THE HEART OF BRAZORIA COUNTY NGLETON

CITY OF ANGLETON

PLANNING AND ZONING COMMISSION AGENDA 120 S. CHENANGO STREET, ANGLETON, TEXAS 77515 THURSDAY, OCTOBER 06, 2022 AT 12:00 PM

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, OCTOBER 6, 2020, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

1. Approval of Meeting Minutes for September 1, 2022

DECLARATION OF A QUORUM AND CALL TO ORDER

PUBLIC HEARINGS AND ACTION ITEMS

- 2. Discussion and possible action on a Zoning Text Amendment request to amend the Code of Ordinances, Section 28-81(b)- Use Charts, and amending Section 28-112, Definitions (Cemetery or mausoleum), adding "Columbarium" to enable the S.U.P., Specific Use Permit for a Columbarium within the CBD, Central Business Zoning District and similar cemetery uses (see Attachment 1).
- 3. Conduct a public hearing, discussion, and possible action on an application for a Specific Use Permit (SUP) pursuant to Section 28-63 of the Code of Ordinances to consider a request submitted by Holy Comforter Episcopal Church to allow for a Specific Use Permit for a Columbarium Wall within the CBD, Central Business Zoning District, for property located at 227 Chenango St./234 S. Arcola St., Angleton, TX.

REGULAR AGENDA

4. Discussion and possible action on the Ashland Section 2, Preliminary Plat

ADJOURNMENT

CERTIFICATION

I, Otis T. Spriggs, AICP, Development Services Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, www.angleton.tx.us, in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, October 3, 2022 by 11:00 a.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

/S/ Otis T. Spriggs, Otis T. Spriggs, Development Services Director

In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending City Council meetings. The facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary at 979-849-4364, extension 2115 or email citysecretary@angleton.tx.us.



CITY OF ANGLETON
PLANNING AND ZONING
COMMISSION
120 S. CHENANGO STREET,
ANGLETON, TEXAS 77515
THURSDAY, SEPTEMBER 01, 2022
AT 12:00 PM

MINUTES

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON PLANNING AND ZONING COMMISSION IN THE ORDER THEY OCCURRED DURING THE MEETING. THE PLANNING AND ZONING COMMISSION OF ANGLETON, TEXAS CONVENED IN A REGULAR MEETING ON THURSDAY, SEPTEMBER 01, 2022, AT 12:00 PM, IN THE ANGLETON CITY HALL COUNCIL CHAMBERS, 120 S. CHENANGO, ANGLETON, TEXAS.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Chair Garwood called the Commission Meeting to order at 12:00 P.M.

PRESENT

Chair William Garwood
Commission Member Bonnie McDaniel
Commission Member Henry Munson
Commission Member Regina Bieri
Commission Member Deborah Spoor

ABSENT

Commission Member Ellen Eby
Commission Member Michelle Townsend (Newly Appointed)

PUBLIC HEARINGS AND ACTION ITEMS (None)

REGULAR AGENDA

1. Discussion and possible action on a preliminary plat application and variances for 12.390 acres in the J. De J. Valderas Survey, Abstract No. 380

Mr. Wayne Neumann introduced himself as planning consultant for the City, due to Walter Reeves' last day of his resignation being on last Friday. He introduced the first applicant who submitted this plat and variance request of a small subdivision with much history.

Mr. Neumann stated that Staff's recommendation is to disapprove.

Mr. Rick Clark: Stated that he is asking for a variance and a replat. He is back again because the last application was filed incorrectly. The reason for variance is due to the city asking for sewer and water even before they are ready for development (\$130k preliminary)



estimate). We have no plans to develop immediately. We can do all those improvements at the time of development, as opposed to the time of permit. We are asking to postpone that until we are ready to develop.

Chairman Garwood confirmed with the applicant that he doesn't know exactly what he wants to do with the property and is asking to wait further on the details.

Mr. Neumann noted that there is an attachment by Mr. Walter Reeves that explains the steps for the subdivision plat process. This type of requirement may be done during the preliminary plat phase; but it has to be done by the time of final platting. Mr. Neumann stated that he had no issues with that in lieu of the recommended Staff denial. You can have him do all the other items along with the submission of the final platting. The zoning district is Commercial General.

Motion: Motion was by Commission Member Henry Munson to approve the preliminary plat and variances and forward to City Council; Motion was seconded by Commission Member Regina Bieri.

Role Call Vote: 4 (Ayes: Commission Member Regina Bieri, Commission Member Henry Munson, Chairman Bill Garwood, Commission Member Deborah Spoor) to 1 (Nay: Commission Member Bonnie McDaniel); Motion Carried.

2. Discussion and possible action on a proposed land plan for 28.203 acres located north of Western Avenue and east of Heritage Oaks Drive.

Mr. Wayne Neumann represented staff and came before the P&Z Commission stating that the main focus is the access, in which there are rules that dictate the character and boulevard width, as well as number of entrances/exits required per number of lots. More than thirty lots, but less than 40 lots would trigger certain requirements. He referred to previous conversations held between the commission, applicant and staff on the matter. (Note the recording was not audible)

The applicant gave testimony to the Commission, explaining his wish to develop the project with the entry point that will be a minimum of 48 ft. pavement, with rollover curbing, as required for the boulevard entrance point, from back of curb to back of curb. The only deviation will be not having the median. He explained the issue with the neighboring property owner, where 30 ft. is enough to have the cars park in the driveway. The applicant stated that he is willing to pave the additional driveway width, to allow for additional cars (6 total cars). Heritage Tree Protection was another concern. The applicant stated that he has to, and will comply to the tree saving requirements when the preliminary plat is submitted.

Mr. Pelletier gave testimony stated that the LDC requires a boulevard entrance with more than 30 homes, must have a broken median, but the applicant has stated he needs more space. He added that the person that lives there has enough room to park his boat, camper and trailer and stay off the street. In Heritage Oaks we saved every tree that we could. The trees to the north are pretty big trees. Our codes are more stringent than the city code on saving trees.

Mr. Lindsay, the adjacent homeowner appeared and stated he will have 16 feet taken from his driveway. He added that his 25 ft. long bed truck is too long. A light post will have to be moved towards his house.

Ms. Clara Danyouse, President of the Heritage Oaks HOA stated that she represented the neighborhood in general, with 185 property owners and they are on their 7th section. Each section has about 34 homes. They want the same size and custom houses, and to save the trees. She stated that she wants to see the tree survey. She added that she believes the developer will request a PID. She added that it doesn't fit in our neighborhood. She spoke on enforcement issues of concern as well.

The applicant appeared again to rebut the main issues. Regarding the driveway: They are parking in the right of way. He added that he is not taking any land away from anyone. The single entrance issue was discussed one year ago with the staff is the same. Regarding the Heritage Trees issue: This is conceptual, the trees will meet the requirement, and we will adjust the plan.

Board Deliberation:

The suggested motion was discussed. Commission member Bonnie McDaniel stated this is not a plat approval. Mr. Neumann stated that this is a concept plan. Mr. Neumann added that a preliminary and final plat will be submitted. With the heritage trees it will be modified. Mr. Neumann recommended denial and the prior director recommendation is to approve. Road right of way width is 60 ft. The payment is 28 ft. He will lose 16 ft. of right of way not property.

Commission Member Regina Bieri stated that this all has gotten sideways from the original intent. Let's punt this to City Council and let them decide.

Commission Member Bonnie McDaniel stated that we have folks in Heritage Oaks that do not own this property and trying to control property they do not own. This is exactly what happen for the development of Greystone, when everyone came and said they wanted cows in their backyard, which is fine; they were there when they bought the house, but they didn't own the property.

Motion: Commission Member Regina Bieri made a motion to recommended denial of the layout because they do not have the tree survey, it's not going to be the same. Commission Member Henry Munson seconded the motion.

Roll Call Vote: (3 to 2) to deny.

3. Discussion and possible action on a variance request to use septic systems on a propose 2 lot subdivision located on the south side of Kiber Road, just west of Sims Drive.

Mr. Wayne Neumann: Staff Recommendation, due to expense and distance away from public utility: The application should be approved.

Motion: Commission Member Bonnie McDaniel made a motion to approve the variance subject to Section 23.15.c for use of septic system for the two lots. Motion was 2nd by Commission Member Henry Munson.

Roll Call Vote: Motion carried unanimously. (5 to 0)

4. Discussion and possible action on a request for approval of a variance to the sidewalk requirement of Chapter 23, Section 23-14.A. Sidewalks, for Lot 24A of the Habitat for Humanity of Southern Brazoria County Caldwell Road Subdivision.

Wayne Neumann introduced the item stating that there is not a place to place the sidewalk. Staff recommends approval.

Action: Commission Member Regina Bieri made a motion to approve the variance; Motion was 2nd by Commission Member Henry Munson.

Role Call Vote: 5-0 in favor, Motion carried unanimously.

5. Discussion and possible action on the preliminary plat of Coleman Commercial Park.

Wayne Neumann introduced the item and recommended approval.

Bonnie McDaniel added that this may be an attempt to fix the detention issues. The applicant stated that they are doing the design and drainage and it is zoned appropriately.

Action: Motion was made by Commission Member Bonnie McDaniel to approve with the attached comments and conditions. Motion was seconded by Commission Member Regina Bieri.

Roll Call Vote: 5 to 0 in favor. Unanimous.

7. Discussion and possible action on a proposed concept plan for 879.9 acres located in the City's ETJ between SH 521 and SH 288 approximately 2,500 feet north of SH 523.

Mr. Wayne Neumann introduced the item on behalf of staff. He added that the Concept Plan does not comply with the Parks dedication requirements. This is a big project at your front door, and it means a lot to the community. A development agreement is needed and has to be negotiated, which would address the parkland, design standards, etc. This is outside the city limits and outside the city's controls except for platting and parkland. In the DA you can specify when the property is annexed; typically, when it is almost completed. He noted that he highly recommends that that the P&Z look into this. We can work out the agreement fairly fast. He has spoken to the City Attorney who is on board. Staff would start the process and we would present to the Commission and Council. P&Z would have to approve before it goes to council.

Developer's attorney Richard Muller presented before the Commission noting that they have submitted a concept plan as regulated in the zoning and felt that they met all of the requirements except for the comments on the parks plan.

Mr. Muller added that a DA agreement makes a lot of sense. We are happy to negotiate on a reasonable DA agreement. This is the first large scale master plan in the Angleton ETJ. The City has limited authority to regulate. You can regulate your platting authority and the City can apply your public infrastructure i.e. water, sewer and drainage standards.

Mr. Muller added that the City cannot regulate lot sizes in the ETJ. The compromise that struck is that there are some design standards to modify to fit the land. Under current law if we go out and develop this within the ETJ, the owners can later vote in an election, whether they want to be annexed. This was a recent change in the State Legislation. Opposite of that, if we establish a DA with some certainty as to when we want to annex, along with a MUD and a strategic partnership agreement, you can annex that land in the future without an election in that community.

Mr. Muller stated there are advantages on both parties with the development agreement approach. We would take the City standards and tweak them to this property. This proposal is well in excess of what you require in terms of acreage on the Parkland Dedication, and we are happy to negotiate an agreement.

Chairman Garwood explained the Commission has to make a recommendation to Council; and that gives the developer time to work out details with the Staff and City Council.

City Manager Chris Whittaker interjected that's generally the way it works, in that the Concept Plan is approved first by Council before we approve a Development Agreement. So that Council can look at this and say this is what we agreed to. City Manager Chris Whitaker stated he supports the Concept Plan.

Action: Motion to approve the Concept Plan, subject to conditions the City and the Developer working out the Parkland Concept was made by Chairman Bill Garwood, Chair; 2nd by Commission Member Bonnie McDaniel;

Roll Call Vote: (2 Aye to 3 Nays), Recommendation to Council: Denial. (Ayes) Chairman Bill Garwood, Commission Member Bonnie McDaniel; (Nays) Commission Member Regina Bieri, Commission Member Henry Munson, Commission Member Deborah Spoor.

8. Discussion and possible action on the preliminary plat of the Ashland Project Street Dedication #1

Action: Motion was made by Commission Member Henry Munson to approve with the noted conditions and comments clear before any construction plans are approved and the proposed dedication note is removed from the preliminary plat. **Motion was seconded by Commission Member Regina Bieri.**

Roll Call Vote: (5 Ayes to 0 Nays). Motion carried unanimously.

9. Discussion and possible action on the preliminary plat of the Ashland Project Street Dedication #2

Staff recommend approval subject to conditions.

Action: Motion was made by Commission Member Henry Munson to approve with the noted conditions and comments clear before any construction plans are approved and the proposed dedication is removed from the preliminary plat. Motion was seconded by Commission Member Regina Bieri.

Roll call Vote: (5 Ayes to 0 Nays) Motion carried unanimously.

10. Discussion and possible action on the preliminary plat of the Ashland Model Home Park

Action: Motion was made by Commission Member Henry Munson to approve with the noted conditions and comments clear before any construction plans are approved and the proposed dedication statement is removed from the preliminary plat. Motion was seconded by Commission Member Regina Bieri.

Roll Call Vote: (5 Ayes to 0 Nays). Motion carried unanimously.

ADJOURNMENT

Planning and Zoning Comn	nission Chair Bill Garwood adjourned the meeting at 1:07 P.M.
- ·	proved by Angleton Planning and Zoning Commission on this the2022, upon a motion by Commission Member XX, seconded
	er XX. The motion passed on X-X vote.
CITY OF ANGLETON, TEXAS	
William Garwood Chair	
ATTEST:	
Michelle Perez, TRMC	
City Secretary	



PLANNING AND ZONING COMMISSION STAFF REPORT

MEETING DATE: October 6, 2022

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action on a Text Amendment request to amend

Section 28-81. Use Regulations (Charts), Section 28-112, Definitions (Cemetery or mausoleum), Adding "Columbarium" as a S.U.P., Specific

Use Permit within the CBD, Central Business Zoning District.

AGENDA ITEM

SECTION:

Item 1

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY: This is a request to discuss and take possible action on a Text Amendment request by the City Manager to amend Section 28-81(b). Use Charts, and amending Section 28-112, Definitions (Cemetery or mausoleum), by adding the definition of "Columbarium" to enable the S.U.P., Specific Use Permit for a Columbarium within the CBD, Central Business Zoning District and similar cemetery uses (see Attachment 1).

Section 28-81 Use Regulation (Charts); (a) (4) Classification of new/unlisted uses sets forth the requirements for the classification of an unlisted use. The Code requires that when new types of land arise, a determination regarding a change or addition to the use chart may be made by the city manager and the city manager shall refer the question concerning any new or unlisted use to the planning and zoning commission requesting a recommendation as to the zoning classification of any new or unlisted form of land use and into which such use should be placed. The referral of the "use" determination question shall be accompanied by the following statement of facts:

- I. The nature of the use and whether the use involves dwelling activity, sales, services, or processing; (N/A, Proposed use is primarily a wall for storing burial urns)
- II. The type of product sold or produced under the use; (**Columbarium**)
- III. Whether the use has enclosed or open storage and the amount and nature of the storage; (Use is a self-contained wall with cubby holes).
- IV. Anticipated employment typically anticipated with the use; (N/A)
- V. Transportation requirements; (N/A)
- VI. The nature and time of occupancy and operation of the premises; (No limited)
- VII. The off-street parking and loading requirements; (N/A)
- VIII. The amount of noise, odor, fumes, dust, toxic materials and vibration likely to be generated; (*None*).

- IX. The requirements for public utilities such as sanitary sewer and water and any special public services that may be required; (*N/A*), and
- X. Impervious surface coverage. (Wall only).

RECOMMENDED ACTION:

The Planning and Zoning Commission should adopt this as its Final Report on the use determination and forward it to City Council with a positive recommendation of the addition to the Use Regulations Chart for consideration and adoption thereof.

<u>Staff Recommendation.</u> The planning and zoning commission should forward this text amendment request for the addition to the Use Recommendation Charts for a columbarium to the city council for approval consideration and appropriate action.

Item	2
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- P The land use is "Permitted" by right in the zoning district indicated.
- $\ensuremath{\square}$ The land use is "Prohibited" in the zoning district indicated.
- S The land use "May be approved" as a specific use permit (SUP) in the zoning district indicated.

Types of Land Uses	Residential Zoning Districts							Nonresidential Zoning Districts											
	AG	SFE-20	SF-10	SF-7.2	SF-6.3	SF-5	SF-PH	2F	SFA	MFR-14	MFR-29	MFR-36	Ā	N O	C-MU	9-0	C-0/R	CBD	5
Institutional/Governmental Uses																			
Cemetery and/or Mausoleum	S															s	s		s
Add (Columbarium)	S															S	S	S	S
Child Day Care (Business)														s	s	s	s	s	s



PLANNING AND ZONING COMMISSION STAFF REPORT

MEETING DATE: October 6, 2022

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Conduct a public hearing, discussion, and take possible action on a

request by Father Travis Smith, Holy Comforter Episcopal Church pursuant to Sec. 28-63, SUP-Specific Use Permits for a Specific Use Permit for a Columbarium Wall in the CBD, Central Business Zoning

District at 227 Chenango St./234 S. Arcola St., Angleton, TX.

AGENDA ITEM

SECTION:

Item 2

LOCATION: 227 Chenango St./234 S. Arcola St., Angleton, TX.

CURRENT ZONING

CLASSIFICATION: Central Business District

BUDGETED N/A FUNDS N/A

AMOUNT: REQUESTED:

FUND: N/A

EXECUTIVE SUMMARY: This is a request to discuss and take possible action on an application submitted by Father Travis Smith of Holy Comforter Episcopal Church for a Specific Use Permit as set forth in 28-63(c) of the Code of Ordinances for a Columbarium Wall within the CBD, Central Business Zoning District subject to the determination of a request for a Text Amendment to the Code of Ordinances, Section 28-81.

RECOMMENDED ACTION:

The proposal complies with the provision of the Comprehensive Plan and the polices contained in the Land Use Plan. The property is located within the CBD, Central Business District and is currently utilized as a place of worship and assembly.

The Planning and Zoning Commission should adopt this as its Final Report and forward it to City Council with a positive recommendation, subject to final approval and adoption of the Text Amendment request (which adds Columbarium as a Specific Use Permit), for consideration and adoption.

Existing Land Use and Zoning Designation: CBD, Central Business Zoning District (SUP 47)

Surrounding Land Uses and Zoning Designations:

North: E. Orange St. /CBD & Single Family 6.3 District (Residential)

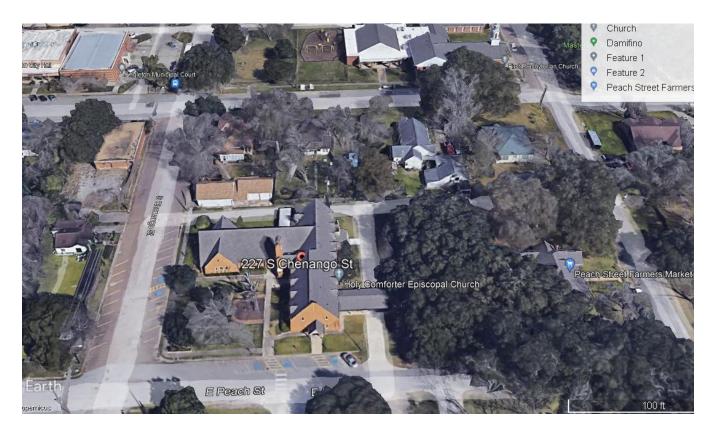
South: SUP, Specific Use Permit No. 47, Holy Comforter Episcopal School

East: South Arcola St./ Holy Comforter Episcopal Parish House/Church Office

West: Holy Comforter Episcopal Church Parking Lot

Zoning History:

01-03-2019 & #2017-O-B; **2-11-2018**; Authorization of a Specific Use Permit (SUP) to operate Peach Street Farmer's Market.



Aerial Map Showing Project Site

STAFF SUMMARY AND ANALYSIS

The requested use of the property is to allow the construction of a Columbarium wall containing a number of alcoves or niches, small/recessed spaces designed to hold burial urns containing cremated remains. The requested Specific Use Permit will allow this as an accessory use to the church.

Pursuant to Sec. 28-63 a specific use permit (SUP) may be granted to a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions.

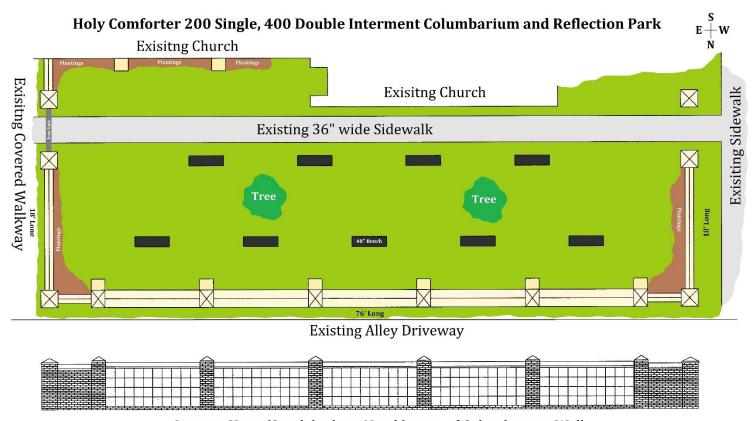
Factors for consideration: When considering applications for a specific use permit, the planning and zoning commission in making its recommendation and the city council in rendering its decision on the application shall, on the basis of the site plan and other information submitted, evaluate the impact of the specific use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location.

The planning and zoning commission and the city council shall specifically consider the extent to which:

- a. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted comprehensive plan.
- b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
- c. The proposed use meets all supplemental standards specifically applicable to the use as set forth in this chapter.
- d. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts.

STAFF RECOMMENDATION:

The planning and zoning commission should approve the request application for a SUP and forward to the city council for approval consideration and appropriate action subject to the successful approval of the Text Amendment request which establishes a columbarium as a defined use within an SUP within the Central Business District.

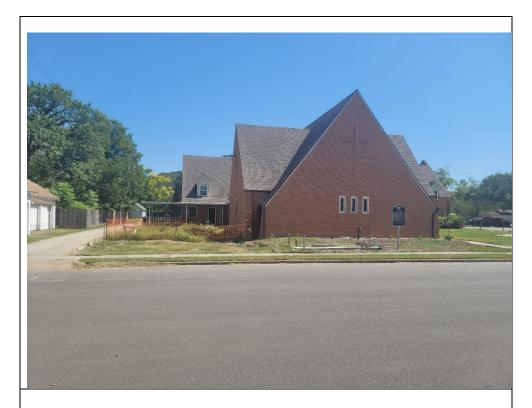


Interior View (South looking North) view of Columbarium Wall

Schematic Plan Layout

Photographs





View from S. Chenango St. looking East (Photo of Church showing proposed wall location)



View from S. Chenango St. looking East toward alley

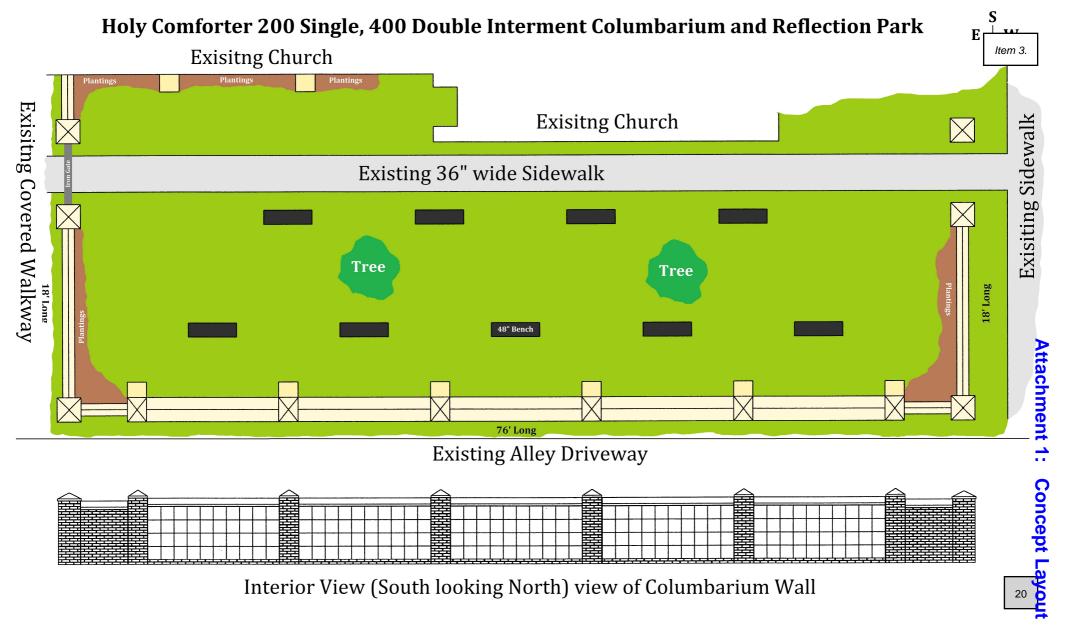


View from S. Chenango St. looking East toward alley



View looking south on S. Chenango St.





Holy Comforter Episcopal Church, Angleton

COLUMBARIUM RULES AND REGULATIONS

DESCRIPTION OF TERMS

A-1 Church:

The "Church" and "Holy Comforter" as used herein shall refer to Holy Comforter Episcopal Church of Angleton, Texas, and personnel acting on behalf of the Church.

A-2 Vestry:

"Vestry" shall refer to the Vestry of Holy Comforter Episcopal Church of Angleton, Texas.

A-3 Rector:

"Rector" shall refer to the Rector of the Church, or if there is no Rector, then it shall refer to the clergy person who is the interim Rector or Diocesan designee.

A-4 Wardens:

"Wardens" refers to the Junior Warden and the Senior Warden of the Church.

A-5 Columbarium:

That dedicated part of the Church property containing niches for the inurnment of cremated human remains contained in urns.

A-6 Subscriber:

A subscriber is one who has reserved and acquired permission to use a niche.

A-7 Niche:

One of several rectangular spaces in a permanent specially constructed framework with granite faceplates, each niche having: (1) space for receipt of up to two permanent type of containers, sometimes referred to as urns, in which cremated remains are placed; and (2) a uniform granite faceplate covering the niche opening upon which the identifying inscription is engraved.

A-8 Inurnment:

As used herein, the placement of cremated human remains within a niche in the Columbarium.

A-9 Requestor:

The owner of inurnment rights, or his or her heirs, devisees, legatees, executors, administrators, or such other party whom the Vestry may deem appropriate and authorized to make a request for the inurnment of a Subscriber after the death of the Subscriber.

GENERAL SUPERVISION OF THE COLUMBARIUM

B-1 General Planning:

The Columbarium is a part of Holy Comforter Episcopal Church, Angleton, Texas, which operates under the direction of its Rector and Vestry. The Columbarium shall be operated under these Policies and Procedures and such other policies, procedures, rules, and regulations as the Vestry may determine. Changes, amendments, revisions and deletions in such Policies and Procedures (or in the rules and regulations set forth therein) may be made from time to time by the Vestry in its discretion.

B-2. Maintenance and Repairs:

Holy Comforter Episcopal Church shall provide routine maintenance, upkeep and minor repairs to the Columbarium and Columbarium area as part of, and to the same standards as the same services are provided to other church facilities. Major repairs, defined as in excess of \$250, shall be referred to the Vestry for approval and assumed by the Church.

B-3. In-Trust Fund:

A trust account or maintenance account will be established in conjunction with the construction of the Columbarium for perpetual care and maintenance of the Columbarium area/courtyard. The Funds for said fund will be provided by a percentage of the selling price of each niche. The Fund balance shall be determined by the Rector and Vestry of Holy Comforter Episcopal Church in Angleton, Texas.

INURNMENT AND DISINURNMENT

C-1. Subject to Laws:

All inurnment, disinurnment, and/or removal of cremated remains shall be done in compliance with all federal, state and local laws and regulations, and shall also be subject to the Policies and Procedures set forth herein or as the same may be changed or amended from time to time.

C-2. Eligibility:

Inurnment in the Columbarium is available to any present or past member of Holy Comforter Episcopal Church, Angleton, Texas, and to the spouse (including life partners), children (natural born or adopted), stepchildren of such member.

C-3. Arrangement for lnurnment:

The Rector shall have complete responsibility for all religious services of committal. Sufficient and proper notices of intended inurnments shall be given to the Rector and only such religious services as the Rector may conduct or give permission for, may be performed. The inurnment shall be in the manner as directed by the Rector.

C-4. Application for lnurnment:

Requests for inurnment shall be in writing on forms provided by the Church. The Vestry reserves the right to act upon such written requests received from the owner of inurnment rights, or his or her heirs, devisees, legatees, executors, administrators, or such other party that the Vestry may deem appropriate and authorized to make such requests ("Requestor"). The Vestry's determination shall be final and shall not be subject to action in any court. No oral request for inurnment shall be honored. If the application is approved, the applicant/Subscriber shall pay the then-existing subscription fee amount set by the Vestry for reservation of niches unless alternative arrangement has been made pursuant to Paragraph C-7 below.

- C-5. Holy Comforter Is Not Responsible for Subscriber/Requestor Mistakes: The Church and the Vestry shall not be held responsible for any mistake occurring from the want of proper and precise instructions as to either the inscription upon or the location of a niche.
- C-6. Holy Comforter Is Not Responsible for Permit or for Identity: Neither the Church, nor any member of the Vestry shall be liable for obtaining any permit for inurnment, nor for the identity of the person whose remains are inurned or sought to be inurned.
- C-7. No lnurnment or Engraved Inscription Permitted Without Prepayment of Costs: Absent special written consent of the Vestry or approval (written or oral) of the Rector, no inurnment shall be permitted in any niche, nor engraved inscription made upon the granite faceplate of any niche for which the Church has not received full payment of any costs then associated with the inurnment of remains in the Columbarium. In the event such written consent from the Vestry or approval by the Rector is sought by a Subscriber or Requestor and given to a Subscriber or Requestor subject to a requirement of payment by a specified date, any and all inurnments in, or inscribed granite faceplates placed upon, the niches shall be deemed temporary and subject to fulfillment of the terms provided in the written consent or Rector approval.

If the Subscriber and Requestor fail to fully comply with the conditions of the written consent or Rector approval, the Vestry may cause the rights of the Subscriber and Requestor to terminate and return to the Requestor the remains placed in any applicable niche. The Vestry and the Church, thereupon, shall be released from any and all obligations to such Subscriber and Requestor, except that the Church shall refund any payments as may have been made toward costs that exceed the amount of such costs actually incurred.

C-8. Time Limitation; Potential Abandonment/Forfeiture of Niche: If any niches are not used within 25 years of allotment, and if the Subscriber and the Subscriber's family are no longer known and are not located through reasonable efforts, the Vestry will be free to re-allot such niche.

C-9. Niche Capacity:

Each niche is designed to contain up to two average sized urns. Additionally, the standard engraving on the granite faceplates is designed to allow up to two names and related dates. Absent special written consent of the Vestry and written approval of the Rector, no niche may contain more than two urns.

C-10. lnurnment Rights:

Unless the Rector, after the advice and consent of the Senior Warden, or the Junior Warden, gives special written permission, only the remains of up to two persons described in C-2 above, shall be permitted to be inurned in any niche.

C-11. lnurnment Permits:

Any permits for inurnment required by local or state laws must be secured and furnished by the Subscriber, Requestor, Funeral Director, or other person having authority to act on behalf of the person whose remains are to be inurned, prior to inurnment, and at no expense to the Church.

C-12. Containers, Urns, Granite Faceplates:

Inurnments in the niche may be made only in the permanent containers or urns approved by the Vestry for use in the niches in the Columbarium area. If a Requestor or Subscriber desires to use a container or urn that differs from the standard urn(s) provided by Holy Comforter for use in the niches, the Requestor or Subscriber may request approval of such alternative urn or container from the Vestry. So long as the alternative urn or container meets size requirements (12" x 12" x 12"), is constructed of materials that are permanent, and is not of excessive value, such approval shall not be unreasonably withheld. All niche front openings are to be covered with a uniform engraving on the granite faceplate as prescribed by the Vestry.

C-13. Items and Activities Covered by Niche Subscription Fee

Holy Comforter Church will arrange for the opening and closing of niches at the time of inurnment, provide a standard urn (appropriate size, no more than 12" x 12" x 12"), and arrange for the engraving of the granite faceplate. The cost for the above will be assumed by the Church and is included in the niche subscription fee. No credit relating to the cost of the urn will be given if a Subscriber requests the use of a different urn as provided in Paragraph C-

C-14. The engraving of the granite faceplate on each niche, shall be completed in conformity with sections G-1, G-2, and G-3 of these Policies and Procedures.

C-15. Removal of Columbarium:

The Church expressly reserves the right at any time, to move the Columbarium within the Church campus from where it is located at present or to another location for any reason at the sole and unfettered discretion of the Vestry. If for any reason, the Church ceases to exist in its present location or the use of its facilities is converted to another use other than as a church, then all remains in the Columbarium shall, at the direction of such person or persons then having authority with respect to the affairs of the Church (which may be the governing authorities of the Episcopal Church in the Diocese of Texas), be removed to and inurned at a location designated for use as a Columbarium or, alternatively, if another site is not feasible for such use, in the Gulf of Mexico beyond the 15-mile coastal limit of the United States of America. In the event of any move or removal, all remains which are inurned in the Columbarium at that time will be removed by the Church at its cost and placed in the alternate site. The Vestry shall exercise reasonable efforts to locate and notify surviving heirs as to any of the events described in this paragraph and offer such surviving heirs the opportunity to remove the urns within three (3) years.

C-16. Niche available for Rector without subscription fee:

The Rector and former Rectors of Holy Comforter Episcopal Church may reserve a niche for themselves and their spouse (including life partner), children (natural or adopted), and/or stepchildren) without payment of the subscription fee. The extension of this benefit to Assistant or Associate Rectors shall be in the sole discretion of the Vestry.

C-17. Change of ownership of subscription thru legal process:

In the event ownership of a niche is established by due process of the law in a party other than the subscriber of record pursuant to a court order requiring recognition of such other party as the owner, the Church and the Vestry may recognize such other person or persons to be the successor(s) in use, subject to eligibility in clause C-2. In such event, no liability or claim may be asserted by reason thereof against Holy Comforter Episcopal Church of Angleton, its Rector, Wardens and Vestry of said Church, or any agent or representative of the Church.

C-18. Buy Back:

In the event the niche becomes the property of someone who does not quality (acquiring it. under any legal process), not qualifying under clause C-2, the niche may (not required) be purchased back from the legal, yet unqualified, party for the original price of the niche(s), at the discretion of the Rector and the Vestry.

DISINURNMENT AND REMOVAL

D-1. Removal Prohibited:

Removal of cremated remains is prohibited unless approved by the Vestry. In the event the Vestry approves removal, the owner of inurnment rights is responsible for removal and restoration costs. Only the Rector or Church designated person may physically remove a granite faceplate to accommodate removal of an urn.

D-2. Exchange of Niche Location:

Subject to the prior written approval of the Vestry, cremated remains and the niche granite faceplate may be removed from its original niche to a different niche in the Columbarium, when there has been an exchange or purchase made for that purpose. If the move is requested by the subscriber, the subscriber will pay the cost of removal and inurnment.

TRANSFERS AND ASSIGNMENTS

E-1. Consent of Vestry:

No transfer or assignment of inurnment rights in any niche shall be valid without the consent in writing of the Vestry and the Rector first endorsed upon such transfer or assignment and the surrender of any existing Holy Comforter Episcopal Niche Reservation Agreement relating to the inurnment rights to such niche.

E-2. Indebtedness:

No transfer or assignment shall be recognized as long as there is any indebtedness due the Church from the record niche user.

E-3. Transfer Charge:



PLANNING AND ZONING COMMISSON STAFF REPORT

FUNDS REQUESTED: N/A

MEETING DATE: October 6, 2022

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action on the Ashland Section 2, Preliminary Plat

AGENDA ITEM

SECTION:

Regular Agenda, Item 3

BUDGETED N/A

AMOUNT:

FUND: N/A

EXECUTIVE SUMMARY. This is a request for approval of the Ashland Section 2 Preliminary Plat (Attachment 1). The subject property is located within the City of Angleton ETJ between SH 521 and SH 288 and north of SH 523. No development agreement is in place to establish standards for the Ashland Project. City Engineer comments are provided in Attachment 2. The subject property consists of 15.5 acres and has 67 (50' X 120' lots) including 3 reserves in 3 blocks.

Note that this request was inadvertently mis-titled on the September 1, 2022 agenda and had to be resubmitted for this agenda.

Pursuant to Section II County Regulatory Authority of the existing interlocal agreement between the City of Angleton and Brazoria County, the County shall have exclusive jurisdiction in the following matters: Subsection (b): Regulate the construction of any and all roads located within a subdivision of property that will be located within the City's ETJ, including but not limited to, planning, review, construction, bonding, inspection and acceptance of any newly constructed road or street. County authority shall also apply to the improvement, removal, relocation, or abandonment of any existing road or streets in City's ETJ. County's oversite of roads shall be performed using the most current and applicable construction standards adopted by County. For roads, the construction of which are governed by a development agreement between City and developer, County and City shall jointly coordinate and cross-reference construction standards to verify that the roads are constructed to meet or exceed County standards.

The Concept Plan and Parks Plan and Parks Phasing Plan was submitted before the Planning and Zoning Commission on the September 1, 2022 agenda. The City Council has approved the Preliminary Plats forwarded by the P&Z Commission, with the development agreement pending final development and approval to address the details of parkland dedication and

improvements, or parkland improvements for privately developed and maintained parks, signage and design standards, etc. Further, the developer is proposing a dedication statement that reads as follows on the preliminary plats submitted including Section 2: "Fees in lieu of parkland dedication will be paid upon approval of the corresponding final plat. The improvement value of private parks shall be applied as credit to the fees-in-lieu of parkland dedication. This statement should be removed.

As the Commission is aware, there is no zoning or land use control in the ETJ except for that allowed by the Texas Local Government Code. Those regulations that the LGC permits the City to extend into the ETJ are the subdivision regulations (Chapter 23 Land Development Code) and sign regulations. As such there is no City regulation of lot size, setbacks, maximum height, etc., except as detailed in a development agreement.

A Traffic Impact Analysis has also been submitted and reviewed for the entirety of the project. That TIA will need to be submitted to both TxDOT and Brazoria County for review and approval as well. At the time of preparation of this staff report, no response to comments had been received.

Action taken by the planning and zoning commission. The planning and zoning commission voted to approve this application conditioned on staff comments and provided the details of this project can be ironed out possibly through the execution of a development agreement as mentioned in the concept plan for the project.

<u>Recommendation</u>. The planning and zoning commission forwarded this application to the city council for consideration and appropriate action.

STATE OF TEXAS § COUNTY OF BRAZORIA §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ANCHOR HOLDINGS MP, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as a subdivision in the jurisdiction of the City of Angleton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public parkland shown thereon. The streets, alleys and parkland are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Angleton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Angleton's use thereof. The City of Angleton and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Angleton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from

STATE OF TEXAS § COUNTY OF BRAZORIA §

This plat is hereby adopted by the owners (called "Owners") and approved by the City of Angleton, ("City") subject to the following conditions which shall be binding upon the Owners,

"Drainage Easements" shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision. All Owner documents shall specify, confirm and bind the Owner(s) to continuously maintain all Drainage Easements and shall relieve the City of Angleton of the responsibility to maintain any Drainage Easement. The fee simple title to the Drainage and Floodway Easement shall always remain in the Owner(s).

The City and Angleton Drainage District will not be responsible for the maintenance and operation of easement or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion. but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and approved.

The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues.

The Association hereby agrees to indemnify and hold harmless the City from any such damages and injuries.

STATE OF TEXAS § COUNTY OF BRAZORIA §

The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Owner

Duly Authorized Agent

STATE OF TEXAS § COUNTY OF BRAZORIA §

Before me, the undersigned, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and, in the capacity, therein stated. Given under my hand and seal of office this ___ day of _____, ___.

Notary Public State of Texas

STATE OF TEXAS §

COUNTY OF BRAZORIA § KNOW ALL MEN BY THESE PRESENTS:

I, Steve Jares, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that META Planning + Design LLC has prepared this preliminary plat based on information furnished by Costello, Inc.

Steve Jares Registered Professional Land Surveyor

STATE OF TEXAS §

COUNTY OF BRAZORIA §

No. 5317

KNOW ALL MEN BY THESE PRESENTS:

That I, William A.C. McAshan, do hereby certify that proper engineering consideration has been provided in this plat. To the best of my knowledge, this plat conforms to all requirements of the Angleton LDC, except for any variances that were expressly granted by the City Council.

William A.C. McAshan, P.E. Professional Engineer

APPROVED this _____ day of ____, 20___, by the Planning and Zoning Commission, City of Angleton, Texas.

Chairman, Planning and Zoning Commission

City Secretary

APPROVED this _____ day of _____, 20___, by the City Council, City of Analeton, Texas.

Mayor

City Secretary

STATE OF TEXAS §

COUNTY OF BRAZORIA § This instrument was acknowledged before me on the ____ day of _____, 20___, by

_____, City Secretary, City of Angleton, on behalf of the City.

Notary Public State of Texas

Approved on this the _____ day _____, 20___, by the City Engineer, City of Angleton, Texas.

City Engineer, City of Angleton

IN THE PRELIMINARY SUBDIVISION PLAT.

GENERAL NOTE:

- 1.) "B.L." INDICATES BUILDING LINE.
- "U.E." INDICATES UTILITY EASEMENT.

dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and revest in the dedicator, his heirs assigns, or successors.

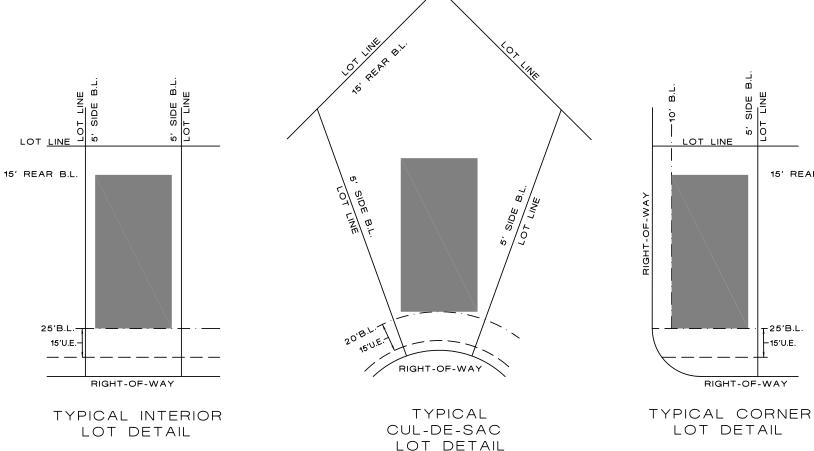
- 4.) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
- 5.) ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE.
- 6.) NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 7.) NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 8.) NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- 9.) NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE
- APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER. NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE
- 11.) ALL RESERVES SHALL BE OWNED AND MAINTAINED BY HOMEOWNER'S ASSOCIATION OR MUD.
- ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF

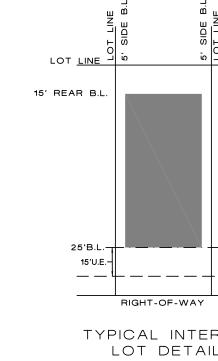
1983 (NAD83), SOUTH CENTRAL ZONE.

ENGINEER AND/OR SURVEYOR OF RECORD.

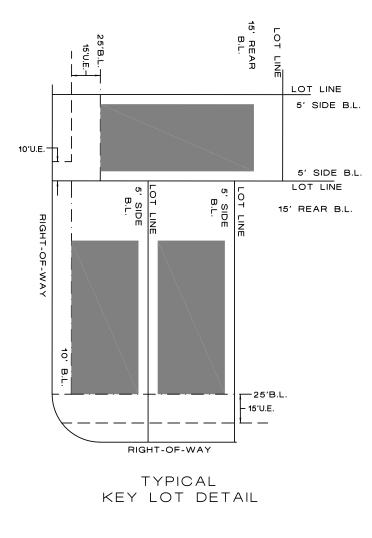
ALL ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), GEOID 12B, BASED ON ALLTERRA'S RTK NETWORK, STATIONS HAGS 1012 AND HCOG 14012.

- ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, MAP NUMBER 48039C0435 H, DATED JUNE 5, 1989 THIS PROPERTY LIES IN UNSHADED ZONE "X", WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
- 14.) THIS PRELIMINARY PLAT HAS BEEN PREPARED BY META PLANNING + DESIGN LLC. WITH THE AID OF INFORMATION PROVIDED BY
- , TBPLS FIRM REGISTRATION No. ., TBPE FIRM REGISTRATION No. AND HAS NOT PREPARED THIS PRELIMINARY PLAT.
- .. UPON RECORDATION OF A FINAL PLAT. PROPOSED MONUMENTS TO BE SET BY





- LEGEND: 1.) "B.L." INDICATES BUILDING LINE. 2.) "U.E." INDICATES UTILITY EASEMENT.
- 3.) "AC." INDICATES ACREAGE.
- 4.) "R.O.W." INDICATES RIGHT-OF-WAY.
- 5.) "P.O.B." INDICATES POINT OF BEGINNING. 6.) "FND" INDICATES FOUND.
- 7.) "IP" INDICATES IRON PIPE. 8.) "IR" INDICATES IRON ROD.
- 9.) "VOL." INDICATES VOLUME 10.) "PG." INDICATES PAGE.
- 11.) "D.R.B.C." INDICATES DEED RECORDS BRAZORIA COUNTY 12.) "NO." INDICATES NUMBER.
- 13.) "CT." INDICATES COURT. 14.) "DR." INDICATES DRIVE.
- 15.) "O.P.R.B.C." INDICATES OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY. 16.) " " INDICATES STREET NAME CHANGE.
- 17.) " 2 " INDICATES BLOCK NUMBER.
- 18.) "A" INDICATES RESERVE NUMBER.
- 19.) " 50'R;" INDICATES 50' CUL-D-SAC RADIUS.



ASHLAND SECTION TWO

BEING 15.5 ACRES OF LAND

CONTAINING 67 LOTS (50' X 120' TYP.) AND THREE RESERVES IN THREE BLOCKS.

SHUBAEL MARSH SURVEY, A-81 & A-82 **BRAZORIA COUNTY, TEXAS**

ANCHOR HOLDINGS MP LLC 101 PARKLANE BOULEVARD, SUITE 102 **SUGAR LAND, TEXAS 77478** ENGINEER: **OUIDDITY ENGINEERING. LLC** 6330 W LOOP S SUITE 150

BELLAIRE, TEXAS 77401 (713)-777-5337 **SURVEYOR** QUIDDITY ENGINEERING, LLC 6330 W LOOP S, SUITE 150 **BELLAIRE, TEXAS 77401**

TBPE FIRM REGISTRATION No. ____
TBPLS FIRM REGISTRATION No. 10046104 SCALE: 1" = 100'

PLANNER: PLANNING + DESIGN META PLANNING + DESIGN LLC 24275 KATY FREEWAY, SUITE 200

15' REAR B.L.

-25'B.L. -15'U.E.

JULY 26, 2022

PAGE: 1 OF 2

KATY, TEXAS 77494 | TEL: 281-810-1422 MTA# 78006

DISCLAIMER AND LIMITED WARRANTY THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ANGLETON SUBDIVISION ORDINANCES IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ANGLETON PLANNING & ZONING COMMISSION AND/OR CITY-COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL

UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED

LINE	DISTANCE	DEADING
LINE	DISTANCE	BEARING
L1	22'	N 39°01'56" W
L2	16'	N 68°42'18" W
L3	25'	S 22°46'39" W
L4	32'	N 77°23'03" W
L5	25'	N 36°15'50" W
L6	14'	N 59°02'37" E
L7	14'	S 56°24'53" W
L8	60'	S 76°21'47" E
L9	95'	S 79°44'07" E
L10	107'	S 10°15'53" W
L11	287'	S 22°17'26" E
L12	26'	N 67°42'34" E
L13	172'	S 89°02'42" W
L14	113'	S 84°38'24" W
L15	65'	S 86°26'25" W
L16	1'	S 01°22'08" W
L17	60'	S 88°37'52" E
L18	66'	N 86°32'45" W
L19	59'	N 81°45'53" W
L20	59'	N 78°32'29" W
L21	60'	N 76°06'07" W
L22	353'	N 75°57'23" W
L23	889'	N 14°02'37" E
L24	99'	N 75°57'23" W
L25	60'	S 75°57'23" E
L26	33'	S 14°02'37" W
L27	128'	S 75°57'23" E
L28	17'	S 22°38'25" E
L29	124'	N 77°25'13" W
L30	11'	S 01°02'19" E

CURVE	RADIUS	ARC	TANGENT BEARING		CHORD
C1	990'	396'	200'	N 14°49'09" E	393'
C2	55'	83'	52'	S 46°42'34" W	75'
СЗ	600'	147'	74'	S 82°57'17" E	146'
C4	55'	86'	55'	N 30°57'23" W	78'
C5	750'	435'	224'	N 87°24'45" E	429'
C6	1500'	63'	32'	S 00°09'54" W	63'
C7	25'	38'	23'	S 36°36'45" E	34'
C8	25'	41'	27'	S 53°34'42" W	36'
C9	960'	59'	30'	S 05°07'56" W	59'
C10	25'	10'	5'	S 08°00'04" E	10'
C11	65'	149'	144'	S 46°16'24" W	118'
C12	25'	9'	5'	N 78°39'54" W	9'
C13	630'	150'	75'	N 82°45'19" W	149'
C14	25'	39'	25'	S 59°02'37" W	35'
C15	25'	39'	25'	N 30°57'23" W	35'
C16	720'	347'	177'	S 89°45'34" E	344'
C17	25'	24'	13'	S 48°49'52" W	23'
C18	65'	323'	51'	S 16°29'41" E	80'
C19	25'	22'	12'	N 79°05'21" W	21'
C20	780'	123'	62'	S 80°33'37" W	123'
C21	25'	37'	23'	S 42°48'04" W	34'
C22	1530'	23'	11'	N 00°56'36" E	23'
C23	1470'	19'	9'	S 01°00'03" W	19'
C24	25'	38'	24'	N 43°13'19" W	35'
C25	780'	151'	76' N 81°31'00" W		151'
C26	25'	10'	5'	S 87°44'04" E	10'
C27	65'	156'	165'	N 30°57'23" W	121'
C28	25'	10'	5'	S 25°49'19" W	10
C29	25'	39'	25'	N 30°57'23" W	35'
C30	30'	47'	30'	S 59°02'37" W	42'
C31	25'	39'	25'	N 30°57'23" W	35'
C32	570'	139'	70'	S 82°57'17" E	139'
C33	25'	38'	24'	S 46°42'34" W	34'
C34	1020'	164'	82'	S 07°58'34" W	164'
C35	25'	41'	27'	N 33°02'57" W	36'
C36	25'	38'	23'	N 57°08'30" E	34'
C37	815'	410'	209'	S 07°53'24" E	405'
C38	30'	47'	30'	N 30°57'23" W	42'
C39	25'	39'	25'	S 59°02'37" W	35'
C40	1020'	10'	Q'	N 13°06'30" F	10'

C40 1020' 19' 9' N 13°06'30" E 19'

DISCLAIMER AND LIMITED WARRANTY

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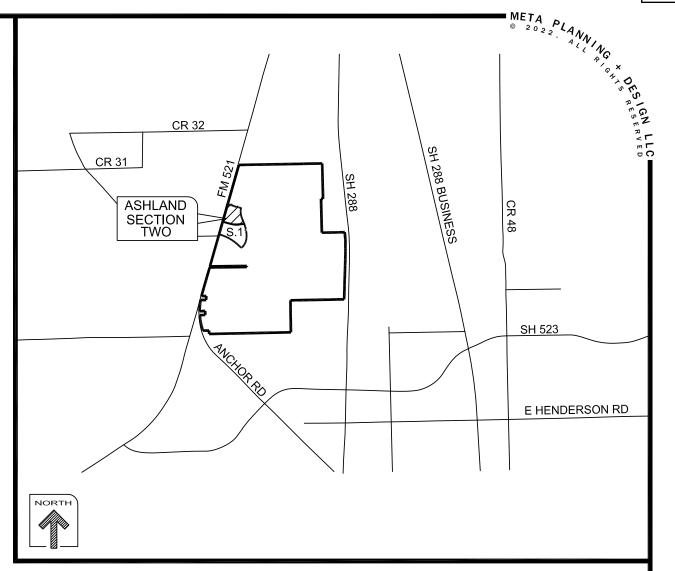
THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN

THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED

WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND

NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OF ITS OFFICERS, OR DIRECTORS,
OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS
OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL
UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED
IN THE PRELIMINARY SUBDIVISION PLAT.





Vicinity Map (not to scale)

LAND USE TABLE										
RESERVE	ACREAGE	SQ. FT.	LAND USE							
A	0.43	18,791	LANDSCAPE/ OPEN SPACE							
В	0.57	24,948	LANDSCAPE/ OPEN SPACE							
C	0.26	11,583	LANDSCAPE/ OPEN SPACE							

ASHLAND **SECTION TWO**

BEING 15.5 ACRES OF LAND CONTAINING 67 LOTS (50' X 120' TYP.) AND THREE RESERVES IN THREE BLOCKS.

SHUBAEL MARSH SURVEY, A-81 & A-82 BRAZORIA COUNTY, TEXAS

ANCHOR HOLDINGS MP LLC

101 PARKLANE BOULEVARD, SUITE 102 SUGAR LAND, TEXAS 77478

QUIDDITY ENGINEERING, LLC 6330 W LOOP S, SUITE 150 BELLAIRE, TEXAS 77401 (713)-777-5337

JULY 26, 2022

SURVEYOR QUIDDITY ENGINEERING, LLC 6330 W LOOP S, SUITE 150 BELLAIRE, TEXAS 77401

TBPE FIRM REGISTRATION No. ____ TBPLS FIRM REGISTRATION No. 10046104



PAGE: 2 OF 2

MTA# 78006



September 15, 2022

Mr. Kyle Reynolds Assistant Director of Development Services City of Angleton 121 S. Velasco Angleton, TX 77515

Re: **On-Going Services**

Brazoria Park Minor Plat – 1st Submittal Review

Angleton, Texas

HDR Job No. 10336228

Dear Mr. Reynolds:

HDR Engineering, Inc. (HDR) has reviewed the plat for the above referenced subdivision and offers the following comments:

- 1. Use Engineer's certificate block found in Angleton LDC Sec. 23-114.
- 2. Provide drainage and detention certificate found in Angleton LDC Sec. 23-115. Standard Language for Special Plat Elements.
- 3. Provide right-of-way dedication for existing unimproved road, 5-ft minimum.
- 4. Label and provide proposed block information for the subject subdivision.
- 5. Show City Limits Boundary on the plat drawing.
- 6. Provide one corner of the plat to reference the corner of the original abstract survey.
- 7. Provide a 20-ft utility easement along the SH 288 Frontage.
- 8. Verify and provide the following:
 - Angleton LDC Sec. 23-12. Streets and Driveways.
 - C. Coordination with Texas Department of Transportation (TXDOT) and Brazoria County Required.
 - 1. For projects adjoining, or accessing TXDOT right-of-way, the engineer will contact the TXDOT to determine all TXDOT requirements and copy the City on all correspondence.
 - b. Angleton LDC 23-22 E.2 Responsibilities of the Subdivider or Developer Where a subdivision is adjacent to or served by a TXDOT highway, the City, in collaboration with TXDOT, shall determine whether developer participation in the "fair share" cost of any improvements, or if the dedication of right-of-way or any other improvements, such as, but not limited to, drainage or utility relocation, is required.
 - c. **Angleton LDC 23-80 B** Plan and Plats Review and Referral.Plats will also be referred to TXDOT and Brazoria County, or other agencies, when applicable.

The proposed plat is incomplete. We are unable to complete the review until the recommended corrections/changes are made and the additional information requested is submitted. HDR recommends that the Brazoria Park Minor Plat be Revised and Resubmitted.

If you have any questions, please feel free to contact us at our office (713)-622-9264.

Sincerely,

HDR Engineering, Inc.

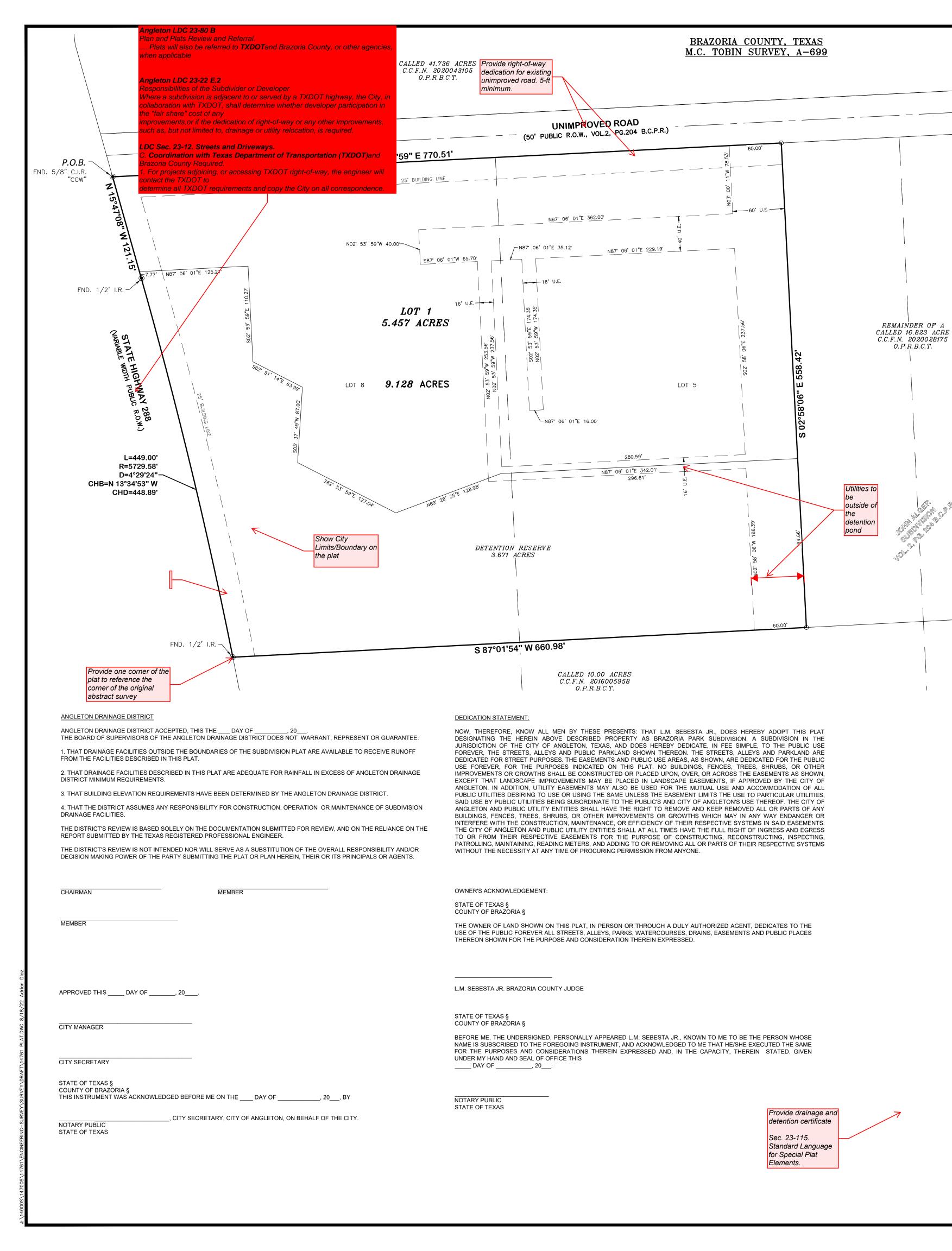
Javier Vasquez, P.E., CFM

Civil Engineer

cc: Files (10336228)

Attachments

Page 2 of 2 31



FIELD NOTES FOR 9.128 ACRE

LOT 4

DESCRIPTION OF A CALLED 9.128 ACRE TRACT OF LAND, LOCATED WITHIN THE M.C. TOBIN SURVEY, ABSTRACT NO. 699 BEING A PORTION OF THE LOTS 5 & 8 OF THE JOHN ALGER SUBDIVISION SECTION ONE AS RECORDED IN VOLUME 2, PAGE 204 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), SAME BEING A PORTION OF A CALLED 16.823 ACRE TRACT AS RECORDED IN COUNTY CLERK'S FILE NO. (C.C.F.N.) 2020028175 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HEREINAFTER AT THE ABOVE REFERENCED TRACT OF LAND, SAID 9.128 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS):

BEGINNING AT A 5/8-INCH CAPPED IRON ROD, STAMPED "CCW", FOUND FOR THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING LOCATED AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF STATE HIGHWAY 288 AND THE SOUTH R.O.W. LINE OF A 50-FOOT WIDE UNIMPROVED ROAD AS RECORDED IN VOLUME 2, PAGE 204 OF THE B.C.P.R.;

THENCE NORTH 87°05'59" EAST, ALONG THE NORTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SOUTH LINE OF SAID 50-FOOT WIDE ROAD, A DISTANCE OF 770.51 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", SET FOR CORNER;

THENCE SOUTH 02°58'06" EAST, OVER AND ACROSS THE ABOVE REFERENCED TRACT OF LAND, A DISTANCE OF 558.42 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", SET FOR CORNER, SAME BEING IN

THE NORTH LINE OF A CALLED 10.00 ACRE TRACT OF LAND AS RECORDED IN C.C.F.N. 2016005958 OF THE O.P.R.B.C.T.;

THENCE SOUTH 87°01'54" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE NORTH LINE OF SAID 10.00 ACRE TRACT, A DISTANCE OF 660.98 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING IN THE EAST R.O.W.

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST R.O.W. LINE OF SAID STATE HIGHWAY 288 ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04°29'24"(THE CHORD BEARS NORTH 13°34'53" WEST, A DISTANCE OF 448.89 FEET) AN ARC

LINE OF STATE HIGHWAY 288 FOR THE NORTHWEST CORNER OF SAID 10.00 ACRE TRACT, SAID POINT AND IN THE

ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 5,729.58 FEET;

CENTRAL ANGLE OF 3AID STATE HIGHWAY 288 ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04°29'24" (THE CHORD BEARS NORTH 13°34'53" WEST, A DISTANCE OF 448.89 FEET) AN ARC DISTANCE OF 449.00 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE POINT OF TANGENCY;

THENCE NORTH 15°47'08" WEST, CONTINUING ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST R.O.W. LINE OF SAID STATE HIGHWAY 288, A DISTANCE OF 121.15 FEET TO THE POINT OF BEGINNING OF THE ABOVE REFERENCED TRACT OF LAND, CONTAINING 9.128 ACRE OF LAND, MORE OR LESS.

MESTERN MARSHAL LUKE STERN MARSHAL LUKE MARSHAL MARSHAL LUKE MARSHAL MARSHAL

IOTES:

SCALE 1" = 60'

O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY TEXAS D.R.B.C.T. = DEED RECORDS BRAZORIA

B.C.P.R. = BRAZORIA COUNTY PLAT RECORDS
C.C.F.N. = COUNTY CLERK'S FILE NUMBER

P.O.C. = POINT OF COMMENCEMENT

O = SET 5/8" I.R. W/CAP "BAKER & LAWSON"

FOUND MONUMENT (AS NOTED)

FND = FOUND

I.R. = IRON ROD

R.O.W. = RIGHT-OF-WAY

VOL., PG. = VOLUME PAGE U.E. = UTILITY EASEMENT B.L. = BUILDING LINE

C.I.R. = CAPPED IRON ROD

P.O.B. = POINT OF BEGINNING

LEGEND

- 1. THE PURPOSE OF THIS PLAT IS TO PLAT THE BRAZORIA PARK, A SUBDIVISION OF 9.128 ACRES, 1 LOT, 1 RESERVE LOCATED IN THE M.C. TOBIN SURVEY A-699, BRAZORIA COUNTY, TEXAS.
- 2. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
- 3. FLOOD ZONE STATEMENT: ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 48039C0440K, WITH EFFECTIVE DATE OF DECEMBER 30, 2020, THE PROPERTY SURVEYED LIES WITHIN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- 4. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 5. NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 6. NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- 7. NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
- 8. NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.

Provide engineer's certificate on the plat

SURVEYOR'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF BRAZORIA §

KNOWN ALL MEN BY THESE PRESENT

THAT I, DARREL HEIDRICH, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.



DARREL HEIDRICH REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5378

REVISION NO. REVISION DESCRIPTION REVISION DATE DRAWN BY

MINOR PLAT BRAZORIA PARK

A 9.128 ACRES 1 LOT, 1 RESERVE SUBDIVISION

BEING A PARTIAL REPLAT OF LOTS 5 & 8 OF THE JOHN ALGER SUBDIVISION RECORDED IN VOLUME 2, PAGE 204, B.C.P.R. AND BEING A PORTION OF THE CALLED 16.823 ACRE TRACT RECORDED IN C.C.F.N. 2020028175 O.P.R.B.C.T.

LOCATED IN THE M.C. TOBIN SURVEY, ABSTRACT NO. 699 BRAZORIA COUNTY, TEXAS



4005 TECHNOLOGY DR., SUITE 1530 ANGLETON, TEXAS 77515 OFFICE: (979) 849-6681 TBPELS No. 10052500 REG. NO. F-825

<u>OWNER:</u> BRAZORIA COUNTY 111 E LOCUST ANGLETON, TX 77515

PROJECT NO: 14761
DRAWING NO: 14761 PLAT

SCALE: 1" = 60'

DATE: 08/16/2022

DRAWN BY: AD

CHECKED BY: DH