

**CITY OF BRENHAM  
PLANNING AND ZONING COMMISSION MINUTES  
January 28, 2019**

*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 January 28, 2019 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Deanna Alfred, Vice Chair  
Keith Behrens  
Leroy Jefferson  
Calvin Kossie  
Lynnette Sheffield  
Marcus Wamble

Commissioners absent:

Nancy Low, Chair

Staff present:

Lori Sanguedolce, City Engineer/Director of Development Services  
Stephanie Doland, Assistant Director of Development Services  
Kim Hodde, Planning Technician

Citizens present:

Lawrence Pitcaithly	Paul Leventis
Gregg Appel	Susan Cates
Pat & Mike Kilpatrick	Elizabeth Price
Jason Gaertner	Mary Thornhill
Jon Hodde	Jane Herzog
Kevin & Tammy Burnett	Pat & Jody Johnson
Brandon Marth	

**1. Call Meeting to Order**

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

**2. Public Comments**

Pat Johnson, owner of Select Furnishings of Brenham, stated that he did not make it in time to make the sign ordinance workshop but that he has been waiting over two years to get an LED sign for his business. He stated that he consulted a sign designer and based on speed and location, the recommendation was for him to have 20" letters and two lines of messaging for a total of a 64 square foot LED sign. The proposed sign ordinance only allows 32 square feet of LED signage on the highway and he thinks that this is not enough and hopes that city staff will look into revising the allowed sign area.

**3. Reports and Announcements**

Stephanie Doland thanked all of the Board members for promoting the Town Hall meeting that was held on January 10, 2019. She stated that the survey results are posted on the Comprehensive Plan page on the City's website. The next open house meeting will be held on February 28, 2019. She invited everyone to attend.

**CONSENT AGENDA**

**4. Statutory Consent Agenda**

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

**4-a. Minutes from the December 17, 2018 Planning and Zoning Commission Meeting**

Vice Chair Alfred asked for any corrections or additions to the minutes as presented. A motion was made by Commissioner Sheffield and seconded by Commissioner Behrens to approve the minutes from the December 17, 2018 meeting, as presented. The motion carried unanimously.

**REGULAR MEETING**

**5. Election of a Chairman, Vice-Chairman, Secretary and Deputy Secretary for the Planning and Zoning Commission for 2019.**

Stephanie Doland stated that the Board needs to elect officers for 2019; however, Nancy Low indicated that she does not wish to be considered for Chairman for 2019.

A motion was made by Marcus Wamble and seconded by Lynette Sheffield to elect M. Keith Behrens as Chairman, Deanna Alfred as Vice Chairman, Lynette Sheffield as Secretary and Calvin Kossie as Deputy Secretary for the Planning and Zoning Commission for 2019. The motion carried unanimously.

**Vice Chairman Alfred then turned the meeting over to Chairman Behrens**

**6. Development Services 2018 Annual Update.**

Kim Hodde presented an update for the Development Services Department for 2018 including the number and various types of permits issued, certificates of occupancy issued, number of inspections performed, and a recap of the Planning and Zoning/Board of Adjustment meetings and actions taken. She presented a report of the code violations for December 2018 and indicated that the final data for 2018 was still being compiled.

**7. Discussion and Possible Action on Case No. P-18-034: Preliminary Plat of the Burnett Subdivision, being 11.177 acres of land out of the Elizabeth Gordon Survey, A-49 in Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-18-034 (on file in the Development Services Department). Staff has reviewed the plat and finds that it meets all applicable City ordinances and recommends approval.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to approve the Preliminary Plat to form the Burnett Subdivision, as presented. The motion carried unanimously.

**8. Discussion and Possible Action on Case No. P-18-035: Final Plat of the Burnett Subdivision, being 11.177 acres of land out of the Elizabeth Gordon Survey, A-49 in Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-18-035 (on file in the Development Services Department). Staff has reviewed the plat and finds that it meets all applicable City ordinances and recommends approval.

A motion was made by Commissioner Kossie and seconded by Commissioner Wamble to approve the Final Plat to form the Burnett Subdivision, as presented. The motion carried unanimously.

**9. Discussion and Possible Action on Case No. P-19-003: Preliminary Plat of the Blue Bell Subdivision, Section II, being 32.788 acres of land out of the James Walker Survey, Abstract 106 and the Arabella Harrington Survey, Abstract 55 in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-003 (on file in the Development Services Department). Staff has reviewed the plat and finds that it meets all applicable City ordinances and recommends approval.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to approve the Preliminary Plat to form the Blue Bell Subdivision, Section 2, as presented. The motion carried unanimously.

**10. Discussion and Possible Action on Case No. P-19-004: Final Plat of the Blue Bell Subdivision, Section II, being 32.788 acres of land out of the James Walker Survey, Abstract 106 and the Arabella Harrington Survey, Abstract 55 in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-004 (on file in the Development Services Department). Staff has reviewed the plat and finds that it meets all applicable City ordinances and recommends approval.

A motion was made by Commissioner Wamble and seconded by Commissioner Kossie to approve the Final Plat to form the Westwood Division No. 2 Subdivision, as presented. The motion carried unanimously.

**11. Public Hearing, Discussion and Possible Action on Case No. P-19-002: Replat of Lot 5, Block 2 of Ralston Creek Estates, Phase 1 to create Lot 5-R, consisting of 1 residential lot on approximately 0.204 acres currently addressed as 2305 Ralston Creek Court, in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-002 (on file in the Development Services Department).

Staff received three (3) citizen comments in support of the replat.

Chairman Behrens opened the Public Hearing at 5:35 pm and asked for any comments. There were no public comments.

Chairman Behrens closed the Public Hearing at 5:36 pm and re-opened the Regular Session.

A motion was made by Commissioner Alfred and seconded by Commissioner Kossie to approve the Replat of Lot 5, Block 2 of Ralston Creek Estates, Phase 1 to create Lot 5-R, as presented. The motion carried unanimously.

**12. Public Hearing, Discussion and Possible Action on Case No. P-19-005: A request by Brenham Market Square, LP for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from Mixed Residential Use District (R-2) to Commercial Research and Technology Use District (B-2) on a 51.119-acre tract of land described as part of the John Long Survey, Abstract 156, R#20290 (WCAD) in Brenham, Washington County, Texas.**

Stephanie Doland presented the staff report for Case No. P-19-005 (on file in the Development Services Department).

Staff received six (6) citizen/property owner comments in opposition to this rezoning request.

Chairman Behrens opened the Public Hearing at 5:44 pm and asked for any comments. The developer, Paul Leventis, stated that he has previously done a mixed-use development in Bryan but on a larger tract. He stated that he has been working on this project for about 1 ½ years and has a hotel confirmed and several eateries have shown interest. Petra Collins, who lives on Cheyenne Drive, stated that this property is right behind her back fence and she is worried about traffic, noise, valuation and taxes and is opposed to this rezoning.

Chairman Behrens closed the Public Hearing at 5:52 pm and re-opened the Regular Session.

Commissioner Alfred asked if Mr. Leventis had a time-line for the project. He replied that it would be 9-12 months before construction would start. He emphasized that multi-family is already allowed in the R-2 zoning district but he just wanted to have the entire property zoned consistently.

A motion was made by Commissioner Wamble and seconded by Commissioner Kossie to approve the request by Brenham Market Square, LP for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from Mixed Residential Use District (R-2) to Commercial Research and Technology Use District (B-2) on a 51.119-acre tract of land described as part of the John Long Survey, Abstract 156, as presented. The motion carried unanimously.

**13. Public Hearing, Discussion and Possible Action on Case No. P-18-025: A City initiated request to amend the City of Brenham's Code of Ordinances, Appendix A: Zoning, Part 1, Sec. 5.02 Definitions, to redefine Accessory Building or Use, Garage Apartment and establish a new definition for Accessory Dwelling Units (ADU); to amend Part 2, Division 1, Section 10 – Accessory Structures and Uses to establish standards related to the development of such uses; to amend Part 2, Division 1, Section 17 – Height and Area Exceptions of General Applicability; and Part 2, Division 2 – Zoning District Regulations, to allow Accessory Dwelling Units by Specific Use Permit in the R-1, R-2, and R-3 zoning districts and by-right in the B-1 zoning district.**

Stephanie Doland presented the staff report for Case No. P-18-025 (on file in the Development Services Department), which included an explanation of what ADU's are, the background for this request, and the staff analysis and findings.

Staff has not received any citizen comments regarding this request.

Commissioner comments included:

- Many accessory structures have to be 2-story in order to conform to the building setbacks
- ADUs could change the look of the neighborhood

In response to questions, Ms. Doland stated that

- The proposed ordinance would require all ADUs to receive prior approval of a specific use permit. With this requirement, each case would have to come before the Planning and Zoning Commission for review and approval.
- ADUs could be permitted with a second utility connection.

Chairman Behrens opened the Public Hearing at 6:20 pm and asked for any comments. Mary Thornhill stated that she was surprised that this was not addressed in the zoning ordinance. She stated that she has a very large back yard and is gone a lot on the weekends so she wants to put in a rental unit. The ADU would be wood or hardi-plank construction to reflect the look

of the current home. Additional parking would be provide along with a separate driveway. There would be no on-street parking and all of her neighbors are in support of it. Elizabeth Price, architect, stated that she has done extensive research and that this is a great opportunity to provide housing diversity in the community. This is also a way to help people age “in-place” by having a place for family to stay on the property. She stated that this is already happening in Brenham without regulation. She is in support of the requirement that the owner has to live on-site.

Chairman Behrens closed the Public Hearing at 6:28 pm and re-opened the Regular Session.

A motion was made by Commissioner Alfred and seconded by Commissioner Wamble to approve the City initiated request to amend the City of Brenham’s Code of Ordinances, Appendix A: Zoning, Part 1, Sec. 5.02 Definitions, to redefine Accessory Building or Use, Garage Apartment and establish a new definition for Accessory Dwelling Units (ADU); to amend Part 2, Division 1, Section 10 – Accessory Structures and Uses to establish standards related to the development of such uses; to amend Part 2, Division 1, Section 17 – Height and Area Exceptions of General Applicability; and Part 2, Division 2 – Zoning District Regulations, to allow Accessory Dwelling Units by Specific Use Permit in the R-1, R-2, and R-3 zoning districts and by-right in the B-1 zoning district with the exception that the height restriction be removed and that rear and side yards of not less than 5-feet be required for accessory structures. The motion carried unanimously.

**14. Public Hearing, Discussion and Possible Action on Case No. P-19-001: A City initiated request to amend the City of Brenham’s Code of Ordinances to adopt, Appendix A: Zoning, Part II, Division 1, Section 18 – Exterior Construction Materials for Selected Districts, to prohibit metal façades on residential uses and accessory structures over 120 square feet in area, located in the R-1, R-2, R-3 and B-1 zoning.**

Stephanie Doland presented the staff report for Case No. P-19-001 (on file in the Development Services Department). The initial request being from citizen, Susanna Leonard who complained that the metal homes are changing the aesthetics of the neighborhood.

Commissioner comments included:

- Staff should consider an ordinance that would allow home to be constructed partially of metal. Metal could look very nice if it is used correctly.
- Opposition to 100% prohibition on metal exteriors.

Chairman Behrens opened the Public Hearing at 6:45 pm and asked for any comments. Brandon Marth commented that there are a lot of steel structure in the community that look very nice. This ordinance also limits you from building a metal accessory structure over 120 square feet in your back yard, such as a shop. Mr. Marth stated that the owner/developer of the metal homes could not be at this meeting as well as several other people that are interested; therefore, he requested that the Planning and Zoning Commission postpone any action on this item at this meeting. Elizabeth Price, architect, stated that she does not like this ordinance because there are many ways to use metal in design. The “box” structure issue cannot be fixed by prohibiting the use of a metal façade.

Chairman Behrens closed the Public Hearing at 6:50 pm and re-opened the Regular Session.

A motion was made by Commissioner Alfred and seconded by Commissioner Wamble to table any action on the City initiated request to amend the City of Brenham’s Code of Ordinances to adopt, Appendix A: Zoning, Part II, Division 1, Section 18 – Exterior Construction Materials for Selected Districts, to prohibit metal façades on residential uses and accessory structures over 120 square feet in area, located in the R-1, R-2, R-3 and B-1 zoning until the next meeting to provide time for feedback and to obtain additional information. The motion carried unanimously.

**15. Adjourn**

A motion was made by Commissioner Wamble and seconded by Commissioner Kossie to adjourn the meeting at 6:57 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  
Chairman

February 25, 2019  
Meeting Date

Kim Hodde  
Attest

Kim Hodde  
Staff Secretary

February 25, 2019  
Meeting Date