

**CITY OF BRENHAM
PLANNING AND ZONING COMMISSION MINUTES
July 22, 2024**

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 July 22, 2024, at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

M. Keith Behrens, Chair
Deanna Alfred, Vice Chair
Chris Cangelosi
Calvin Kossie
Cayte Neil
Cyndee Smith

Commissioners absent:

Darren Heine

Staff present:

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

Citizens/Media present:

Glen Vierus	Charles Gajeske
O'Brien Hughes	Jennifer Gajeske
H. Scott Hughes	Walt Edmunds
Donald Lampe	Barry Blue
Shirley Gajeske	Gilbert Japko
Mary K. Maxwell	Sarah Forsythe, Brenham Banner Press
Natalie Hadaway	Joshua Blaschke, KWHI

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

Stephanie Doland stated the following:

- In addition to the regular P & Z items, the next meeting will have text amendments to consider.
- The City is currently under the 2018 International Code Council (ICC) and will be adopting the 2021 Codes in the coming months.
- An appreciation event for Board members will be scheduled in the fall, after school starts but before the holidays. Additional information will be provided when available.

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 June 17, 2024, Planning and Zoning Commission Meeting.**
- 4-b. Case No. P-24-010: A request from Clayton and Kellie Collier/Southern Land of Texas, LLC for approval of a Preliminary Plat of the Wilkins Valley Subdivision, a 29.91-acre tract being a portion of a tract called to be 35.31-acres in Volume 1601, Page 386 of the Official Public Records of Washington County, Texas, and consisting of 3 Phases, 117 Residential Lots, Common Areas, Public Utility Easements, and 4.35-Acres Right-of-Way Dedication, part of the Phillip Coe Survey, A-31 in Brenham, Washington County, Texas.**
- 4-c. Case No. P-24-011: A request from Clayton and Kellie Collier/Southern Land of Texas, LLC for approval of a Final Plat of the Wilkins Valley Subdivision being 29.91-acres establishing Reserve "A" being 7.675-acres, and Reserve "B" being 5.690-acres, Public Utility Easements, 2.075-acres Right-of-Way dedication, and Phase 1 being 16.197-acres consisting of Common Areas #1 and #2 being 6.160-acres and 48 lots in Blocks 1, 2, & 5, and being a portion of a tract called to be 35.31-acres in Volume 1601, Page 386 of the Official Public Records of Washington County Texas and part of the Phillip Coe Survey, A-31 in Brenham, Washington County, Texas.**
- 4-d. Case No. P-24-020: A request by Brenham Market Square, L.P. for approval of a Commercial Replat of Reserve "A4" of the Market Square Brenham Subdivision to create Lot 11 (1.500-acres) and Reserve "A5" (11.634-acres) for a total of 13.134-acres, and further described as part of the John Long Survey, A-156, in Brenham, Washington County, Texas.**
- 4-e. Case No. P-24-022: A request from Adam Griffin/30K Holdings, LLC, for approval of a Preliminary Plat of the Bradam Subdivision creating Lot 1, being 1.122-acres of land out of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas, and being a resurvey of the same land described as 1.106-acres in a deed from Ark of Fund, LLC to 30K Holdings, LLC dated July 15, 2024 recorded in Instrument Number 2024-3901 of the Official Records of Washington County, Texas.**
- 4-f. Case No. P-24-023: A request from Adam Griffin/30K Holdings, LLC, for approval of a Final Plat of the Bradam Subdivision creating Lot 1, being 1.122-acres of land out of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas, and being a resurvey of the same land described as 1.106-acres in a deed from Ark of Fund, LLC to 30K Holdings, LLC dated July 15, 2024 recorded in Instrument Number 2024-3901 of the Official Records of Washington County, Texas.**

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

REGULAR SESSION

5. **Public Hearing, Discussion and Possible Action on Case No. P-24-018: A request by Atwood C. Kenjura for approval of a Replat of Lots 5, 6, & 7 of the Amended Plat of Pecan Townhomes to create Lot 5A containing 4,434-square feet and Lot 6A containing 4,430-square feet for a total of 8,864-square feet, 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-24-018 (on file in the Development Services Department). Ms. Laauwe stated that the property owner and applicant is Atwood C. Kenjura. The property is currently identified as Lots 5, 6, & 7 of the Amended Plat of Pecan Townhomes and is zoned R-2, Mixed Residential Use District. The subject property is approximately 8,894 square feet located on Second Street located south of W. Second Street and east of Church Street. The property is vacant, undeveloped land that is platted for townhome development facing a private alley. The property owner would like to replat the three lots into two lots facing the public street right-of-way of W. Second Street for further development. This plat also dedicates a 10-foot public utility easement along W. Second Street and Peabody Street. The proposed layout meets the townhome lot requirements.

A Public Hearing Notice was published in the Banner Press on July 4, 2024, and notices were mailed to property owners within 200-feet of the subject properties on July 1, 2024. Staff did not receive any written comments regarding this request.

Engineering and Development Services staff have reviewed the proposed replat for compliance with the City of Brenham's applicable regulations and ordinances and recommend **approval**.

Chairman Behrens closed the regular session and opened the public hearing at 5:21 pm. In response to questions from Gilbert Japko, who is an adjoining property owner at 604 S. Park Street, Ms. Doland clarified the following:

- The property is platted for townhome development so a single-family home would not be allowed.
- The minimum lot width for a townhome lot is 30-feet and the proposed width is 34-feet.
- The minimum lot depth for a townhome lot is 100-feet and the proposed depth is 130-feet.

Glen Vierus, who lives at 105 W. Second Street stated that the property slopes from the south to the north and there is a lot of drainage from the south to the north. He also stated that he is glad the lots are being reduced to two lots since there are already parking issues on W. Second Street. There were no other citizen comments.

Chairman Behrens 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 recommend approval of the Replat of Lots 5, 6, & 7 of the Amended Plat of Pecan Townhomes to create Lot 5A, as presented. The motion carried unanimously.

6. **Public Hearing, Discussion and Possible Action on Case No. P-24-019: A request by Walt Edmunds/WEPROP, LLC for a Specific Use Permit to allow an Accessory Dwelling Unit (ADU) in a R-1, Single-Family Residential Zoning District on property addressed as 310 W. Third Street and being 0.1948-acres described as Key's First Addition, Block 2, Lot 3C in Brenham, Washington County, Texas.**

Shauna Laauwe, City Planner, presented the staff report for Case No. P-24-019 (on file in the Development Services Department). Ms. Laauwe stated that the subject property is addressed as 310 W. Third Street, The property owner/applicant is Walt Edmunds / WEPROP, LLC. The current land use is Single-Family Residential, and the future land use designation is Corridor Mixed Use. The current zoning is R-1, Single-Family Residential Use District. The request is for approval of Specific Use Permit to allow an Accessory Dwelling Unit (ADU) to be located within an R-1, Single-Family Residential Zoning District. This area has a mix of uses including R-1, Single-Family Residential, B-1, Local Business/Mixed Residential District, I-Industrial, and B-2, Commercial Research and Technology District with uses including residential, St. Paul's Church, and the City of Brenham Central Warehouse. The subject property is an 8,487 square foot lot developed with an existing two-story, 2,113 square foot home that was built in 1930 (long before zoning and subdivision requirements were adopted). There is an existing 33'6" x 17'6" (612 square foot) accessory structure that was built in 1930 and previously used as accessory dwelling unit from 1970's to approximately 2020. Mr. Edmunds bought the property in 2020 and the accessory unit was in disrepair. Since the accessory structure was not used as an ADU for more than 12-month, the grandfathered status was lost. The proposal is to rehab the 612 square foot accessory structure and re-establish it as an ADU that would have one bedroom, a kitchen, bathroom with shower, office and a living room. The current accessory structure is located approximately 1-foot from the rear property line. The owner/applicant is purchasing a 10'x85' strip of land from the property owner to the north. This will remove the need for a 9' variance as well as the building/fire restriction for a habitable structure that is less than 2-feet from the property line. The proposed ADU setbacks are as follows:

- Front yard: 88.5-feet
- Side street: 40-feet
- East side yard: 10-feet
- Rear yard: 11-feet

The R-1 Zoning District allows ADU's with an approved Specific Use Permit and additional development standards.

The proposed ADU meets these requirements as follows:

- a) The property owner is to reside in either the principal structure or the ADU.
- b) The addition will be the same general architectural style and building material.
- c) The proposed ADU meets or exceeds the 10-foot side yard and rear yard requirements (after replatting the additional property with the existing lot).
- d) One off-street parking space requirement is met.
- e) The proposed 612 square foot ADU is less than one-half of the habitable area of the principal structure (2,113 SF).
- f) The ADU is not a HUD-code manufactured home.

STAFF ANALYSIS

- The proposed ADU is to be utilized for guest accommodations.
- Approval of the SUP would allow compatible increased density and meets the character of the neighborhood.
- The proposed ADU is appropriate given the zoning, existing development in the vicinity, and the conformance with the Comprehensive Plan.
- The proposed ADU is subject to applicable R-1 development and ADU building standards.

A Public Hearing Notice was published in the Banner Press on July 11, 2024, and notices were mailed to property owners within 200-feet of the subject properties on July 9, 2024. Staff received one written comment from H. Scott Hughes in support of the request.

Development Services staff have reviewed this Specific Use request for compliance with the City of Brenham's applicable regulations and ordinances and based on these findings, recommends **approval** of the request as presented.

Chairman Behrens closed the regular session and opened the public hearing at 5:33 pm. O'Brien Hughes, 159 Sand Pebble Drive, The Woodlands, Texas, stated that he is a co-owner of the adjoining property that is selling the strip of land to Mr. Edmunds. He stated that Mr. Edmunds is making the property look better and enhancing the community. He is in support of the request. Herbert Scott Hughes, Jr. stated that he is the other co-owner of the adjoining property, and he has no objections to the request. He stated that his family has been in this neighborhood for 120-years and he is pleased with how beautiful Mr. Edmunds is making the neighborhood look. There were no other citizen comments.

Chairman Behrens closed the public hearing and re-opened the regular session at 5:35 pm.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to recommend approval to City Council of the request by Walt Edmunds/WEPROP, LLC for a Specific Use Permit to allow and Accessory Dwelling Unit (ADU) in an R-1, Single-Family Residential Zoning District on property addressed as 310 W. Third Street subject to replatting the subject property and the additional land being acquired into one lot, as presented. The motion carried unanimously.

The City Council will consider this request at their meeting on August 1, 2024.

7. Public Hearing, Discussion and Possible Action on Case Number P-24-021: A City initiated request to approve an Ordinance of the City of Brenham, Texas Amending the 2022 Thoroughfare Plan Map, Specifically for the Alignment of the Proposed Future Extension of South Blue Bell Road to State Highway 36 South, and Amending the 2019 Comprehensive Plan and Future Land Use Map, Specifically to Adopt the Small Area Plan Located Generally Around the Brenham Family Park, and Repealing All Ordinances or Parts of Ordinances in Conflict Herewith and Providing an Effective Date.

Shauna Laauwe, City Planner, presented the staff report for Case No. P-24-021 (on file in the Development Services Department). Ms. Laauwe stated that with the proposed development of the Brenham Family Park, several adjoining property owners contacted the City about various potential projects. Staff decided that it would be beneficial to the community and the property owners to have a development concept plan for the area. Staff and Kendig Keast Collaborative met with property owners and real estate professionals and requested their feedback. An online survey was sent out and over 260 responses were received. Multiple meetings were held during this process:

Meeting 1 - May 19, 2023 – Introduction and Discussion. Property owner interviews, real estate professional's roundtable, public input via online survey.

Meeting 2 – June 16, 2023 – Alternative Design Concepts.

Meeting 3 – August 10, 2023 – Refine Preliminary Draft Plan. Feedback via public meeting.

Meeting 4 – September 8, 2023 – Final Proposed Concept Plan. Presentation to Joint meeting of City Council, Planning and Zoning Commission, and the TIRZ Board.

Several property owners have inquired about the status of the Small Area Plan and indicated that they are starting to think about consolidating land or the future of their property. Since the Impact Fees have

been implemented, staff felt it was time to move forward with this project. There are multiple steps in the Implementation Process but only the first two steps are being considered at this meeting:

- **Update Thoroughfare Plan**
- **Amend Comprehensive Plan**
- Potential rezoning of the “Brenham Family Park Area” to a special Planned Development District.
- Update the Subdivision Ordinance.
- Engage public in neighborhood naming/branding contest.
- Create a project website.
- Maintain communications with property owners.
- Explore funding/incentives options.

Proposed Thoroughfare Plan Amendments

- The current plan has Blue Bell Road extending almost straight across to Salem Road. Several comments were made that this would become a cut-through since it is essentially a straight-shot from Blue Bell Road to Salem Road. The proposal is to re-align the connections and make a collector street from Blue Bell Road to Salem Road, and proposal of an arterial street from the Brenham Business Park (north of the Brenham Family Park) southwest down to FM 109.

Proposed Amendments to the Comprehensive Plan – Historic Past, Bold Future Plan 2040 – Our Future City Report

The City’s Comprehensive Plan, Historic Past, Bold Future Plan 2040, was adopted in 2019 and has two reports: The Existing City Report and The Future City Report. This proposal is to amend the Future City Report, as follows:

Page 17 (Exhibit A in the packet):

- Updated the picture to Concept Plan Map
- Updated language to describe the Special Area Plan Concept process.
- Added bullet point: Mixture of land uses and density.

Pages 19-28 of the Comprehensive Plan – Our Future City Report describes each future land use depicted on the Future Land Use Map and what is envisioned. Staff refer to the Future Land Use Map with all rezonings, Planned Development Districts, and Specific Use Permit requests as one of the criteria for recommendation.

Page 27 (Exhibit B in the packet):

- Amended the title from Planned Development District to Brenham Family Park Special Area Plan.
- Updated picture to Concept Plan Map.
- Amended language in the first paragraph to give a description of the Brenham Special Area Plan process and concept.

Future Land Use Map Amendments:

- The Land Use designation was changed to the Brenham Family Park Special Area Plan.
- Expanded the Brenham Family Park Special Area Plan on the east side of S. Chappell Hill Street to extend to US Highway 290.

A Public Hearing Notice was published in the Banner Press on July 11, 2024. Staff did not receive any written comments regarding this request.

Commissioner Neil noted that some of the references on the Brenham Family Park Area Plan are mixed up and don't match the designated area on the map. Staff noted that it would be corrected.

Chairman Behrens closed the regular session and opened the public hearing at 5:54 pm. Chairman Behrens asked what flexibility developers would have if this were approved. In response to questions by Commissioners and citizens, Ms. Laauwe and Ms. Doland clarified the following:

- This is a concept plan so it can be changed and modified.
- Tracts will develop at different times so connectivity will need to be looked at closely.
- This is approximately a proposed development with approximately 133-acre single-family designation, 407 alley-loaded lots as well as multi-family lots.

Mary Kay Maxwell asked if this is City project or a State project. Staff clarified that this is not a project, it is only a concept plan to assist with orderly and proper development around the Brenham Family Park, which is planned to be opened in late 2025. There were no other citizen comments.

Chairman Behrens closed the public hearing and re-opened the regular session at 5:59 pm.

A motion was made by Commissioner Kossie and seconded by Commissioner Neil to recommend approval to City Council of the request for approval of an Ordinance of the City of Brenham, Texas Amending the 2022 Thoroughfare Plan Map, Specifically for the Alignment of the Proposed Future Extension of South Blue Bell Road to State Highway 36 South, and Amending the 2019 Comprehensive Plan and Future Land Use Map, Specifically to Adopt the Small Area Plan Located Generally Around the Brenham Family Park, as presented and as discussed. The motion carried unanimously.

8. Adjourn.

A motion was made by Commissioner Alfred and seconded by Commissioner Cangelosi to adjourn the meeting at 6:02 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:

M. Keith Behrens
Planning and Zoning Commission

M. Keith Behrens
Chair

August 26, 2024
Meeting Date

Kim Hodde
Attest

Kim Hodde
Staff Secretary

August 26, 2024
Meeting Date