



**NOTICE OF A REGULAR MEETING  
BRENHAM PLANNING AND ZONING COMMISSION  
MONDAY, AUGUST 26, 2024, 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 July 22, 2024, Planning and Zoning Commission Meeting.**

**4-b. Case No. P-24-028: A request from H2 Investments, LLC / Leland Hartstack for approval of a Preliminary Plat of the H2 Division No. 1 creating Lot 1 containing 0.950-acre and Lot 2 containing 0.365-acre for a total of 1.315 acres of land being part of the P. H. Coe Survey, A-31 in Brenham, Washington County, Texas.**

**4-c. Case No. P-24-029: A request from H2 Investments, LLC / Leland Hartstack for approval of a Final Plat of the H2 Division No. 1 creating Lot 1 containing 0.950-acre and Lot 2 containing 0.365-acre for a total of 1.315 acres of land being part of the P. H. Coe Survey, A-31 in Brenham, Washington County, Texas.**

**REGULAR AGENDA**

**5. Public Hearing, Discussion and Possible Action on Case Number P-24-026: A request by Scott Bailey for approval of a Replat of Lot 3, Block 1, of the Sycamore Hill Subdivision to create Lot 3A containing 0.677-acre and Lot 3B containing 0.677-acre for a total of 1.354-acres, and further described as part of the Phillip Coe Survey, A-31, in Brenham, Washington County, Texas.**

6. **Public Hearing, Discussion and Possible Action on Case Number P-24-027:** A request by WEPROP, LLC / Walt Edmunds for approval of a Replat of Hughes Lot 3A and Lot 3C, Block 2 of the Key's First Addition, to create Hughes Lot 3AR containing 0.279-acre and Lot 3CR, Block 2 of the Key's First Addition containing 0.212-acre for a total of 0.491-acre, 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 Number P-24-030:** A request by Jake Carlile\_Arete Property Group / Ernest James Nunn, et al, 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 Mixed Residential Use District (R-2) on the property currently addressed as 1320 Burleson Street, and being further described as Tract 142 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.
  
8. **Public Hearing, Discussion and Possible Action on Case Number P-24-031:** A City Initiated request for Text Amendments to the City of Brenham's Code of Ordinances:
  - **Appendix A: Zoning, Part II, Division 1, Section 10.02(1)** regarding the placement of detached accessory structures for corner lots; and
  - **Appendix A: Zoning, Part II, Division 1, Section 10.02(4)(A)** regarding the requirement for the property owner's primary residence to be in either the single-family dwelling or the ADU; and
  - **Chapter 23: Subdivisions, Article III, Section 23-17** to allow alleys in townhome developments to facilitate the design of garages and parking to the rear of the lots.

9. **Adjourn**

**CERTIFICATION**

I certify that a copy of the August 26, 2024, agenda of items to be considered by the Planning & Zoning Commission was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on August 23, 2024, at 1:05 p.m.

*Kim Hodde*

\_\_\_\_\_  
Kim Hodde, Planning Technician

**Disability Access Statement:** This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 at \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**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  
Darren Heine  
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 five (5) 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:*

_____	<u>M. Keith Behrens</u>	<u>August 26, 2024</u>
Planning and Zoning Commission	Chair	Meeting Date
_____	<u>Kim Hodde</u>	<u>August 26, 2024</u>
Attest	Staff Secretary	Meeting Date



**CASE P-24-028**  
**PRELIMINARY PLAT: H2 DIVISION NO. 1**

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**STAFF CONTACT:** Shauna Laauwe, AICP, City Planner

**PLAT TITLE:** H2 Division No. 1 **CITY/ETJ:** City

**PLAT TYPE:** Preliminary Plat

**OWNER/APPLICANT:** H2 Investments, LLC / Leland Hartstack

**ADDRESS/LOCATION:** 1405 & 1411 W. Main Street

**LEGAL DESCRIPTION:** Tract 62 and Tract 106, respectively, P.H. Coe Survey, A-31 (Proposed Lots 1 and 2 of the H2 Division No. 1)

**LOT AREA:** Approximately 1.315 acres

**ZONING DISTRICT:** B-1, Local Business / Residential Mixed-Use District

**EXISTING USE:** Commercial

**FUTURE LAND USE:** Corridor Mixed-Use District

**REQUEST:** A request from H2 Investments, LLC / Leland Hartstack for approval of a Preliminary Plat of the H2 Division No. 1 creating Lot 1, (0.950-acre) and Lot 2 (0.365-acre) being a total of 1.315-acres out of the P.H. Coe Survey, A-31, Brenham, Washington County, Texas.

**BACKGROUND:**

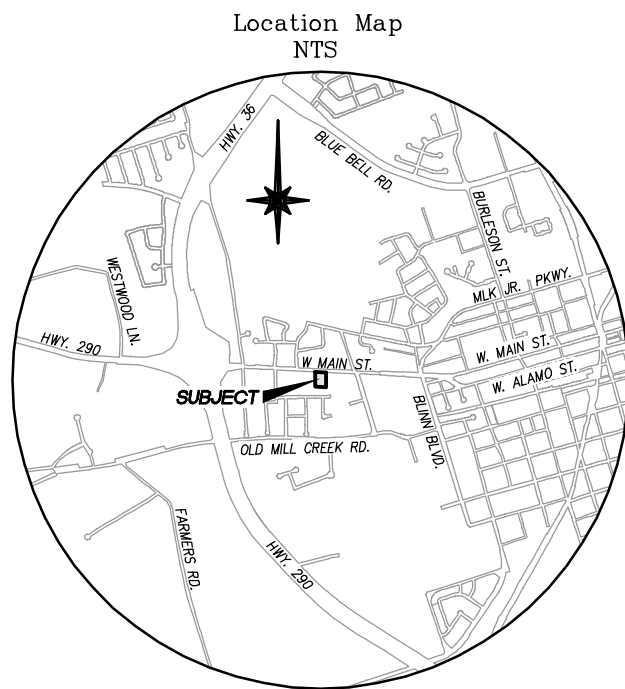
The subject 1.315-acre tract of land is owned by H2 Investments, LLC / Leland Hartstack. The property is currently addressed as 1405 and 1411 W. Main Street and is generally located on the south side of W. Main Street and is east of Munz Street and west of N. Saeger Street. The property is zoned B-1, Local Business / Residential Mixed Use District and is currently developed with two commercial businesses (LJ's BBQ and The Yard). The owner/applicant desires to plat the property for future development and/or sale of the property as individual tracts of land. Since the property is currently unplatted, a preliminary and final plat are required. The plat includes the dedication of a 20-foot public utility easement along the north property lines.

**STAFF ANALYSIS AND RECOMMENDATION:**

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

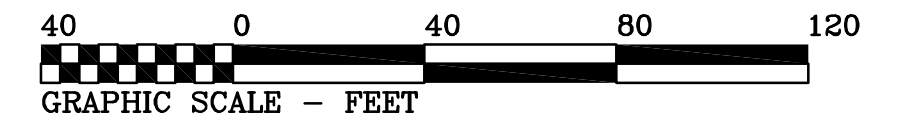
**EXHIBITS:**

A. Proposed Preliminary Plat



## PRELIMINARY PLAT H2 DIVISION NO. 1

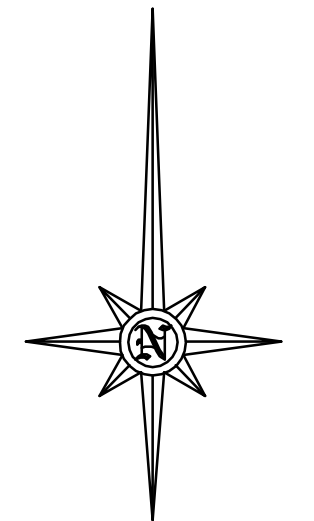
CONSISTING OF 2 LOTS  
 LOT 1: 0.950 ACRE  
 LOT 2: 0.365 ACRE  
 FOR 1.315 ACRES TOTAL  
 P. H. COE SURVEY, A-31  
 CITY OF BRENHAM  
 WASHINGTON COUNTY, TEXAS



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

**LEGEND:**

B.L. = BUILDING LINE  
 P.U.E. = PUBLIC UTILITY EASEMENT



Property Owner  
 H2 Investments, LLC  
 2051 Highway 290 W  
 Brenham, Texas 77833  
 (979) 551-6242

Plat Prepared by  
 Lampe Surveying, Inc  
 P.O. Box 2037  
 1408 West Main Street  
 Brenham, Texas 77834  
 (979) 836-6677

**PRELIMINARY**  
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT  
 8-19-2024

**PLANNING & ZONING COMMISSION APPROVAL**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by the  
 City Planning & Zoning Commission of the City of Brenham, Texas.

Chairman

Secretary

**COUNTY CLERK FILING ACKNOWLEDGEMENT STATEMENT**

THE STATE OF TEXAS  
 COUNTY OF WASHINGTON

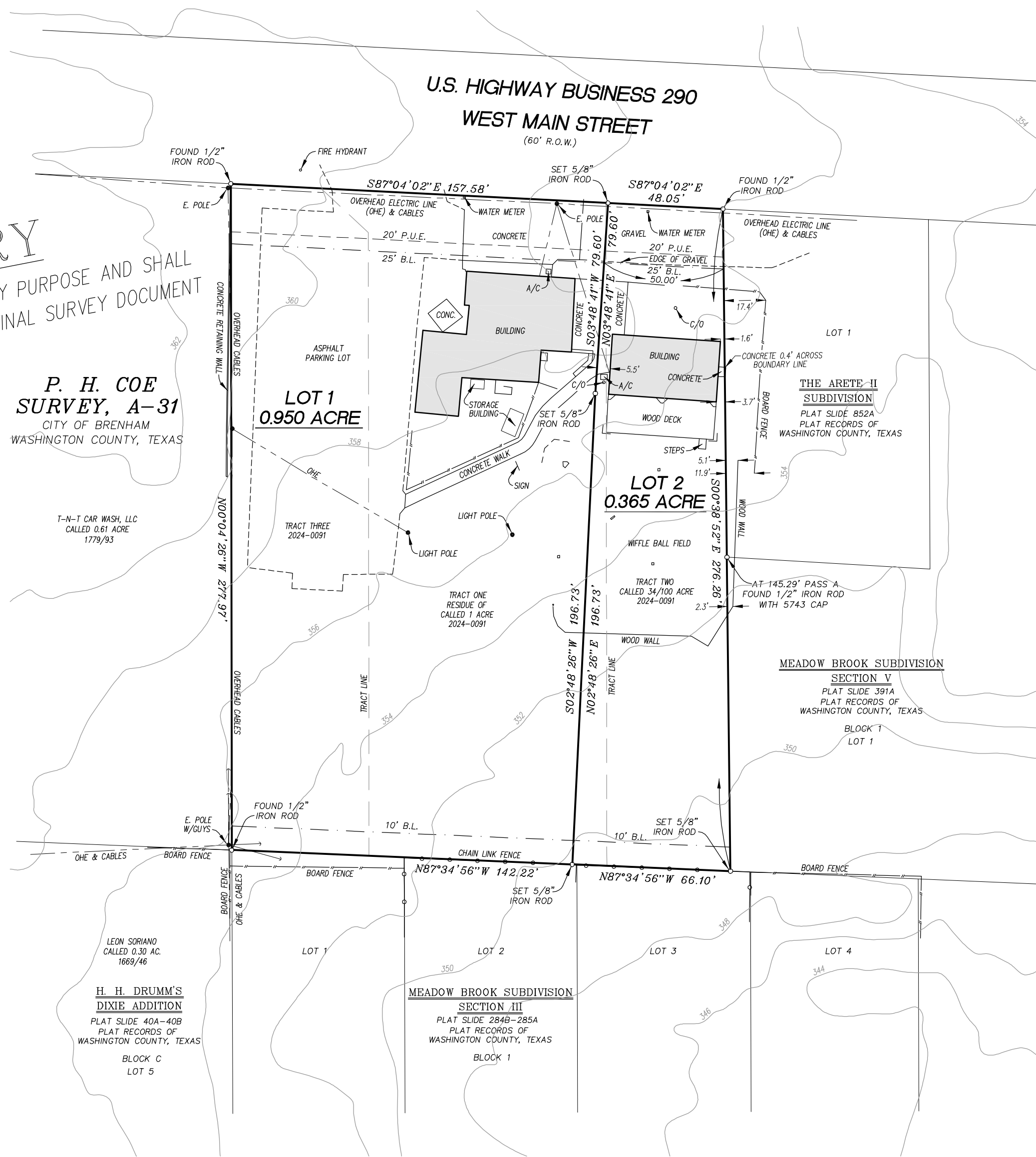
I, Beth Rothermel, Clerk of the County Court of Washington County, Texas do hereby certify that the within instrument with its Certificate of Authentication was filed for registration in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, A.D. at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, A.D. at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in Plat Cabinet File No. \_\_\_\_\_.

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

By: \_\_\_\_\_ Deputy Beth Rothermel  
 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 19th day of August, 2024. (PRELIMINARY)  
 Donald W. Lampe  
 R.P.L.S. No. 1732  
 Lampe Surveying, Inc



- NOTES:**
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
  - This plat does not attempt to amend or remove any valid covenants or restrictions.
  - The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Brenham Code of Ordinances at the time of the development of the property.
  - 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.
  - Iron rods set are fitted with plastic cap stamped "Lampe Surveying".
  - Subject to a Shared Parking Agreement between Lot 1 and Lot 2 filed by separate instrument with the Washington County Clerk.
  - Contours shown hereon were derived from City of Brenham, Texas data.

**OWNER DEDICATION**

H2 Investments, LLC, owner of the property in the foregoing map of H2 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 H2 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 shown hereon.

Leland Hartstack  
 Manager of H2 Investments, LLC

THE STATE OF TEXAS  
 COUNTY OF WASHINGTON

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Leland Hartstack.

Notary Public State of Texas  
 Notary's Name (Printed):  
 Notary's Commission Expires:

**LAMPE SURVEYING, INC**  
**PROFESSIONAL LAND SURVEYORS**

1408 WEST MAIN STREET  
 P. O. BOX 2037  
 BRENHAM, TEXAS 77834  
 (979) 836-6677  
 TBPELS FIRM NO. 10040700  
 WO 4113 411351(PRELIM).DWG 4113 H2 INV.CRD



**CASE P-24-029**  
**FINAL PLAT: H2 DIVISION NO. 1**

---

**STAFF CONTACT:** Shauna Laauwe, AICP, City Planner

**PLAT TITLE:** H2 Division No. 1 **CITY/ETJ:** City

**PLAT TYPE:** Final Plat

**OWNER/APPLICANT:** H2 Investments, LLC / Leland Hartstack

**ADDRESS/LOCATION:** 1405 & 1411 W. Main Street

**LEGAL DESCRIPTION:** Tract 62 and Tract 106, respectively, P.H. Coe Survey, A-31 (Proposed Lots 1 and 2 of the H2 Division No. 1)

**LOT AREA:** Approximately 1.315 acres

**ZONING DISTRICT:** B-1, Local Business / Residential Mixed-Use District

**EXISTING USE:** Commercial

**FUTURE LAND USE:** Corridor Mixed-Use District

**REQUEST:** A request from H2 Investments, LLC / Leland Hartstack for approval of a Final Plat of the H2 Division No. 1 creating Lot 1, (0.950-acre) and Lot 2 (0.365-acre) being a total of 1.315-acres out of the P.H. Coe Survey, A-31, Brenham, Washington County, Texas.

**BACKGROUND:**

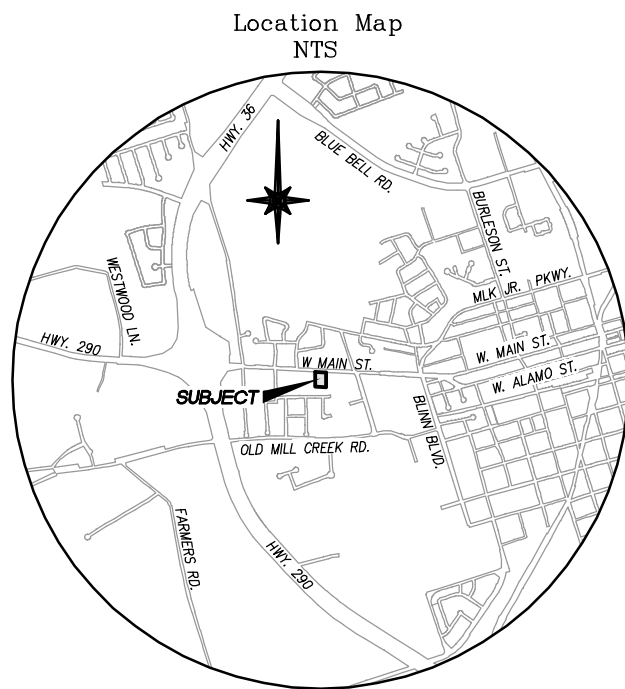
The subject 1.315-acre tract of land is owned by H2 Investments, LLC / Leland Hartstack. The property is currently addressed as 1405 and 1411 W. Main Street and is generally located on the south side of W. Main Street and is east of Munz Street and west of N. Saeger Street. The property is zoned B-1, Local Business / Residential Mixed Use District and is currently developed with two commercial businesses (LJ's BBQ and The Yard). The owner/applicant desires to plat the property for future development and/or sale of the property as individual tracts of land. Since the property is currently unplatted, a preliminary and final plat are required. The plat includes the dedication of a 20-foot public utility easement along the north property lines.

**STAFF ANALYSIS AND RECOMMENDATION:**

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

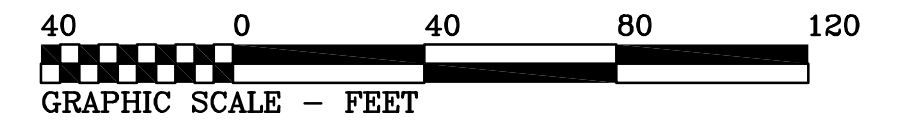
**EXHIBITS:**

A. Proposed Final Plat



## FINAL PLAT H2 DIVISION NO. 1

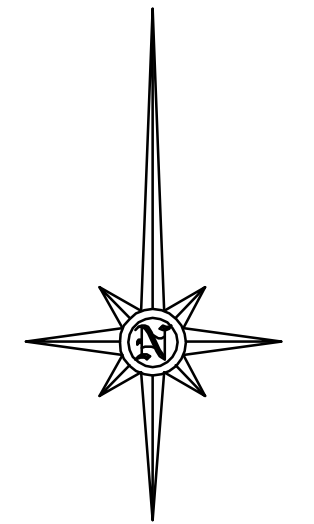
CONSISTING OF 2 LOTS  
 LOT 1: 0.950 ACRE  
 LOT 2: 0.365 ACRE  
 FOR 1.315 ACRES TOTAL  
 P. H. COE SURVEY, A-31  
 CITY OF BRENHAM  
 WASHINGTON COUNTY, TEXAS



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

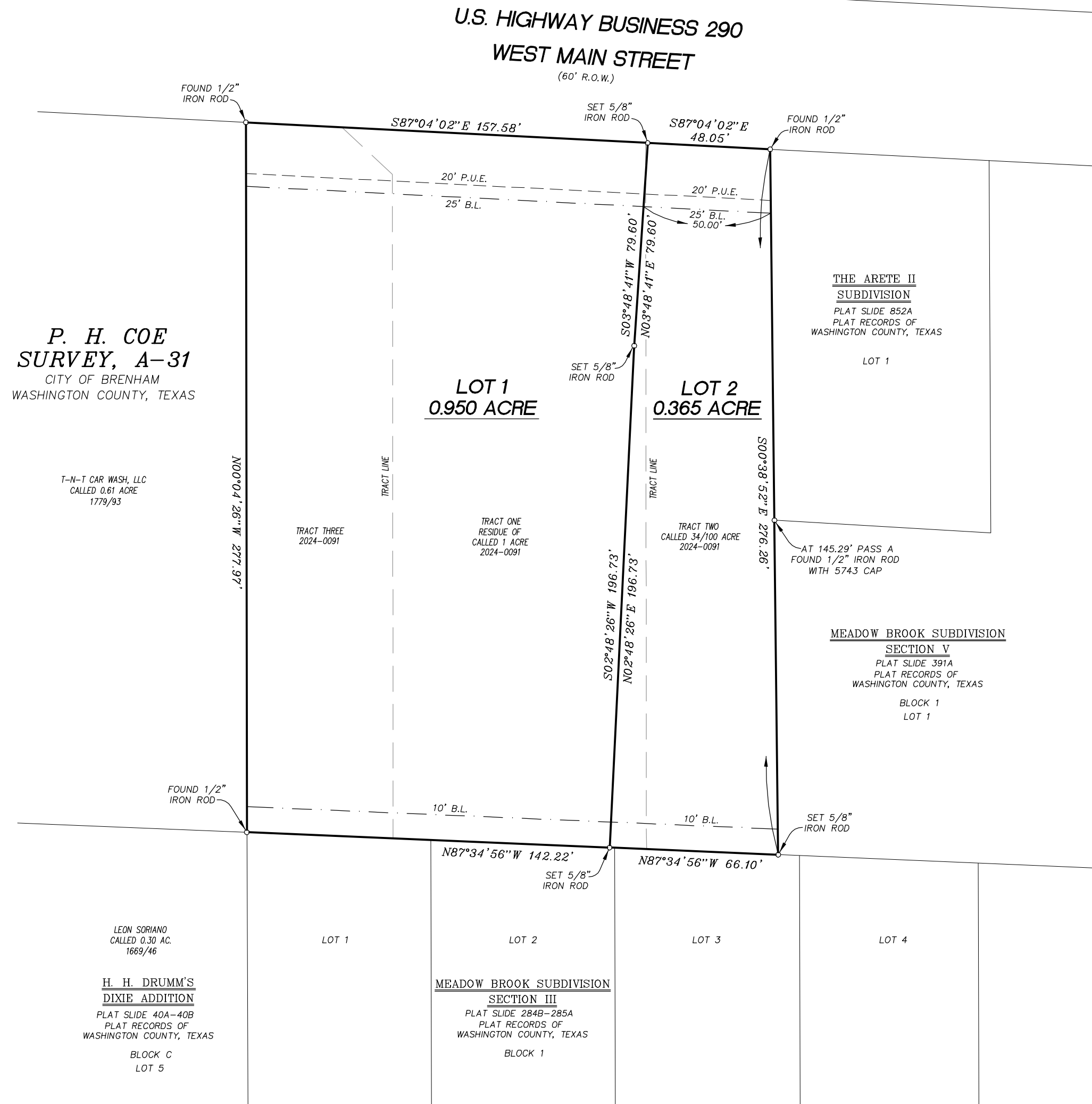
**LEGEND:**

B.L. = BUILDING LINE  
 P.U.E. = PUBLIC UTILITY EASEMENT



**Property Owner**  
 H2 Investments, LLC  
 2051 Highway 290 W  
 Brenham, Texas 77833  
 (979) 551-6242

**Plat Prepared by**  
 Lampe Surveying, Inc  
 P.O. Box 2037  
 1408 West Main Street  
 Brenham, Texas 77834  
 (979) 836-6677



**P. H. COE  
 SURVEY, A-31**  
 CITY OF BRENHAM  
 WASHINGTON COUNTY, TEXAS

**PLANNING & ZONING COMMISSION APPROVAL**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by the  
 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 \_\_\_\_\_ day of \_\_\_\_\_, 2024, A.D. at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, A.D. at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in Plat Cabinet File No. \_\_\_\_\_.

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

By: \_\_\_\_\_ Deputy Beth Rothermel  
 County Clerk  
 Washington County, Texas

T-N-T CAR WASH, LLC  
 CALLED 0.61 ACRE  
 1778/93

LEON SORIANO  
 CALLED 0.30 AC.  
 1669/46

**H. H. DRUMM'S  
 DIXIE ADDITION**  
 PLAT SLIDE 40A-40B  
 PLAT RECORDS OF  
 WASHINGTON COUNTY, TEXAS  
 BLOCK C  
 LOT 5

**LOT 1  
 0.950 ACRE**

**LOT 2  
 0.365 ACRE**

**MEADOW BROOK SUBDIVISION  
 SECTION V**  
 PLAT SLIDE 391A  
 PLAT RECORDS OF  
 WASHINGTON COUNTY, TEXAS  
 BLOCK 1  
 LOT 1

**MEADOW BROOK SUBDIVISION  
 SECTION III**  
 PLAT SLIDE 284B-285A  
 PLAT RECORDS OF  
 WASHINGTON COUNTY, TEXAS  
 BLOCK 1

**NOTES:**

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Brenham Code of Ordinances at the time of the development of the property.
- 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.
- Iron rods set are fitted with plastic cap stamped "Lampe Surveying".
- Subject to a Shared Parking Agreement between Lot 1 and Lot 2 filed by separate instrument with the Washington County Clerk.

**OWNER DEDICATION**

H2 Investments, LLC, owner of the property in the foregoing map of H2 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 H2 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 shown hereon.

Leland Hartstack  
 Manager of H2 Investments, LLC

THE STATE OF TEXAS  
 COUNTY OF WASHINGTON

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Leland Hartstack.

Notary Public  
 State of Texas

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

**LAMPE SURVEYING, INC**  
**PROFESSIONAL LAND SURVEYORS**

1408 WEST MAIN STREET  
 P. O. BOX 2037  
 BRENHAM, TEXAS 77834  
 (979) 836-6677  
 TBPELS FIRM NO. 10040700  
 WD 4113 4113S1(FINAL).DWG 4113 H2 INV.CRD

Dated this the 19th day of August, 2024. **(PRELIMINARY)**  
 Donald W. Lampe  
 R.P.L.S. No. 1732  
 Lampe Surveying, Inc

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.



**CASE P-24-026**

**REPLAT: LOT 3, BLOCK 1 OF THE SYCAMORE HILL SUBDIVISION**

---

**STAFF CONTACT:** Shauna Laauwe AICP, City Planner

**PLAT TITLE:** Replat of Lot 3, Block 1 of the Sycamore Hill Subdivision      **CITY/ETJ:** City Limits

**PLAT TYPE:** Residential Replat

**OWNER & APPLICANT:** Scott Bailey

**AGENT:** Ron Bryant (A-Survey, Inc.)

**LOT AREA /LOCATION:** 1.354-acres / 1307 Hidden Creek Lane

**PROPOSED LEGAL DESCRIPTION:** Lot 3A and Lot 3B, Block 1 of the Sycamore Hill Subdivision in Brenham, Washington County, Texas

**ZONING DISTRICT:** R-1, Single-Family Residential Use

**EXISTING USE:** Vacant

**FUTURE LAND USE:** Single-Family Residential Use

**REQUEST:** A request by Scott Bailey for approval of a Replat of Lot 3 of the Sycamore Hill Subdivision to create Lot 3A containing 0.677-acre (29,490-square feet) and Lot 3B containing 0.677-acre (29,490-square feet) for a total of 1.354-acres located at 1307 Hidden Creek Lane, and further described as part of the Philip Coe Survey, A-31, in Brenham, Washington County, Texas.

**BACKGROUND:**

The subject property, identified as Lot 3, Block 1, of the Sycamore Hill Subdivision is a 1.354-acre lot addressed as 1307 Hidden Creek Lane, generally located at the west terminus of Hidden Creek Lane. The property owner is Scott Bailey and applicant is Ron Bryant/A-Survey, Inc. The subject property consists of a single-family home, that was constructed in 2021, on the north side of the 1.354-acre property with a driveway access onto Hidden Creek Lane. Mr. Bailey wishes to subdivide the property into two lots to sell the southern lot (Lot 3B) for the development of a single-family home.

The existing subject property is proposed to be split evenly, with each lot (Lot 3A and Lot 3B) consisting of 0.6770-acres (29,490 SF). Each proposed lot will have access to Hidden Creek Lane via an elongated driveway. Per the International Fire Code (IFC), Section 503.1.1(1.1) Building and facilities, since an IFC approved fire truck turnaround would not be provided, the new single-family structure on proposed Lot 3B would be required to have an approved automatic sprinkler system installed (See Exhibit E). The property owner and applicant has been made aware of this provision.

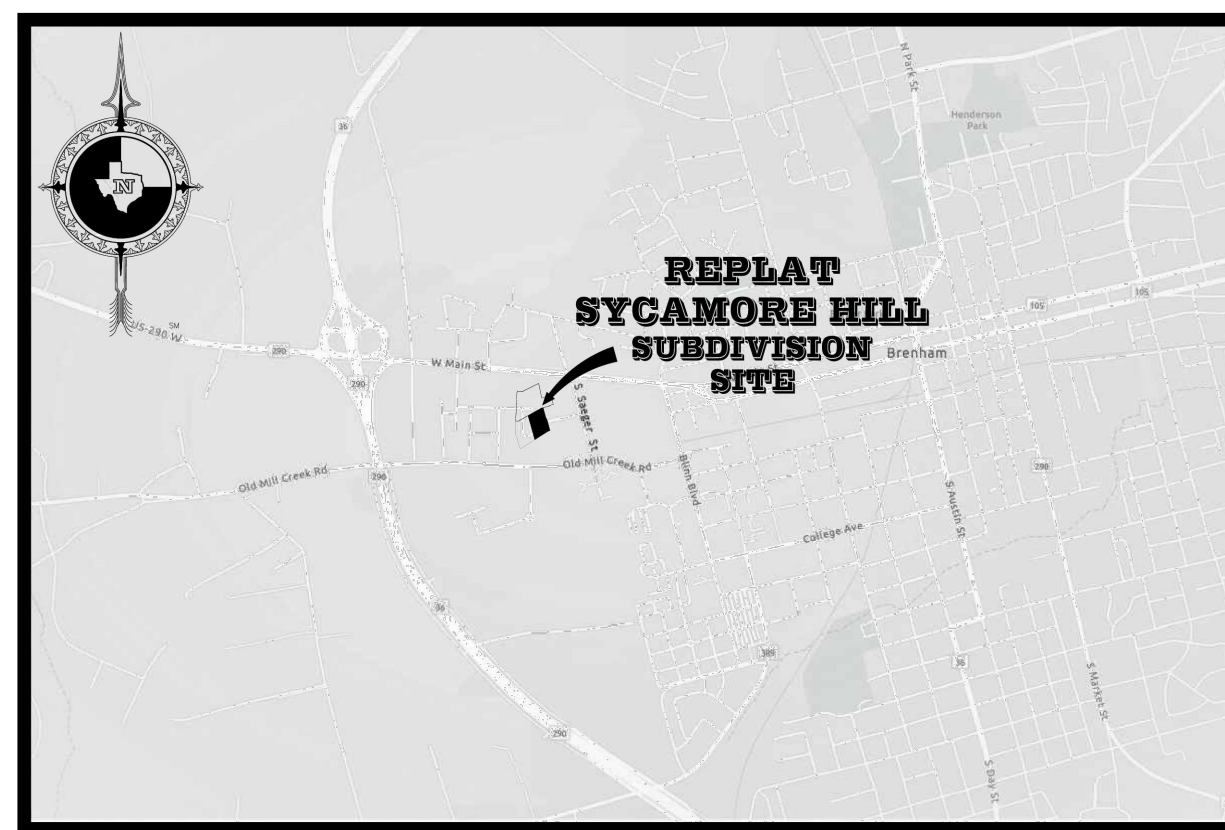
**STAFF RECOMMENDATION:**

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.

**REPLAT  
LOT 3, BLOCK 1**  
(1.354 Acres)  
**SYCAMORE HILL SUBDIVISION**  
PLAT CABINET 742B & 743A, PLAT RECORDS  
OF WASHINGTON COUNTY, TEXAS  
INTO  
**LOT 3A & LOT 3B, BLOCK 1**  
(0.677 Acre) (0.677 Acre)  
**SYCAMORE HILL SUBDIVISION**  
PHILLIP COE SURVEY, A-31  
CITY OF BRENHAM  
WASHINGTON COUNTY, TEXAS



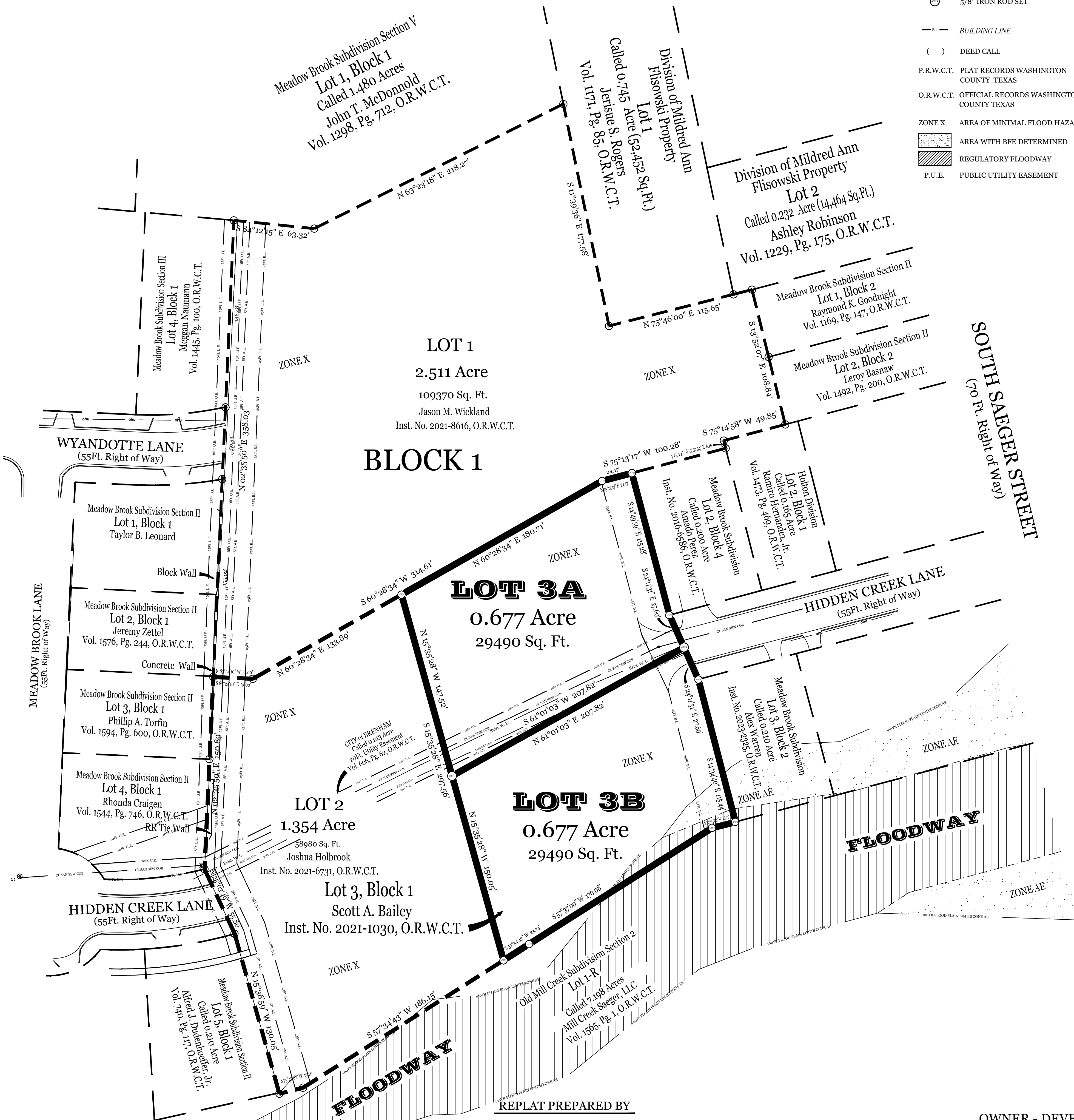
**KEY MAP**

**LEGEND**

- 1" IRON BAR FOUND
- 3/8" IRON ROD FOUND
- 1/2" IRON ROD FOUND
- 5/8" IRON ROD FOUND
- 5/8" IRON ROD SET
- BUILDING LINE
- ( ) DEED CALL
- P.R.W.C.T. PLAT RECORDS WASHINGTON COUNTY TEXAS
- O.R.W.C.T. OFFICIAL RECORDS WASHINGTON COUNTY TEXAS
- ZONE X AREA OF MINIMAL FLOOD HAZARD
- AREA WITH BFE DETERMINED
- REGULATORY FLOODWAY
- P.U.E. PUBLIC UTILITY EASEMENT



SCALE: 1" = 40'  
40 0 40 Feet



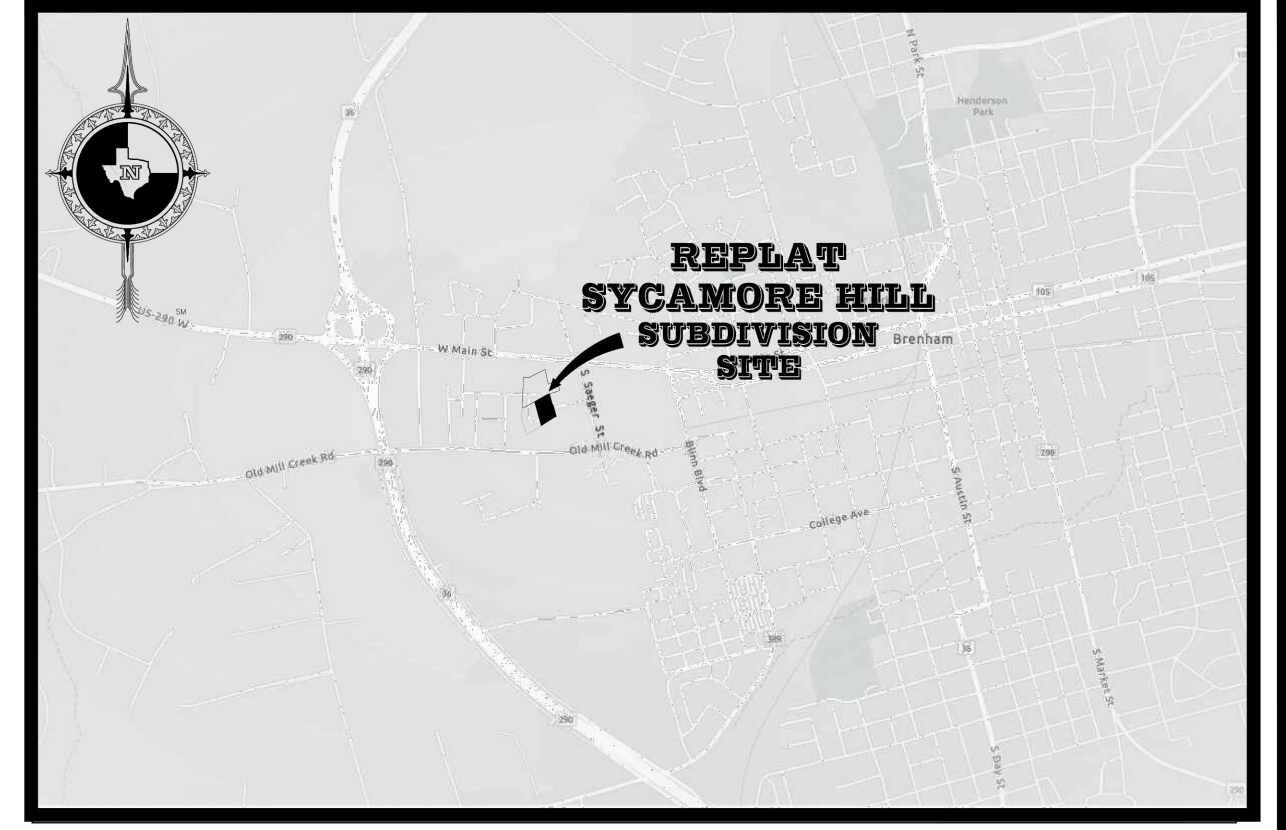
REPLAT PREPARED BY

**A-SURVEY, INC.**  
**"THE MASTERS OF MEASUREMENT"™**  
19 NORTH MILLER  
BELLVILLE, TEXAS 77418  
979-865-8111  
1-800-4-A-SURVEY  
4ASURVEY.COM  
4ASURVEY@GMAIL.COM  
T.B.P.E.L.S. FIRM REG. LIC. No. 10076700  
PROJECT No.: 24145A

**OWNER - DEVELOPER**  
SCOTT A. BAILEY  
5271 TATTERSHALL AVENUE  
WESTMINSTER, CALIFORNIA  
92683  
1-562-659-53589  
7SBAILEY7@GMAIL.COM



**REPLAT**  
**LOT 3, BLOCK 1**  
**(1.354 Acres)**  
**SYCAMORE HILL SUBDIVISION**  
**PLAT CABINET 742B & 743A, PLAT RECORDS**  
**OF WASHINGTON COUNTY, TEXAS**  
**INTO**  
**LOT 3A & LOT 3B, BLOCK 1**  
**(0.677 Acre) (0.677 Acre)**  
**SYCAMORE HILL SUBDIVISION**  
**PHILLIP COE SURVEY, A-31**  
**CITY OF BRENHAM**  
**WASHINGTON COUNTY, TEXAS**



**KEY MAP**

**OWNER ACKNOWLEDGEMENT**

THE STATE OF TEXAS  
COUNTY OF WASHINGTON

I, SCOTT A. BAILEY, THE OWNER OF THE LAND DESCRIBED HEREON, WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY OFFER, ADOPT AND ACKNOWLEDGE THE SUBDIVISION OF SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON.

\_\_\_\_\_  
SCOTT A. BAILEY

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE DAY OF \_\_\_\_\_, 2024, BY SCOTT A. BAILEY.

NOTARY PUBLIC  
STATE OF TEXAS

\_\_\_\_\_  
NOTARY NAME (PRINTED)  
NOTARY COMMISSION EXPIRES

**GENERAL NOTES**

1. THE SURVEYOR HAS CONDUCTED A LIMITED ABSTRACT OF THE SUBJECT PROPERTY.
2. THIS PLAT IS BASED ON A TITLE REPORT ISSUED BY BOTTS TITLE COMPANY, UNDER G.F. NO. TE-24085-WA, ISSUED JULY 26, 2024.
3. SUBJECT TO EASEMENTS, ORDINANCES, CONDITIONS, RESTRICTIONS AND ANY, AND ALL ADDITIONAL APPLICABLE INSTRUMENTS THAT MAY OR MAY NOT BE OF RECORD THAT AFFECTS OR COULD AFFECT THE SUBJECT PARCEL. NO SUB-SURFACE FEATURES WERE INVESTIGATED OR INCLUDED WITHIN THE SCOPE OF THIS SURVEY; AND THOSE CERTAIN COVENANTS, CONDITIONS, RESERVATIONS, EASEMENTS, BUILDING LINES AND RESTRICTIONS AND AS SHOWN ON PLATS RECORDED IN PLAT CABINET FILE NOS. 161A, 161B, 257B, 258A AND 422A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
4. SUBJECT TO THAT CERTAIN TWENTY-FIVE FT. (25 FT.) BUILDING LINE AS SHOWN ON PLAT CABINET FILE NOS. 742B AND 743A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
5. SUBJECT TO THAT CERTAIN FIFTEEN FT. (15 FT.) UTILITY EASEMENT AS SHOWN ON PLAT RECORDED IN PLAT CABINET NOS. 257B, 258A, 422A AND 422B OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
6. SUBJECT TO AN UNOBSTRUCTED AERIAL EASEMENT FOR UTILITIES FIVE FEET (5 FT.) WIDE FROM A PLANE TWENTY FEET (20 FT.) ABOVE THE GROUND UPWARD, LOCATED ADJACENT TO ALL EASEMENTS SHOWN ON PLAT FILED IN PLAT CABINET FILE NOS. 161A, 257B AND 258A, 742B AND 743A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
7. SUBJECT TO THAT CERTAIN FIVE FOOT (5 FT.) GUY EASEMENT AS SHOWN ON PLAT RECORDED IN PLAT CABINET FILE NOS. 257B AND 258A, 742B AND 743A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
8. SUBJECT TO THAT CERTAIN EXISTING SIX INCH (6 IN.) SANITARY SEWER LINE AS SHOWN ON PLAT RECORDED IN PLAT CABINET FILE NOS. 257B AND 258A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
9. SUBJECT TO THAT CERTAIN SEWER EASEMENT TO THE CITY OF BRENHAM AS RECORDED IN VOLUME 236, PAGE 274 OF THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS.
10. SUBJECT TO THAT CERTAIN UTILITY EASEMENT TO THE CITY OF BRENHAM AS RECORDED IN VOLUME 606, PAGE 62 OF THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
11. SUBJECT TO THOSE CERTAIN EASEMENTS OF UTILITIES AND DRAINAGE FACILITIES RESERVED FOR THE USE OF THE CITY OF BRENHAM, TEXAS AS RECORDED IN PLAT CABINET NOS. 161A, 161B, 257B AND 258A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
12. SUBJECT TO ANY CLAIM, RIGHT OR ASSERTIONS INCLUDING RIGHTS OF INGRESS AND EGRESS, IN AND TO THE CL SANITARY SEWER LINE, WATER LINE AND GAS LINE AS SHOWN ON PLAT RECORDED IN PLAT CABINET FILE NOS. 742B AND 743A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
13. SUBJECT TO THE RIGHTS OF OTHERS IN AND TO THE GRAVEL DRIVE.
14. SUBJECT TO THAT CERTAIN OVERHEAD ELECTRIC LINE, UTILITY POLE, GUY, CONTROL POINT LOCATION, HYDRANT, WATER VALVE, TELEPHONE PEDESTAL AND ANY AGREEMENT RIGHTS APPURTENANT THERETO.
15. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
16. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
17. 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.
18. SUBJECT TO ANY RIGHTS, CLAIMS OR OTHER MATTERS WHICH MAY EXIST OR ARISE BY VIRTUE OF ZONE "X", ZONE "AE" AND FLOODWAY AS SHOWN ON PLAT RECORDED IN PLAT CABINET FILE NOS. 742B AND 743A OF THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
19. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION FOR WASHINGTON COUNTY, TEXAS. THE SUBJECT TRACT DOES LIE WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY, AND IS IN ZONE "X", ZONE "AE" AND FLOODWAY AS GRAPHICALLY DETERMINED BY FLOOD HAZARD BOUNDARY MAP NO. 48477C0295C, EFFECTIVE DATE: AUGUST 16, 2011.

**COUNTY CLERK CERTIFICATION**

THE STATE OF TEXAS  
COUNTY OF WASHINGTON

I, BETH ROTHERMEL, COUNTY CLERK IN AND FOR WASHINGTON COUNTY, TEXAS, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED IN MY OFFICE THE DAY OF \_\_\_\_\_, 2024, A.D. \_\_\_\_\_ AT O'CLOCK, M., AND DULY RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024 A.D. IN THE PLAT RECORDS IN SLIDE NO. \_\_\_\_ WITNESSED BY HAND AND SEAL OF THE COUNTY COURT OF WASHINGTON COUNTY, IN BRENHAM, TEXAS.

\_\_\_\_\_  
DEPUTY

\_\_\_\_\_  
BETH ROTHERMEL  
COUNTY CLERK  
WASHINGTON COUNTY,  
TEXAS

**PLANNING AND ZONING COMMISSION**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENHAM.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
SECRETARY

**SURVEYOR CERTIFICATION**

THE STATE OF TEXAS  
COUNTY OF WASHINGTON

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

\_\_\_\_\_  
RONALD K. BRYANT                      DATE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4361

REPLAT PREPARED BY

**A-SURVEY, INC.**  
**"THE MASTERS OF MEASUREMENT"™**

19 NORTH MILLER  
BELLVILLE, TEXAS 77418  
979-865-8111  
1-800-4-A-SURVEY  
4ASURVEY.COM  
4ASURVEY@GMAIL.COM  
T.B.P.E.L.S. FIRM REG. LIC. No. 10076700  
PROJECT No.: 24145A



**CASE P-24-027**

**REPLAT: HUGHES LOT 3A AND LOT 3C, BLOCK 2 OF THE KEY'S FIRST ADDITION**

---

**STAFF CONTACT:** Shauna Laauwe AICP, City Planner

**PLAT TITLE:** Replat of Hughes Lot 3A and Lot 3C, Block 2 of the Key's First Addition **CITY/ETJ:** City Limits

**PLAT TYPE:** Residential Replat

**OWNER & APPLICANT:** WEPROP, LLC / Walt Edmunds

**AGENT:** Donald. W. Lampe (Lampe Surveying, Inc.)

**LOT AREA /LOCATION:** 0.491-acres / 310 W Third Street

**PROPOSED LEGAL DESCRIPTION:** Hughes Lot 3AR and Lot 3CR, Block 21 of the Key's First Addition in Brenham, Washington County, Texas

**ZONING DISTRICT:** R-1, Single-Family Residential Use

**EXISTING USE:** Vacant

**FUTURE LAND USE:** Corridor Mixed Use

**REQUEST:** A request by WEPROP, LLC / Walt Edmunds for approval of a Replat of Hughes Lot 3A and Lot 3C, Block 2 of the Key's First Addition, to create Hughes Lot 3AR containing 0.279-acre and Lot 3CR, Block 2 of the Key's First Addition containing 0.212-acre for a total of 0.491-acre, and further described as part of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas.

**BACKGROUND:**

The subject property is an 8,487 square foot (0.1948-acre) existing lot that is addressed as 310 W. Third Street and located at the northeast corner of the intersection of W. Third Street and S. Day Street. The subject property is owned by Walt Edmunds/WEPROP, LLC. and is a rectangular-shaped lot that is 85 feet in width and 107 feet in depth that is developed with a single-family dwelling and an accessory structure that were both constructed in 1930. The property owner / applicant has acquired a 10-foot by 85-foot strip of land from the adjacent property owner to the north to bring the accessory structure (proposed accessory dwelling unit) into compliance. This additional area is being replatted to be legally combined with the subject property.

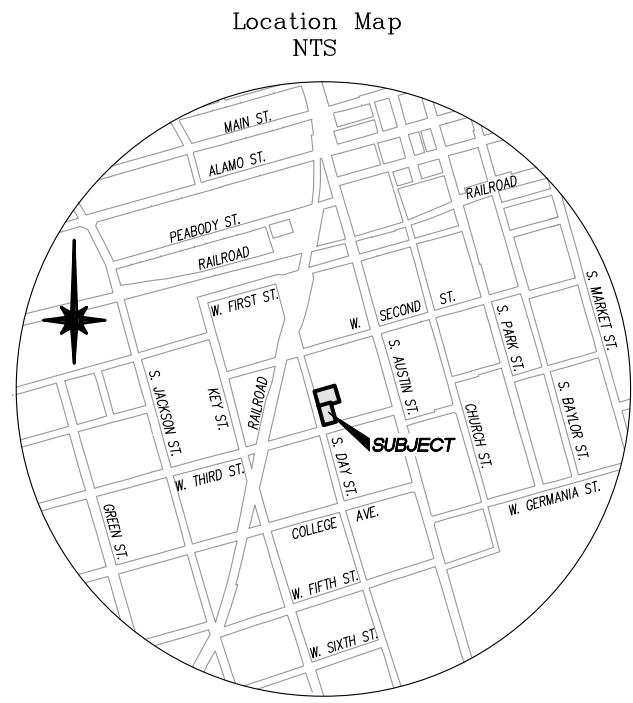
The residential replat includes the 10-foot by 85-foot strip of land purchased from the adjacent property to the north and a dedication of a 20-foot public utility easement along W. Third Street, with an existing 15-foot public utility easement shown along South Day Street.

**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.



**REPLAT OF  
HUGHES LOT 3A AND LOT 3C, BLOCK 2  
OF KEY'S FIRST ADDITION TO CREATE  
HUGHES LOT 3AR AND LOT 3CR  
OF BLOCK 2, KEY'S FIRST ADDITION**

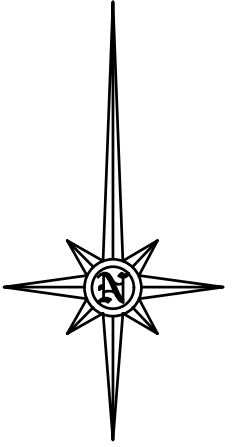
HUGHES LOT 3AR: 0.279 ACRE  
LOT 3CR: 0.212 ACRE  
A. HARRINGTON SURVEY, A-55  
CITY OF BRENHAM  
WASHINGTON COUNTY, TEXAS

**A. HARRINGTON  
SURVEY, A-55**  
CITY OF BRENHAM  
WASHINGTON COUNTY, TEXAS



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

**LEGEND:**  
B.L. = BUILDING LINE  
P.U.E. = PUBLIC UTILITY EASEMENT

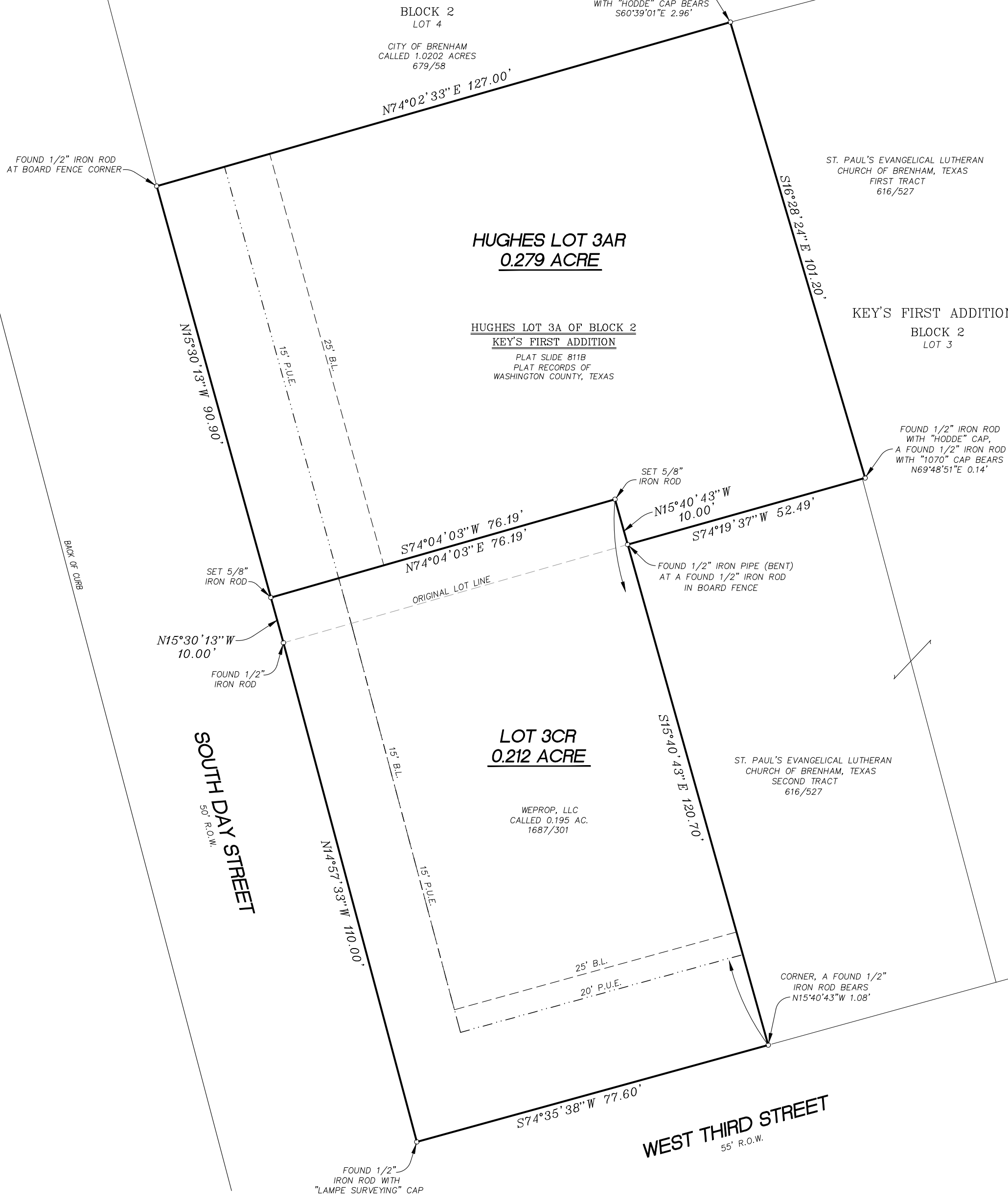


**Property Owners**  
Kelley M. Hughes, et al  
22002 Castle Springs Dr.  
Katy, Texas 77450  
(832) 689-1501

**Plat Prepared by**  
Lampe Surveying, Inc  
P.O. Box 2037  
1408 West Main Street  
Brenham, Texas 77834  
(979) 836-6677

WEPROP, LLC  
P.O. Box 2417  
Brenham, Texas 77834  
(979) 251-2465

- NOTES:**
- This plat does not attempt to amend or remove any valid covenants or restrictions.
  - The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Brenham Code of Ordinances at the time of the development of the property.
  - 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.
  - All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
  - Iron rods set are fitted with plastic cap stamped "Lampe Surveying".



**OWNER DEDICATION**  
Herbert Hughes Estate and WEPROP, LLC, owners of the property subdivided in the foregoing map of the Replat of Hughes Lot 3A and Lot 3C, Block 2 of Key's First Addition to create Hughes Lot 3AR and Lot 3CR of Block 2, Key's First Addition, do hereby make subdivision of said property according to the lines, lots, building lines, and easements thereon shown and designate said subdivision as the Replat of Hughes Lot 3A and Lot 3C, Block 2 of Key's First Addition to create Hughes Lot 3AR and Lot 3CR of Block 2, Key's First Addition, to the City of Brenham, Texas, located in the City of Brenham, Washington County, Texas, and we 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 shown hereon.

We hereby covenant and agree that all lots within the boundaries of this subdivision are for residential purposes unless otherwise noted.

\_\_\_\_\_  
Kelley M. Hughes  
Executor of the Herbert Hughes Estate

\_\_\_\_\_  
Walt Edmunds  
\_\_\_\_\_ of WEPROP, LLC

THE STATE OF TEXAS  
COUNTY OF WASHINGTON

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Kelley M. Hughes.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Walt Edmunds.

Notary Public  
State of Texas

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

**PLANNING AND ZONING COMMISSION APPROVAL**  
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by the  
City Planning and 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 \_\_\_\_\_ day of \_\_\_\_\_, 2024, A.D. at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, A.D. at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in Plat Cabinet File No. \_\_\_\_\_.

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

By: \_\_\_\_\_ Deputy Beth Rothermel  
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 30th day of July, 2024. **(PRELIMINARY)**  
Donald W. Lampe  
R.P.L.S. No. 1732  
Lampe Surveying, Inc

**LAMPE SURVEYING, INC**  
PROFESSIONAL LAND SURVEYORS  
1408 WEST MAIN STREET  
P. O. BOX 2037  
BREHMAN, TEXAS 77834  
(979) 836-6677  
TBPELS FIRM NO. 10040700  
WD 3906 390652(FINAL).DWG 3419ABEL.CGC

## CASE NUMBER P-24-030 ZONE CHANGE REQUEST – 1320 BURLESON STREET

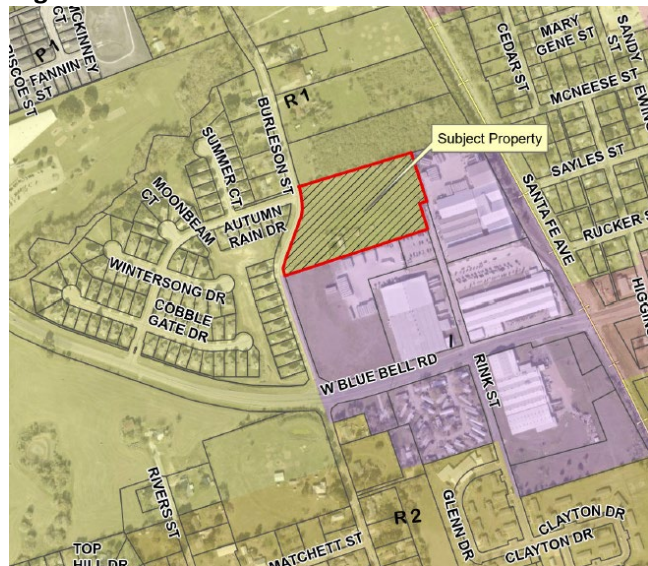
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<b>STAFF CONTACT:</b>	Shauna Laauwe, AICP, City Planner
<b>OWNERS/APPLICANTS:</b>	Ernest James Nunn, et al / Jake Carlile of Arete Property Group
<b>ADDRESS/LOCATION:</b>	1320 Burleson Street (Exhibit A)
<b>LEGAL DESCRIPTION:</b>	Tract 142, A. Harrington Survey, A-55
<b>LOT AREA:</b>	Approximately 6.09-acres
<b>ZONING DISTRICT/USE:</b>	R-1, Single Family Residential District / Vacant Land
<b>FUTURE LAND USE:</b>	Estate Residential
<b>REQUEST:</b>	A request to change the zoning classification from Single Family Residential Use District (R-1) to a Mixed Residential Use District (R-2) (Exhibit C)

### BACKGROUND:

The subject property is an approximate 6-acre vacant tract that is generally located on the east side of Burleson Street, north of West Blue Bell Road, and on the west side of Rink Street and addressed as 1320 Burleson Street. As shown in Figure 1, the subject tract and adjacent properties to the north and west, across Burleson Street, are currently zoned R-1, Single-Family Residential District. The R-1 District includes the properties to the north along the east side of Burleson Street with the adjacent property being vacant and properties further north being developed as large lot single-family homes. To the west, across Burleson Street, is also zoned R-1 and is the Woodbridge Subdivision that consists of 88 single-family homes. The adjacent property to the south and east is zoned I, Industrial District and developed as a Sealy mattress manufacturing and distribution plant. Further to the south, directly across West Blue Bell Road, is also zoned Industrial district and is developed with a legally nonconforming mobile home park and as Tru-Vision Plastics. The nearest R-2 District is south of West Blue Bell Road and adjacent to the mobile home park and Tru-Vision Plastics.

Figure 1



The applicant wishes to rezone the subject property to R-2, Mixed Residential District to permit additional residential uses to be developed. While the R-1 district solely allows single-family dwellings as a permitted use, the R-2 district allows single-family dwellings, two-family dwellings to include duplexes and twin homes, zero-lot line patio homes, and townhomes units. Manufactured homes are not permitted in the R-2 district and multifamily apartments are only allowed with a Specific Use Permit. Being adjacent to the industrial use puts additional constraints on the subject property with 75-foot bufferyards being required between single-family and industrial uses, while duplexes and townhomes would only require a 25-foot bufferyard. Bufferyards are in addition to the minimum required setback along the affected property line, thus instead of a 25-foot rear yard setback for a single-family home, a 100-foot setback for structures would be required. The bufferyard requirements that are to protect residential uses, make the approximate 6-acre subject tract difficult to develop as a single-family development of more than one unit.

The subject property and the four (4) adjacent properties to the north were rezoned from Industrial to R-1 in 2014. Meeting minutes from the City Council meeting from 10 years ago states that the proposal at the time was due to a request from a property owner. It was deliberated in 2014 by the Commission whether rezoning the properties from Industrial to either R-1 or R-2. Ultimately the Board decided R-1 was appropriate due to nearby single-family residential uses. With the lack of development of the subject property since 2014 and the proximity of the Sealy Plant, single-family residential may not be the only viable use of the tract. Therefore, the applicants are requesting to zone the 6.09-acres from R-1, Single-Family Residential District to R-2, Mixed Residential District.

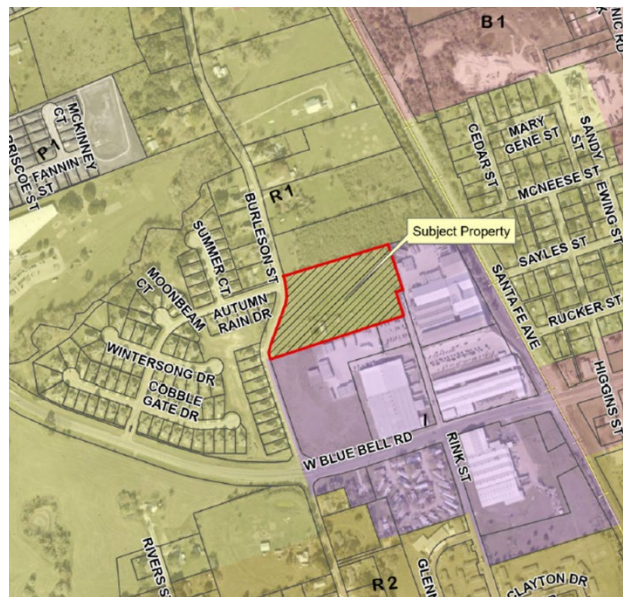
#### **ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:**

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

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

**The subject property consists of an unplatted 6.09-acre tract that is addressed as 1320 Burleson Street. The subject property is generally located on the east side of Burleson Street, north of West Blue Bell Road, and on the west side of Rink Street and addressed as 1320 Burleson Street. The subject tract and adjacent properties to the north and west, across Burleson Street, are currently zoned R-1, Single-Family Residential District. The R-1 District includes the properties to the north along the east side of Burleson Street with the adjacent property being vacant and properties further north being 1-acre plus lots that are either vacant or developed as single-family homes. To the west, across Burleson Street, is also zoned R-1 and is the Woodbridge Subdivision that consists of 88 single-family homes and further to the northwest is the Liberty Village Subdivision that is a single-family planned development district. The adjacent property to the south and east is zoned I,**

**Figure 2**



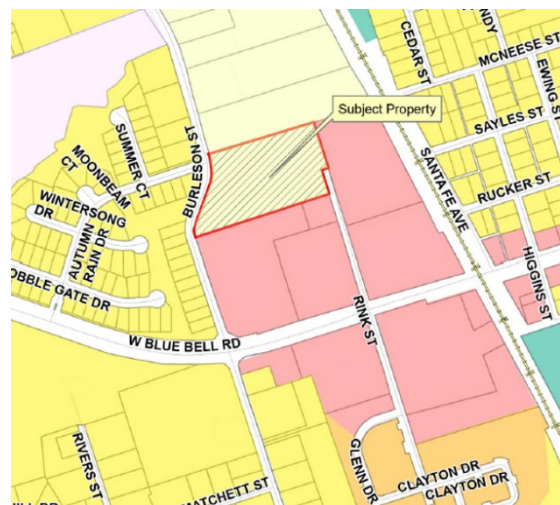
Industrial District and developed as a Sealy mattress manufacturing and distribution plant. Further to the south, directly across West Blue Bell Road, are two properties also zoned Industrial district and developed with a legally nonconforming mobile home park to the west and a Tru-Vision Plastics to the east. The nearest R-2 District is south of West Blue Bell Road and adjacent to the mobile home park and Tru-Vision Plastics.

The proposed R-2 District is typically utilized as a transition zone between neighborhood commercial and mixed residential uses (B-1) and single-family (R-1) uses. The R-2 district affords the availability for a higher density residential as a step down from commercial uses and providing a buffer between commercial uses and standard single-family neighborhoods. Allowing the proposed rezoning request would expand the residential options for the vacant property to allow not only single-family uses, but also two-family and townhome developments. Staff has received several inquiries the last six months regarding rezoning the property for either two-family (duplex/twin home) or townhome development. With the existing adjacent industrial use of the Sealy plant, a single-family development would be required to provide an additional 75-foot bufferyard to the minimum setbacks along the shared property lines of the industrial use to the south and east. Multifamily uses that include two-family and townhome developments require a lesser 25-foot bufferyard between the multifamily and industrial uses. Thus, the bufferyard requirements that protect residential properties from more intense uses, limits the ability to develop the subject tract as a single-family development. The rezoning from R-1 to R-2 will facilitate residential uses that are more compatible next to commercial and industrial uses. Applicable development standards for R-2 uses including bufferyards that require additional setbacks, screening and landscaping, drainage and detention, and on-site parking would be required of future development adjacent to the existing industrial use. The bufferyards will aid in ensuring residential qualities by minimizing potential noise, drainage, glare or other incompatibilities between the different uses. Staff finds that rezoning the proposed tract will meet intent of the zoning ordinance and continue to preserve small-town attributes unique to Brenham.

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

As shown in Figure 2 and in Exhibit "C", the future land use map portion of the Historic Past, Bold Future: Plan 2040 Comprehensive Plan suggests the subject tract and tracts on the east side of Burlison Street, north of the commercial (red area) to State Highway 36, may be appropriate for Estate Residential use. The Comprehensive Plan includes land use policies to help guide land use decisions. Specifically, the Plan finds that Estate Residential is appropriate for areas that "due to public service limitations and/or prevailing rural character should have limited development activity other than large-lot residential. These are typically for areas that may provide a transition between a city's rural fringe and more urbanized in-city development patterns and intensities. The lots along the east side of Burlison Street are large, generally over 1-acre in area, with many of the lots not utilizing city sewer services. With existing adjacent industrial to the south, that is shown as commercial on the Future land Use Map, it is unlikely that the subject property would develop as single-family residential. If the requested zone change to R-2 for the 6.09-acre tract is approved, the zoning regulations would allow for the development of the

Figure 2



permitted uses found in the R-1 and R-2 districts. The R-2 district permits single-family, two-family, townhome, and zero-lot line (patio homes). Due to the subject property being over 2-acres in lot size, a specific use permit would be required for multifamily uses such as fourplexes and apartments. Manufactured homes and manufactured home parks are not permitted in the R-2 district. The requested rezoning from R-1 to R-2 does not align to Future Land Use Plan that calls for large lot residential but would provide a transitional residential district between the adjacent industrial uses to the south and single-family uses to the north and west.

- (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 is undeveloped except for a barn and storage structures and has been primarily utilized as agricultural land. The subject property has access to water and sewer utilities to the east along Rink Street, and water, gas, and sewer availability along Burleson Street.**

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

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

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

**Property owners within 200 feet of the project site were mailed notifications of this request on August 13, 2024. The Notice of Public Hearing was published in the *Brenham Banner* on August 13, 2024. As of the date of this staff report, one written public comment has been received from the property owner of 1301 Burleson, who is opposed to the rezoning request. Any comments submitted to staff will be provided in the Planning & Zoning Commission and City Council 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 properties will be required to adhere to minimum building setbacks and maximum impervious coverage requirements for the allowed residential uses within the R-2 District. The R-2 District permits single-family, single-family attached units (townhomes), duplexes, twin homes, and patio homes. As the subject property is greater than 2-acres, multifamily development would require approval of a specific use permit by City Council. In addition to minimum building setbacks, the R-2 zoning district establishes maximum impervious coverage limits of 55% for single-family uses, 60% for duplex, twin home and patio home developments, and 80% for townhome developments. Furthermore, development of new two-family and townhome residential uses adjacent to the industrial use will require an additional 25-foot buffer yard requirement along the south and east property lines of the residential use. In addition, a 20-foot bufferyard would be required along the north single-family zoned use property line if multi-family residential is developed on the subject property. Staff finds that the adopted zoning ordinance and building codes will ensure that adequate open spaces are preserved on the subject lots should the property owners desire to further develop the 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 of its residents.

**The requested zoning and associated land uses are appropriate for this location given adjacent zoning designations and existing development within the general vicinity. While the future land use plan does envision the subject tract as large estate residential, rezoning the tract to R-2 would allow for additional more-dense residential development opportunities that may be more appropriate immediately adjacent to industrial property and the arterial Blue Bell Road to the south.**

- (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 proposed R-2 District is a more appropriate step down from the adjacent industrial uses than R-1 District as single-family development would require a 75-foot bufferyard from the existing industrial use. The R-2 District allows for greater density housing options and has a reduced bufferyard setback of 25-feet from the adjacent industrial use property line. In addition, Staff finds that the proposed zoning is consistent with the community's Housing Task Force plan to allow for a variety of residential uses that could provide "missing middle" dwellings for existing and future residents.**

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

**Staff finds that rezoning the properties will protect and not adversely affect adjacent existing and future residential neighborhoods due to the City's adopted development standards including requirements related to buffer yards, screening, setbacks, drainage, and landscaping.**

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

**The existing R-1 district would allow for a single-family development with a cul-de-sac that would increase density and traffic along Burleson Street. If the rezoning to R-2, Mixed Residential District is approved, single-family development is still an option, but additional density and traffic could be realized with the development of more dense development like duplexes or townhomes. Burleson Street is on the City of Brenham's Capital Improvement Program priority list for expansion to a three-lane undivided roadway (two – way with a center turn lane) from FM 577 (Blue Bell Road) to the north city limits line. It is projected that construction will be approved sometime between 2028 and 2030. This future widening will lessen the traffic impacts of the existing Woodbridge and Liberty Village subdivisions as well as future development along the east side of Burleson Street. Thus, staff is unable to determine any long-term destabilizing effects on the neighboring properties should this rezoning request be approved. The proposed R-2 zoning for the subject property would provide an adequate step-down in zoning from the I, Industrial to the south and the single-family uses to the north and west.**

- (11) The city's zoning should make adequate provisions for a range of commercial uses in existing and

future locations that are best suited to serve neighborhood, community, and regional markets.

**If approved, the proposed rezoning will allow not only single-family residential uses, but two-family, and townhome residential uses as well. Rezoning from a single-family district to a broader mixed residential use district will not reduce the provisions for commercial uses. Vacant, I - Industrial District property is located on the northeast corner of Burleson Street and W. Blue Bell Road, while vacant B-1, Local Business Residential district properties may be found to the east in the general vicinity along E. Blue Bell Road and N. Park Road. Staff believes that the proposed zoning change, if approved, will not negatively affect vacant land classified for commercial uses.**

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

**The subject tract is a legally conforming 6.09-acre vacant lot that is currently utilized for agricultural uses and zoned for single-family development. The requested zoning would allow for the development of single-family, two-family and townhomes in a manner that meets zoning, building and fire codes.**

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

**Staff finds that the proposed rezoning change will allow for the orderly growth and development in the general vicinity and throughout the city.**

#### **STAFF RECOMMENDATION:**

**Staff recommends approval** of the proposed zoning from R-1, Single-Family Residential District to R-2, Mixed Residential District for the subject 6.09-acre tract addressed as 1320 Burleson Street.

#### **EXHIBITS:**

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

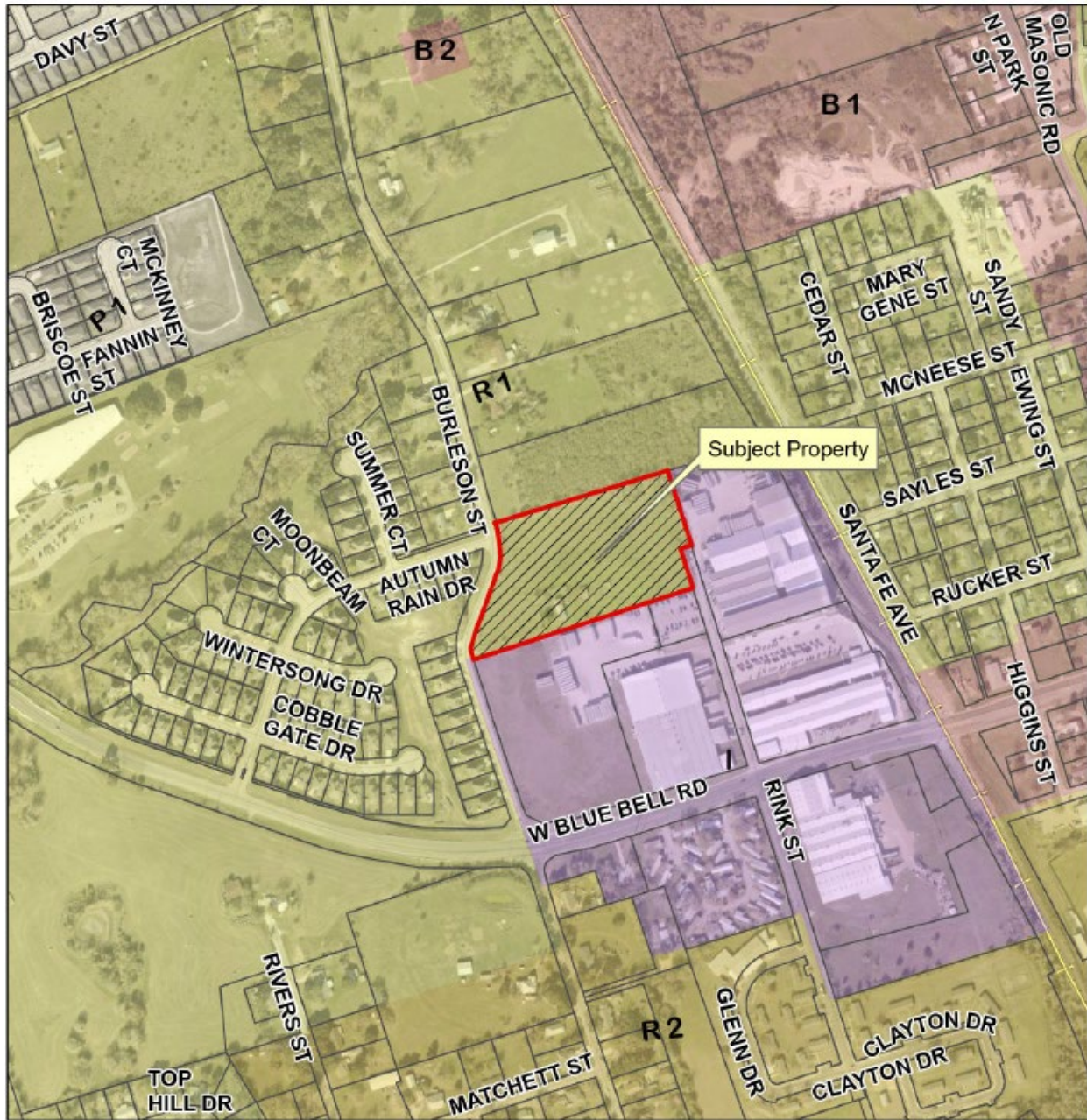
EXHIBIT "A"  
AERIAL MAP



**Location Map**  
**Rezoning R-1, Single-Family to R-2, Mixed Residential**  
**1320 Burleson Street**



EXHIBIT "B"  
ZONING MAP

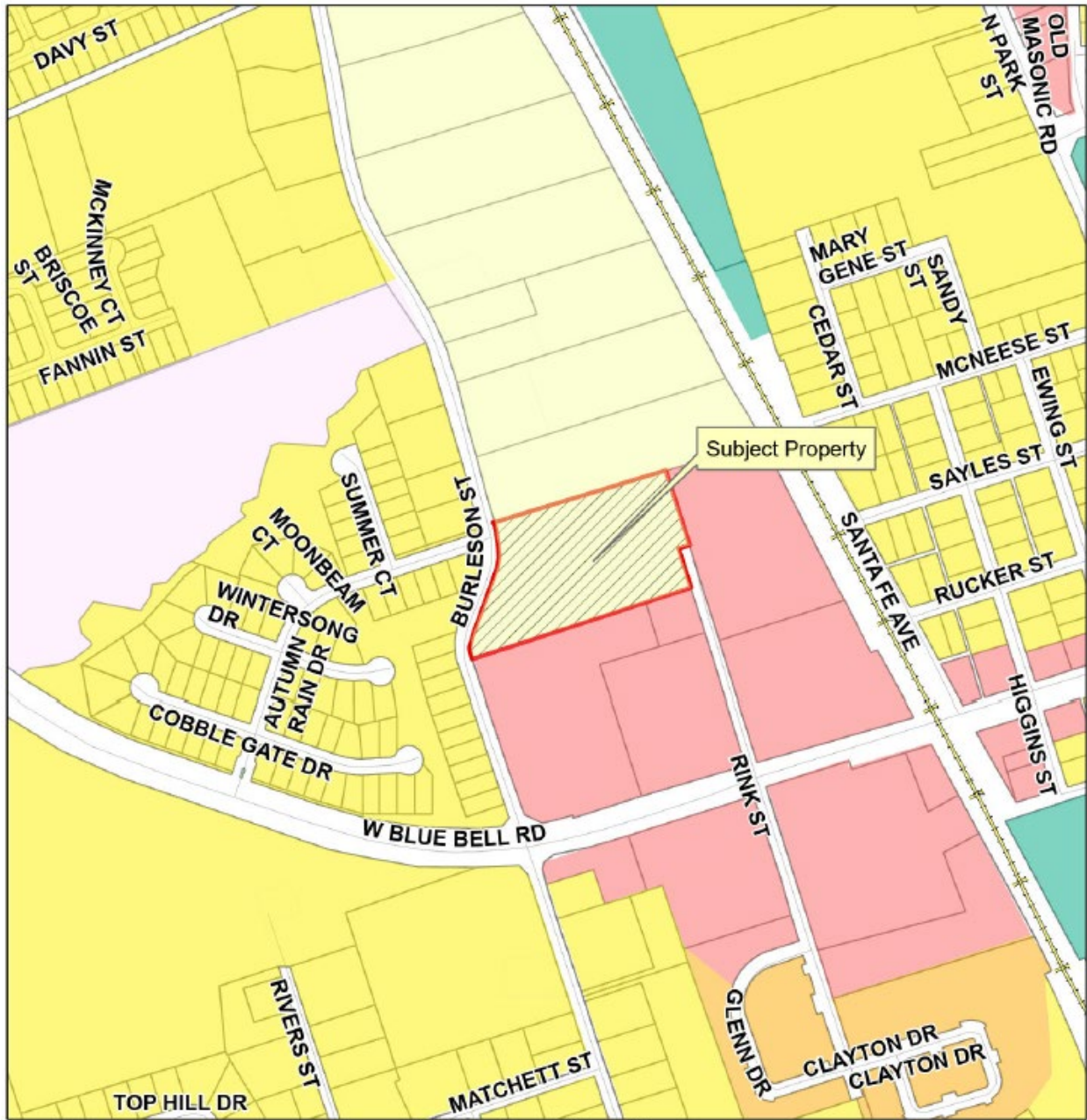


- Zoning**
- B1 Local Business Mixed
  - B2 Commercial Research and Technology
  - I Industrial
  - P1 Planned Development
  - R1 Residential Single Family
  - R2 Mixed Residential

**Zoning Map  
Rezoning R-1, Single-Family to R-2, Mixed Residential  
1320 Burleson Street**



**EXHIBIT "C"**  
**FUTURE LAND USE MAP**



**Future Land Use Map**  
**Rezoning R-1, Single-Family to R-2, Mixed Residential**  
**1320 Burleson Street**

Future Land Use Plan

FLU\_FINAL

- Open Space
- Park
- Estate Residential
- Single Family Residential

- Multi-Family Residential
- Local Public Facilities
- Commercial
- City Parcels
- Railroad
- City Roads
- City Limits



1:5,284



**EXHIBIT "D"**  
**ZONE CHANGE COVER LETTER**



**City of Brenham**

200 W Vulcan St.

Brenham, TX 77833

**Dear Members of the Brenham City Council and Development Team,**

I am writing to request a zoning change for the land located at 1320 Burleson St in Brenham. Currently, this property is zoned as R1 (Single-Family Residential). However, the adjacent properties are zoned for industrial use, which no longer aligns with the future land use plan for the area.

To act as a buffer between the existing single-family residential areas and the industrial zones, I propose rezoning 1320 Burleson St to R2 (Moderate-Density Residential). This rezoning would allow for the development of townhomes and potentially duplexes, thereby introducing much-needed rental supply and affordable housing options to the Brenham market.

The future construction plans for 1320 Burleson St include the development of mid-level priced rental units and/or housing units priced under \$250,000. These new housing options are critically needed in our community to provide more affordable living solutions for our residents.

The proposed R2 zoning would not only provide a practical buffer between single-family homes and industrial zones but would also contribute to the overall economic and social wellbeing of our city by increasing the availability of affordable and rental housing. This change aligns with the city's long-term planning goals and would serve to enhance the quality of life for current and future residents of Brenham.

Thank you for considering this request. I am available to discuss this proposal further and provide any additional information required.

Sincerely,

Jake Carlile

Partner, Arete Property Group

(979)-277-5439

jake@aretepg.com

**EXHIBIT "E"**  
**SITE PHOTOS**



Subject site – 1320 Burleson Street



Subject site – 1320 Burleson Street



Adjacent vacant industrial & Sealy plant



Looking south towards Blue Bell Road





Woodbridge homes directly to the west on Burluson St.



Looking south down Burluson Street



## CASE NUMBER P-24-031 TEXT AMENDMENTS TO ZONING & SUBDIVISION REGULATIONS

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### REQUEST:

The City of Brenham initiated this request to amend the City of Brenham’s Code of Ordinances, Appendix A: Zoning to amend two (2) different provisions of Section 10, Accessory uses and structures, and Chapter 23 of the Subdivision regulations regarding alleys to include:

- Appendix A: Zoning, Part II, Division 1, Section 10.02(1) regarding the placement of detached accessory structures for corner lots; and
- Appendix A: Zoning, Part II, Division 1, Section 10.02(4)(A) regarding the requirement for the property owner’s primary residence to be in either the single-family dwelling or the ADU; and
- Chapter 23: Subdivisions, Article III, Section 23-17 to allow alleys in townhome developments to facilitate the design of garages and parking to the rear of the lots.

### BACKGROUND:

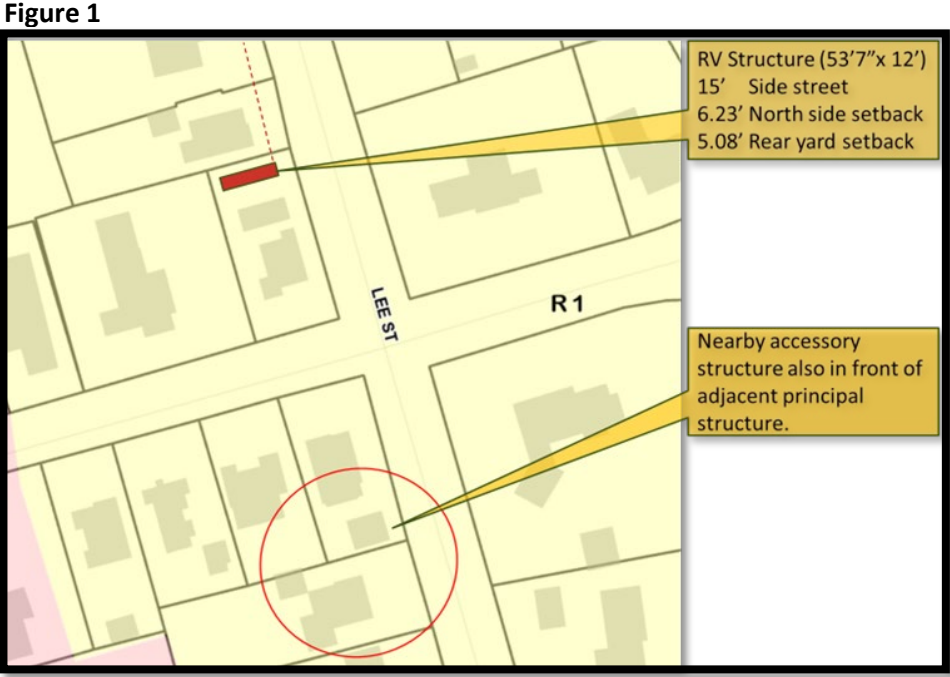
The Zoning Ordinance and Subdivision Regulations are living documents that require revisions from time to time to reflect new codes, make corrections, to revise/add new definitions, to allow for new uses or perhaps remove uses that are no longer seen as compatible within a particular zoning district or development pattern. In the past year, the Development Services Staff has made note of several revisions to be considered by the Planning & Zoning Commission and City Council. These include amending Section 10, that provides regulations for accessory structures. Proposed revisions include removing the Accessory Dwelling Unit (ADU) requirement that the property owner live in either the principal structure or ADU and revising the setback standards for accessory structures such as detached garages, carports and sheds. A revision is also recommended for the Subdivision Ordinance that is Chapter 23 of the Code of Ordinances, specifically Section 23-17 that prohibits alleys in new subdivisions. Please see below for a summary of the reasoning behind each amendment and the attached Exhibits for the proposed ordinance edits to include deletions and additions.

### Proposed Amendments:

**Appendix A Zoning, Part 2, Section 10 – Accessory structures, location and regulations. Accessory structure setbacks, Section 10.02(1).** The current regulation states that “All detached accessory structures in any residential district shall be located *behind the closest point of the primary structure to the front property line* and shall have a side and rear yard of not less than five (5) feet. The intent of the regulation is to ensure that accessory structures are not located closer to the roadway than the principal structure and to give a uniform setback along said roadway. This provision works well for interior lots, however corner lots have two street frontages with different setbacks resulting in instances where detached structures are located as much as 10-feet in front of the principal structure of an adjacent lot.

For corner lots, the front yard is considered for the street frontage of which the front door faces and has a 25-foot front yard setback, and the secondary street has a side street setback of 15-feet.

As shown in Figure 1 below, a property on the northwest corner of Lee Street and Lubbock Street constructed a recreational vehicle shade structure on the Lee Street side of the property. The adjacent property owner approached city staff in January 2024 questioning if the structure was in violation and stated that the accessory structure blocks the view of the south windows of his home and creates a nuisance by blocking the line of sight of his front yard. The corner property has a front yard setback of 25-feet along Lubbock Street and a 15-foot side street setback along Lee Street. The accessory shade structure met all the zoning regulations as it was behind the façade of the principal structure on the subject property and met the minimum 5-foot rear and side yard setbacks. The red dashed line symbolizes the 15-foot side street setback and shows how the structure is positioned closer to the street than the principal structure located on the adjacent north lot. A similar situation is circled on the opposite southwest corner of the same intersection. City Staff recommends revising the regulation to state ***“Detached accessory structures in any residential district shall be located behind the closest point to the front property line of the primary structure of both the subject property and adjacent properties and shall have a side and rear yard of not less than five (5) feet.”*** The detailed revision to the Section 10.02, to include Section 10.02(1) may be found in Exhibit “A”.



**Appendix A Zoning, Part 2, Section 10 – Accessory structures, location and regulation. Accessory Dwelling Unit Standards, Section 10.02(4)(A).** Under Section 10.02(4) an additional six (6) standards are listed pertaining to accessory dwelling units (ADUs). The first standard, Section 10.02(4)(A) states *“Should the primary use be a single-family dwelling, the property owner’s primary residence shall be the single-family dwelling or ADU.”* When the ADU regulations were adopted on March 7, 2019, ADUs were a permitted use in the B-1, Local Business/Residential Mixed-Use District and allowed in the R-1, Single-Family Residential District and the R-2, Mixed Residential District with a Specific Use Permit following a public hearing before the Planning & Zoning Commission and a public hearing and approval by the City Council. In September 2023, a text amendment revised the regulations to allow an ADU as a permitted use in both the B-1 and R-2 districts as two-family and multifamily uses were allowed within the districts, however the specific use permit process remains for proposed ADUs in R-1 districts. This past year, property owners of rental properties have requested constructing ADUs on their properties that have

existing single-family dwellings. These requests were denied as it would violate the standard 10.02(4)(A) as the property owner would not be residing in either the principal structure or the ADU. It has been by requested by rental property owners that the City consider a text amendment to the regulations to strike the residency requirement for ADUs within the R-2 and B-1 districts. City Staff recommends the following text amendment to Section 10.02(4)(A): ***“Should the primary use be a single-family dwelling in a R-1 District, the property owner’s primary residence shall be the single-family dwelling or the ADU.”*** The detailed revision to Section 10.02 Accessory structures, location and regulation, to include Section 10.02(4)(A) may be found in Exhibit “A”.

**Chapter 23: Subdivisions, Article III, Section 23-17 Alleys.** As developers seek additional housing types to provide moderate priced homes to meet the Housing Task Force Objectives and needs of the citizens of Brenham, several proposed townhome developments have been presented to City Staff with two being approved in the past year. While reviewing townhome proposals, it has proved difficult for the placement of driveways, utilities, and trash receptacles all within the public right-of-way. The current Section 23-18 Easements regulation within the Subdivision Ordinance simply states, “Alleys are prohibited in new subdivisions.” Townhome developments would benefit from alleys to allow rear garage and parking access as well as a location for trash receptacles. Alleys would allow the front doors of townhomes to face the public right-of-way, and it would allow for guest parking along the curb and for utilities to be placed without being under driveways and/or transformers being placed in narrow side yards. The proposed text amendment to Section 23-17 is recommended: ***“Alleys are encouraged in townhome developments to facilitate the design of garages and parking to the rear of lots and utilities along the public right-of-way.”*** The detailed revision to Chapter 23, Section 23-17 may be found in Exhibit “B”.

#### **ANALYSIS:**

As cited in the city’s adopted Zoning Ordinance, site development standards are established for the purpose of promoting and protecting the health, safety, morals and general welfare of the residents, citizens, and inhabitants of the City of Brenham and for the protection and preservation of the small-town character of Brenham, including historical places, places of cultural importance and places that reflect the predominant community values as reflected in the City's Comprehensive Plan. However, staff finds that from time-to-time it is necessary to update the Zoning Ordinance and Subdivision Regulations, including existing site development standards to accommodate development and modernize development requirements.

#### **PUBLIC COMMENTS:**

The Notice of Public Hearing for the proposed Text Amendment was published in the Brenham Banner on August 15, 2024. Any public comments submitted to staff will be provided prior to the Planning and Zoning Commission and City Council prior to their decision on the matter.

#### **STAFF RECOMMENDATION:**

Staff recommends **approval** to amend Appendix A – Zoning of the Brenham Code of Ordinances, Appendix A: Zoning, Part II, Division 1, Section 10.02(1) regarding the placement of detached accessory structures for corner lots; Appendix A: Zoning, Part II, Division 1, Section 10.02(4)(A) regarding the requirement for the property owner’s primary residence to be in either the single-family dwelling or the ADU; and Chapter 23: Subdivisions, Article III, Section 23-17 to allow alleys in townhome developments to facilitate the design of garages and parking to the rear of lots.

#### **Attachments:**

1. Exhibit “A”: Part II, Division 1, Section 10.02(1) and Section 10.02(4)(A)
2. Exhibit “B”: Chapter 23: Subdivisions, Article III, Section 23-17

## EXHIBIT "A"

### Appendix A: Zoning, Part II, Division 1, Section 10.02 Accessory structures, location and regulations

\*\*Please note: Only the two proposed amendments for Section 10.02(1) and 10.02(4) are shown, all other 10.02(2) and 10.02(3) are unaffected. Proposed revisions are shown below in **bold purple**.

#### § 10. Accessory uses and structures.

##### (Sec. 10.02) Accessory structures, location and regulation:

- (1) All detached accessory structures in any residential district shall be located behind the closest point of the primary structure to the front property line. **For corner lots, accessory structures shall also be located behind the closest point of the adjacent primary structure front property line.** Accessory structures shall have a side and rear yard of not less than five (5) feet.
- (4) Additional standards pertaining to accessory dwelling units (ADUs):
  - (A) Should the primary use be a single-family dwelling, **in a R-1 District**, the property owner's primary residence shall be the single-family dwelling or ADU.
  - (B) An ADU must be designed and constructed keeping with the general architecture and building material of the principal structure.
  - (C) An attached ADU shall be subject to the regulations affecting the principal structure. A detached ADU shall have side yards of not less than the required side yard for the principal structure and rear yards of not less than ten (10) feet.
  - (D) One (1) on-site parking space, located to the side or rear of the primary structure, shall be provided for the ADU in addition to the required parking for the principal structure.
  - (E) The maximum habitable area of an ADU is limited to either one-half (1/2) of the habitable area of the principal structure, or one thousand (1,000) square feet, whichever is smaller.
  - (F) ADUs shall not be a HUD-code manufactured home or mobile home.

**EXHIBIT "B"**

**Chapter 23: Subdivisions, Article III, Section 23-17**

\*\*Proposed revisions are shown below in **bold purple**.

**Chapter 23- Subdivisions.**

**Sec. 23-17. Alleys**

~~Alleys are prohibited in new subdivisions.~~

**Alleys are encouraged in townhome developments to facilitate the design of garages and parking to the rear of lots.**