING AND ZONING COMMISSION
MONDAY, JULY 27, 2020 AT 5:15 P.M.
VIA TELECONFERENCE AND/OR VIDEOCONFERENCE
USE THE LINK <https://cityofbrenham.online/pzmeeting>
AND / OR
CALL (844) 653-6177 (toll free); MEETING ID: **348 611 902#****

Due to COVID-19 recommendations from the CDC and Texas Governor Greg Abbott, this Regular Meeting of the Brenham Planning and Zoning Commission will be conducted virtually via teleconference and/or videoconference. The meeting will be audible to members of the public and allow for two-way communication for those desiring to participate in the meeting.

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 June 22, 2020 Planning and Zoning Commission Meeting.

4-b. Case No. P-20-028: Final Plat of the Liberty Village Subdivision being 76.912 acres establishing Reserve "A" being 23.321 acres and Reserve "B" being 24.467 acres and establishing Phase 1 being 29.124 acres consisting of Common Areas 1-3 and 112 Lots in Blocks 1-8 out of the Phillip Coe Survey, A-31 and the Arrabella Harrington Survey, A-55 in Brenham, Washington County, Texas

REGULAR AGENDA

5. Public Hearing, Discussion and Possible Action on Case No. P-20-027: A request by Nathan Winkelmann / Michael Benestante for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from an Industrial Use District (I) to a Commercial, Research and Technology Use District (B-2) on the following:

- a. **Approximately 0.849 acres of vacant land located adjacent to 1303 Prairie Lea Street and 1305 Prairie Lea Street, being further described as part of Lot No. 2 of Continental Ribbon and Carbon Company Subdivision out of the P.H. Coe Survey, A-31, in Brenham, Washington County, Texas.**
- b. **Approximately 4.236 acres of vacant land addressed as 1303 Prairie Lea Street, being further described as part of Lot No. 2 of the Continental Ribbon and Carbon Company Subdivision out of the P.H. Coe Survey, A-31, in Brenham, Washington County, Texas.**

6. Adjourn

CERTIFICATION

I certify that a copy of the July 27, 2020, 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 July 22, 2020, at 1:55 pm.

Sarah Hill

Sarah Hill, Administrative Assistant

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 _____, 2020 at _____.

Signature

Title

**CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
June 22, 2020**

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 June 22, 2020 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
Calvin Kossie
Cayte Neil
Lynnette Sheffield
Marcus Wamble

Commissioners absent:

Leroy Jefferson (resigned)

Staff present:

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

Citizens present:

Mikayla Knight	Josh Blaschke, KWHI
Mark Marz	Alyssa Faykus, Brenham Banner Press

1. Call Meeting to Order

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

2. Public Comments

There were no public comments.

3. Reports and Announcements

- Kim Hodde informed the Planning and Zoning membership that Leroy Jefferson submitted his letter of resignation due to some health issues. Ms. Hodde stated that a celebration for Nancy Low and Mr. Jefferson will be held at some time in the future when the COVID-19 virus is less severe.
- Stephanie Doland informed the Commission that the City of Brenham's Comprehensive Plan received the Comprehensive Planning Award from the Central Texas Section of the American Planning Association. A banquet is tentatively planned for September.

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 May 26, 2020 Planning and Zoning Commission Meeting

Chairman Behrens called for a motion for the statutory consent agenda. A motion was made by Commissioner Sheffield and seconded by Commissioner Kossie to approve the Statutory Consent Agenda Item 4-a (minutes from previous meeting), as presented. The motion carried unanimously.

REGULAR MEETING

5. Public Hearing, Discussion and Possible Action on Case No. P-20-024: A request to Replat Lot 2, Block 1 of the Siemsglusz Subdivision and a 1.62-acre tract, being Tract 87 of the Isaac Lee Survey, to create Lot 2-R, Block 1, containing 0.92 acres of land and Lot 3, Block 1, containing 1.54 acres of land located at 2411 E. Rosedale Drive and 2506 Gun & Rod Road, respectively, in Brenham, Washington County, Texas.

Kim Hodde, Planning Technician, presented the staff report for Case No. P-20-024 (on file in the Development Services Department). Ms. Hodde stated that the Siemsglusz Subdivision was originally platted in 2005 as Lot 1 and Lot 2. The property owners are requesting this replat to formalize a deed line that was exchanged between family members after the original 2005 plat was recorded. Additionally, the proposed replat includes the addition of a third lot known as Lot 3. Notices were mailed to property owners within 200-feet of the subject property on June 5, 2020. Two citizen comments were received in support of the replat.

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

Chairman Behrens opened the Public Hearing at 5:20 pm and asked for any public comments. There were no citizen comments.

Chairman Behrens closed the Public Hearing at 5:20 pm.

A motion was made by Commissioner Kossie and seconded by Commissioner Sheffield to approve a request to Replat Lot 2, Block 1 of the Siemsglusz Subdivision and a 1.62-acre tract, being Tract 87 of the Isaac Lee Survey, to create Lot 2-R, Block 1, containing 0.92 acres of land and Lot 3, Block 1, containing 1.54 acres of land, as presented. The motion carried unanimously.

6. Public Hearing, Discussion and Possible Action on Case No. P-20-025: A request by Alexander and Mikayla Knight for a Specific Use Permit to allow an Accessory Dwelling Unit (ADU) in an R-2 Mixed Residential Use Zoning District on property addresses as 501 Crockett Street, and described as Lot L1-A, Block E of the Woodlawn Heights Addition in Brenham, Washington County, Texas.

Shauna Laauwe, Project Planner, presented the staff report for Case No. P-20-025 (on file in the Development Services Department). Ms. Laauwe stated that the applicant requests to construct a 25-foot by 26-foot, 4-inch (658 square feet) ADU attached to the north side of an existing garage. The subject property is a fairly large lot with a very low impervious cover ratio. The proposed ADU meets or exceeds the required additional development standards. Public notice of the proposed rezoning was posted in the Banner Press and sent to property owners within 200-feet of the subject property. Staff received numerous phone calls but did not receive any formal comments regarding the proposed request.

Staff recommends approval of the requested specific use permit for construction of an accessory dwelling unit at 501 Crockett Street, as presented.

Chairman Behrens opened the Public Hearing at 5:37 pm and asked for any public comments. There were no citizen comments. Mikayla Knight, owner/applicant, thanked everyone at the City for helping them through this process.

Chairman Behrens closed the Public Hearing at 5:38 pm.

A motion was made by Commissioner Kossie and seconded by Commissioner Alfred to recommend approval of a request by Alexander and Mikayla Knight for a Specific Use Permit to allow an Accessory Dwelling Unit (ADU) in an R-2 Mixed Residential Use Zoning District on property addresses as 501 Crockett Street, as presented. The motion carried unanimously.

WORKSHOP MEETING

7. Discussion and Possible Direction to Staff Concerning the Commission's Plan of Work for 2020.

The City of Brenham's Plan, Historic Past, Bold Future: Plan 2040 was adopted on September 19, 2019 with over 130 Strategic Action Priorities identified in the adopted plan. Implementation is a continuous work in progress. Staff is requesting feedback from the Planning and Zoning Commission for specific projects or regulations they would like to see worked on in the next 6-12 months. Stephanie Doland presented a list of projects that could be considered as action items in the remaining calendar year and/or into the next year and a discussion was held:

- Requirement for sidewalk construction at the time of development (residential and/or commercial).
A suggestion was made that maybe under a certain square footage, sidewalks would not be required so as not to make a development cost prohibitive. Another option is to pay into a fund in lieu of constructing the sidewalk.
- Clarification of Mixed-Use definition and development in the B-3, B-4, PD, and DBROD Districts.
In the context of the City's Zoning Ordinance, mixed-use refers to zones where either single-family, multi-family or residential is allowed but only one use per property. In the planning context, mixed-use refers to mixed uses being allowed on the same property. A clearer definition and development standards are necessary.
- Historic Preservation Ordinance.
A Historic Preservation Committee meeting was scheduled prior to COVID-19 and was subsequently placed on hold.
- Bufferyard standards.
Current bufferyard standards need to be updated to clarify when buffer yards are required and what uses are the most appropriate to install buffer yards.

- Market Street Study.

During the Comprehensive Planning project Market Street was expressed as one of the thoroughfares in most need of additional planning due to the number of vacant buildings, mixture of uses and need for additional pedestrian and bicycle provisions. While budget constraints limit additional consulting budgets, staff is exploring grant opportunities through the CARES Act to fund a Corridor Master Plan for Market Street.

Similarly, in the recent past City staff has discussed with the Commission amendments to the Code of Ordinances based on either citizen requests or items identified as unclear or contradictory:

- Addition of RV Parks as an allowed use in certain Zoning Districts.
- Revisions to the definitions and standards pertaining to public, institutional, and philanthropic uses.

Staff is requesting direction regarding these and/or other plan of work items so that these items can be brought before the Commission for consideration at a future meeting.

Commissioner Wamble stated that costs/time appropriation for each project would be helpful. Chairman Behrens stated that all of these projects are important; some have already been started. Commission members directed Staff to establish a list of priorities and resources needed for implementation and bring back to the Commission for further discussion.

8. Adjourn.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to adjourn the meeting at 6:04 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>July 27, 2020</u>
Planning and Zoning Commission	Chairman	Meeting Date
	<u>Kim Hodde</u>	<u>July 27, 2020</u>
Attest	Staff Secretary	Meeting Date



CASE P-20-028

FINAL PLAT: LIBERTY VILLAGE SUBDIVISION, PHASE 1

PLAT TITLE: Liberty Village Subdivision, Phase 1 **CITY/ETJ:** City

PLAT TYPE: Final Plat

OWNER/APPLICANT: Pierre Roberts, Jr., Gary William Roberts, Donald Glen Roberts, Charles W. Duncan, Jr., Herbert J. Faske and Diane Faye Faske / Johnson & Pace Incorporated on behalf of DR Horton

ADDRESS/LOCATION: 1300 W. Blue Bell Road, located generally east of the intersection of State Highway 36 N and W Blue Bell Road

LEGAL DESCRIPTION: Part of the Phillip Coe Survey, A-31 and the Arrabella Harrington Survey, A-55 in Brenham, Washington County, Texas

LOT AREA: 76.912 acres of land

ZONING DISTRICT: Planned Development District

EXISTING USE: Vacant land

FUTURE LAND USE: Single Family Residential

REQUEST: A Final Plat of the Liberty Village Subdivision, Phase 1 being 76.912 acres establishing Reserve "A" being 23.321 acres and Reserve "B" being 24.467 acres and establishing Phase 1 being 29.124 acres consisting of Common Areas 1-3 and 112 Lots in Blocks 1-8 out of the Phillip Coe Survey, A-31 and the Arrabella Harrington Survey, A-55 in Brenham, Washington County, Texas.

BACKGROUND:

The subject property was approved for Planned Development District zoning by the City Council on February 20, 2020 for the development of a single-family home subdivision and public amenities (parkland and regional trails). A Preliminary Plat of the Liberty Village Subdivision was approved by the Planning and Zoning Commission on May 26, 2020. This is the Final Plat for Liberty Village Subdivision and it includes 2 Reserve Tracts ("A" and "B") for future subdivision of land and proposed Phase 1 which includes the dedication of 122 residential lots, five public streets, public utility easements, and three HOA Common Areas for use as a public park, pedestrian sidewalk access to Brenham Elementary and detention.

STAFF ANALYSIS AND RECOMMENDATION:

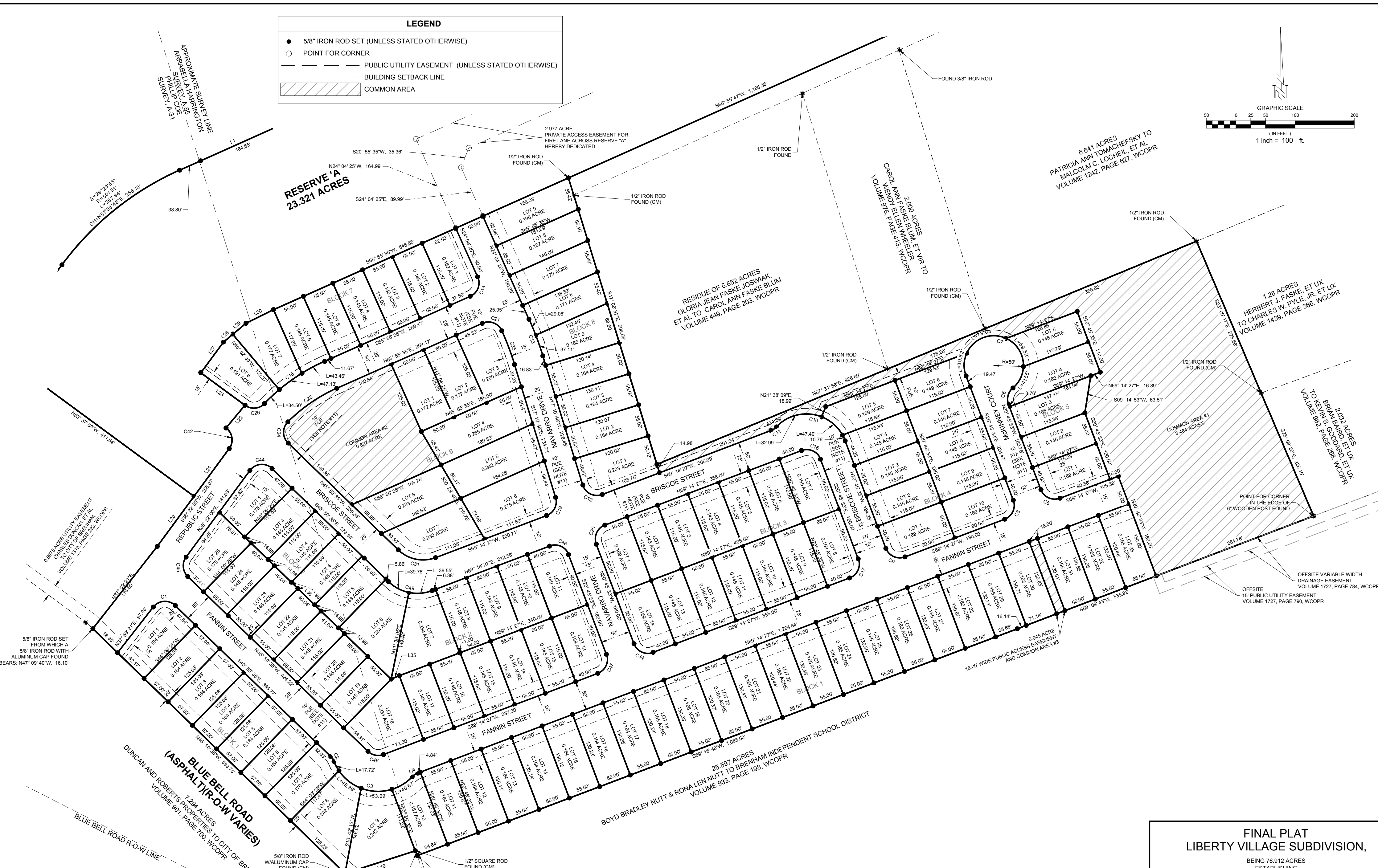
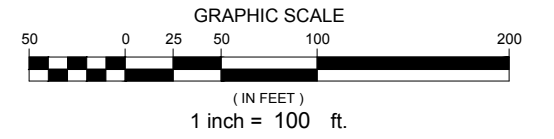
Development Services and Engineering have reviewed this Final Plat for compliance with applicable City of Brenham regulations and ordinances and recommends **approval** of this plat as presented.

EXHIBITS:

Proposed Final Plat

LEGEND

- 5/8" IRON ROD SET (UNLESS STATED OTHERWISE)
- POINT FOR CORNER
- PUBLIC UTILITY EASEMENT (UNLESS STATED OTHERWISE)
- - - BUILDING SETBACK LINE
- ▨ COMMON AREA



0.8975 ACRE UTILITY EASEMENT OVER THE DUNCAN AND ROBERTS PROPERTIES TO CITY OF BRENHAM, TEXAS VOLUME 1519, PAGE 223, WCOPR

5/8" IRON ROD SET FROM WHICH A 5/8" IRON ROD WITH ALUMINUM CAP FOUND BEARS: N47° 09' 40"W, 16.10'

RESIDUE OF 141.709 ACRES FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF BRENHAM TO DR. MICHAEL WIRTZ, ET UX, VOLUME 677, PAGE 443, WCOPR

2.000 ACRES RESERVE 'A' TO WENDY FAYE ELLIEN WHEELER VOLUME 976, PAGE 13, WCOPR

6.641 ACRES PATRICIA ANN TOMACHEFSKY TO CHARLES W. PYLE, JR, ET UX VOLUME 1242, PAGE 627, WCOPR

1.28 ACRES HERBERT J. FASKE, ET UX TO CHARLES W. PYLE, JR, ET UX VOLUME 1439, PAGE 366, WCOPR

2.032 ACRES BRIAN BARBARD ET UX TO KEVIN S. GOODARD ET UX VOLUME 922, PAGE 268, WCOPR

OFFSITE VARIABLE WIDTH DRAINAGE EASEMENT VOLUME 1727, PAGE 784, WCOPR

OFFSITE 15' PUBLIC UTILITY EASEMENT VOLUME 1727, PAGE 790, WCOPR

15.00' WIDE PUBLIC ACCESS EASEMENT AND COMMON AREA #3

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THIS PLAT AS A REPRESENTATION OF A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, BEING ALL OF A 76.912 ACRES, THAT IT REFLECTS THE FACTS AS FOUND AT THE TIME OF SAID SURVEY, AND THAT IT SUBSTANTIALLY CONFORMS TO THE CURRENT GENERAL RULES OF PROCEDURES AND PRACTICES, ESTABLISHED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AS AUTHORIZED BY THE PROFESSIONAL LAND SURVEYING PRACTICES ACT, (ART. 5282C, VTCS).

PRELIMINARY
FOR TITLE REVIEW ONLY

TROY MAXWELL
PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5585

OCTOBER 10, 2019
DATE

FINAL PLAT
LIBERTY VILLAGE SUBDIVISION,

BEING 76.912 ACRES
ESTABLISHING
RESERVE A BEING 23.321 ACRES,
RESERVE B BEING 24.467 ACRES,
AND PHASE ONE BEING 29.124 ACRES,
CONSISTING OF COMMON AREA #1 BEING 0.827 ACRE,
COMMON AREA #2 BEING 3.464 ACRES,
COMMON AREA #3 BEING 0.045 ACRE,
AND 112 LOTS IN BLOCKS 1-8

IN THE PHILLIP COE SURVEY, A-31 &
ARRABELLA HARRINGTON SURVEY, A-55
WASHINGTON COUNTY, TEXAS

JOHNSON & PACE INCORPORATED
1201 NW LOOP 281, SUITE 100, LONGVIEW, TEXAS 75604
(903)753-0663 FAX (903)753-8803
WWW.JOHNSONANDPACE.COM
TBPLS 10025400
TBPE F-4691

PHASE ONE
PAGE 1 OF 3

NOTES:

- BEARINGS AND COORDINATES ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE.
- ALL PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF BRENHAM, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF HUNTSVILLE, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF BRENHAM OR ANY PUBLIC UTILITY SHALL BE RESPONSIBLE FOR REPLACING OR REIMBURSING THE PROPERTY OWNER DUE TO REMOVAL OR RELOCATION OF ANY OBSTRUCTIONS IN THE PUBLIC EASEMENTS.
- DISTANCES SHOWN ARE GRID DISTANCES. CONVERT TO SURFACE DISTANCES BY DIVIDING GRID DISTANCES BY THE SCALE FACTOR OF: 0.999983978.
- ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS FOR WASHINGTON COUNTY, TEXAS, COMMUNITY - PANEL NO. 48477 0295 C, DATED AUGUST 16, 2011, THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" - "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
- (CM) INDICATES CONTROLLING MONUMENTS.
- THE MINIMUM BUILDING SETBACK REQUIREMENTS PER ZONING ORDINANCE NO. O-20-003 FOR THE ESTABLISHED PLANNED DEVELOPMENT DISTRICT ARE AS FOLLOWS:
 - SETBACKS: FRONT: 25' -- REAR: 20' -- SIDE: 7.5' -- SIDE STREET: 15'
- PER ZONING ORDINANCE NO. O-20-003:
 - MINIMUM LOT AREA: 6,325 SQUARE FEET
 - 40% OF PLATTED LOTS GREATER THAN/EQUAL TO 7,000 SQUARE FEET
 - 60% OF PLATTED LOTS GREATER THAN/EQUAL TO 6,600 SQUARE FEET
- BEFORE DEVELOPMENT OF A RESERVE TRACT, 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.
- ALL COMMON AREAS TO BE MAINTAINED BY HOA AND SHALL BE FOR PUBLIC USE.
- ALL OIL/GAS PIPELINES EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- THE 10-FOOT PUE LOCATED ADJACENT TO THE LOCAL STREETS SHALL BE FOR THE USE BY THE CITY OF BRENHAM AND BLUEBONNET ELECTRIC COOPERATIVE AND THAT THE 5' ADJACENT TO THE R-O-W SHALL BE FOR CITY OF BRENHAM UTILITIES AND THE 5' FURTHEST INTO THE PROPERTY SHALL BE FOR BLUEBONNET ELECTRIC COOPERATIVE.
- THE PURPOSE OF THIS FINAL PLAT IS TO SUBDIVIDE THIS 76.912 ACRES INTO 112 LOTS, 2 RESERVE TRACTS, 3 COMMON AREAS, AND 8 BLOCKS.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N65°55'35"E	203.35'
L2	N65°55'39"E	658.60'
L3	N65°55'34"E	50.00'
L4	N65°55'35"E	180.00'
L5	N65°55'35"E	50.00'
L6	N65°55'35"E	180.00'
L7	N65°55'35"E	50.00'
L8	N65°55'35"E	90.00'
L9	N24°04'25"W	596.30'
L10	S65°55'35"W	90.00'
L11	N24°04'25"W	50.00'
L12	N24°04'25"W	115.00'

LINE TABLE		
LINE	DIRECTION	LENGTH
L13	S65°55'35"W	162.86'
L14	S65°55'35"W	9.74'
L15	N75°27'20"W	73.02'
L16	N72°47'24"E	82.61'
L17	N65°30'25"E	302.34'
L18	N23°42'09"W	8.79'
L19	S72°07'54"W	124.76'
L20	N36°22'00"E	105.00'
L21	N36°22'00"E	100.07'
L22	N39°46'33"E	50.09'
L23	N53°37'59"W	92.58'
L26	S65°48'14"W	70.67'

LINE TABLE		
LINE	DIRECTION	LENGTH
L27	N36°22'01"E	64.69'
L28	N50°07'00"E	20.27'
L29	N50°07'00"E	29.04'
L30	N63°43'34"E	51.86'
L31	N36°22'01"E	64.69'
L32	N50°07'00"E	49.31'
L33	N63°43'34"E	51.86'
L34	S24°04'25"E	90.00'
L35	S67°44'30"W	14.88'
L36	N45°50'35"W	405.01'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD
C1	096°10'04"	25.00'	41.96'	N86°04'23"E	37.21'
C2	024°10'18"	25.00'	10.55'	S33°45'26"E	10.47'
C3	114°30'14"	80.00'	159.88'	S78°55'23"E	134.57'
C4	025°24'57"	25.00'	11.09'	N56°31'59"E	11.00'
C5	090°00'00"	25.00'	39.27'	N65°45'33"W	35.36'
C6	070°31'44"	25.00'	30.77'	N14°30'19"E	28.87'
C7	250°31'44"	50.00'	218.63'	N75°29'41"W	81.65'
C8	090°00'00"	25.00'	39.27'	S24°14'27"W	35.36'
C9	090°00'00"	25.00'	39.27'	N65°45'33"W	35.36'
C10	115°32'09"	70.00'	141.15'	N78°31'37"W	118.43'
C11	025°32'09"	25.00'	11.14'	S56°28'23"W	11.05'
C12	093°34'45"	25.00'	40.83'	N63°58'11"W	36.44'
C13	006°53'37"	550.00'	66.17'	N20°37'37"W	66.13'
C14	090°00'00"	25.00'	39.27'	S20°55'35"W	35.36'
C15	022°03'07"	325.00'	125.09'	S54°54'01"W	124.32'
C16	090°00'00"	25.00'	39.27'	S65°45'33"E	35.36'
C17	090°00'00"	25.00'	39.27'	S24°14'27"W	35.36'
C19	086°25'15"	25.00'	37.71'	S26°01'49"W	34.23'
C20	090°00'00"	25.00'	39.27'	N24°14'27"E	35.36'
C21	090°00'00"	25.00'	39.27'	S69°04'25"E	35.36'
C22	020°58'14"	275.00'	100.65'	N55°26'28"E	100.09'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD
C24	090°47'55"	25.00'	39.62'	N00°26'37"W	35.60'
C26	082°29'34"	25.00'	35.99'	S85°07'14"W	32.96'
C31	064°54'58"	60.00'	67.98'	N78°18'04"W	64.40'
C34	090°00'00"	25.00'	39.27'	N65°45'33"W	35.36'
C35	006°59'57"	500.24'	61.11'	S20°40'50"E	61.07'
C37	090°00'00"	25.00'	39.27'	S69°04'25"E	35.36'
C38	090°00'00"	25.00'	39.27'	N20°55'35"E	35.36'
C39	090°00'00"	25.00'	39.27'	S69°04'25"E	35.36'
C40	090°00'00"	25.00'	39.27'	N20°55'35"E	35.36'
C42	089°59'59"	25.00'	39.27'	S08°37'59"E	35.36'
C43	090°00'00"	25.00'	39.27'	S69°04'25"E	35.36'
C44	097°47'25"	25.00'	42.67'	N85°15'43"E	37.68'
C45	082°12'35"	25.00'	35.87'	N04°44'17"W	32.87'
C46	064°54'58"	25.00'	28.33'	N78°18'04"W	26.83'
C47	090°00'00"	25.00'	39.27'	S24°14'27"W	35.36'
C48	090°00'00"	25.00'	39.27'	S65°45'33"E	35.36'
C49	064°54'58"	70.00'	79.31'	S78°18'04"E	75.14'

OWNERS STATEMENT:

WE, CONTINENTAL HOMES OF TEXAS, L.P., OWNERS OF SAID 7.899 ACRES, SAID 44.737 ACRES, SAID 6.655 ACRES, AND SAID 17.620 ACRES, BEING THE PROPERTY SHOWN ON THIS PLAT AND DESIGNATED AS LIBERTY VILLAGE SUBDIVISION, IN WASHINGTON COUNTY, TEXAS, HEREBY DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS, UTILITY EASEMENTS UNLESS STATED AS PRIVATE AND PUBLIC PLACES HEREON SHOWN FOR THE PURPOSE AND CONSIDERATION HEREIN EXPRESSED.

TERRY STANLEY
CONTINENTAL HOMES OF TEXAS, L.P.

ACKNOWLEDGMENTS:

STATE OF _____ §
COUNTY OF _____ §
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2020, BY _____
GIVEN UNDER MY HAND AND SEAL OF OFFICE _____

THIS THE ____ DAY OF _____, 2020.

NOTARY PUBLIC IN AND FOR _____

COUNTY CLERK FILING ACKNOWLEDGEMENTS STATEMENT

THE STATE OF TEXAS §
COUNTY OF WASHINGTON §

I, BETH ROTHERMEL, CLERK OF THE COUNTY COURT OF WASHINGTON COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT TOGETHER WITH ITS CERTIFICATES OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 2020, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS IN VOLUME _____, PAGE _____.

BETH ROTHERMEL, COUNTY CLERK
WASHINGTON COUNTY, TEXAS

BY: _____
DEPUTY

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF BRENHAM, TEXAS, WITH RESPECT TO THE PLATTING OF THE LAND AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS ____ DAY OF _____, 2020.

CHAIRPERSON OF THE COMMISSION

SECRETARY

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THIS PLAT AS A REPRESENTATION OF A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, BEING ALL OF A 76.912 ACRES, THAT IT REFLECTS THE FACTS AS FOUND AT THE TIME OF SAID SURVEY, AND THAT IT SUBSTANTIALLY CONFORMS TO THE CURRENT GENERAL RULES OF PROCEDURES AND PRACTICES, ESTABLISHED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AS AUTHORIZED BY THE PROFESSIONAL LAND SURVEYING PRACTICES ACT, (ART. 5282C, V.T.C.S.).

PRELIMINARY
FOR TITLE REVIEW ONLY


TROY MAXWELL
PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5585

OCTOBER 10, 2019
DATE

FINAL PLAT
LIBERTY VILLAGE SUBDIVISION,

BEING 76.912 ACRES
ESTABLISHING
RESERVE A BEING 23.321 ACRES,
RESERVE B BEING 24.467 ACRES,
AND PHASE ONE BEING 29.124 ACRES,
CONSISTING OF COMMON AREA #1 BEING 0.827 ACRE,
COMMON AREA #2 BEING 3.464 ACRES,
COMMON AREA #3 BEING 0.045 ACRE,
AND 112 LOTS IN BLOCKS 1-8

IN THE PHILLIP COE SURVEY, A-31 &
ARRABELLA HARRINGTON SURVEY, A-55
WASHINGTON COUNTY, TEXAS



JOHNSON & PACE INCORPORATED
1201 NW LOOP 281, SUITE 100, LONGVIEW, TEXAS 75604
(903)753-0663 FAX (903)753-8803
WWW.JOHNSONPACE.COM
TBPLS 10025400
TBPE F-4691

NOTES
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MAR. 8, 2020 | BOOK N/A, PG N/A | DRAWN BY: MOL | JOB #4434-002



CASE NUMBER P-20-027
ZONE CHANGE REQUEST – 1303 Prairie Lea Street

STAFF CONTACT:	Shauna Laauwe, AICP, Project Planner
OWNERS/APPLICANTS:	Nathan Winkelmann and Michael S. Benestante (Prairie Lea Investments, LLC)
ADDRESS/LOCATION:	1303 Prairie Lea Street and the property adjacent to 1303 & 1305 Prairie Lea Street (Exhibit A)
LEGAL DESCRIPTION:	Part of Lot No. 2 of the Continental Ribbon and Carbon Company Subdivision out of the P.H. Coe Survey, A-31
LOT AREA:	Approximately 4.236 acres and 0.849 acres, respectfully.
ZONING DISTRICT/USE:	I, Industrial District / Vacant land (Exhibit B)
FUTURE LAND USE:	Commercial
REQUEST:	A request to change the zoning classification from Industrial District (I) to Commercial Research and Technology Use District (B-2) (Exhibit C)

BACKGROUND:

The subject tract consists of two properties, a 4.236-acre vacant property addressed as 1303 Prairie Lea Street and a 0.849-acre portion of the vacant property located to the south and adjacent to 1303 & 1305 Prairie Lea Street. The subject tracts are currently zoned as I, Industrial District. The property owners/applicants, Nathan Winkelmann and Michael Benestante, wish to expand the types of uses that may be permitted for future commercial development. The applicants have requested that the approximate 5.08 combined acres currently zoned I, Industrial District be rezoned to B-2, Commercial Research and Technology District.

ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:

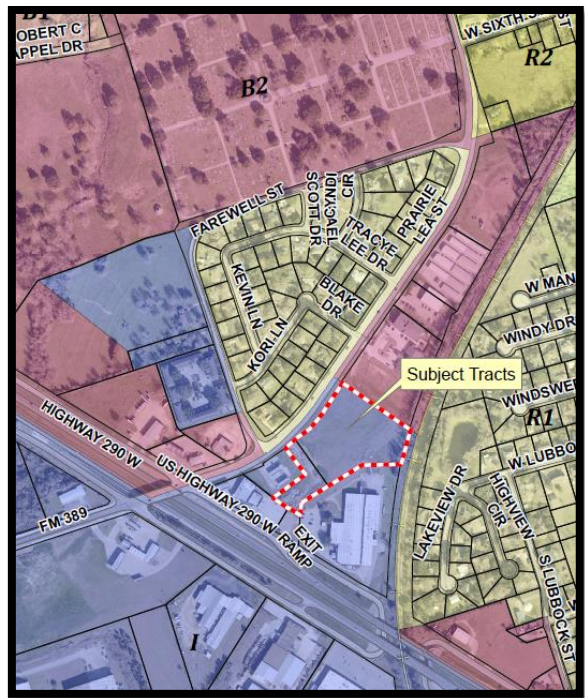
The purpose of zoning policies is to provide guidelines for considering future amendments to the zoning ordinance (Part 1, Section 4 of Appendix A – “Zoning” of the Brenham Code of Ordinances). They are as follows:

- (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. *Please refer to Map 1 on the following page for a visual of the current zoning described herein.*

The subject property abuts Prairie Lea Street to the west and is generally located north of Highway 290 West and south of Blake Drive. The subject tracts are comprised of a 4.236-acre vacant property addressed as 1303 Prairie Lea Street and a 0.849-acre, “L” shaped portion of the adjacent vacant lot

to the southwest. The properties are currently zoned I, Industrial District. While no current development is planned, rezoning the properties to B-2 would allow for a broader range of residential and commercial uses than the existing Industrial classification. The B-2 District is established as a mixed use commercial district to preserve and to protect appropriate locations for existing light industry, multiple-family residential, retail, office and commercial uses, while also designed to include new high-tech commercial uses that will benefit from direct access and/or proximity to highway routes. The abutting properties to the north are zoned B-2 and developed as Silver Sage Assisted Living Facility, Brenham Fitness, and a storage center. In addition, properties located in the general vicinity further to the west and southeast, are zoned B-2, Commercial Research and Technology District. To the east, across the railroad tracks, is a large R-1, Residential Single-Family District that is developed as single-family homes and compatible uses that stretches to the South Day Street commercial corridor. To the west, across Prairie Lea Street, is also zoned R-1 and is developed as the Louanna Estates subdivision. The adjacent properties to the south and across US Highway 290 are zoned Industrial. The adjacent Industrial properties are developed as a car wash to the southwest, directly south is Nathan's BBQ with a convenience store, and to the southeast is Rob's Fun Center that sells off-road vehicles. Allowing the proposed rezoning request would allow the approximate 4.236-acre and 0.85-acre tracts of land to be developed in keeping with the development pattern in the general vicinity and with uses that are more compatible to nearby residential properties.

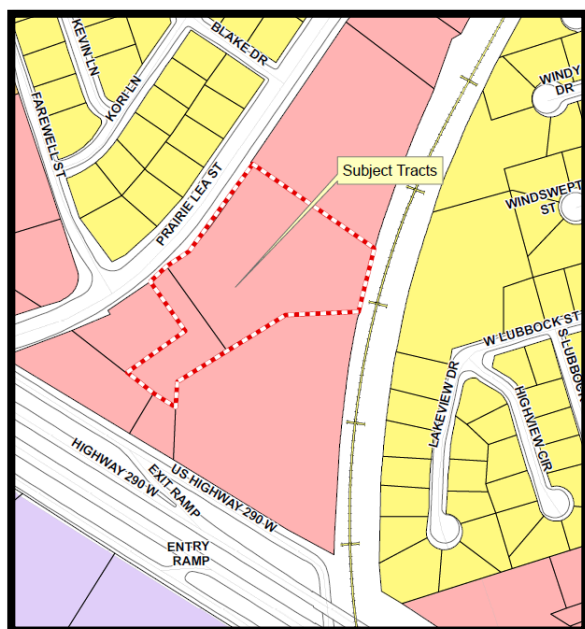
Map 1 - Zoning Map



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

As shown in Map 2, the future land use map portion of the Historic Past, Bold Future: Plan 2040 Comprehensive Plan suggests the subject tracts may be appropriate for future commercial use. The Comprehensive Plan includes land use policies to help guide land use decisions. Specifically, the Plan recommends that the City consider permitting commercial and retail uses primarily along portions of major roadway corridors such as, US Hwy 290 that is classified as a TxDOT principal arterial and Prairie Lea Street that is classified a city arterial. As arterials, these highly traveled roadways within the community offer high visibility and accessibility. Additionally, the Comprehensive Plan finds that regional level commercial is appropriate along major roadways, including freeways, arterials, and some collectors if compatible with the surrounding development. If the requested zone change were

Map 2- Future Land Use Map



approved, the subject tracts would allow for the development of the permitted uses found in the B-1, Local Business and Residential Mixed Use District, multifamily residential on sites of two (2) acres or more, light industry uses, retail, office, and commercial uses to include high-tech commercial uses. Staff finds that the proposed request is aligned with the goals and land use polices established in the Comprehensive Plan.

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

The subject properties are currently undeveloped vacant land with existing sewer services located along the right-of-way for Prairie Lea Street. An 8" water line is also located along the right-of-way for Prairie Lea street but stops at the adjacent property lines and would need to be extended to serve any future development on the subject tracts.

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

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

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

Property owners within 200 feet of the project site were mailed notifications of this request on July 16, 2020. The Notice of Public Hearing was published in the *Brenham Banner* on July 16, 2020. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

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

If approved, the property will be required to adhere to minimum building setbacks and maximum impervious coverage requirements for property zoned B-2, Commercial Research and Technology. In addition, depending on the type of use that is developed, buffer yard requirements may also be warranted. Staff finds that the requirements will ensure that adequate open spaces is preserved on the subject property.

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

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

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

Rezoning the approximate 4.24-acre and 0.85-acre tracts of land to B-2 will allow the subject property to develop in accordance with property in the immediate vicinity. Beginning north and

adjacent of the 4.24-acre tract, is a ribbon of B-2 zoned properties. The abutting property to the north is developed as Silver Sage Assisted Living Facility, with additional B-2 properties continuing to the north and developed as Brenham Fitness Center and Excess Storage Center, respectfully. The property adjacent to the southwest of the 0.85 acre tract is zoned I, Industrial and developed as a car wash, while the property to the southeast of both tracts is also zoned Industrial and developed as Rob's Fun Center, a recreational vehicle dealer. Property immediately to the west, across Prairie Lea Street is zoned R-1 and developed with single-family dwellings.

The proposed B-2 zoning would allow for less intense commercial and manufacturing businesses that are more suited for nearby residential than the existing industrial zoning. Depending on the type of development, minimum buffer yard requirements between the properties and adjacent industrial uses may be mandatory. Buffer yard requirements are established to preserve existing neighborhoods and ensure adjacent property develops in a manner compatible to nearby land uses.

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

Staff finds that rezoning the property will protect and not adversely affect adjacent existing and future residential neighborhoods due to the City's adopted development standards including requirements related to buffer yards, screening, setbacks, drainage, and landscaping. Currently, no residential properties abut the subject tracts. In addition, the requested B-2 zoning would be more compatible to residential neighborhoods in the vicinity than the current Industrial classification.

- (10)The city's zoning should assist in stabilizing property values by limiting or prohibiting the development of incompatible land uses or uses of land or structures that negatively impact adjoining properties.

Staff is unable to determine any destabilizing effects on the neighboring properties should this rezoning request be approved. The proposed B-2 zoning for the subject property is aligned with the adjacent properties surrounding this tract.

- (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 construction of a mixture of land uses, including high-tech commercial, multiple-family, retail, office, and commercial uses. The range of commercial uses allowed in the B-2 District is broader, but less intense, than the existing Industrial District zoning designation. The less intense commercial uses will be better suited for the developed neighborhoods and multifamily that are within proximity of the subject tracts. Vacant, B-2 commercial property is in the general vicinity of the subject tracts to the west and north. Staff believes that the proposed zoning change, 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 subject tracts are currently undeveloped vacant land with no legally existing nonconforming uses.

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

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

STAFF RECOMMENDATION:

Based on the evidence and findings above, Staff recommends **approving** the proposed rezoning of the 4.236-acre tract generally located at 1303 Prairie Lea Street and a 0.849-acre portion of the vacant property located to the south and adjacent to 1303 & 1305 Prairie Lea Street to the Commercial Research and Technology zoning use district (B-2) for the subject tracts.

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. Future Land Use Map
- D. Cover Letter
- E. Site photos

EXHIBIT "A"
AERIAL MAP

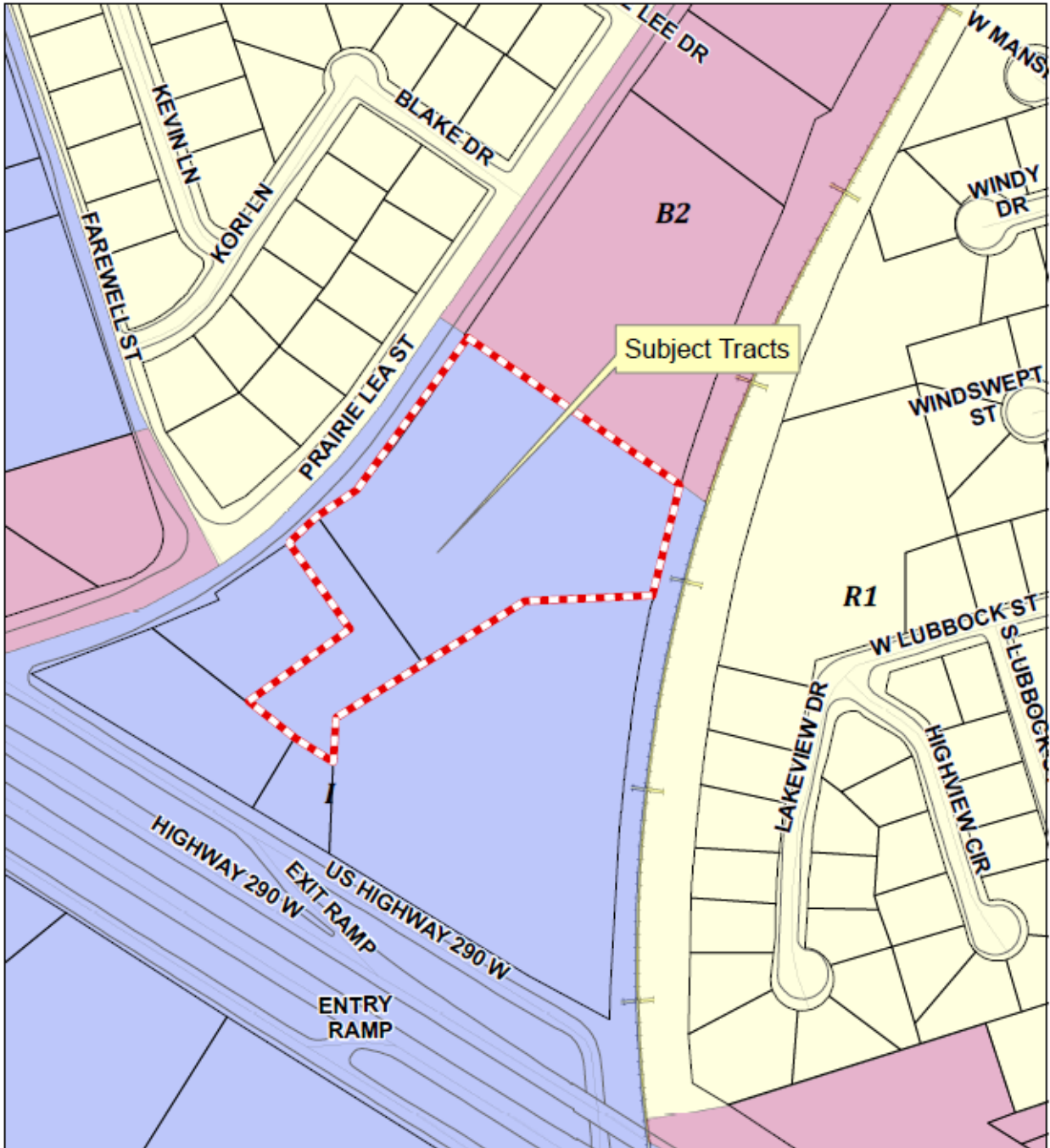


Aerial Map
Rezoning Request

1 inch = 210 feet



EXHIBIT "B"
ZONING MAP

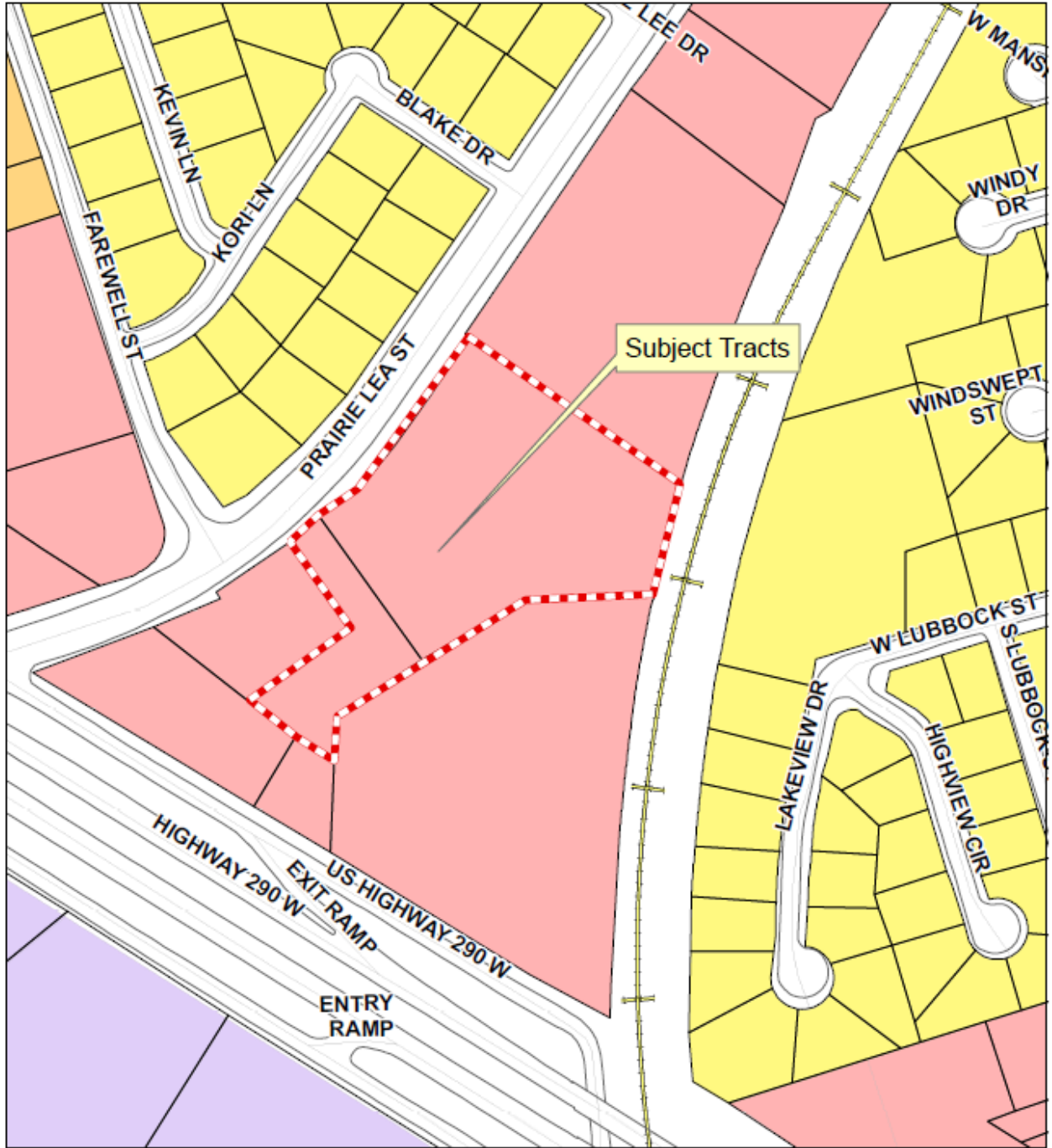


Rezoning Request
I, Industrial to B2, Commercial Research & Tech.

1 inch = 210 feet



EXHIBIT "C"
FUTURE LAND USE MAP



Future Land Use Map

Future Land Use Plan

FLU_FINAL

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial



1 inch = 210 feet

EXHIBIT "D"
ZONE CHANGE COVER LETTER

Buccaneer Food Store
1309 Prairie Lea
Brenham, Tx. 77833
Nathan Winkelman

To: Planning and Zoning Commission

The property in question, the 1.150 acres owned by Nathan Winkelmann is presently zoned for Industrial use. Please except my request for the zoning change to a B-2 as the future plans for the property and its use will fall more within the guidelines for the City of Brenham requirements and other joining properties. I appreciate your consideration for the rezoning request as business owner in the City of Brenham for the past 40 years.

Respectfully Submitted,



**EXHIBIT "E"
SITE PHOTOS**



From Farewell St. to the west, across Prairie Lea. Large vacant lot is the 4.24-acre tract, while gravel area is the Prairie Lea portion of the 0.85-acre tract. Silver Sage to the north.



Prairie Lea Street, looking south. Car wash adjacent to 0.85-acre tract and Nathan's BBQ and convenience store further south. Rob's Fun Center is the structure to the



Prairie Lea Street, looking north. Louanna residential subdivision to the west and Silver Sage Assisted Living Facility to the north.



Prairie Lea Street, looking west. Multi-Family residential located in (I) District, Guadalajara Restaurant on corner of Prairie Lea St and Farewell St zoned B-2.