

**CITY OF BRENHAM  
PLANNING AND ZONING COMMISSION MINUTES  
June 28, 2021**

*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 28, 2021 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  
Chris Cangelosi  
Artis Edwards, Jr.  
Calvin Kossie  
Cayte Neil  
Marcus Wamble

Commissioners absent:

None

Staff present:

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

Citizens / Media present:

Joshua Blaschke, KWHI  
Alyssa Faykus, Brenham Banner Press  
Dr. James & Gloria Peterson  
Dabney and James Kowis  
Kimberly Hickson Spaw  
Jean Hickson  
Kyle and Lori Boer  
Bruce and Mary Ann Chelf  
Bobby Branham

Brion Webb  
Stephen Grove  
Jeff Robertson  
Sharon Gaddy  
James S. Brown  
Ed Peterson  
Mike Hopkins, Jr.  
James and Kathryn Schroeder  
Michael Dieterich

**1. Call Meeting to Order**

Chairman Behrens called the meeting to order at 5:26 pm with a quorum of seven (7) Commissioners present.

**2. Public Comments**

There were no public comments.

**3. Reports and Announcements**

There were no reports or announcements.

## 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 14, 2021 Planning and Zoning Commission Meeting.**

Chairman Behrens called for a motion for the statutory consent agenda. A motion was made by Commissioner Wamble and seconded by Commissioner Kossie to approve the Statutory Consent Agenda (minutes from the May 14, 2021 Planning and Zoning Commission meeting), as presented. The motion carried unanimously.

## REGULAR SESSION

### 5. **Public Hearing, Discussion and Possible Action on Case No. P-21-011: A request by WBT Investments, LLC / Brion Webb 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 approximately 0.99 acres of land described as part of the P. & A. Hope Survey, A-62 in Brenham, Washington County, Texas.**

Shauna Laauwe, Project Planner, presented the staff report for Case No. P-21-011 (on file in the Development Services Department). Ms. Laauwe stated that this is a request from WBT Investments, LLC / Brion Webb to rezone the subject property, addressed as 1408 N. Park Street, from R-2, Mixed Residential Use District to B-2, Commercial Research and Technology Use District to allow for future commercial development. The B-2 Zoning would align and be consistent with the Comprehensive Plan and Future Land Use Map since the subject property is envisioned as commercial use. The property is currently vacant and any development would have to adhere to the B-2 development and building standards.

Development Services staff have reviewed the request and recommends approval of the zone change request, as presented.

Public Notice was posted in the Banner Press and property owners within 200-feet were mailed notices. Staff did not receive any citizen comments for or against this request.

Chairman Behrens opened the Public Hearing at 5:24 pm. There were no citizen comments.

Chairman Behrens closed the Public Hearing at 5:25 pm.

A motion was made by Commissioner Neil and seconded by Commissioner Alfred to approve the request by WBT Investments, LLC / Brion Webb to change the zoning from a Mixed Residential Use District (R-2) to a Commercial, Research and Technology Use District (B-2) on approximately 0.99 acres of land, as presented. The motion carried unanimously.

### 6. **Public Hearing, Discussion and Possible Action on Case No. P-21-013: A city-initiated request for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from a Single-Family Residential Use District (R-1) to a Local Business/Residential Mixed-Use District (B-1) for all or a portion of the following tracts of land**

as described by the Washington County Appraisal District property identification numbers in Brenham, Washington County, Texas:

- a. R14381, 1207 E. Tom Green Street, Arrabella Harrington Survey, A-55, Tract 69
- b. R14394, 1401 E. Tom Green Street, Arrabella Harrington Survey, A-55, Tract 82
- c. R14428, 1209 E. Tom Green Street, Arrabella Harrington Survey, A-55, Tract 109
- d. R14519, 1205 E. Tom Green Street, Arrabella Harrington Survey, A-55, Tract 200
- e. R36669, Vacant Lot, Arrabella Harrington Survey, A-55, Tract 137
- f. R64466, 1306 Loesch Street, Kenjura Subdivision, Section 1, Block 1, Lot 1
- g. R64467, 1304 Loesch Street, Kenjura Subdivision, Section 1, Block 1, Lot 2
- h. R64468, 1302 Loesch Street, Kenjura Subdivision, Section 1, Block 1, Lot 3
- i. R64469, 1300 Loesch Street, Kenjura Subdivision, Section 1, Block 1, Lot 4
- j. R64470, 1301 E. Tom Green Street, Kenjura Subdivision, Section 1, Block 1, Lot 5
- k. R14510, 1200 E. Tom Green Street, Arrabella Harrington Survey, A-55, Tract 189
- l. R45333, 1204 E. Tom Green Street, Arrabella Harrington Survey, A-55, Tract 344
- m. R14502, 1301 Niebuhr Street, Arrabella Harrington Survey, A-55, Tract 178
- n. R55363, 1800 E. Tom Green Street, James Walker Survey, A-106, Tract 326

Commissioner Cangelosi recused himself from this item due to a conflict of interest.

Shauna Laauwe, Project Planner, presented the staff report for Case No. P-21-013 (on file in the Development Services Department). Ms. Laauwe stated that this is a city-initiated request to change the zoning from a Single-Family Residential Use District (R-1) to a Local Business/Residential Mixed-Use District (B-1) for fourteen lots on approximately 87.24-acres of land generally bounded by E. Tom Green Street to the north, Woodson Lane to the west, Niebuhr Street to the South and S. Blue Bell Road to the east. This rezoning would align with the Comprehensive Plan and Future Land Use Map since these properties are envisioned as a combination of commercial and institutional uses. Any future development would be subject to the B-1 development and building standards, including buffer yard requirements. The Comprehensive Plan encourages neighborhood-focused businesses that include smaller footprints such as those found in the B-1 Zoning District.

Based on feedback provided by the public, Staff proposed an alternate rezoning boundary for Tract R36669, which is currently vacant, contains 5.34-acres of land and has approximately 455-feet of frontage on E. Tom Green Street, which would only rezone the first 150-feet of land from E. Tom Green Street northward. The remainder of the property would remain as currently zoned (R-1).

Development Services staff recommends approval of the zone change request, as presented or the alternate zoning boundary that includes all of the advertised subject properties, but encompasses only a 150-foot x 455-foot (1.56-acre) portion of the 5.34-acre vacant tract identified by the Washington County Appraisal District as R36669.

Public Notice was posted in the Banner Press and property owners within 200-feet were mailed notices. Staff received four written responses against the rezoning request with concerns regarding potential multi-family residential and commercial development.

Chairman Behrens opened the Public Hearing at 5:41 pm. In response to questions, the following were clarified:

- Most of the schools in Brenham are zoned single-family residential.
- The two residential properties located at 1205 and 1207 E. Tom Green Street were included in the rezoning to align with the Comprehensive Plan and Future Land Use Map. B-1 Zoning allows for residential use.

- The specific use permit for the four lots on Loesch Street does not have an expiration date; however, Commissioner Alfred stated that the Senior Center has no plans to use the lots for anything other than parking.

Kyle and Lori Boer, owners of 1205 Loesch Street, stated that they would be more supportive of the alternate zoning boundary. They are concerned about multi-family development and increased traffic in the area since Loesch Street has become a cut-through.

Bobby Branham, owner of 1305 Woodson Lane, stated that he would be in support of the alternate zoning, with the residential properties located at 1205 and 1207 E. Tom Green to remain as residential and be removed from the rezoning.

Mike Dieterich, owner of 1801 Hickory Lane, stated that he doesn't want the BISD property to be rezoned to prevent the property from being sold and developed commercially in the future. Ms. Doland stated that BISD indicated that the use would be public / institutional for the foreseeable future. The zone change would assist BISD with future expansion or any future renovation.

Mary Ann Chelf, owner of 1303 Woodson Lane, asked if property values would increase. Ms. Laauwe stated that there is nothing to indicate any change in property values. Mr. Branham stated that he talked to the Washington County Appraisal District and was told that if there is a large increase in valuation of adjacent property, their property values could also increase.

There were no other comments.

Chairman Behrens closed the Public Hearing at 5:51 pm.

A motion was made by Commissioner Neil and seconded by Commissioner Wamble to approve the request to change the zoning from a Single-Family Residential Use District (R-1) to a Local Business/Residential Mixed-Use District (B-1) for various tracts along E. Tom Green Street, Loesch Street and Niebuhr Street, as amended by staff which removed the two single-family residences located at 1205 and 1207 E. Tom Green (R#14519 and R#14381, respectively, from the proposed rezoning. The motion passed 6-0 with Commissioner Cangelosi abstaining.

- 7. Public Hearing, Discussion and Possible Action on Case No. P-21-012: A request by Ranier & Son Development Company for approval of a residential Replat of Lots 19-22, Block 1, of Vintage Farms Subdivision, Phase I, currently addressed as 2036, 2038, 2040, and 2042 Muscadine Trail, respectively, and Reserve "G" of the Vintage Farms Subdivision, Phase III to create Lots 19-R, 20-R, and 21-R in Block 1 of the Vintage Farms Subdivision, Phase I, and the right-of-way dedication for the extension (punch-thru) of Trellis Pass, for a total of 0.689-acres, and further described as part of the Phillip Coe Survey, A-31, in Brenham, Washington County, Texas.**

Stephanie Doland, Development Services Director, presented the staff report for Case No. P-21-012 (on file in the Development Services Department). Ms. Doland stated that this is a request from Ranier & Son Development Company for a residential replat of Lots 19-22, Block 1, Vintage Farms Subdivision, Phase 1, and Reserve "G" of the Vintage Farms Subdivision, Phase III to create Lots 19-R, 20-R, and 21-R in Block 1 of the Vintage Farms Subdivision, Phase 1 and the right-of-way dedication (0.164-acres) for the extension (punch-thru) of Trellis Pass to connect the 52-acre tract with the existing Vintage Farms Subdivision – Phase I. Additionally, a 10-foot public utility easement and 5-foot Bluebonnet Electric easement for the location of public infrastructure are included to be dedicated with the proposed plat.

Property owners within 200-feet of the proposed replat were sent notifications and Staff received several calls, emails and mail-in responses. A variety of concerns were stated by area property owners; however, the primary concern includes the connection of Trellis Pass into the Phase 5 section of the Vintage Farms Subdivision. Ms. Doland included a copy of the Street Sign and Paving Plan from the civil plans showing that a four-way stop will be added to the intersection of Trellis Pass and Muscadine Trail and approximately 250 feet (one block) to the north an additional four-way stop will be added at the intersection of Trellis Pass and Lake Ridge Drive. Staff finds the four-way stop intersections and pedestrian crosswalks will not only slow traffic crossing through one or both intersections but will also reduce cut-through traffic.

Ms. Doland further stated that subdivisions with more than thirty lots require a secondary access for fire and emergency personnel. This also aids overall connectivity within the subdivision.

Development Services staff and Strand Engineering have reviewed the proposed residential Replat for compliance with the City of Brenham's regulations and ordinances and recommends approval of the proposed residential Replat, as presented.

Chairman Behrens opened the Public Hearing at 6:06 pm. The following citizen comments were presented:

James and Dabney Kowis of 2008 Muscadine presented concerns of through traffic and stated that Muscadine is being used as a cut-through and many people disregard the stop sign. There are a number of young families with kids, elderly persons, and handicapped people along this street. He suggested a no through traffic sign and additional stop signs.

Kimberly Hickson-Shaw of 2030 Muscadine reiterated the through traffic concerns stating that Dixie Road is not an improved road and as such a lot of people do not use it.

Gloria Peterson of 2032 Muscadine stated that Phase 5 is proposed to have approximately 63-homes. No plans have been released for Phases 6, 7, and 8 at this time. Property owners are living with nervous uncertainty. She also voiced concerns for the traffic, and safety of the young children, elderly and disabled people in the neighborhood.

Commissioner Alfred inquired about the possibility of speed bumps. Ms. Doland replied that Staff is coordinating with Stylecraft regarding the 4-way stops since speed bumps are not on any city roads or in the City's Design Standards. The stop signs will be 300-feet apart from each other and should be a deterrent for cut-through traffic. Ms. Doland stated that Vintage Farms Way is a collector roadway and would, at some point, connect with Berlin Road. The widening of Dixie Road is on the City's radar but not in the plans yet. This residential replat meets applicable City Ordinances.

Chairman Behrens closed the Public Hearing at 6:16 pm.

A motion was made by Commissioner Behrens and seconded by Commissioner Edwards to approve the request by Ranier & Son Development Company for approval of a residential Replat of Lots 19-22, Block 1, of Vintage Farms Subdivision, Phase I, and Reserve "G" of the Vintage Farms Subdivision, Phase III to create Lots 19-R, 20-R, and 21-R in Block 1 of the Vintage Farms Subdivision, Phase I, and the right-of-way dedication for the extension (punch-thru) of Trellis Pass, for a total of 0.689-acres, in Brenham, Washington County, Texas, as presented. The motion carried unanimously.

**8. Public Hearing, Discussion and Possible Action on Case No. P-21-014: A request by Ranier and Son Development Company for an Amendment to the City of Brenham's Official Zoning Map of**

**the Code of Ordinances for an Amendment to the Vintage Farms Planned Development District Ordinance Number O-20-028 to revise the retention pond and construct a community park, being on approximately 52.428 acres of land located south and west of Dixie Road and further described as Tract 7 of the Phillip Coe Survey, A-31 in Brenham, Washington County, Texas.**

Stephanie Doland, Development Services Director, presented the staff report for Case No. P-21-014 (on file in the Development Services Department). Ms. Doland stated that this is a request from Ranier & Son Development Company for an amendment to the Planned Development District Ordinance for Vintage Farms Subdivision (Ordinance No. O-20-028) on 52.428-acres of land south and west of Dixie Road.

Stephen Grove, with Stylecraft Builders, submitted an application requesting to amend the existing PD zoning on the above described tract of land that includes the amenity of a four acre retention pond (wet pond) to serve as an amenity pond for the Vintage Farms Subdivision. The pond was approved by the Texas Water Commission in 1985 under the agricultural use status. In order to use this pond as a "commercial use", a surface water permit would have to be obtained from the TCEQ, which can take between two and four years. Therefore, the applicant is requesting this amendment to the PD to develop a deeper dry detention pond in place of the existing retention pond structure. The dry pond will serve as a passive park with nature-like green space. The 13-acre dedicated greenspace is proposed to include covered playground equipment, a pavilion, a dog park, walking trails and benches. All amenities will be maintained by the HOA. McClure and Browne Engineers will resubmit civil plans for the detention pond for review and approval by Strand Associates, which is the City's consulting engineer.

The proposed rezoning request is in accordance with the Future Land Use Map adopted in Historic Past, Bold Future: Plan 2040, the City of Brenham Comprehensive Plan, which suggests that Residential uses are appropriate at this location and also meets several of the quality neighborhood design objectives outlined in Plan 2040.

Staff received multiple phone calls and received two written responses regarding against this request. Some of the concerns cited were increased traffic, construction traffic, drainage and detention, and proposed location of the dog park.

Development Services staff have reviewed the requested amendment and recommends approval of the requested amendment, as presented.

Chairman Behrens opened the Public Hearing at 6:31 pm. Public comments were received from Kimberly Hickson-Spaw, Gloria Peterson, and James and Katherine Schroeder.

In response to questions from the citizens listed above, Stephen Grove commented or clarified as follows:

- During construction of the Phase 1 to Phase 5 connection, residents will see an increase in construction traffic. Following completion of the connection Phase 1 residents should see a reduction in contractor traffic.
- Contractors have been instructed that the construction entrance is on Dixie Road.
- Dixie Road is jointly owned by the City and County. As part of the proposed amendment, Stylecraft will dedicate right-of-way for future expansion.
- The dog park, playground, and the pavilion will be private, for the neighborhood and not public.
- The dog park can be gated and the residents provided a code.
- All of the park areas will be maintained by the HOA.
- The detention pond will be built with a controlled release structure; therefore, when it rains, water will be released from the structure. State laws require that you cannot release water at a higher rate than the previous rate. The drainage studies have to be submitted and approved by the City's Engineer prior to construction.

- Mike Hopkins, Jr. stated that Dixie Road flooded back on May 18<sup>th</sup> and 19<sup>th</sup> and asked what was being done to correct this. Stephen Grove explained that the box culvert was installed and not plugged prior to installation of the control structure. A wooden block was used instead of a metal one and the heavy rains caused the block to collapse and, therefore, flood Dixie Road. Staff has been working with Strand Associates and Ranier & Son regarding the design corrections.

Chairman Behrens closed the Public Hearing at 6:50 pm.

A motion was made by Commissioner Behrens and seconded by Commissioner Cangelosi to approve the request by Ranier and Son Development Company for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances for an Amendment to the Vintage Farms Planned Development District Ordinance Number O-20-028, as presented plus the addition of a gate code for the dog park. The motion carried unanimously.

## WORKSHOP AGENDA

### 9. Discussion and Possible Direction to Staff on Case No. P-21-015 Concerning a Text Amendment to Appendix A – Zoning of the Code of Ordinances, specifically to the B-1, Local Business Mixed District to allow an Automobile (Car) Wash as a Specific Use.

Stephanie Doland, Development Services Director, presented the staff report for Case No. P-21-015 (on file in the Development Services Department). Ms. Doland stated that recently a pre-development meeting was held regarding a proposed automatic car wash to be located at 1413 W. Main Street (this is the property next to LJ's BBQ). The subject property is 0.61-acres and currently zoned B-1, Local Business/Mixed Residential District. The B-1 District does not allow car washes as either a permitted use or specific use. Ms. Doland briefly explained the variety of uses that the B-1 Zoning District allows such as single-family residential, multi-family, commercial uses serving neighborhoods such as office uses. Ms. Doland explained that in 1996, Ordinance O-96-018 was adopted that included amended definitions for an Automobile (car wash) and an Automobile Detail Shop (see below).

- **Automobile (car) wash:** A building or portion thereof containing facilities for coin operated, self-service washing of automobiles. This may include the production line methods with chain conveyor, bower, steam cleaning device, or other mechanical devices.
- **Automobile Detail Shop:** A facility which provides for the cleaning, polishing, and waxing of automobiles.

Ordinance O-96-018 further defined automobile detail shops as a permitted use in the B-1 District, but stayed silent on automatic car washes. Automobile (car) washes are listed as a permitted use in the B-2, Commercial Research and Technology District (Section 4.02(3)(b)).

Ms. Doland asked the Planning and Zoning Commission for feedback and direction concerning the proposed amendment to the City of Brenham Zoning Ordinance to allow an automobile car wash as a specific use permit in the B-1 district since a workshop will be held with City Council this Thursday.

In response to Commissioner questions, Ms. Doland clarified:

- The existing building on the subject property is proposed for demolition.
- Staff is unaware of any complaints on the "The Yard" although it is an outdoor entertainment venue adjacent to residential.

- The allowance of an automobile (car) wash in the B-1 Zoning would apply to all B-1 Zoning Districts not just this location.
- Special conditions such as additional screening, bufferyards, time constraints, etc. can be requested during the specific use process.
- All specific use permits would be presented to the Planning and Zoning Commission and the City Council.

The Commission was amenable to allowing automobile (car) washes as a specific use permit in the B-1 Zoning District since SUP's are considered on a case-by-case basis.

**10. Adjourn.**

A motion was made by Commissioner Wamble and seconded by Commissioner Alfred to adjourn the meeting at 7:03 pm. The motion carried unanimously.

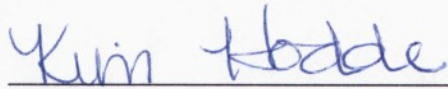
*The City of Brenham appreciates the participation of our citizens, and the role of the Planning and Zoning Commissioners in this decision-making process.*

Certification of Meeting Minutes:

  
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 Planning and Zoning Commission

M. Keith Behrens  
 Chair

August 9, 2021  
 Meeting Date

  
 \_\_\_\_\_  
 Attest

Kim Hodde  
 Staff Secretary

August 9, 2021  
 Meeting Date