

NOTICE OF A REGULAR MEETING BRENHAM PLANNING AND ZONING COMMISSION MONDAY, NOVEMBER 27, 2023, AT 5:15 PM SECOND FLOOR CITY HALL BUILDING COUNCIL CHAMBERS 200 W. VULCAN STREET BRENHAM, TEXAS

1. Call Meeting to Order

2. Public Comments

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

3. Reports and Announcements

CONSENT AGENDA

4. Statutory Consent Agenda

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

4-a. Minutes from October 23, 2023, Planning and Zoning Commission Meeting.

REGULAR AGENDA

- 5. Public Hearing, Discussion and Possible Action on Case No. P-23-040: A request by Calvary Baptist Church for a Specific Use Permit to allow construction of an open-air pavilion behind the existing Church Building (Church Auxiliary Use) in an R-1, Single Family Residential Zoning District on property addressed as 1100 Niebuhr Street, and being 2.5443-acres described as Tract 241 of the Arrabella Harrington Survey in Brenham, Washington County, Texas.
- 6. Public Hearing, Discussion and Possible Action on Case No. P-23-041: A request by Ted and Rosa Dean for approval of a Replat of Lot 1 of the Dean Subdivision and 4.36-acres of Land to create the Dean Division No. 1 consisting of Lot 1 containing 5.762-acres and Lot 2 containing 0.906-acres, being a total of 6.668-acres currently addressed as 164 Lounge Road, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.

7.	Public Hearing, Discussion and Possible Action on Case No. P-23-042: A request by the Brenham Housing Authority/Fairview Terrace, LP for approval of a Replat of Lot 2 of the Fairview Terrace Subdivision to create Lot 2A, to provide required additional Public Utility Easements, being 5.490-acres currently addressed as 909 Hasskarl Drive, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.							
8.	Adjourn							
	CERTIFICATION							
-	t a copy of the November 27, 2023 agenda of items to be considered by the Planning & Zoning was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on November 9:30 a.m.							
Kim f	Vodds							
Kim Hodde,	Kim Hodde, Planning Technician							
Street entra	cess Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan note to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Is and services are available upon request (interpreters for the deaf must be requested twenty-four (24) at the meeting) by calling (979) 337-7567 for assistance.							
-	at the attached notice and agenda of items to be considered by the Planning and Zoning and was removed by me from the City Hall bulletin board on the day of, 2023 at							
Signature								
Signature	Title							

CITY OF BRENHAM PLANNING AND ZONING COMMISSION MINUTES October 23, 2023

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

A regular meeting of the Brenham Planning and Zoning Commission was held on October 23, 2023, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Deanna Alfred, Vice Chair Chris Cangelosi Calvin Kossie Darren Heine Cayte Neil

Commissioners absent:

M. Keith Behrens, Chairman

Staff present:

Shauna Laauwe, City Planner Kim Hodde, Planning Technician

Citizens / Media present:

Donald W. Lampe

1. Call Meeting to Order

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

2. Public Comments

There were no public comments.

3. Reports and Announcements

Shauna Laauwe, City Planner, informed the Board of the following:

- Cyndee Smith was introduced as the newest Board member. Ms. Smith will serve Artis Edwards, Jr's unexpired term.
- CIAC (Impact fee group) will hold the next meeting on Tuesday, October 24th at 1:00 pm.
- Stephanie Doland had a baby boy, Spencer James, on October 3rd. Mom and baby are doing well. Stephanie will be back part-time in mid-December then full time in January 2024

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 September 18, 2023, Joint Meeting of the Planning and Zoning Commission, Brenham City Council, Tax Increment Reinvestment Zones (TIRZ) Number 1 Board, and the Small Area Plan Project Working Group.
- 4-b. Minutes from the September 25, 2023, Planning and Zoning Commission Meeting.

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

REGULAR SESSION

5. Public Hearing, Discussion and Possible Action on Case No. P-23-038: A request by Karl T. and Frances Frederick for approval of a Replat of Lots 8 and 10, and part of an abandoned Alleyway, Block M, of Washington Park Addition to create Lot 8A, Block M, being 0.366-acres currently addressed as 1708 Church Street, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-23-038 (on file in the Development Services Department). Ms. Laauwe stated that the property owners and applicants are Karl T. and Frances Frederick. The property is currently lots 8 and 10 and a portion of an abandoned alleyway, Block M of the Washington Park Addition. The current land use is single-family residential and the future land use designation is single-family residential. The current zoning is R-1, Single Family Residential Use District. The property is located on the northwest corner of Church Street and W. Lubbock Street and is currently addressed as 1708 Church Street. The property owners would like to replat the two existing properties and the portion of the abandoned alleyway into one lot in order to construct an accessory structure (garage) on the 2nd lot. An accessory structure is required to be an accessory use to a principal structure/residence and cannot be located on a lot by itself; therefore, creating the need to replat. In addition to combining this property into one lot, this plat also dedicates a 10-foot public utility easement along Church Street.

A Public Hearing Notice was published in the Banner Press on October 2, 2023 and notices were mailed to property owners within 200-feet of the subject properties. Staff did not receive any written comments in support of or against the request.

Engineering and Development Services have reviewed the proposed Replat/Final Plat for compliance with the City of Brenham's applicable regulations and ordinances and recommends **approval**.

Vice Chairman Alfred closed the regular session and opened the public hearing at 5:20 pm. There we no citizen comments.

Vice Chairman Alfred closed the public hearing and re-opened the regular session at 5:21 pm.

A motion was made by Commissioner Cangelosi and seconded by Commissioner Kossie to approve the request by Karl T. and Frances Frederick for approval of a Replat of Lots 8 and 10, and part of an abandoned Alleyway, Block M, of Washington Park Addition to create Lot 8A, Block M, as presented. The motion carried unanimously.

6. Public Hearing, Discussion and Possible Action on Case No. P-23-039: A request by Continental Homes of Texas for approval of a Replat of Lots 44-49 of Block 8 of the Liberty Village Subdivision, Phase 2 to create Lots 44A, 45A, 46A, 47A, 48A, 49A, and Common Area #8 for the purpose of a retaining wall (0.069-acres), being a total of 0.966-acres currently addressed as 611, 609, 607, 605, 603, and 601 LeGrand Street, respectively, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-23-039 (on file in the Development Services Department). Ms. Laauwe stated that the property owner and applicant is Continental Homes of Texas. The property is currently identified as Lots 44-49 of Block 8 of the Liberty Village Subdivision. The property is zoned as a Planned Development District and the property is currently vacant land. The future land use designation is single-family residential. The properties are currently addressed as 611, 609, 607, 605, 603, and 601 LeGrand Street, being a total of 0.966-acres. The lots are proposed to be developed as single-family homes. During preparation for grading, it was discovered that a retaining wall would be necessary to be constructed along the south property line of the lots. This replat, reconfigures the lots to allow for the retaining wall (0.069-acres) to be within a new common area (Common Area #8) that would be maintained by the Homeowners Association. The replat creates Lots 44A, 45A, 46A, 47A, 48A, 49A, and Common Area #8, of Block, being a total of 0.966-acres.

A Public Hearing Notice was published in the Banner Press on October 2, 2023 and notices were mailed to property owners within 200-feet of the subject properties. Staff did not receive any written comments in support of or against the request.

Engineering and Development Services have reviewed the proposed Replat/Final Plat for compliance with the City of Brenham's applicable regulations and ordinances and recommend **approval**.

Vice Chairman Alfred closed the regular session and opened the public hearing at 5:24 pm. There we no citizen comments.

Vice Chairman Alfred closed the public hearing and re-opened the regular session at 5:24 pm.

A motion was made by Commissioner Kossie and seconded by Commissioner Neil to approve the request by Continental Homes of Texas for approval of a Replat of Lots 44-49 of Block 8 of the Liberty Village Subdivision, Phase 2 to create Lots 44A, 45A, 46A, 47A, 48A, 49A, and Common Area #8 for the purpose of a retaining wall, as presented. The motion carried unanimously.

7. Adjourn.

Certification of Meetina Minutes:

A motion was made by Commissioner Cangelosi and seconded by Commissioner Smith to adjourn the meeting at 5:25 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.

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Planning and Zoning Commission	M. Keith Behrens Chair	November 27, 2023 Meeting Date
 Attest	<u>Kim Hodde</u> Staff Secretary	November 27, 2023 Meeting Date

City of Brenham
Planning and Zoning Commission
Staff Report
November 27, 2023



CASE NUMBER P-23-040 SPECIFIC USE PERMIT REQUEST – 1100 NIEBUHR

STAFF CONTACT: Shauna Laauwe AICP, City Planner

OWNER: Calvary Baptist Church

APPLICANTS: Calvary Baptist Church

ADDRESS/LOCATION: 1100 Niebuhr Street (Exhibit A).

LEGAL DESCRIPTION: Arrabella Harrington, A-55, Tract 241

LOT AREA: Approximately 2.5443 acres

ZONING DISTRICT/USE: R-1 Single Family Use / Church and related auxiliary uses (Exhibit B)

FUTURE LAND USE: Single-Family Residential (Exhibit C)

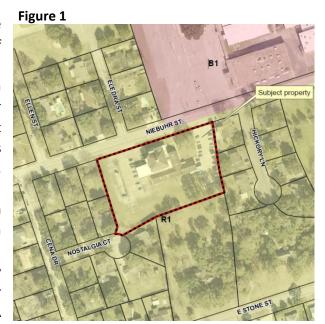
REQUEST: A request for a Specific Use Permit to allow construction of an open-air

pavilion behind the existing Church (Church Auxiliary Use) use in a R-1

Single Family Residential Zoning District (Exhibit D).

BACKGROUND:

The subject property is an approximate 2.5-acre tract of land that is located on the south side of Niebuhr Street and directly south of Eledra Street. The property is a large rectangular lot with approximately 438-feet of frontage along Niebuhr Street and 256-feet of lot depth. The subject tract is zoned R-1, Single-Family Residential District and is developed as Calvary Baptist Church. The church, that consists of 16,500 square feet of building and 86 off-street parking spaces, was approved for a Specific Use Permit on April 20, 2017, for a church and related auxiliary uses, including educational and philanthropic uses. Calvary Baptist Church is now proposing to add a 50'x75' (3,750 SF) open air pavilion to the rear of the existing structure. A



separate Specific Use Permit is required for the enlargement and modification of the approved Specific Use Permit (SUP).

As shown in Figure 1, the subject site, and surrounding properties to the northwest, south, west, and east, are zoned R-1, Single-Family Residential District. To the northeast, across Niebuhr Street, is zoned B-1 District and developed as the Washington County Appraisal District office, Brenham Junior High School, the Brenham Cub Stadium, and the City of Brenham Blue Bell Aquatic Center.

The applicant has provided a site plan for the proposed open-air pavilion. As shown in Figure 2 and 3, as well as in Exhibit E, the structure would be located to the rear and to the southeast side of the church building. The church property is adjacent to single-family properties to the west, south and east, and thus has an additional 20-foot bufferyard setback requirement to the minimum 10-foot side yard and 25-foot rear yard setbacks for a structure within the R-1 District. The proposed pavilion location is situated to give a 12-foot separation from the main building, an approximate 79-foot east side yard setback and a 54-foot rear yard setback from the south property line. As presented, the proposed location would exceed the minimum 10-foot separation required by the Building and Fire Code and the minimum setback plus bufferyard requirements of a 30-foot side yard and 45-foot rear yard setback.

Figure 2

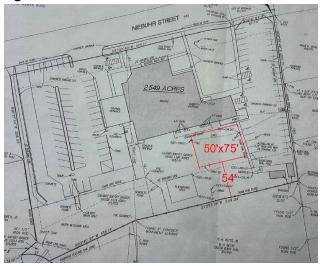
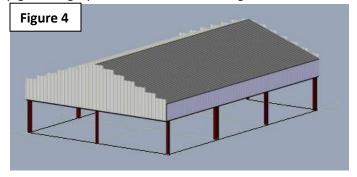


Figure 3



As shown in Figure 4 and according to the application cover letter (Exhibit D), the proposed 50'x75' (3,750 SF) open-air pavilion will be of steel construction on a concrete slab built by Bal-Con Construction. The proposed building would be utilized for fellowship gatherings, picnic events, National Night Out, Vacation

Bible School and similar events. Due to the building not being part of the Calvary Baptist Church plans when they received their Specific Use Permit in April 2017, the Church is required to receive an updated Specific Use Permit for the enlargement and addition to the previously approved church use.



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 2.5-acre tract of land is located on the south side of Niebuhr Street, directly south of Eledra Street and southwest of Brenham Junior High School. As shown in Figure 1, the subject site, and surrounding properties to the west, north, northwest, and south are zoned R-1, Single-Family Residential District and developed as single-family homes. To the northeast, across Niebuhr Street is zoned B-1, Local Business Mixed Residential District and developed as the Washington County Appraiser District office and the Brenham Junior High School campus.

The applicant proposes to add a 50'x75' open air steel structure in the rear yard of the subject property for the use of fellowship gatherings, picnics, vacation bible school and other events. This is in addition to the approximate 16,500 square foot church structure and uses that were approved for a Specific Use Permit in April 2017. As shown in the site plan in Figure 2 and Exhibit "E", the open-air structure is situated on the southside of the property behind the main church structure. The structure will be located 12-feet from the southeast wing of the church, 54-feet from the south property line and approximately 79-feet from the east property line. Setbacks are to provide light and air and less density between structures on abutting properties. Bufferyards are to provide additional separation between different land uses. The Zoning Ordinance requires churches and commercial uses to have a 20-foot bufferyard in addition to the minimum required setbacks along property lines that abut residential uses. With the required bufferyards, the proposed structure is required to have a 45-foot rear yard setback and a 30-foot side yard setback. The proposed 54-foot rear yard and 79-foot east side yard setbacks exceeds the setback and bufferyard requirements. The south property line has an existing chain link fence, however in 2019 the bufferyard requirements were amended to require a 6-foot hedge or screening fence along the affected property line. Staff recommends that a 6-foot screening fence be required along the south property line between the church and residential properties.

With the addition of the screening fence along the south property line, Staff finds that the placement and proposed activities will not adversely affect the small-town attributes that make Brenham a special place for its citizens to live, work and play.

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

The future land use map portion of the Envision 2020 Comprehensive Plan suggests the subject property may be appropriate for single-family residential uses. The R-1 District is a district that only permits the following uses by right: single-family dwellings, accessory buildings, and temporary construction buildings. Specific Uses to include accessory dwelling units, churches and related auxiliary uses, country clubs or golf courses, private schools, and farms are allowed with a SUP with the recommendation of the Planning and Zoning Commission and approval by City Council. While the subject property and adjacent properties to the west, east, south, and northwest are currently zoned R-1, nearby properties to the northwest across Niebuhr Street are zoned B-1, Local Business/Residential Mixed-Use District. The B-1 properties are developed as public uses as the Washington County Appraisal District building, the Brenham Junior High School, and the BISD Cub

Stadium. The Calvary Baptist Church has been on the subject property for a number of years without incident or adverse effects to the surrounding neighborhood. Churches, with adequate bufferyards, off-street parking, and attention to noise and light levels, may be suitable as a neighborhood use that aligns with the goals and land use policies established in the Comprehensive Plan.

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

The subject property has existing utilities available along Niebuhr Street and will not require any extension of utility services.

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

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

(5) The city's zoning process should be fair and equitable, giving all citizens adequate information and 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 November 16, 2023. The Notice of Public Hearing was published in the Brenham Banner on November 16, 2023. 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 structure will be required to adhere to minimum building setbacks, maximum impervious coverage requirements, landscaping, and buffer yard requirements. The applicant has submitted a site plan (Exhibit E) which depicts the proposed location of the open-air structure. Staff finds that the site development requirements will ensure that adequate open space is preserved on the subject property.

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

Staff finds that the requested additional structure and use for the existing church is appropriate in this location given adjacent zoning designations, existing development in the vicinity, and is consistent with the City's adopted Comprehensive Plan. The proposed development is in line with the Future Land Use Plan, though additional screening along the south property line is needed to mitigate any potential adverse impacts to adjacent residential uses.

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

The subject property and the surrounding properties to the northwest, south, west, and east are located within an R-1 District, with properties to the northeast currently zoned B-1. The R-1 District allows only single-family uses and accessory structures as permitted uses with only a few specific

uses to include churches, schools, country clubs, and farms. The subject property is adjacent to single-family uses to the west, south, east, and directly to the north and northwest (across Niebuhr Street). To the northeast, the properties are zoned B-1 and are development as the Washington County Appraisal District office and Brenham Junior High School. The subject property is a large 2.5-acre tract with ample off-street parking and area for the proposed outdoor structure. The church has been in use for several years without incident. The existing church and the new proposed structure for auxiliary uses is compatible with nearby land uses and consistent with the land policies established in the Comprehensive Plan.

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

Staff finds that approval of the proposed SUP will be consistent with the prior SUP granted in 2017 and that the location and use of the proposed structure will not have an adverse effect to the surrounding residential uses. Due to adjacent residential uses to the south and east, the proposed structure is required to provide an additional 20-feet of bufferyard from the south and east property lines to the minimum setbacks for the R-1 District. This bufferyard provision also requires that screening of either a 6-foot in height fence or hedge be provided along the shared property lines of residential uses. A screening fence currently exists along the east property line, however only a chain link fence is located along the south property line. As part of the building permit approval, a screening fence will also be required along the south property line. The applicant has exceeded the required bufferyard and setback requirements by locating the proposed structure 54-feet from the south rear property line and 79-feet from the east property line. If approved, all building, fire, and zoning requirements will be reviewed during the building permit process.

(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 believes that the proposed development will not adversely affect the surrounding area, will be compatible with the residential uses near the subject property, and will be in accordance with the land use policies of Brenham's Comprehensive Plan. The subject property has been developed with a church at this location for several years. The proposed new open-air outdoor structure will be compatible with existing and anticipated uses surrounding the property. With the proposed location, development codes, and bufferyard standards in place, Staff is unable to determine any destabilizing effects on the neighboring properties should this specific use permit 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.

The subject site and surrounding area is characterized as single-family residential neighborhoods and public uses. To the east is South Blue Bell Road that has a variety of commercial and industrial uses to include gas stations, restaurants, office uses, car repair, and machine shops. A few vacant commercial properties are located along S. Blue Bell Road. Staff believes that the proposed SUP, if approved, will not negatively affect vacant land classified for commercial uses.

(12) The city's zoning should give reasonable accommodation to legally existing incompatible uses, but it should be fashioned in such a way that over time, problem areas will experience orderly change through redevelopment that gradually replaces the nonconforming uses.

The R-1, Single-Family District subject property is currently developed as a church that is a legally conforming use as it was granted a Specific Use Permit in 2017. The applicant's request to build a 3,750 SF accessory open-air structure with a new Specific Use Permit will allow the subject property to develop in a compatible, legally conforming manner.

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

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

STAFF RECOMMENDATION:

Staff recommends **approval** of a Specific Use Permit to allow an additional 50'x75' (3,750 SF) open-air steel structure to be added to the Calvary Baptist Church use as provided in the application site plan, and written documents in a Single-Family Zoning District for the subject 2.549-acre tract of land that is located at 1100 Niebuhr Street, with the following condition:

1. A screening fence or hedge of at least 6-feet in height shall be built along the south property line that abuts residential uses.

EXHIBITS:

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

EXHIBIT "A" AERIAL MAP

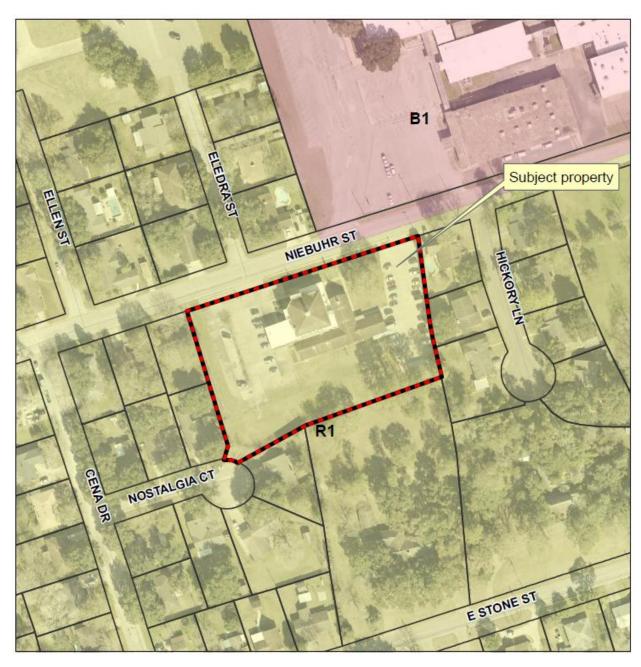


Location Map Specific Use Permit 1100 Niebuhr Street





EXHIBIT "B"
ZONING MAP



Zoning Map Specific Use Permit 1100 Niebuhr Street



1 inch = 133 feet



B1 Local Business Mixed

R1 Residential Single Family



EXHIBIT "C"
Future Land Use Map



Future Land Use Map Specific Use Permit 1100 Niebuhr Street



Future Land Use Plan FLU_FINAL

Single

Single Family Residential

Local Public Facilities



EXHIBIT "D" COVER LETTER



23 October, 2023

City of Brenham Planning and Zoning Commission 200 W Vulcan St Brenham, Tx 77833

To whom it may concern;

Calvary is planning to build a 50'x75' open air pavilion of steel construction on a concrete slab within the confines of our property lines. We have recently relocated all overhead powerlines to allow the building to be within 14' of the current original building, and will be 54' from the back property line, within the 45' setback.

Being a commercial building within a residential neighborhood, we understand the need for this application. The building will be used for fellowship gatherings, picnic events, National Night Out, Vacation Bible School and similar events.

The building will be built by Bal-Con Construction, and we are in the current stages of getting that building permit approved.

Your prompt attention to this matter will be greatly appreciated.

Sincerely

Billy Sutherland, Pastor Calvary Baptist Church

1100 Niebuhr St Brenham, Texas 77833 • (979) 836-5537 • www.calvarybrenham.org

EXHIBIT "E" PROPOSED SITE PLAN

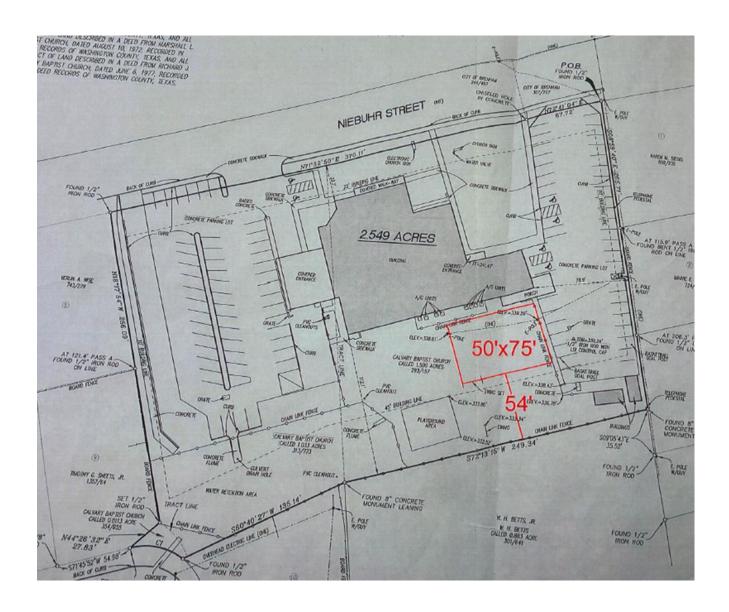


EXHIBIT "F" SITE ELEVATIONS

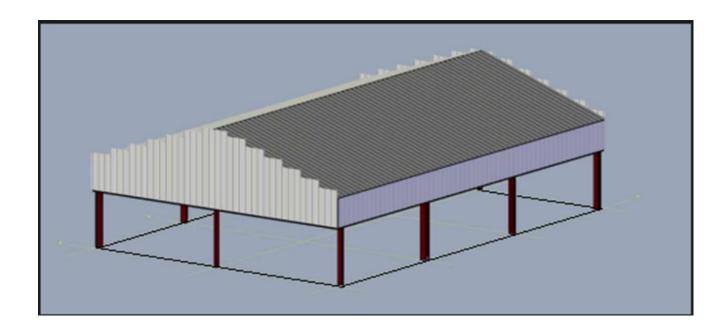


EXHIBIT "G" SITE PHOTOS



Calvary Baptist Church - Front



Rear Yard

EXHIBIT "G" SITE PHOTOS



Location of Proposed Structure



Residential to the East



Residential/Open land to the South



Looking East on Niebuhr towards S Blue Bell



Looking West on Niebuhr Street

City of Brenham Planning and Zoning Commission Staff Report Shauna Laauwe, City Planner November 27, 2023



CITY/ETJ: City Limits

CASE P-23-041 REPLAT: LOT 1 OF THE DEAN SUBDIVISION AND 4.36-ACRE OF LAND TO CREATE LOT 1A AND LOT 3

PLAT TITLE: Replat of Lot 1 of the Dean Subdivision

and 4.36-acres of land to create Lot 1A

and Lot 3

PLAT TYPE: Residential Replat

OWNERS: Ted and Rosa Dean

APPLICANT/AGENT: Owners / Lampe Surveying, Inc. (Donald W. Lampe)

LOT AREA /LOCATION: 6.668-acres located at 164 Lounge Road

PROPOSED LEGAL

DESCRIPTION: Lot 1A and Lot 3 of the Dean Subdivision in Brenham, Washington County, Texas

ZONING DISTRICT: B-1, Local Business Mixed Use

EXISTING USE: Single-family residence /vacant land

COMP PLAN Commercial

FUTURE LAND USE:

REQUEST: A request by Ted and Rosa Dean for approval of a Replat of Lot 1 of the Dean Subdivision

and 4.36-acres of land to create Lot 1A and Lot 3, being 6.668-acres currently addressed as 164 Lounge Road, and further described as part of the A. Harrington Survey, A-55, in

Washington County, Texas.

BACKGROUND:

The subject property, currently identified as Lot 1 of the Dean Subdivision and an adjacent 4.36-acre tract of unplatted land, is owned by Ted and Rosa Dean. The subject property is approximately 6.668-acres total and generally located on the north side of Lounge Road with Hohlt Park directly to the south, across from Lounge Road. The property is currently developed with an existing single-family residence with the remainder of the property being vacant land. The property owners would like to replat the two existing properties into two lots with Lot 1A being 5.762-acres and Lot 3 being 0.906-acres for future development.

STAFF RECOMMENDATION:

Development Services staff and 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.

EXHIBITS:

A. Proposed residential Replat

Location Map NTS

Property Owners

Ted Dean and Rosa Maria Dean 164 Lounge Road Brenham, Texas 77833 (979) 277-4634

Plat Prepared by

Lampe Surveying, Inc P.O. Box 2037 1408 West Main Street Brenham, Texas 77834

NOTES:

- 1. All oil/gas pipelines or pipeline easements with ownership through the subdivision
- 2. This plat does not attempt to amend or remove any valid covenants or
- 3. 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.
- 4. According to Flood Insurance Rate Map (F.I.R.M.), compiled by the Federal Emergency Management Agency, Map No. 48477C0295C, Washington County, Texas, effective date of August 16, 2011, the subject property does not lie within the Special Flood Hazard Area.
- 5. Iron rods set are fitted with plastic cap stamped "Lampe Surveying".

|--|

Approved this ______ day of _____ City Planning & Zoning Commission of the City of Brenham, Texas.

Chairman

Secretary

COUNTY CLERK FILING ACKNOWLEDGEMENT STATEMENT

THE STATE OF TEXAS COUNTY OF WASHINGTON

I, Beth Rothermel, 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 ______, 202_, A.D. at ______ o'clock ____.M., and duly recorded on the

__ day of _____,202_, A.D.

____o'clock ___.M., in Plat Cabinet File

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

Beth Rothermel Deputy County Clerk Washington County, Texas

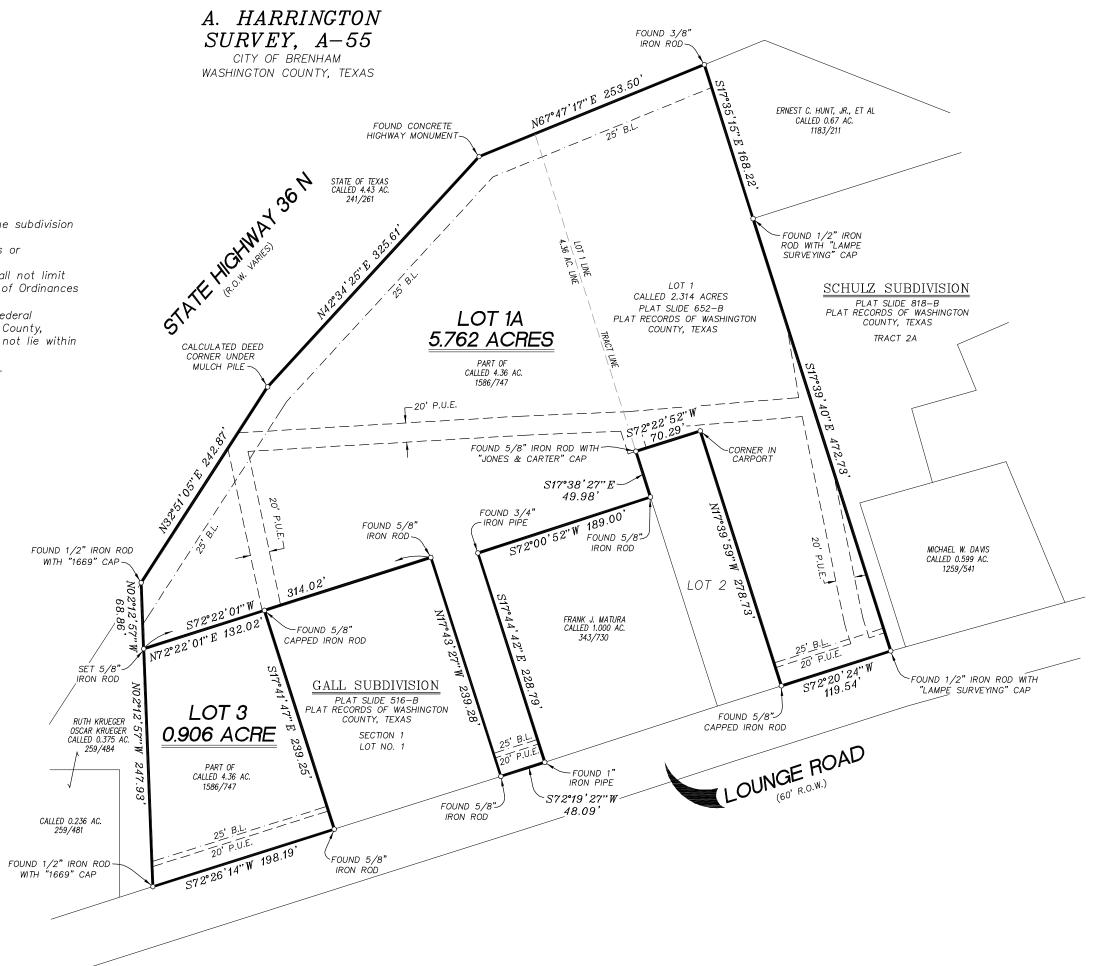
I, Donald W. Lampe, Registered Professional Land Surveyor No. 1732 of the State of Texas, do hereby certify that this plat accurately represents the results of an on the ground survey made under my direction.

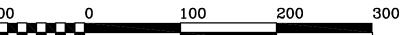
Dated this the 3rd day of November, 2023.

Draw Donald W. Lampe R.P.L.S. No. 1732 Lampe Surveying, Inc

FINAL PLAT REPLAT OF LOT 1, DEAN SUBDIVISION AND 4.36 ACRES OF LAND TO CREATE LOT 1A AND LOT 3

CONSISTING OF LOT 1A: 5.762 ACRES LOT 3: 0.906 ACRE FOR 6.668 ACRES TOTAL A. HARRINGTON SURVEY, A-55 CITY OF BRENHAM WASHINGTON COUNTY, TEXAS



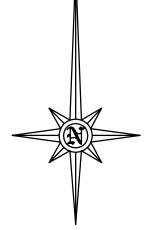


GRAPHIC SCALE - FEET

Bearings and Distances are based on the Texas Coordinate System of 1983—Central Zone as obtained by GPS observations.

LEGEND:

B.L. = BUILDING LINEP.U.E. = PUBLIC UTILITY EASEMENT



OWNER DEDICATION

Ted Dean and Rosa Maria Dean, owners of the property subdivided in the foregoing map of Lot 1, Dean Subdivision and 4.36 acres of land to create Dean Division No. 1, to the City of Brenham, Texas, do hereby make subdivision of said property according to the lines, lots, building lines, and easements thereon shown and designate said subdivision as Dean Division No. 1, to the City of Brenham, Texas, located in the City of Brenham, Washington County, Texas, and I do hereby dedicate to public use, as such the easements shown thereon forever and do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend the title to the easements so dedicated. 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 all easements

d	Dean			

Rosa Maria Dean

THE STATE OF TEXAS COUNTY OF WASHINGTON

This instrument was acknowledged before me on the __

day of		_,	2023	bу	Ted	Dean.

Notary Public State of Texas

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

THE STATE OF TEXAS COUNTY OF WASHINGTON

This instrument was acknowledged before me on the _____

____, 2023 by Rosa Maria Dean.

Notary Public State of Texas

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



1408 WEST MAIN STREET P. O. BOX 2037 BRENHAM, TEXAS 77834 (979) 836–6677 TEXAS LICENSED SURVEYING FIRM NO. 10040700 W.O. 4017 4017S1 (FINAL).DWG 3955VELOCITY.CGC



CALLED 0.236 AC. 259/481

City of Brenham
Planning and Zoning Commission
Staff Report
Shauna Laauwe, City Planner
November 27, 2023



CITY/ETJ: City Limits

CASE P-23-042

REPLAT: LOTS 1 AND 2 OF THE FAIRVIEW TERRACE SUBDIVISION TO CREATE LOTS 1A AND 2A AND PROVIDE THE REQUIRED PUBLIC UTILITY EASEMENTS

PLAT TITLE: Replat of Lots 1 and 2 of the Fairview

Terrace Subdivision to create Lots 1A and 2A and to provide the required

Public Utility Easements

PLAT TYPE: Residential Replat

OWNERS: The Brenham Housing Authority / Fairview Terrace, LP

APPLICANT/AGENT: Owners / Hodde & Hodde Land Surveying, Inc. (Jon E. Hodde)

LOT AREA /LOCATION: 6.692-acres located at 1003 Hasskarl Drive and 909 Hasskarl Drive

PROPOSED LEGAL

DESCRIPTION: Lots 1A & 2A, Fairview Terrace Subdivision, Brenham, Washington County, Texas

ZONING DISTRICT: R-2, Mixed Residential District

EXISTING USE: Multi-family residential /vacant land

COMP PLAN Multi-family residential

FUTURE LAND USE:

REQUEST: A request by The Brenham Housing Authority / Fairview Terrace, LP for approval of a

Replat of Lots 1 and 2 of the Fairview Terrace Subdivision to create Lot 1A and Lot 2A and to provide the required public utility easements, being 6.692-acres currently addressed as 1003 Hasskarl Drive and 909 Hasskarl Drive, and further described as part of the A.

Harrington Survey, A-55, in Washington County, Texas.

BACKGROUND:

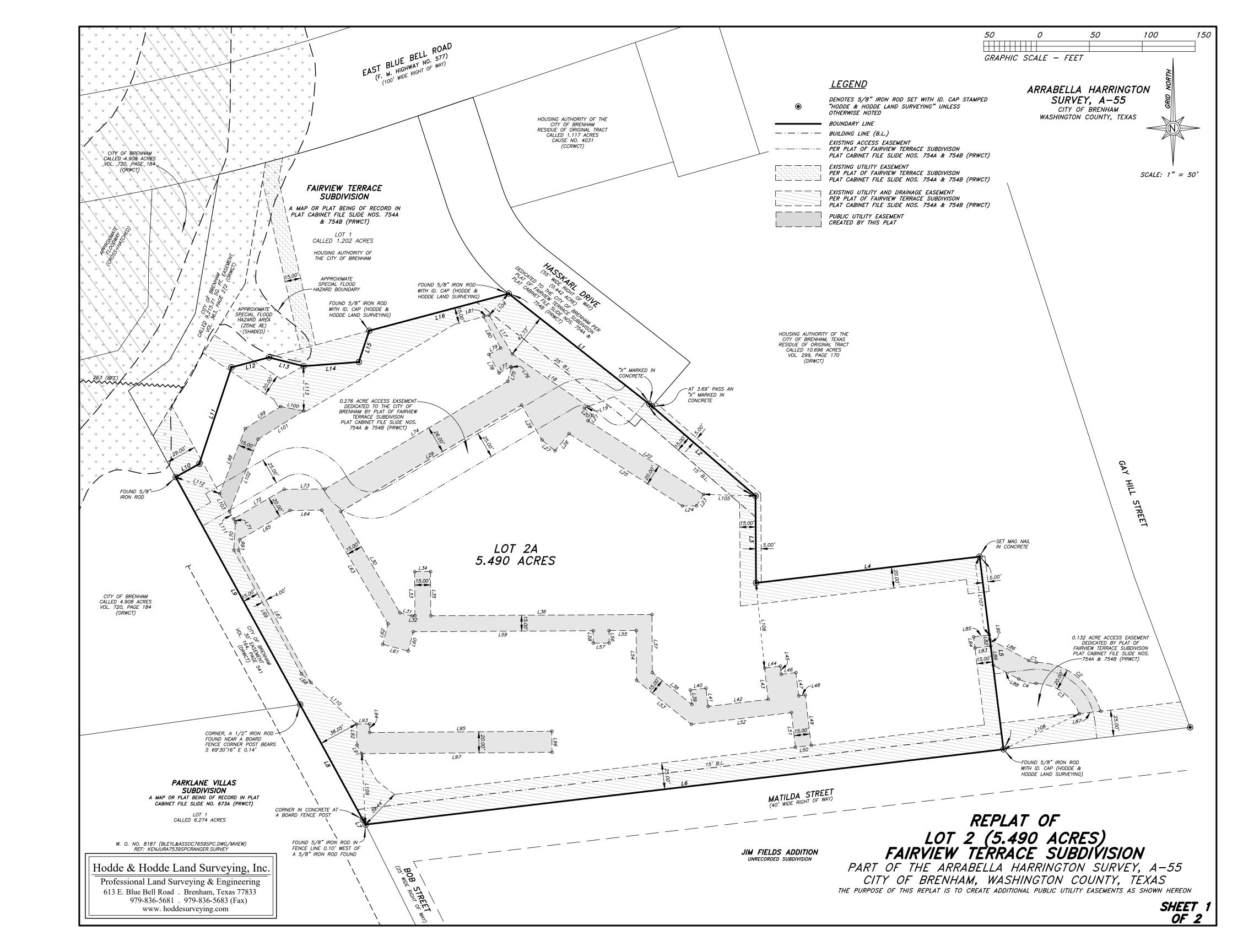
The subject property, currently identified as Lots 1 and 2 of the Fairview Terrace Subdivision, is owned by The Brenham Housing Authority/Fairview Terrace, LP. The subject property is approximately 6.692-acres total and generally located south of E. Blue Bell Street and west and southwest of Hasskarl Drive. The property is currently developed with multi-family residential with the remainder of the property being vacant land. There was some uncertainty with the utility placements prior to development; therefore, this replat provides the required public utility easements for the development on this property.

STAFF RECOMMENDATION:

Development Services staff and 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.

EXHIBITS:

A. Proposed residential Replat



NOTES:

- 1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE GRID SYSTEM, NAD-83 {2011}, CENTRAL ZONE 4203. CONVERGENCE ANGLE AT N: 10050474.023' E: 3541046.622' IS 2'-01'-44.10", COMBINED SCALE FACTOR IS 0.99997562, U.S. SURVEY FEET, UTILIZING NGS OPUS SOLUTIONS. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
- 2. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA 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 AS SHOWN (SHADED) HEREON.
- 3. - DENOTES A 5/8" IRON ROD SET WITH ID. CAP STAMPED "HODDE & HODDE LAND SURVEYING" UNLESS OTHERWISE NOTED ON THE PLAT.
- 4. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH CORRIDOR TITLE LLC (OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY) TITLE COMMITMENT GF NUMBER 21-0887-CH, EFFECTIVE DATE OCTOBER 8, 2021 AT 8:00 AM, ISSUED OCTOBER 8, 2021 AT 8:00 AM, AND NOTHING FURTHER SEARCH PERFORMED BY CORRIDOR TITLE COMPANY THROUGH SEPTEMBER 12, 2023 AT 8:00 AM, LETTER ISSUED SEPTEMBER 13, 2023.
- 5. 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 8, 2021.
- 6. 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 8, 2021.
- 7. 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.
- 8. 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.
- 9. SUBJECT TO EASEMENT (BLANKET TYPE) DATED DECEMBER 7, 1948, EXECUTED BY JIM FIELDS TO THE CITY OF BRENHAM, TEXAS, RECORDED IN VOLUME 164, PAGE 533, DEED RECORDS, WASHINGTON COUNTY, TEXAS.
- 10. SUBJECT TO TEMPORARY BLANKET EASEMENT DATED SEPTEMBER 20, 2021, EXECUTED BY THE HOUSING AUTHORITY OF THE CITY OF BRENHAM DOING BUSINESS AS BRENHAM HOUSING AUTHORITY TO THE CITY OF BRENHAM, TEXAS, RECORDED IN VOLUME 1799, PAGE 852, OFFICIAL RECORDS, WASHINGTON COUNTY, TEXAS.
- 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.

 (CCRWCT) DENOTES CIVIL COURT RECORDS OF WASHINGTON COUNTY, TEXAS.

 B.L. DENOTES BUILDING LINE

SURVEY MAP

SHOWING A REPLAT OF 5.490 ACRES OF LAND, LYING AND BEING SITUATED IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS, PART OF THE ARRABELLA HARRINGTON SURVEY, A-55, BEING LOT 2 (5.490 ACRES) OF FAIRVIEW TERRACE SUBDIVISION, A MAP OR PLAT BEING OF RECORD IN PLAT CABINET FILE SLIDE NOS. 754A AND 754B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS OR BEING PART OF THE SAME LAND DESCRIBED AS 10.696 ACRES IN THE DEED FROM LONNIE W. TIEMANN AND ELEANOR TIEMANN, HUSBAND AND WIFE, TO HOUSING AUTHORITY OF THE CITY OF BRENHAM, TEXAS, DATED MAY 12, 1970, AS RECORDED IN VOLUME 299, PAGE 170, IN THE DEED 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 REPLAT OF 5.490 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 17TH DAY OF NOVEMBER, 2023, A.D.



JON E. HODDE

REGISTERED PROFESSIONAL

LAND SURVEYOR NO. 5197

HODDE & HODDE LAND SURVEYING, INC.

613 EAST BLUE BELL ROAD

BRENHAM, TEXAS 77833

(979)-836-5681

TBPE&LS SURVEY FIRM REG. NO. 10018800

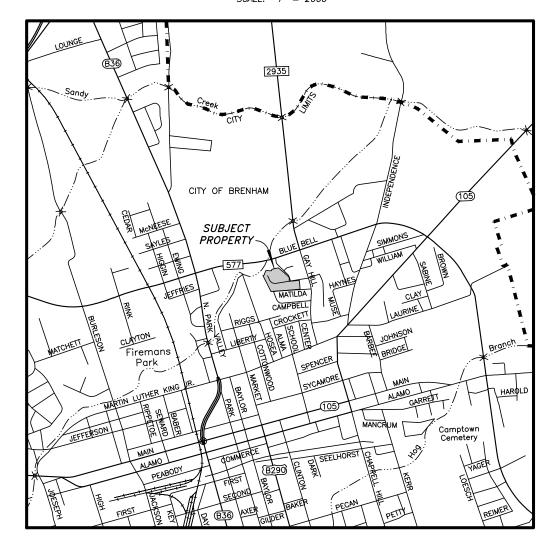
CURVE DATA

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	27°57'53"	7.32	15.00	S 75'32'22" E	7.25
C2	73°18'54"	82.04	64.12'	S 52°51'52" E	76.56
C3	68°56'35"	53.08'	44.12'	N 55°03'01" W	49.94
C4	27°57'53"	17.08°	35.00'	N 75°32'22" W	16.91

<u>LINE TABLE</u>

NUM	BEARING	DISTANCE	NUM	BEARING	DISTANCE		IJМ	BEARING	DISTANCI
L1	S 51°51'49" E	168.87	L39	N 6°42'13" W	13.82		<u>77</u>	S 61°22'04" W	12.68
L2	S 49°08'00" E	132.95	L40	N 83°17'47" E	15.00	· -	<u>//</u> 78	N 28°37'56" W	+
L3	S 0°19'55" E	82.26	L40 L41	S 6°42'13" E	17.41		79 79	N 61°22'04" E	
L4	N 83°17'51" E	212.77	L42	N 83°17'47" E	57.11°	· -	73 80	N 28°37'56" W	
L5	S 7°04'17" E	183.54	L42 L43	N 6'36'04" W	29.88		.81	N 75°06'07" E	
L6	S 83°16'41" W	607.21	L43	N 83°23'56" E	15.00		<u>82</u>	S 7°04'17" E	
L7	N 29°54'52" W	5.09'	L44 L45	S 6'36'04" E	7.75		83 83	S 82.55'43" W	
L8	N 28'34'09" W	124.23'	L45 L46	N 83°17'47" E	14.05	-	84 84	N 7'04'17" W	10.67
L9	N 28'40'12" W	245.04	L47	S 6°42'13" E	22.10	-	85 85	N 82°55'43" E	15.00
L10	N 60'53'12" E	25.57	L48	N 83°17'47" E	6.28	· -	86	S 61'33'26" E	
L11	N 18'24'07" E	96.16	L49	S 6'42'15" E	47.94		87	S 83'16'41" W	_
L12	N 75'06'07" E	36.71	L50	S 83°16'41" W	15.00'	· -	88	N 61°33'26" W	27.55
L13	S 75°46'53" E	33.73'	L51	N 6°42'15" W	32.94		89	N 7°04'17" W	
L14	N 85°41'58" E	52.44'	L52	S 83°17'47" W	95.24		90	N 7°04'17" W	
L15	N 18'24'07" E	31.18'	L53	N 51'12'44" W	66.49		91	N 29°13'16" W	
L16	N 75°06'07" E	136.37'	L54	N 0°19'55" W	47.15		92	N 1°11'16" W	
L17	S 30°53'15" E	42.68'	L55	S 89'40'05" W	25.71		93	N 89'35'08" E	12.35
L18	S 55°16'01" E	87.32'	L56	S 0°19'55" E	11.76		94	S 0°24'52" E	
L19	S 69°04'52" W	4.04'	L57	S 89°40'05" W	15.00'	L	95	N 89°35'08" E	
L20	S 49'07'12" E	10.42'	L58	N 0°19'55" W	11.76'	L	96	S 0°24'52" E	
L21	S 40°52'48" W	6.69'	L59	S 89°40'05" W	170.03		97	S 89°35'08" W	
L22	S 57'29'16" E	129.72'	L60	S 14°44'04" W	18.85		98	N 21°24'48" E	66.16
L23	S 32°30'44" W	12.81'	L61	N 75°15'56" W	24.92'	L	99	N 58°13'32" E	39.45
L24	S 89°39'59" W	13.26'	L62	N 14°44'04" E	19.93'	L1	00	S 79°02'35" E	22.11
L25	N 57°29'16" W	127.05'	L63	N 30°15'56" W	124.55	L1	01	S 58°13'32" W	50.69
L26	S 39°22'09" W	20.83'	L64	S 89°31'57" W	29.96'	L1	02	S 21°24'48" W	73.71
L27	N 50°37'51" W	15.99'	L65	S 59°44'08" W	54.99'	L1	03	N 28°40'12" W	19.56
L28	N 30°22'45" W	38.24'	L66	S 6°18'38" W	9.97'	L1		N 42°04'13" E	
L29	S 59°29'38" W	198.20'	L67	S 28°40'12" E	142.57	L1		S 88°09'54" E	
L30	S 30°15'56" E	110.79	L68	N 47°40'57" W	12.28'	L1		N 5°41'17" W	
L31	S 75°15'56" E	11.64'	L69	N 28°40'12" W	133.12'	<u> </u>	07	N 7.04'17" W	
L32	N 89°40'05" E	2.93'	L70	N 3'32'18" E	26.27	L1		S 64°52'07" W	
L33	N 0°19'55" W	41.83'	L71	N 28°40'12" W	3.91'	L1		S 3°06'00" E	
L34	N 89°40'05" E	15.00'	L72	N 59°44'08" E	55.47	L1		S 47°40'57" E	
L35	S 0°19'55" E	41.83'	L73	N 89°31'57" E	38.58	L1	11	S 28°40'12" E	
L36	N 89°40'05" E	209.09'	L74	N 59°29'38" E	200.52		12	N 69°21'32" W	
L37	S 0°19'55" E	55.01'	L75	N 14°43'15" E	13.35	L1	13	N 0°12'38" W	42.35
L38	S 51°12'44" E	48.02'	L76	N 30°16'45" W	1.13'				
				<u> </u>		-			

VICINITY MAP SCALE: 1" = 2000'



OWNER ACKNOWLEDGMENT

WE, HOUSING AUTHORITY OF THE CITY OF BRENHAM, TEXAS, THE OWNERS OF THE LAND DESCRIBED HEREON AND WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY ACKNOWLEDGE THE CHANGES TO SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON. THE PLATTED PROPERTY REMAINS SUBJECT TO EXISTING DEDICATIONS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

3Y:	
(SIGNATURE)	
(PRINTED NAME & TITLE)	

NOTARY PUBLIC ACKNOWLEDGMENT

(SEAL)

THE STATE OF TEXAS
COUNTY OF
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE
DAY OF, 2023, BY
NOTARY PUBLIC, STATE OF TEXAS

PLANNING AND ZONING COMMISSION APPROVAL

APPROVED	THIS		DAY OF			, 2023	S BY
THE PLANI	VING AND	ZONING	COMMISSION	OF THE	CITY OF	BRENHAM,	TEXAS.
CHAIRMAN							
SECRETAR	Υ						

COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT

OCCUPATION ACTION ACTIO
THE STATE OF TEXAS \$
COUNTY OF WASHINGTON \$
I,, CLERK OF THE COUNTY COURT OF WASHINGTON COUNTY, TEXAS DO HERE
CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN M
OFFICE ON THE DAY OF, 2, AT O'CLOCKM., AND DULY RECORDED
ON THE DAY OF, 2, AT O'CLOCKM. IN CABINET
SHEET OF RECORD IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
WITNESS MY HAND AND SEAL OF OFFICE, AT BRENHAM, WASHINGTON COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.
CLERK OF THE COUNTY COURT WASHINGTON COUNTY, TEXAS

W. O. NO. 8187 (BLEYL&ASSOC7659SPC.DWG/MVIEW) REF: KENJURA7539SPCRANGER.SURVEY

Hodde & Hodde Land Surveying, Inc.

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

LOT 2 (5.490 ACRES)

FAIRVIEW TERRACE SUBDIVISION

PART OF THE ARRABELLA HARRINGTON SURVEY, A-55
CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS
THE PURPOSE OF THIS REPLAT IS TO CREATE ADDITIONAL PUBLIC UTILITY EASEMENTS AS SHOWN HEREON

OWNER/DEVELOPER

HOUSING AUTHORITY OF THE CITY OF BRENHAM, TEXAS 1801 NORTHVIEW CIRCLE DRIVE BRENHAM, TEXAS 77833 PHN. 979-836-9221