



**Members Names**

**Chair** | William Garwood

**Commission Members** | Deborah Spoor, Andrew Heston, Michelle Townsend,  
Regina Bieri, Jeff Roberson, Will Clark

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, NOVEMBER 7, 2024, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

**DECLARATION OF A QUORUM AND CALL TO ORDER**

1. Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on October 3, 2024.

**PUBLIC HEARINGS AND ACTION ITEMS**

2. Conduct a public hearing, discussion, and take possible action on an Ordinance approving a request to amend the Zoning Map from MFR-29, Multi-family Residential District to LI-Light Industrial District on approximately 2.594 acres (Part of Property ID: 171030, A0375 IT TINSLEY TRACT 128B1-128B2, ACRES 4.868 (ANGLETON), for property located at the rear of 105 Cemetery Rd., Angleton, Brazoria County, Texas.

**REGULAR AGENDA**

3. Discussion and review of a proposed Concept Plan for “Mulberry Village”, a proposed commercial and light business park on 39.756 acres located on the south side of SH35, W. Mulberry Street, at the SH288 highway interchange. No action is required.

**ADJOURNMENT**

**CERTIFICATION**

I, Otis Spriggs, 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,

November 4, 2024, by 10:00 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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

*Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability, or family status. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Angleton ADA Coordinator, Colleen Martin, no later than seventy-two (72) hours prior to the meeting, at (979) 849-4364 ext. 2132, email: [cmartin@angleton.tx.us](mailto:cmartin@angleton.tx.us).*

CANCELLED



# AGENDA ITEM SUMMARY FORM

**MEETING DATE:** November 7, 2024

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

**AGENDA CONTENT:** Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on October 3, 2024.

**AGENDA ITEM SECTION:** Declaration of a Quorum and Call to Order

**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:**

Staff requests a discussion and possible action on the minutes for Planning and Zoning Commission meeting for October 3, 2024.

**RECOMMENDATION:** Staff recommends that the Planning and Zoning approve the minutes with any noted corrections.



**CITY OF ANGLETON**  
**PLANNING AND ZONING COMMISSION MEETING MINUTES**  
**120 S. CHENANGO STREET, ANGLETON, TEXAS 77515**  
**THURSDAY, OCTOBER 03, 2024 AT 12:00 PM**

## Members

Chair | William Garwood

**Commission Members** | Deborah Spoor, Will Clark, Michelle Townsend,

Regina Bieri, Ellen Eby, Andrew Heston

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 3, 2024, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

## DECLARATION OF A QUORUM AND CALL TO ORDER

### Roll Call:

**Present were:** Chair William Garwood; Commission Member Deborah Spoor, , Commission Member Michelle Townsend, Commission Member Andrew Heston; **Absent were:** Commission Member Regina Bieri, Commission Member Will Clark and Commission Member Ellen Eby,

**1. Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on September 5, 2024.**

Motion was made by Commission Member Deborah Spoor to approve the minutes for October 3, 2024, motion was seconded by Commission Member Michele Townsend; All Ayes; The minutes were approved 4-0.

## PUBLIC HEARINGS AND ACTION ITEMS

### REGULAR AGENDA

**2. Discussion and possible action on a Preliminary Subdivision Plat for Yaklin Auto, on property located north of 3100 State Hwy 288, Angleton, TX 77515.**

D.S. Director Otis Spriggs presented the Agenda, Item Summary, and Staff Report stating this is a Preliminary Plan for Yaklin Auto Dealership that's going out of Interstate SH 288, on the feeder Rd., just north of the Ford Dealership, situated 9.43 acres 1 lot, 1 reserve, and 1 block. The site is located in our ETJ. Currently, the applicant is in conversation with Staff, regarding the possibility of annexation in the near future and then dealing with the connection of the utilities through an adjoining easement. We

are working through those details. The City Engineer has reviewed the plat and forwarded twenty (20) review comments, which have been corrected and cleared. Staff recommends that the Planning and Zoning Commission approve the Plat and recommend it to City Council for final action and approval.

**Commission Action:**

Motion was made by Commission Member Michelle Townsend, and seconded by Commission Member Andrew Heston to approve the Yaklin Preliminary Plat and forward it to City Council for final action.

**Roll Call Vote:**

Commission Member Michelle Townsend- Aye; Commission Member Deborah Spoor- Aye; Commission Member Andrew Heston- Aye; Chair Bill Garwood- Aye. (4-0 vote), The Preliminary Plat was approved.

**3. Discussion and possible action on the TNMP Preliminary Plat, of property located north of 3343 E. Mulberry St/ HWY 35, Angleton, TX 77515**

D.S. Director Otis Spriggs presented the Staff findings of the TNMP Preliminary plat. He reminded the Planning Commissioners that this item came before the Commission previously as an (SUP) Specific Use Permit for the two power sub-stations, which later went before the City Council and was approved on July 23, 2024.

Mr. Spriggs added that the Preliminary Plat was forwarded to the City Engineer, who returned 21 review comments that have been cleared by the applicants prior to this meeting. Staff is requesting that the Commission consider this plat for the two substations for the overall acreage as listed on E. Mulberry/ Hwy. 35, for the White Oak Substation, and recommend it for approval to the City Council for final action. He also pinpointed Council conditioned the SUP upon the applicant working out the future annexation of the property into the city. As you know, the frontage is within the City by a certain number of feet; however, the rear of the property is in the ETJ. We put the applicant on notice that by the time this reaches Council, we expect an update on the process for annexation. A representative from the two substations is in the audience, in case you have any questions.

The chair recognized David Griffith, who appeared before the Commission.

Mr. Griffith stated that the annexation is currently with TNMP's legal department and they are reviewing any requirements and looking at benefits for TNMP as well as the City of Angleton. The process is moving forward on our side, as discussed in the previous meetings, as we work towards our permits and things like that as an initial requirement. We are continuing to work in good faith to get that resolved.

**Commission Action:**

Commission Member Michelle Townsend made a motion to approve the Texas New Mexico Power Preliminary Plat subject to the Council's condition and forward it to them for final consideration. The motion was seconded by Commission Member Andrew Heston.

**Roll Call Vote:**

Commission Member Michelle Townsend- Aye; Commission Member Deborah Spoor- Aye; Commission Member Andrew Heston- Aye; Chair Bill Garwood- Aye. (4-0 vote), The Preliminary Plat was approved.

**4. Discussion and possible action on a proposed Concept for “The Marquis” Multi-family Development, to be located on the west side of Karankawa St., south of Tracy St.**

D.S. Director Otis Spriggs presented the concept review request. The owner/applicants are proposing 104 multifamily units on 10 acres. This concept has been brought to the city in the past; however, they have refined the plan, and have dealt with some of the issues and added amenities in the area of the open space detention area.

Staff held a DAWG, Development Working Group meeting with the applicants and stressed the major concerns which are reflected in some of the photographs as the property is approached off Karankawa St. There are a number right of way improvements needed such as the 1/2 right of way. The applicants are also aware of the extension of utility needs, the Parkland Dedication Ordinance. So, we'll have those discussions with you as well. This is not an action item, but they are seeking the pulse and input from the Commission on the development and how you would see it moving forward.

Commission Member Michelle Townsend asked if this is an apartment complex that has a small commercial space?

D.S. Director Otis Spriggs responded yes, there are some amenities for the residents themselves with some level of commercial support on the frontage.

Public Input: Doug Roesler, Baker & Lawson added that they will extend the water line, probably from Henderson, down into this site, to have adequate Fire Protection to support the development. He added that there are two-story units (later corrected 3-story) and there are 104 units. And the detention has been designed.

Commission Member Michelle Townsend and the other Commission members stressed concern over the water connections and available taps to support the project.

**5. Discussion and possible action on the potential removal of the subdivision emergency access gate within the Rosewood Subdivision (Rosewood Ln. at E. Henderson Rd.).**

D.S. Director Otis Spriggs introduced that is being forwarded to the Commission by City leadership. We are seeking feedback from the commission and allowing for public input on the removal of the emergency gate. Staff notified the 70 residents of Rosewood Subdivision by mail regarding this discussion item on the gate at Rosewood Lane and Henderson Rd.

D.S. Director Otis Spriggs commented that Rosewood Ln. right of way was constructed with 1/2 roadway width at 20+/- feet, including a paved turn-around driveway next to Henderson Rd. right of way. We hope to get feedback from the residents who actually live there. We recognized that there are other variables in the area, such as school traffic in peak times. A one-way restriction has been considered.

Commission Member Michelle Townsend asked how that would be enforced. D.S. Director Otis Spriggs agreed that enforcement would be a challenge, depending on improvements that can be made to control vehicular access.

D.S. Director Otis Spriggs added that he has received comments including the following points:

- How do you limit folks from blocking the drive during school traffic?
- Coordination of sidewalks and safety of children
- Residents now park on the left and right of Rosewood Lane which affects the flow of the traffic,
- One way traffic concerns.

#### **Public Input:**

Andrew Hamilton, Resident of Rosewood Subdivision, 916 Rosewood Ln., state3d that he is a lifelong Angleton resident and lived there for nine years. He commented that the developers of Rosewood 3, intended to close the neighborhood with the cul-de-sac while the city advocated for a connection to Henderson. The residents preferred not to have their neighborhood be a cut-through near one of the busiest intersections in town.

The City, Staff, developers, and Council found the compromise, the emergency access movements that exist today, which was agreeable to everyone.

Mr. Hamilton added that the developer's plat was approved, the city ensured important compliance with fire codes, and residents didn't have to worry about heavy traffic. Removal of the gate now will dramatically increase traffic. Safety concerns for residents, commuters and students walking to and from school were considered. Mr. Dunn also spoke on peak time impact, i.e. Congestion to the Angleton Junior High Street, Wildcat Stadium, and northbound traffic, and eastbound traffic on Henderson. Rosewood as a shortcut was a concern.

Mr. Hamilton stressed that the Pineyway situation is totally different from Rosewood. He added that if you remove the gate, we will request additional signage, lighting, crosswalks, wider pavement, and speed bumps, which have costs. Accident response would be an issue. Please take no action because the City's money is better spent elsewhere.

Doug Roesler, Baker & Lawson appeared and gave comments and explained that if you exceed 50 houses, you needed secondary access; we put the gate there for fire and emergency purposes. It was never intended for people to go in and out of there because there is way too much traffic there. When Henderson is improved, maybe you can consider something. But people will short-cut through there, and it is not good.

Chair Bill Garwood recommended that we leave the situation untouched.

Commission Member Andrew Heston added that he lives in Rosewood, and a turn onto Downing is dangerous due to the visibility of oncoming traffic. People speed down Henderson in the middle of the night. Everyone that purchased a house was sold on the idea that would not be a through street.

Commission Member Michelle Townsend added that we should honor the agreement approved previously.

The consensus of the Planning and Zoning Commission is to leave the gate as-is. Mr. Spriggs noted that the comments will be forwarded to the City Council agenda on October 22, 2024 at 6:00 PM.

## **6. Discussion and update on the proposed City of Angleton Comprehensive Fee Schedule Update as it relates to Development Fees.**

D.S. Director Otis Spriggs gave a brief introduction and noted that this is the last Commission work session on the fee.

Commission Member Michelle Townsend added that her comments were addressed by D.S. Director Otis Spriggs

Commission Member Andrew Heston stated that last meeting he asked if any comparisons of the impact of the changes on current fees had been done?

Mr. Spriggs added that is something is working on with the Consultant. He presented a few of the sampling comparisons. For example, the platting fees typically are only \$250 for the actual application process so that the developers will see an increase from that standpoint. We are moving the formula to be based on the review fees and administrative review. So, if you look at the table of comparisons, it will definitely exceed that \$250 threshold and that's the standard for most cities.

The new formula accounts for a base fee, a certain number of acres, and a certain number of lots for a proposed development. And that's how they calculate. So, we tried to find a happy medium between the neighboring cities for all of those items.

The single-family home permits are currently estimated at about \$1,315.00 for a home, so the residents will see a slight increase on the permit side.

We will be considering upgrading our building codes also in terms of our comprehensive planning process, to be more resistant to disasters. And we did get a



grant for that, so the verdict is not out on that final fee yet. The SUP's and Rezoning fee were also compared. The applicants have been paying \$250 for rezonings. So, you'll see an increase there. Zoning Variances is the same \$150.00 only it'll may raise to \$500.

The Board of Adjustment fees could discourage people from filing an influx of variances because they're based on hardship and it kind of pushes them to have a good reason to do so. Commercial rezoning should be more than \$250, based on the comparisons of the neighboring cities.

Mr. Heston asked how many variances we see per year.

D.S. Director Otis Spriggs stated an average between 5 to 8 per year. It just depends on the season. Commission Member Michelle Townsend, who serves on the BOA, agreed.

Commission Member Michelle Townsend described recent variances such as a fence that's taller than our ordinance says or if they want a carport that encroaches into a front yard that is prohibited by ordinance.

D.S. Director Otis Spriggs commented on staff review time and notices that must be posted and mailed, or any legal review required.

No other comments were added by the Planning and Zoning Commission. Mr. Otis Spriggs noted the Comprehensive Fee Study will go before City Council in another work session on October 22, 2024 at 6:00 PM. We hope for final action in November.

**ADJOURNMENT: 12:39 PM**



# AGENDA ITEM SUMMARY REPORT

**MEETING DATE:** November 7, 2024

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

**AGENDA CONTENT:** Conduct a public hearing, discussion, and take possible action on an Ordinance approving a request to amend the Zoning Map from MFR-29, Multi-family Residential District to LI- Light Industrial District on approximately 2.594 acres (Part of Property ID: 171030, A0375 IT TINSLEY TRACT 128B1-128B2, ACRES 4.868 (ANGLETON), for property located at the rear of 105 Cemetery Rd., Angleton, Brazoria County, Texas.

**AGENDA ITEM SECTION:** Public Hearing and Action Item

**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

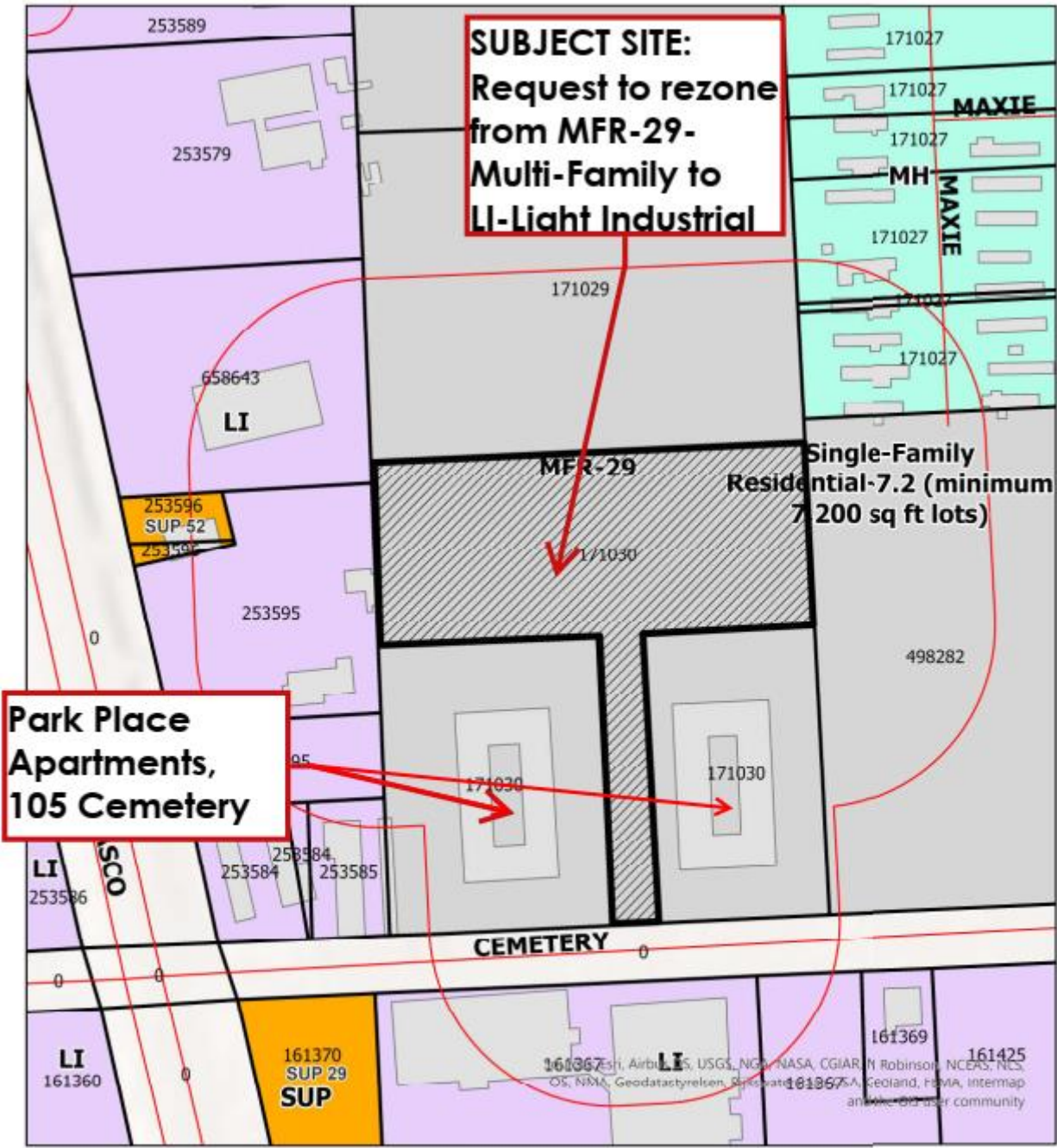
**FUND:** N/A

**EXECUTIVE SUMMARY:**

Ahsan Sattar of EDD Investment Group LLC requests to amend the Zoning Map from MFR-29, Multi-family Residential District to LI- Light Industrial District on approximately 2.594 acres (Part of Property ID: 171030, A0375 IT TINSLEY TRACT 128B1-128B2, ACRES 4.868 (ANGLETON), for property located at the rear of 105 Cemetery Road.

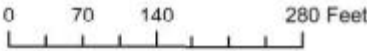


AERIAL MAP



### VICINITY MAP

105 Cemetery Rd. Rezoning From MFR-29 to I-I Industrial



## Public Notices:

Public notice letters were sent to all property owners within a 200-foot radius of the subject property in accordance with the provisions of the L.G.C. Chapter 211, and legal notices were published in the local newspaper for the upcoming 2 public hearings. Property owner names and addresses were located using the Brazoria County Appraisal District information.

## Proposal:

The requester wishes to rezone the property to I-1 Industrial in order to improve the property for RV and Boat Parking. The current property owner also owns and operates the two apartment structures along the property frontage. The subject site will be accessed in the area between those two tracts of land. No detailed layout has been provided.

I-1 Industrial Districts permits *Auto Storage* in accordance with Chapter 28- Zoning/Article IV. Use Regulations (Allowable Use Table). **The applicant did not submit any plans or layout of the proposed parking lot. Parking lot design must adhere to the requirements of Section 28-60, Light Industrial District:**

- *Maximum lot coverage: Maximum 90 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).*
- *Parking requirements: As established by section 28-101, off-street parking and loading requirements.*

***Staff cautions the applicant that access management and coordination must be designed to deal with any impacts of driveway separations, conflicts, and turning radiuses needed for large RV/Recreational vehicles.***

Note that in the State of Texas, sales tax is not due on the rental of most self-storage units. However, sales tax must be collected if the rented space is used to park a vehicle. A vehicle includes anything required to be registered—everything from passenger cars to trailers and RVs. The size of the vehicle does not matter—the tax treatment is the same.

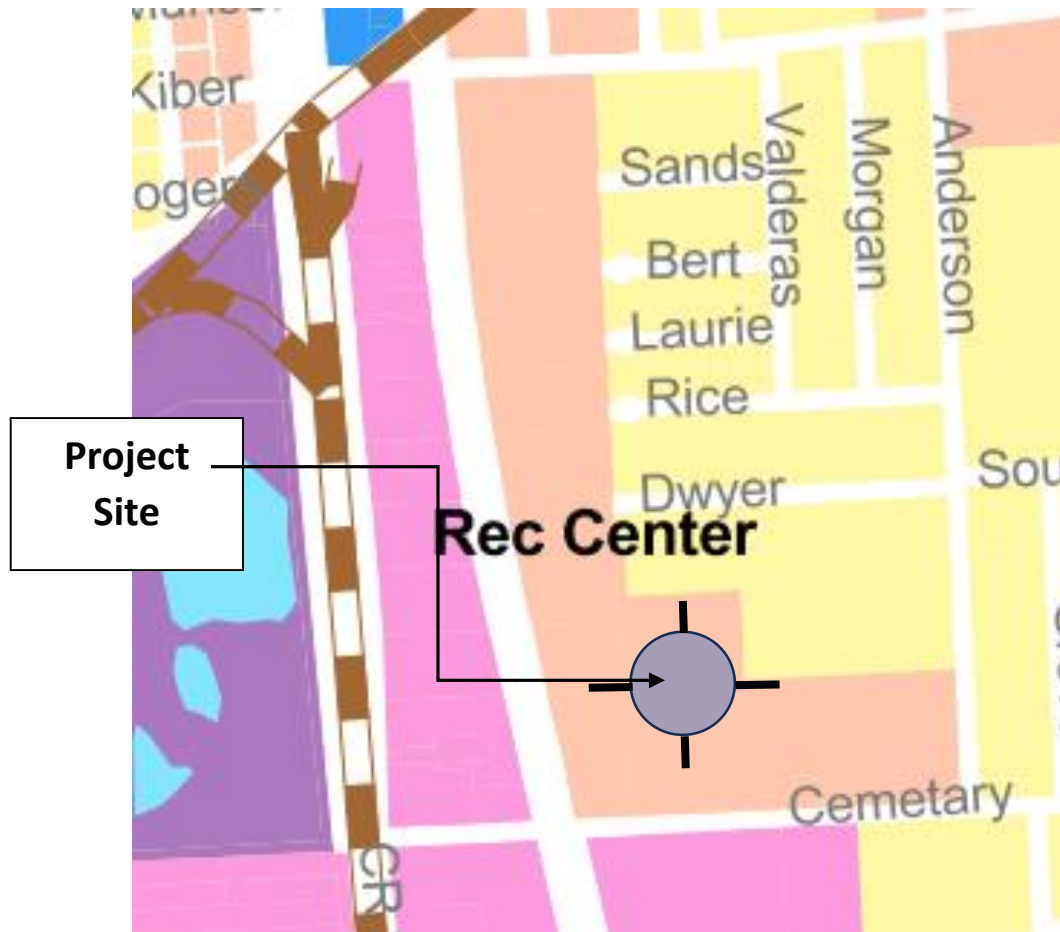
## **Review Criteria and Findings of Fact:**

In making a determination regarding a requested zoning change, the planning and zoning commission and the city council shall consider the following factors:

- a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. ***(Compatibility may be an issue. Staff has concerns with the amount of available acreage and the expected number of units the parking lot will yield after an acceptable design is achieved, balanced with adherence to drainage requirements of the Angleton Drainage District for the increased hard surface). The Comprehensive Land Use Plan is provided below. The current use of the property offers compatibility; however, the proposed use does not fulfill the transitional zone as recommended.***
- b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the

- area; ***(There will be no negative impact on said capacity of public utilities; drainage would have to meet the Angleton Drainage District guidelines and approvals).***
- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development; ***(Although this area will continue to see infill development, the scale will continue to be residential in scale, with neighborhood service oriented uses such as retail, attached living, professional and office uses).***
  - d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change ***(No high rate of industrial uses have been requested along Cemetery Road).***
  - e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. ***(The industrial use of the land is not the preferred use. Previous Pre-Development request occurred on the tract for mini-storage which was not favorable).***
  - f. Any other factors that will substantially affect the public health, safety, morals, or general welfare. ***(No factors will negatively affect the public health, safety, morals or general welfare).***

### Future Land Use Map



The adopted Future Land Use/Comprehensive Plan designates the subject property requested to be rezoned as Office/Retail/Multi-Family Residential.

Office/Retail/Multifamily (Peach): This category incorporates many of the characteristics of the Office/Retail category but adds flexibility by including multifamily development outside of SH 288. The Office/Retail/Multifamily category recognizes both the need to promote quality office development, as well as the opportunity to permit a transition between uses when considered necessary. Examples of this category are found along FM 523, Business 288, and SH 35. While visibility remains important, the Office/Retail/Multifamily may also be located away from corridors or as a transition category for low-intensity areas.

### **Existing Land Use and Zoning**

**North:** Vacant Land, zoned MFR-29 Multi-family Zoning, American Legion Owner

**West:** Residential Structures, zoned I-1 Industrial Zoning along I-288 Bus

**South:** Apartment Uses adjacent, MFR-29, Light Industrial on South side of Cemetery Rd.

**East:** Apartments, Single Family Residential

---

## **SITE PHOTOS**



View looking north along SH288B toward intersection of Cemetery Road, Site is to the right



View looking north from Cemetery Rd. from property frontage



View looking north at subject tract north of the apartment units



View looking north at subject tract north of the apartment units





View looking south toward Cemetery Rd.



View looking West on Cemetery Rd. toward SH288 B, Mini-Storage Units to the right



View looking east along Cemetery Rd. toward property frontage



View looking north-easterly from SH288B



View looking north-easterly along SH288B toward the intersection of Cemetery Road, Site is to the right

### RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission consider approval of this rezoning petition based on the findings in the analysis, subject to the listed conditions below, and forward this request to the City Council for final consideration of the Ordinance approving a request to amend the Zoning Map from MFR-29, Multi-family Residential District to LI- Light Industrial District, for approximately 2.594 acres located at the rear of 105 Cemetery Road:

### Conditions:

1. The applicants shall provide a detailed site plan layout to the Planning Commission before any permits are allowed for the proposed use, showing landscaping design, driveway access, and turning radius design for fire and emergency access.
2. Maximum lot coverage: Maximum 90 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).
3. Parking lot design shall meet all parking standards of the Code of Ordinances, Section 28-101, for off-street parking and loading requirements.
4. The applicants shall provide an 8 ft. wood or masonry perimeter fencing/wall screening around the proposed parking storage lot.
5. Overnight camping and lodging shall not be permitted.

**ORDINANCE NO.**

**AN ORDINANCE OF CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, REZONING PROPERTY FROM MFR-29, MULTI-FAMILY RESIDENTIAL DISTRICT TO LI- LIGHT INDUSTRIAL DISTRICT ON APPROXIMATELY 2.594 ACRES (PART OF PROPERTY ID: 171030, A0375 IT TINSLEY TRACT 128B1-128B2, ACRES 4.868 (ANGLETON), FOR PROPERTY LOCATED AT THE REAR OF 105 CEMETERY RD., ANGLETON, TEXAS, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND EFFECTIVE DATE, AND FINDINGS OF FACT.**

**WHEREAS**, the City of Angleton, Texas is granted implied powers under the Texas Local Government Code, Section 51.001 and may adopt, publish, amend or repeal an ordinance and adopt ordinances that are for the good government, peace, or order of the municipality and necessary for carrying out a power granted by law to the City of Angleton, Texas; and

**WHEREAS**, the City of Angleton, Texas may adopt or maintain an ordinance only if the ordinance is consistent with the laws of Texas as set out in Section 51.002 Texas Local Government Code; and

**WHEREAS**, On November 7, 2024, the City of Angleton Planning & Zoning Commission held a public hearing and approved the rezoning submitted by Ahsan Sattar of EDD Investment Group LLC, from MFR-29, Multi-family Residential District to LI-Light Industrial District.

**WHEREAS**, on November 7, 2024, the City of Angleton Planning & Zoning Commission, after conducting a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed rezoning request; and

**WHEREAS**, on November 12, 2024, the City of Angleton City Council conducted a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed rezoning request; and

**WHEREAS**, the City considered the factors and provisions set forth in the City of Angleton Code of Ordinances, Chapter 28 Zoning, Sec. 28-24, Amendments to zoning ordinance and districts, and considered the proposed rezoning of property at the rear of 105 Cemetery Rd., Angleton, Texas., legally described as (Part of Property ID: 171030, A0375 IT TINSLEY TRACT 128B1-128B2, ACRES 4.868 (ANGLETON), as depicted on Exhibit A; and

**WHEREAS**, the City Council desires to grant the rezoning of the property, approximately 2.594 acres, at the rear of 105 Cemetery Rd., as submitted by Ahsan Sattar of EDD Investment Group LLC;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:**

**Section 1.** That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

**Section 2.** City Council approves the rezoning from MFR-29, Multi-family Residential District to LI- Light Industrial District on approximately 2.594 acres, and adopts the recommendation with conditions made by the Planning and Zoning Commission as follows:

1. The applicants shall submit a detailed site plan layout for approval by the Planning Commission before any permits are allowed for the proposed use, showing landscaping design, driveway access, and turning radius design for fire and emergency access.
2. Maximum lot coverage to be permitted: Maximum 90 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).
3. Parking lot design shall meet all parking standards of the Code of Ordinances, Section 28-101, for off-street parking and loading requirements.
4. The applicants shall provide an 8 ft. wood or masonry perimeter fencing/wall screening around the proposed parking storage lot.
5. Overnight camping and lodging shall not be permitted.

**SECTION 3. Penalty.** Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

**Section 4. Repeal.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**Section 5. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6. Effective date.** That this Ordinance shall be effective and in full force immediately upon its adoption.

**Section 7: Proper Notice & Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public

notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of November, 2024.

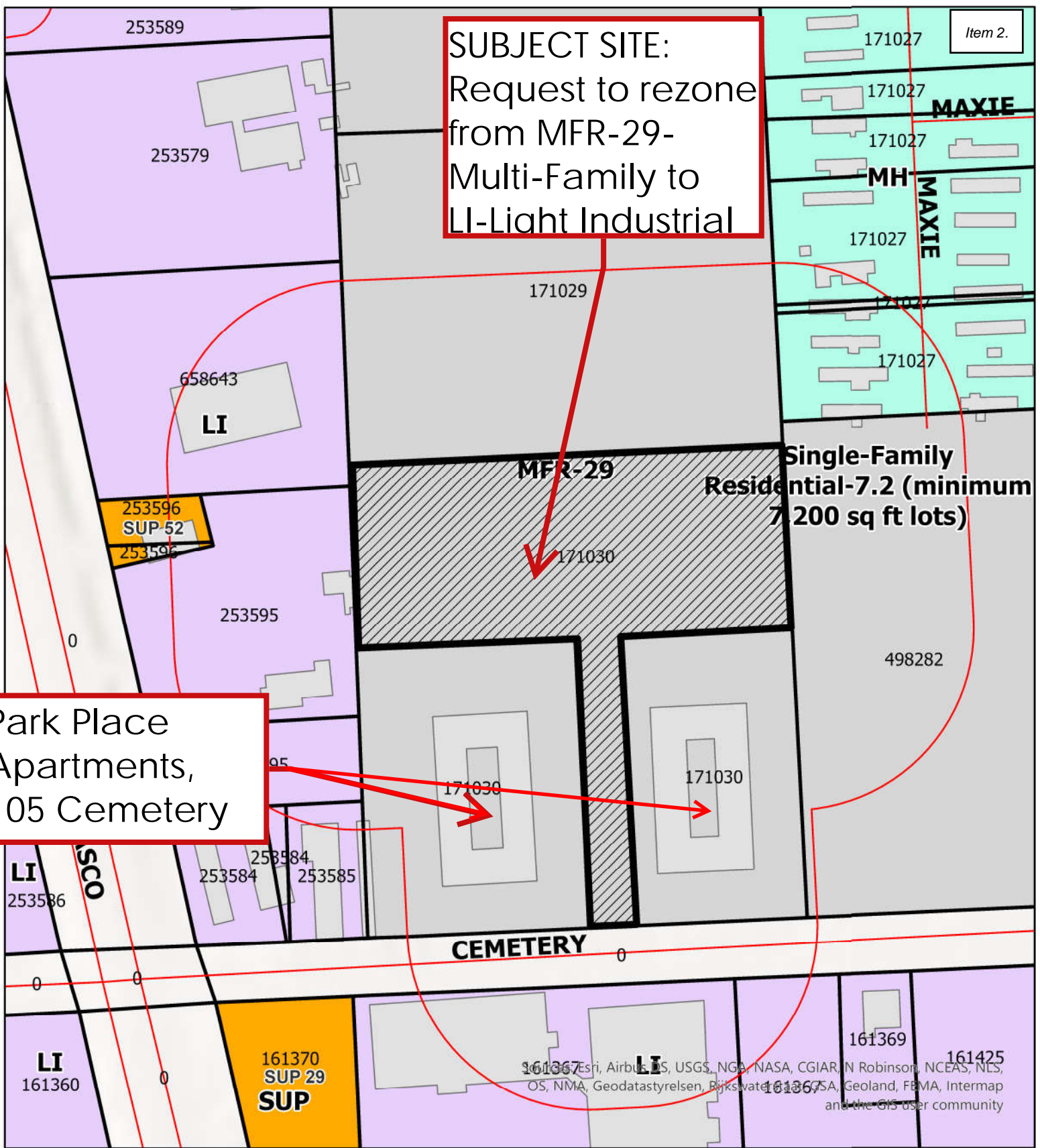
---

John Wright, Mayor

**ATTEST:**

---

Michelle Perez, TRMC

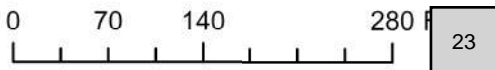


**SUBJECT SITE:**  
Request to rezone  
from MFR-29-  
Multi-Family to  
LI-Light Industrial

**Park Place  
Apartments,  
105 Cemetery**

**EXHIBIT A: REZONING MAP**

**105 Cemetery Rd. Rezoning From MFR-29 to I-I Industrial**



APPLICATION AND ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 35 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. INCOMPLETE FORMS MAY BE DELAYED, DENIED, RETURNED TO THE APPLICANT; PLANNING & ZONING COMMISSION MEETS ON THE FIRST THURSDAY OF THE MONTH.

**AFFIDAVIT OF AUTHORIZATION BY PROPERTY OWNER**

I swear that I am the owner of (indicate address and/or legal description)  
105 and 109 Cemetery Road, Angleton, TX 77515

which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.

I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.

NAME OF APPLICANT: Ahsan Sattar

ADDRESS: 105 Cemetery Road Angleton, TX 77515

APPLICANT PHONE # \_\_\_\_\_ E-MAIL: \_\_\_\_\_

PRINTED NAME OF OWNER: Brantly D. Minor III, managing member

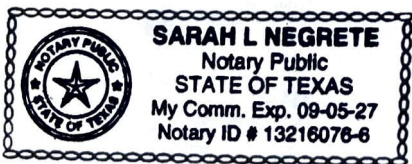
E.D.D. Investment Group LLC

SIGNATURE OF OWNER: [Signature] DATE: 10/28/24

**NOTARIAL STATEMENT FOR PROPERTY OWNER:**

Sworn to and subscribed before me this 28 day of October, 2024.

(SEAL)



Sarah L. Negrete  
Notary Public for the State of Texas  
Commission Expires: 09-05-27



**City of Angleton  
Notice of Hearing**

Item 2.

Notice is hereby given that the Planning & Zoning Commission of the City of Angleton, Texas will conduct a public hearing at 12:00 pm on Thursday, November 7, 2024, and the City Council will consider the same request on Tuesday, November 12, 2024, at 6:00 PM. The meetings will be held at Angleton City Hall in the City Council Chambers at 120 S. Chenango Street, Angleton, Texas 77515. At the meetings, the following hearings will be held:

Conduct a hearing, discussion, and take possible action on Ordinance approving a request to amend the Zoning Map from MFR-29, Multi-family Residential District to LI- Light Industrial District on approximately 2.594 acres (Part of Property ID: 171030, A0375 IT TINSLEY TRACT 128B1-128B2, ACRES 4.868 (ANGLETON), for property located at the rear of 105 Cemetery Rd., Angleton, Brazoria County, Texas.

The meeting agenda and agenda packet will be posted online at <https://angleton-tx.municodem meetings.com/> . The public will have the opportunity to offer comments on each agenda item by registering prior to the meeting.

For more information regarding these requests please contact Otis T. Spriggs, AICP, Development Services Director by email at [ospriggs@angleton.tx.us](mailto:ospriggs@angleton.tx.us) or by phone at (979) 849-4364 x-2108 or Kandice Haseloff-Bunker, Development Coordinator by email at [kbunker@angleton.tx.us](mailto:kbunker@angleton.tx.us) or by phone at (979) 849-4364 x-2131.



**PAID**  
CASH  CHECK  CREDIT   
Memo #1217  
12/15/24

OFFICE USE ONLY	
Date received: _____	Fee: \$ _____
P&Z Public Hearing date: _____	
Date to send cert. letters: _____	
Date to publish: _____	
Proof of taxes paid: _____	date verified: _____

### CITY OF ANGLETON RE-ZONE APPLICATION

**Name(s) of Property Owner:** E D D Investment Group LLC

**Current Address:** 1914 N Memorial Way #6 **Email:** brantly@discoveryconsultants.net

**City:** Houston **State:** TX **Zip:** 77007

**Home Phone:** \_\_\_\_\_ **Business Phone:** \_\_\_\_\_ **Cell:** \_\_\_\_\_

**ATTACH PROOF THAT ALL TAXES, FEES AND OBLIGATIONS HAVE BEEN PAID TO THE CITY OF ANGLETON.**

**Name of Applicant:** Ahsan Sattar  
(If different than Property Owner)

**Address:** 105 Cemetery Rd **Email:** properties@emaret.org  
manager@emaret.org

**City:** Angleton **State:** TX **Zip:** 77515

**Home Phone:** \_\_\_\_\_ **Business Phone:** \_\_\_\_\_ **Cell:** \_\_\_\_\_

**Address/Location of Property to be Re-zoned:** 105 Cemetery Rd, Angleton, TX 77515

**Legal Description:** A0375 | T TINSLEY TRACT 128B1- 128B2 ACRES 4.868 (ANGLETON)

Metes & Bounds	Lot(s)	Block	Subdivision
----------------	--------	-------	-------------

### ATTACH MAP/SURVEY OF PROPERTY

Has the property been platted? YES  **NO**

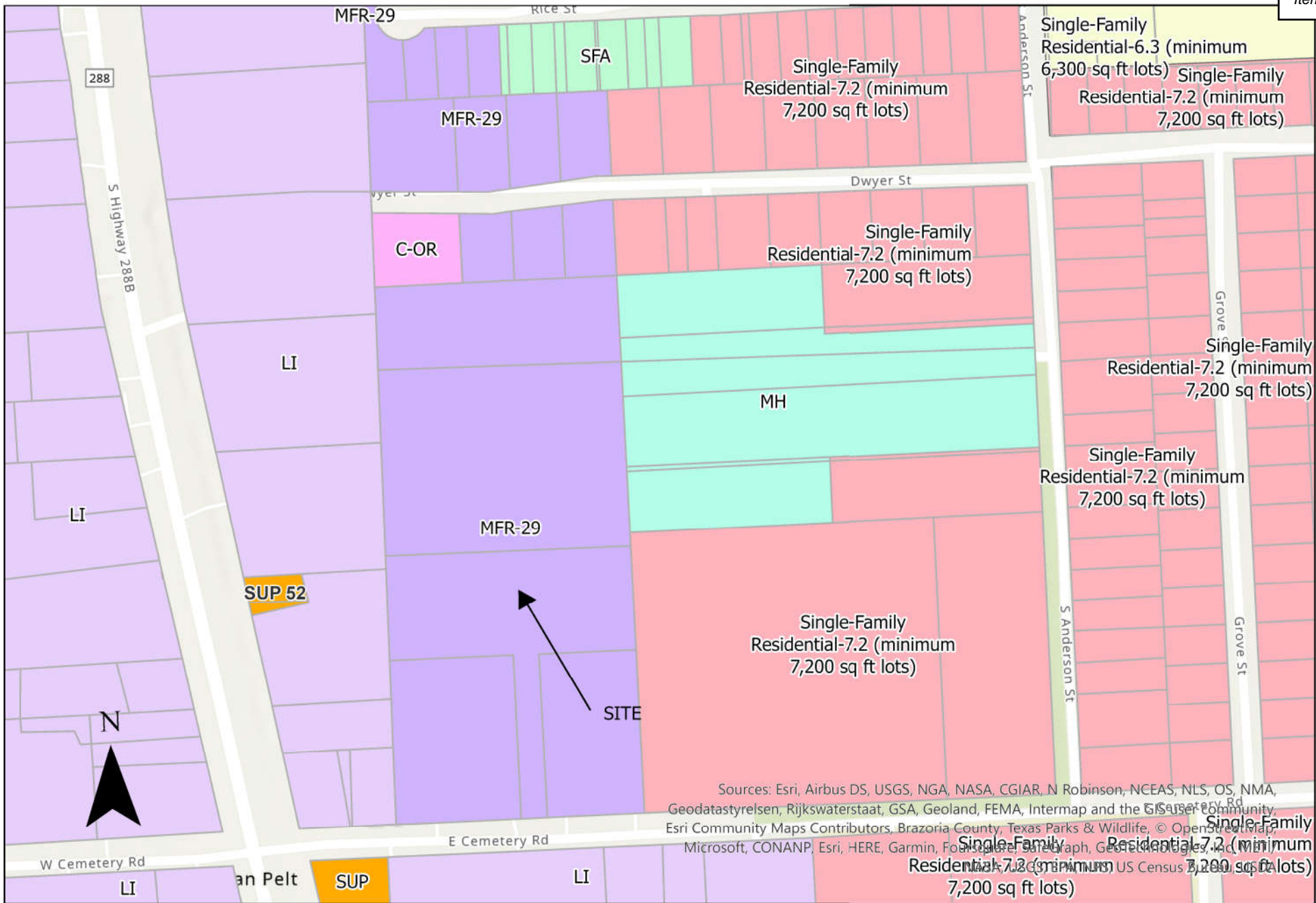
**Current Zoning:** MFR-29 **Current Use:** Vacant Land

---

**Proposed Zoning:** LI **Proposed Use:** RV and Boat Parking

**Application Fee: \$150.00 (must be submitted with application)**

*[Handwritten signature]*



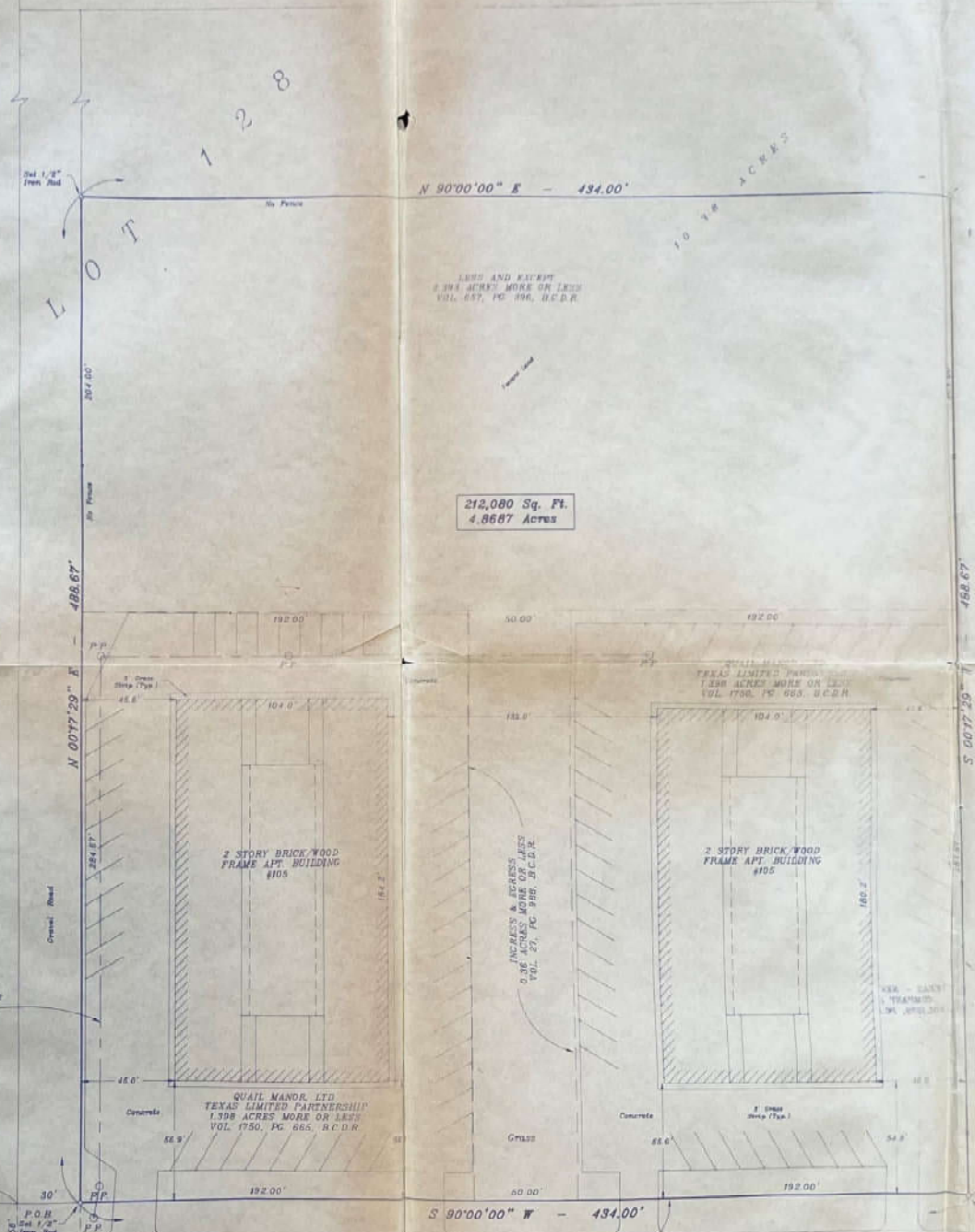
# 105 E. CEMETERY ZONING MAP

9.18 ACRES MORE OR LESS  
VOL. 34, PG. 618, B.C.D.R.



10 ACRES  
VOL. 930, PG. 901, B.C.D.R.

HIGHWAY  
288  
(150' R.O.W.)



212,080 Sq. Ft.  
4.8687 Acres

CEMETERY ROAD (60' R.O.W.)

105 Cemetery Road  
Angleton, TX 77515  
phone 409-849-9771  
611

I HEREBY CERTIFY THIS PLAT TO BE AN ACCURATE GRAPHICAL REPRESENTATION OF A FIELD SURVEY MADE AND CONDUCTED BY ME IN ACCORDANCE WITH THE TECHNICAL STANDARDS AND SPECIFICATIONS OF THE BOARD OF LAND SURVEYING FOR A CATEGORY 1A CERTIFIED LAND SURVEYOR.

*Robert L. Pinnett*  
ROBERT L. PINNETT, R.P. 2 43988



PINNELL SURVEY,

105 CEMETERY ROAD  
ANGELTON, TEXAS 77515

STANDARD LAND BOUNDARY SURVEY OF  
TRACT OF LAND BEING A PART OF LOT  
THE BIRTH OF THE STATE OF  
PINNELL SURVEY  
TRACED SAID OF THE 10th  
SECTION OF LAND BEING  
DESCRIBED IN  
PAGE 628, B.C.D.R.  
SCALE 1" = 30'

GENERAL NOTES:  
1. BEARINGS BASED ON THE RIGHT-OF-WAY  
OF CEMETERY ROAD BEING EAST AND WEST.

P.D.C.  
2.25 ACRES LOT 105  
105 CEMETERY ROAD  
ANGELTON, TX 77515

DATE: 10-21-88  
BY: JOHN CASWELL  
SCALE: 1" = 30'


# 105 CEMETERY

**Legend**

- 📍 105 Cemetery *Item 2.*
- 📍 Claire's Place
- 📍 Dollar General
- 📍 Feature 1
- 📍 Valero



MULTIPLE BUILDING PROPERTY SUMMARY

	Beds	Full Baths	Half Baths	Sale Price	Sale Date
	N/A	N/A	N/A	N/A	N/A
	Bldg Sq Ft	Lot Sq Ft	Yr Built	Type	
	N/A	212,050	N/A	MLT FAM DWLG	

OWNER INFORMATION

Owner Name	E D D Investment Group LLC	Tax Billing City & State	Houston, TX
Owner Occupied	No	Tax Billing Zip	77007
Carrier Route	C021	Tax Billing Zip+4	8319
Tax Billing Address	1914 N Memorial Way #6		

LOCATION INFORMATION

Subdivision	I T Tinsley	Key Map	828s
School District Name	Angleton ISD	Census Tract	6641.00
Neighborhood Code	Commb1-Commb1	Flood Zone Code	X
Township	Angleton	Flood Zone Date	12/30/2020
MLS Area	5	Flood Zone Panel	48039C0445K
Market Area	ANGLETON		

TAX INFORMATION

Parcel ID	0375-0216-110	% Improved	91%
Parcel ID	171030	Tax Area	GBC
Parcel ID	03750216110	Water Tax Dist	Nav
Legal Description	A0375 I T TINSLEY TRACT 128B1-128B2 ACRES 4.868 (ANGLETON)		
M.U.D. Information	Dr1		

ASSESSMENT & TAX

Assessment Year	2022	2021	2020
Assessed Value - Total	\$1,159,330	\$375,000	\$538,620
Assessed Value - Land	\$106,910	\$106,910	\$106,910
Assessed Value - Improved	\$1,052,420	\$268,090	\$431,710
YOY Assessed Change (\$)	\$784,330	-\$163,620	
YOY Assessed Change (%)	209.15%	-30.38%	
Market Value - Total	\$1,159,330	\$375,000	\$538,620
Market Value - Land	\$106,910	\$106,910	\$106,910
Market Value - Improved	\$1,052,420	\$268,090	\$431,710

Tax Year	Total Tax	Change (\$)	Change (%)
2020	\$14,782		
2021	\$9,788	-\$4,994	-33.78%
2022	\$30,261	\$20,473	209.15%

Jurisdiction	Tax Rate	Tax Amount
Angleton City	.63304	\$7,339.03
Angleton Drainage Dist	.09115	\$1,056.76
Brazoria County	.33653	\$3,901.49
Angleton-Danbury Hosp Dist	.19251	\$2,231.77
Port Freeport	.04	\$463.73
County Road & Bridge	.05	\$579.67
Angleton ISD	1.267	\$14,688.71
<b>Total Estimated Tax Rate</b>	<b>2.6102</b>	

CHARACTERISTICS

Land Use - CoreLogic	Multi Family Dwelling	Building Type	Commercial
Land Use - County	Multi-Family Residential	Total Rooms	40
Land Use - State	Multi-Family Residential	Cooling Type	Central
Lot Acres	4.868	Heat Type	Package

Lot Sq Ft	212,050	Exterior	Brick Veneer
# of Buildings	11		

Item 2.

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	11,616	1975	\$227,580

SELL SCORE	
Value As Of	2022-10-30 04:42:45

**PROPERTY MAP**

\*Lot Dimensions are Estimated

**BUILDING 1 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Building Type	Commercial
Land Use - County	Multi-Family Residential	Total Rooms	8
Land Use - State	Multi-Family Residential	Cooling Type	Central
Lot Acres	4.868	Heat Type	Package
Lot Sq Ft	212,050	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	11,616	1975	\$227,580

**BUILDING 2 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Building Type	Commercial
Land Use - County	Multi-Family Residential	Total Rooms	8
Land Use - State	Multi-Family Residential	Cooling Type	Central
Lot Acres	4.868	Heat Type	Package
Lot Sq Ft	212,050	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	1,664	1983	\$72,410

**BUILDING 3 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Building Type	Commercial

31

Land Use - County	Multi-Family Residential	Total Rooms	8
Land Use - State	Multi-Family Residential	Cooling Type	Central
Lot Acres	4.868	Heat Type	Package
Lot Sq Ft	212,050	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	11,616	1975	\$227,580

**BUILDING 4 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Building Type	Commercial
Land Use - County	Multi-Family Residential	Total Rooms	8
Land Use - State	Multi-Family Residential	Cooling Type	Central
Lot Acres	4.868	Heat Type	Package
Lot Sq Ft	212,050	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	11,328	1983	\$230,270

**BUILDING 5 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Building Type	Commercial
Land Use - County	Multi-Family Residential	Total Rooms	8
Land Use - State	Multi-Family Residential	Cooling Type	Central
Lot Acres	4.868	Heat Type	Package
Lot Sq Ft	212,050	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	11,328	1983	\$230,270

**BUILDING 6 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Lot Sq Ft	212,050
Land Use - County	Multi-Family Residential	Building Type	Commercial
Land Use - State	Multi-Family Residential	Heat Type	Package
Lot Acres	4.868	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	1,664	1983	\$42,860

**BUILDING 7 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Lot Sq Ft	212,050
Land Use - County	Multi-Family Residential	Building Type	Commercial
Land Use - State	Multi-Family Residential	Heat Type	Package
Lot Acres	4.868	Exterior	Brick Veneer

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	1,664	1975	\$41,380

**BUILDING 8 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Lot Sq Ft	212,050
Land Use - County	Multi-Family Residential	Building Type	Commercial



Land Use - State	Multi-Family Residential	Heat Type	Package
Lot Acres	4.868	Exterior	Brick Veneer

Item 2.

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	1,664	1975	\$41,070

**BUILDING 9 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Lot Acres	4.868
Land Use - County	Multi-Family Residential	Lot Sq Ft	212,050
Land Use - State	Multi-Family Residential		

FEATURES	
Feature Type	Value
Misc Improvement-Commerci	\$13,500

**BUILDING 10 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Lot Acres	4.868
Land Use - County	Multi-Family Residential	Lot Sq Ft	212,050
Land Use - State	Multi-Family Residential		

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Concrete Paving Average	S	28,640	1975	\$58,280

**BUILDING 11 OF 11**

CHARACTERISTICS			
Land Use - CoreLogic	Multi Family Dwelling	Lot Acres	4.868
Land Use - County	Multi-Family Residential	Lot Sq Ft	212,050
Land Use - State	Multi-Family Residential		

FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Concrete Paving Average	S	26,342	1983	\$53,610



# AGENDA ITEM SUMMARY FORM

**MEETING DATE:** November 7, 2024

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

**AGENDA CONTENT:** Discussion and review of a proposed Concept Plan for “Mulberry Village”, a proposed commercial and light business park on 39.756 acres located on the south side of SH35, W. Mulberry Street, at the SH288 highway interchange. No action is required.

**AGENDA ITEM SECTION:** Regular Agenda

**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:**

The applicants and developers of the property located on the south side of SH35, W. Mulberry Street, at the SH288 highway interchange on 39.756 acres, are proposing an office/warehouse light business park.



**AERIAL LOCATION MAP**

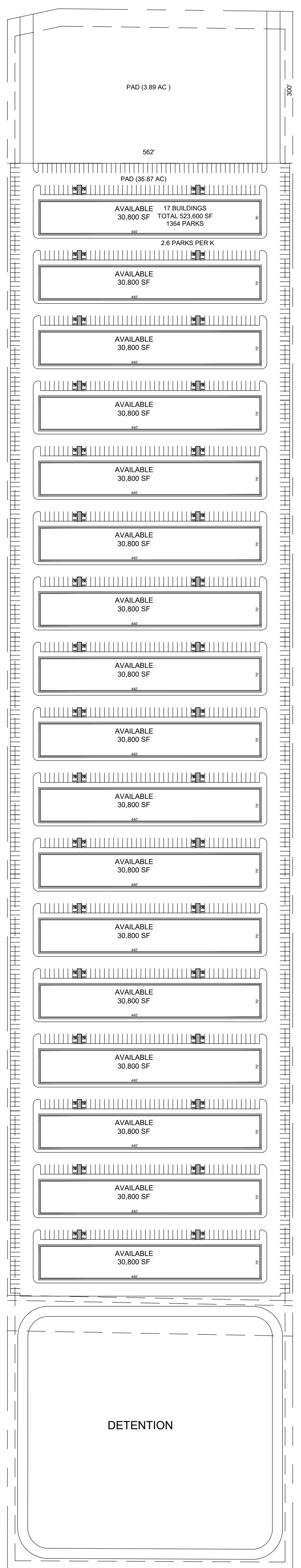
The Planning and Zoning Commission is asked to review the submitted concept plan (attached) and provide input. The Minor Plat for Mulberry (attached) was previously submitted for processing, and the one-story concept plan was later presented to the City for Pre-Development (D.A.W.G.) for review.

Several concepts have come before the City, such as a residential component, apartments, a senior living facility, etc. The developer has highlighted uses that fall under the Current "C-G", Commercial General Zoning District. The use was described in the pre-meeting as a "Light-business commercial", (i.e. Office with storage). A trail easement has been added to the minor Plat per the Comprehensive Plan and Mobility Plan.

The attached concept plan shows 17 buildings at 38,800 square feet of available floor space, with associated 1,364 parking spaces. An out lot/pad is also shown for future growth on 3.89 acres is included along the property frontage. The applicants noted that the market will dictate the final building sizes. To date, no users have been determined.

**Recommendation:** The Planning Commission should hold the concept review, provide feedback on the development proposal, and forward comments to the city council for future consideration.

WEST MULBERRY RD  
(60' R.O.W.)



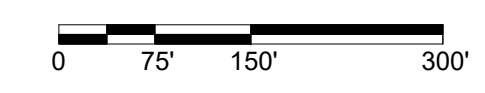
September 29, 2024

**15869 MULBERRY  
ANGLETON, TX**

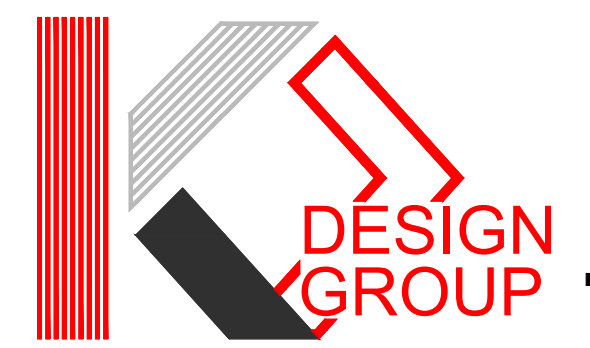
15869 Mulberry 240929.dwg 6:26 PM

THIS DRAWING IS FOR PRESENTATION PURPOSES ONLY. ANY AND ALL FEATURES, MATTERS AND OTHER INFORMATION DEPICTED HEREON OR CONTAINED HEREIN ARE FOR ILLUSTRATIVE MARKETING PURPOSES ONLY. ARE SUBJECT TO MODIFICATION WITHOUT NOTICE. ARE NOT INTENDED TO BE RELIED UPON BY ANY PARTY AND ARE NOT INTENDED TO CONSTITUTE REPRESENTATIONS AND WARRANTIES AS TO THE SIZE AND NATURE OF IMPROVEMENTS TO BE CONSTRUCTED (OR THAT ANY IMPROVEMENTS WILL BE CONSTRUCTED) OR AS TO THE IDENTITY OR NATURE OF ANY OCCUPANTS THEREOF.

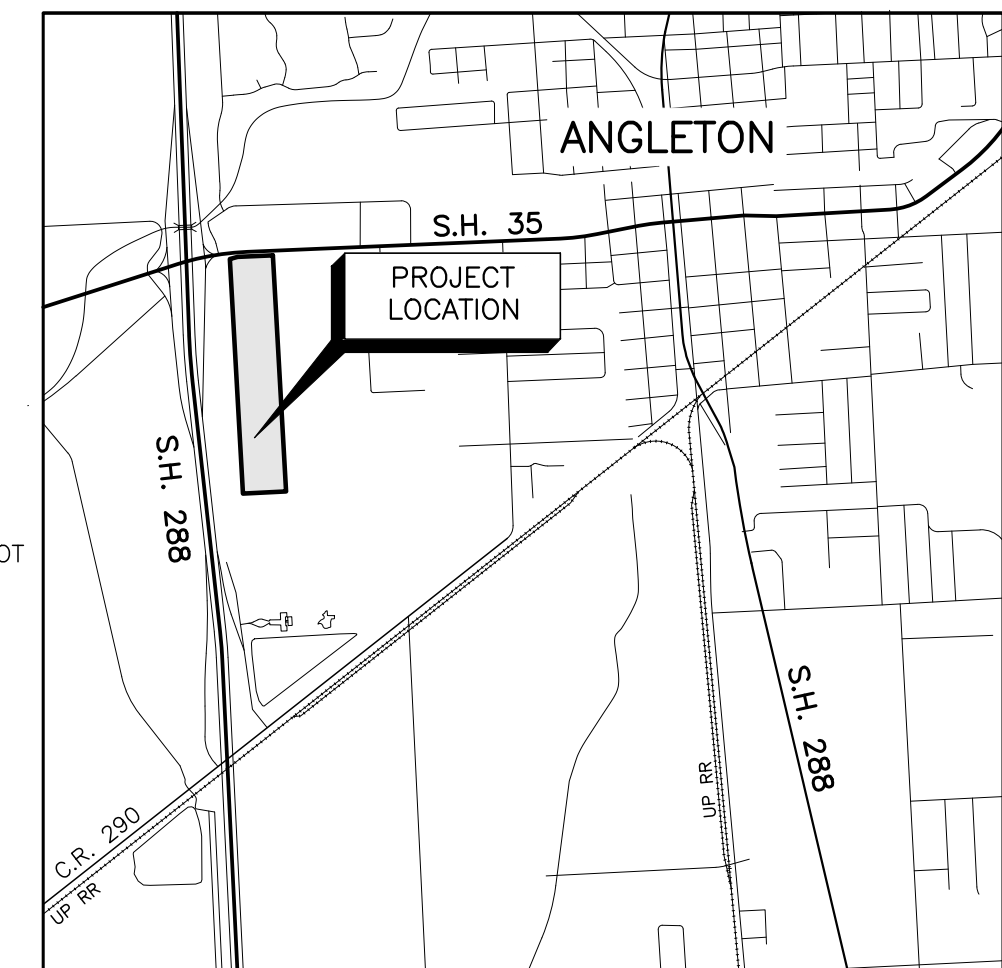
**SITE PLAN**



Scale: 1" = 150'



**BRAZORIA COUNTY, TEXAS**  
**M.C. TOBIN SURVEY**  
**ABSTRACT NO. 699**



**VICINITY MAP**  
 SCALE 1" = 2,500'

**LEGEND**

- O.P.R.B.C.T. = OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY, TEXAS
- D.R.B.C.T. = DEED RECORDS BRAZORIA COUNTY, TEXAS
- P.R.B.C.T. = PLAT RECORDS BRAZORIA COUNTY, TEXAS
- C.C.F.N. = COUNTY CLERK'S FILE NUMBER
- VOL. PG. = VOLUME, PAGE
- = 5/8" I.R.C. SET
- = "BAKER & LAWSON" (AS NOTED)
- = FOUND MONUMENT
- I.R. = IRON ROD
- I.R.C. = IRON ROD W/CAP
- I.P. = IRON PIPE
- C.M. = CONCRETE MONUMENT
- P.O.B. = POINT OF BEGINNING
- R.O.W. = RIGHT-OF-WAY

**TITLE COMPANY:** CHICAGO TITLE INSURANCE COMPANY  
**COMMITMENT NO.:** TH17204090-H  
**ISSUED DATE:** MAY 23, 2017

**TITLE COMMITMENT NOTES:**

- 10C. UTILITY EASEMENT AS RECORDED IN VOL. 207, PG. 464, D.R.B.C.T. BLANKET IN NATURE, NOT PLOTTABLE.
- 10D. DRAINAGE EASEMENT AS RECORDED IN C.C.F.N. 1991036275 O.P.R.B.C.T. PLOTTED HERON.
- 10E. UTILITY EASEMENT AS RECORDED IN VOL. 3 PG. 195, D.R.B.C.T. NOT PLOTTABLE.
- 10F. UTILITY EASEMENT AS RECORDED IN VOL. 1236 PG. 124 D.R.B.C.T. DOES NOT APPLY (EASEMENT IS NOW IN HIGHWAY 35 R.O.W.).

- NOTES:**
1. THE PURPOSE OF THIS PLAT IS TO PLAT THE 39.756 ACRE TRACT INTO A 1 LOT SUBDIVISION.
  2. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
  3. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, WITH REGARD TO ANY UNRECORDED EASEMENTS, RIGHTS-OF-WAY OR SETBACKS AFFECTING THE SURVEYED PROPERTY. NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF EASEMENTS, RESTRICTIONS, OR OTHER MATTERS OF RECORD HAS BEEN PERFORMED BY THE SURVEYOR.
  4. FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HEREON HAS EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY; MAP NUMBER 48039C0404K, WITH EFFECTIVE DATE OF DECEMBER 30, 2020, AND THAT MAP INDICATES THAT THE PROPERTY SURVEYED IS 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.
  5. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY SHOWN HEREON.
  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.
  10. 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.

**STATE OF TEXAS §**  
**COUNTY OF BRAZORIA §**

KNOWN ALL MEN BY THESE PRESENTS:

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.

**PRELIMINARY**  
 NOT TO BE RECORDED  
 FOR ANY PURPOSE  
 DATE: 8/27/2024

DARREL HEIDRICH  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 LAND SURVEYOR NO. 5376

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CITY MANAGER \_\_\_\_\_

CITY SECRETARY \_\_\_\_\_

**STATE OF TEXAS §**  
**COUNTY OF BRAZORIA §**

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BY \_\_\_\_\_

CITY OF ANGLETON, ON BEHALF OF THE CITY.

NOTARY PUBLIC  
 STATE OF TEXAS

**MINOR PLAT OF  
 MULBERRY VILLAGE**

**A 39.756 ACRE  
 1 LOT 1 BLOCK SUBDIVISION**

**BEING A PORTION OF  
 A CALLED 40 ACRE TRACT  
 AS RECORDED IN  
 C.C.F.N. 2017042425  
 O.P.R.B.C.T.**

**M.C. TOBIN SURVEY  
 ABSTRACT NO. 699  
 BRAZORIA COUNTY, TEXAS**

Baker & Lawson Inc.  
 4005 Technology Dr., Suite 1530  
 Angleton, TX 77515  
 Phone # 979-849-6681  
 www.bakerlawson.com  
 Licensed Surveying Firm No. 10052500

JOB NO.: 15869	SCALE: 1" = 150'	DRAWN BY: AD	CHECKED BY: AH
DRAWING NO.: 15869 PLAT	DATE: 8/27/2024	REV. NO. 1	

**ANGLETON DRAINAGE DISTRICT**

ACCEPTED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE ANGLETON DRAINAGE DISTRICT. THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.
3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.

THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

CHAIRMAN, BOARD OF SUPERVISORS \_\_\_\_\_ BOARD MEMBER \_\_\_\_\_

BOARD MEMBER \_\_\_\_\_

**DEDICATION STATEMENT:**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT AVI RON, REPRESENTATIVE OF WEST MULBERRY LLC, OWNER OF THE 39.756 ACRE TRACT, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS MULBERRY VILLAGE, 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 ANYONE.

**OWNER'S ACKNOWLEDGEMENT:**

**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.

AVI RON  
 WEST MULBERRY LLC

**STATE OF TEXAS §**  
**COUNTY OF BRAZORIA §**

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED AVI RON, REPRESENTATIVE OF WEST MULBERRY LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

**DESCRIPTION OF 39.756 ACRES**

DESCRIPTION OF A 39.756 ACRE TRACT OF LAND, LOCATED WITHIN THE M.C. TOBIN SURVEY, ABSTRACT NO. 699, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF A CALLED 40 ACRE TRACT AS RECORDED IN COUNTY CLERK'S FILE NO. (C.C.F.N.) 2017042425 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), SAID 39.756 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):

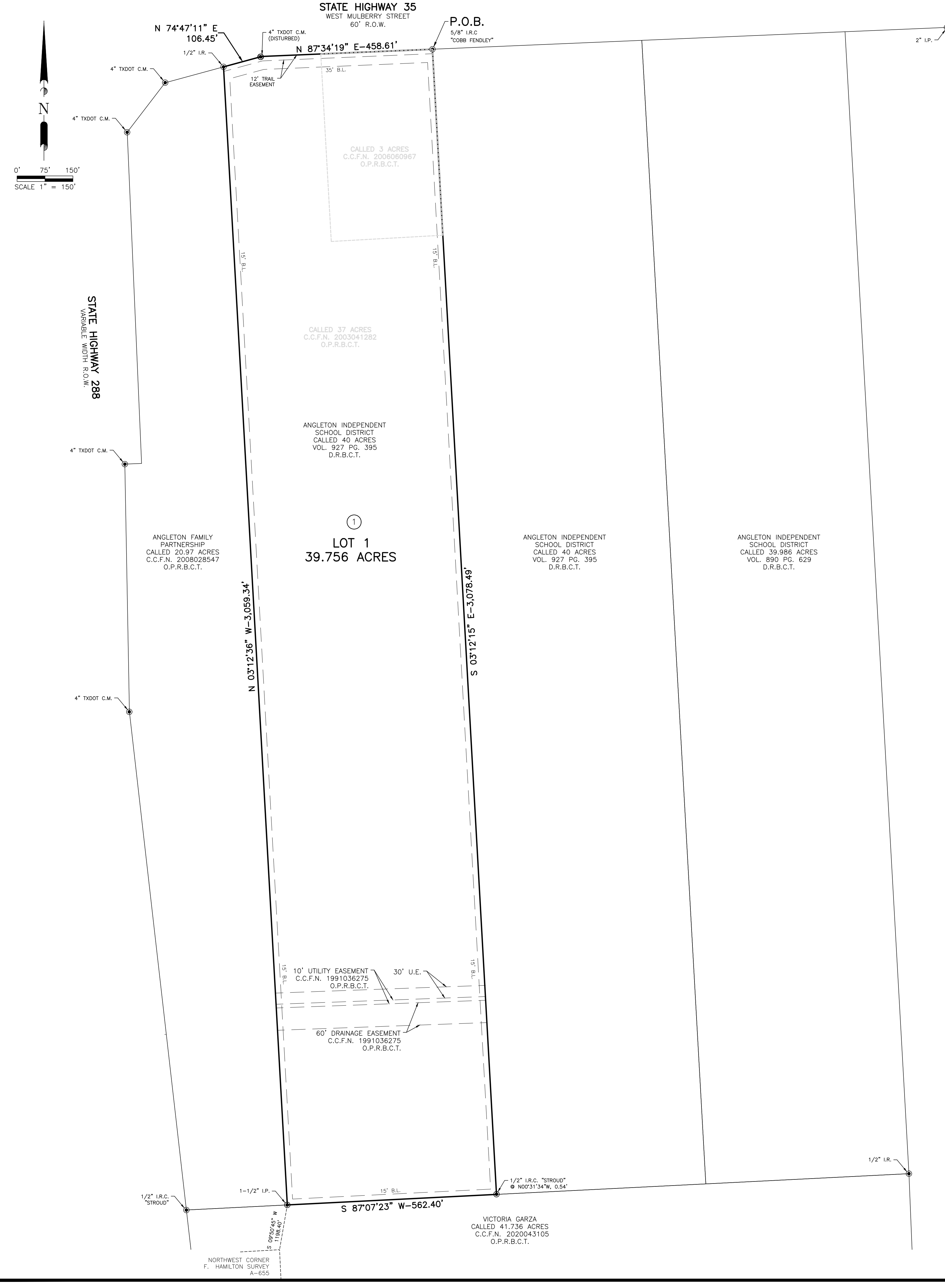
BEGINNING AT A 5/8-INCH CAPPED IRON ROD, STAMPED "COBB FENDLEY", FOUND FOR CORNER, BEING ON THE SOUTH R.O.W. LINE OF (R.O.W.) LINE OF STATE HIGHWAY 35 (ALSO KNOWN AS MULBERRY STREET, 60' WIDE), SAME BEING ON THE WEST LINE OF A CALLED 40 ACRE TRACT AS RECORDED VOLUME 927 PAGE 395 OF THE DEED RECORDS OF BRAZORIA COUNTY TEXAS (D.R.B.C.T.), SAME BEING THE EAST LINE OF SAID CALLED 40 ACRE TRACT;

THENCE SOUTH 03°12'15" EAST, ALONG THE EAST LINE OF SAID CALLED 40 ACRE TRACT, SAME BEING THE WEST LINE OF SAID CALLED 40 ACRE TRACT, A DISTANCE OF 3,078.49 FEET TO A POINT FOR CORNER, BEING THE SOUTHEAST CORNER OF SAID CALLED 40 ACRE TRACT, SAME BEING THE ON THE NORTH LINE OF A CALLED 41.736 ACRE TRACT, AS RECORDED IN C.C.F.N. 2020043105 OF THE O.P.R.B.C.T., SAME BEING THE SOUTHEAST CORNER OF SAID CALLED 40 ACRE TRACT, FROM WHICH A 1/2-INCH IRON ROD WITH CAP STAMPED "STROUD" BEARS NORTH 03°31'34" WEST, A DISTANCE OF 0.54 FOOT;

THENCE SOUTH 87°07'23" WEST, ALONG THE SOUTH LINE SAID CALLED 40 ACRE TRACT, SAME BEING THE NORTH LINE OF SAID CALLED 41.736 ACRE TRACT, A DISTANCE OF 562.40 FEET TO A 1/2-INCH IRON PIPE FOUND FOR CORNER, BEING THE SOUTHWEST CORNER OF SAID CALLED 40 ACRE TRACT, SAME BEING THE SOUTHEAST CORNER OF A CALLED 20.97 ACRE TRACT, AS RECORDED IN C.C.F.N. 2008028547 OF THE O.P.R.B.C.T.;

THENCE NORTH 03°12'36" WEST, ALONG THE WEST LINE OF SAID CALLED 40 ACRE TRACT, SAME BEING THE EAST LINE OF SAID CALLED 20.97 ACRE TRACT, A DISTANCE OF 3,059.34 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER, BEING ON THE SOUTH R.O.W. LINE STATE HIGHWAY 35, SAME BEING THE NORTHEAST CORNER OF SAID CALLED 20.97 ACRE TRACT;

THENCE NORTH 74°47'11" EAST, ALONG THE SOUTH R.O.W. LINE OF SAID STATE HIGHWAY 35, A DISTANCE OF 458.61 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT AND CONTAINING 39.756 ACRES OF LAND, MORE OR LESS.



J:\150005\15869\ENGINEERING-SURVEY\SURVEY\PLAT\15869 PLAT.DWG PLOT DATE: 8/27/2024 Adiz