



Mayor | Jason Perez
Mayor Pro-Tem | John Wright
Council Members | Cecil Booth, Christiene Daniel, Mark Gongora, Travis Townsend
City Manager | Chris Whittaker
City Secretary | Michelle Perez

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE CITY COUNCIL FOR THE CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON TUESDAY, JANUARY 10, 2023, AT 6:00 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

PLEDGE OF ALLEGIANCE

INVOCATION

CITIZENS WISHING TO ADDRESS CITY COUNCIL

The Presiding Officer may establish time limits based upon the number of speaker requests, the length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Citizens may speak at the beginning or at the time the item comes before council in accordance with Texas Government Code Section 551.007. No Action May be Taken by the City Council During Public Comments.

CEREMONIAL PRESENTATIONS

1. Presentation of employee service award.

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

2. Discussion and possible action on approval of the 2023 Athletic Sports Association agreement and Athletic Complex Maintenance Standards and authorize the City Manager to execute the agreements.
3. Discussion and possible action to approve the minutes of the Angleton City Council meeting of August 23, September 13 and September 27, 2022.

PUBLIC HEARINGS AND ACTION ITEMS

- [4.](#) Conduct a public hearing on a request for approval of an ordinance rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX.
- [5.](#) Discussion and possible action on a request for approval of Ordinance No. 20230110-005 rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX.
- [6.](#) Conduct a public hearing on a request by R.B. Stewart Petroleum for approval of an ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North and S. Front Street to the West.
- [7.](#) Discussion and possible action on a request by R.B. Stewart Petroleum for approval of Ordinance No. 20230110-007 rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North and S. Front Street to the West.
- [8.](#) Conduct a public hearing on an ordinance amending a previously approved Planned Development (PD) District No. 3. (Austin Colony), on an approximate 164.50 acres of land located on the north side of Anchor Road (CR 44) approximately 2,000 feet northwest of W. Wilkens Street.
- [9.](#) Discussion and possible action on Ordinance No. 20230110-009 to amend previously approved Planned Development (PD) District No. 3., on an approximate 164.50 acres of land located on the north side of Anchor Road (CR 44) approximately 2,000 feet northwest of W. Wilkens Street.

REGULAR AGENDA

- [10.](#) Update, discussion and possible action on the Home Rule Charter regarding Section 3.01(8) on City Council term limits.
- [11.](#) Discussion and possible action on awarding a construction contract for the General Land Office Community Development Block Grant Mitigation (GLO CDBG-MIT) SUP Grant #22-119-002-D360 for the City of Angleton's Supplemental Project to purchase and install a Warning Siren system to Mobile Communications America (MCA), whose proposal scored the highest.
- [12.](#) Discussion and possible action on a Final Plat for De La Garza Subdivision, 3.996 Acres, 2-Lots, 1 Block, located on the south side of Kiber Rd., west of Sims Drive.
- [13.](#) Discussion and possible action on a Preliminary Plat for Ashland Development Water Treatment Plant, for 2.09 acres of land, containing one reserve in one block, Shubael

Marsh Surveys A-81 & A-82, Brazoria County, Texas as submitted by Ashton Gray Development.

- [14.](#) Discussion and possible action on a Preliminary Plat for Ashland Development Wastewater Treatment Plant, for 14.44 acres of land, containing four reserves in three blocks out of the George Robinson League, A-126, Brazoria County, Texas as submitted by Ashton Gray Development.
- [15.](#) Discussion and possible action on a final replat for PT Patrick Thomas Estate, for a 7.732-acre subdivision, 1-Block, 2 Lots, 1 Reserve.
- [16.](#) Discussion and possible action on a proposed Concept Plan for Whispering Oaks Subdivision, for 49 lots, 2 Blocks, on 28.203 acres located north of Western Avenue and east of Heritage Oaks Drive.
- [17.](#) Update, discussion and possible action on the 2023 Street Bond Project - Package II.

EXECUTIVE SESSION

The City Council will now convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

18. Consultation with attorney, pursuant to Section 551.071(1)(b) of the Texas Government Code, a settlement offer to the Internal Revenue Service.

OPEN SESSION

The City Council will now adjourn Executive Session, reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

ADJOURNMENT

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with attorney; Section 551.072 - deliberation regarding real property; Section 551.073 - deliberation regarding prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - deliberation regarding security devices or security audit; Section 551.087 - deliberation regarding economic development negotiations; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATION

I, Michelle Perez, City Secretary, 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: Friday, January 6, 2023, by 6:00 p.m. and remained so posted continuously for at least 72 hours prior to the scheduled time of said meeting.

/S/ Michelle Perez

Michelle Perez, TRMC
City Secretary

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.



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

PREPARED BY: Colleen Martin, Director of Human Resources

AGENDA CONTENT: Presentation of employee service award.

AGENDA ITEM SECTION: Ceremonial Presentation

BUDGETED AMOUNT: **FUNDS REQUESTED:**

FUND:

EXECUTIVE SUMMARY:

Presentation of a ten-year Service Award to Marcos Perez, and fifteen years to Juan Beserra, both are members of the Public Works team.

RECOMMENDATION:

Presentation of Service Awards.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 1/10/2023

PREPARED BY: Megan Mainer, Director of Parks & Recreation

AGENDA CONTENT: Discussion and possible action on approval of the 2023 Athletic Sports Association agreement and Athletic Complex Maintenance Standards and authorize the City Manager to execute the agreements.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: NA

FUNDS REQUESTED: NA

FUND: NA

EXECUTIVE SUMMARY:

On November 17, 2022, Megan Mainer sent the 202 Athletic Sports Association agreement to Angleton Little League, Angleton Girls Softball Association, and Angleton Soccer Club for review and revisions in preparation for the 2023 agreement renewal. A deadline of December 16 was provided for revisions and/or feedback. A reminder was provided to existing athletic sports associations on December 12, 2022 as well as a request to meet during the week of January 3-6 or January 9 to submit all required documents for the execution fo the agreement.

Revisions to the agreement include: fees for lost keys or rekeying facilities, athletic complex maintenance standards to be upheld by the association and the City, as well as information regarding the Parks Division work order software.

Staff has invited Angleton Girls Softball Association, Angleton Little League, and Angleton Soccer Club to discuss capital improvement needs with the Parks & Recreation Board at the next scheduled meeting.

The 2023 Athletic Sports Agreement has been reviewed by Randle Law Office.

RECOMMENDATION:

Staff recommends City Council approve the 2023 Athletic Sports Association agreements and Athletic Complex Maintenance Standards and authorize the City Manager to execute the agreements.

SUGGESTED MOTION:

I move we approve the 2023 Athletic Sports Association agreements and Athletic Complex Maintenance Standards and authorize the City Manager to execute the agreements.



**PARKS AND RECREATION DEPARTMENT
2023 ATHLETIC SPORTS AGREEMENT**

CITY OF ANGLETON

POLICY FOR USE OF PARK AND RECREATIONAL FACILITIES

This policy for use of City of Angleton Park and Recreational facilities is comprised of procedures, regulations, and guidelines designed to ensure that all facilities are utilized in a safe and efficient manner.

Priority use of the athletic facilities is reserved for associations requiring the on-going, scheduled use of a facility to provide a recreational service or to meet a community recreational need. "Sports Association," as defined for the purpose of this document, is a non-profit organization under the terms of a 501(C)(3) status of the Internal Revenue Service that conducts its own affairs within the framework of policies established by the City of Angleton for use of City facilities and as recommended by the Parks Board.

CITY OF ANGLETON

ATHLETIC FACILITIES PROCEDURES AND GUIDELINES

PARTIES:

The Parties to this *Athletic Sports Agreement* (the "Agreement") are the City of Angleton, Texas (hereinafter referred to as the "City"), the City's Parks and Recreation Department ("Parks"), and the Angleton Sports Associations (the "ASA"). The ASA, collectively, consists of the Angleton Little League, the Angleton Girls Softball Association, and the Angleton Soccer Club (each, an "ASA Organization"). Hereafter, the City, Parks, and the ASA may each singularly be referred to as a "Party" or, collectively, together as the "Parties." Each ASA Organization shall designate one (1) person to act as the contact person for that ASA Organization and shall submit the person's name, title, address, home and work telephone numbers to Parks. The ASA Organizations are responsible for updating their contact information with Parks as changes occur. The ASA is also responsible for notifying the City of removal or replacement of an ASA Organization's designated contact person and shall provide the City with the contact information of their replacement within three (3) business days. The Parks Director, or designee, shall act as the City's liaison to the ASA.

TERM:

The term of this Agreement is from **January 1, 2023** to **December 31, 2023**.

CONDITIONS FOR USE:

The ASA shall be required to attend an annual scheduling meeting. At this meeting, the ASA shall submit their requests for use of the City's recreational facilities in writing. Written requests shall be accompanied by a proof of liability insurance naming the City as an additional insured; a list of the ASA Organization's Board of Directors with appropriate addresses, both physical and email, and telephone numbers; proof of non-profit status; practice, game, and tournament schedules; security deposit; annual budget; most recent

financial statement; and, a copy of the ASA Organization's bylaws.

The ASA shall provide a financial report to City within forty-five (45) days following the last regularly scheduled game of the 2023 season.

The ASA shall provide the City with a certificate of general liability insurance naming the City of Angleton as an additional insured, that includes verification of insurance coverage; including but not limited to Comprehensive, General Liability coverage including contractual liability, premises/operations and personal injury liability in the amount of a minimum of \$1,000,000 per person and \$2,000,000 aggregate; and property damage in the minimum amount of \$100,000.00 per occurrence, workers' compensation according to statutory limits or employers' liability, and auto coverage with Texas state minimum coverage limits. The certificate of general liability insurance shall be required to be provided by the ASA and the ASA Organizations at the annual scheduling meeting. Failure to provide said certificate or failure to maintain the required coverage and valid certificate while this Agreement is in place shall be cause for termination of this Agreement by the City. Notice shall be given to the City by certified mail thirty (30) days prior to the cancellation or upon any material change in insurance or policy coverage. All such insurance shall not be cancelable without thirty (30) days prior written notice being given to the City.

Each ASA Organization shall remit to the City a nonrefundable security deposit in the amount of One Thousand Dollars and No Cents (\$1,000.00) (the "Security Deposit"). The City will deduct any charges for damages to the City's recreational facilities or for fees for cleaning and for field and facility maintenance, without notice and as outlined in this Agreement. The remaining Security Deposit funds will roll over to the following year's security deposit and the difference will be due upon annual agreement renewal.

The ASA and the ASA Organizations have no authority to assign or sub-lease the use of the City's recreational facilities. Non-ASA organizations, groups, teams, or individuals seeking reserved use of the City's recreational facilities for tournament play may do so by delivering to the Parks Director, or designee, at least two (2) weeks prior to such tournament beginning, the following fees (fees not received two (2) weeks in advance will be denied or not considered): Two Hundred Dollars and No Cents (\$200.00) per tournament day without lights; Two Hundred Fifty Dollars and No cents (\$250.00) per tournament day with lights; and a deposit of One Hundred Dollars and No Cents (\$100.00) per tournament for cleaning (the "Tournament Deposit"). The Tournament Deposit will be applied to the cost of clean-up, if any, and the balance, if any, will be refunded. ASA Organization paying the deposit will be responsible to the City for any additional cleaning costs. The City will be responsible for facility cleanliness preparing the field.

The City and the ASA Organizations are subject to temporary closures of the fields and facilities due to maintenance or inclement weather. The fields and facilities shall be available for public use when such use does not interfere with the ASA's scheduled activities and when use is reserved at the Angleton Recreation Center.

Non-ASA organizations, groups, teams, or individuals seeking use of City recreational facilities hourly or for day use may do so by completing a Pavilion and Athletic Rental Application and delivering it to the Angleton Recreation Center at least one (1) week prior to such rental along

with the following deposit (fees not received one (1) week in advance will be denied or not considered): Twenty Dollars and No Cents (\$20.00) per hour with lights or Fifteen Dollars and No Cents (\$15.00) per hour without lights; One Hundred and Fifty Dollars and No Cents (\$150.00) per day with lights; or One Hundred Dollars and No Cents (\$100.00) per day without lights. This deposit is not applied for hourly rentals but a deposit of One Hundred Dollars and No Cents (\$100.00) is enforced for daily rentals. The deposit for daily rentals will be applied to the cost of clean-up, if any, and the balance, if any will be refunded. The person paying the deposit will be responsible to the City for any additional cleaning costs. A scheduled of reserved use must be provided to the ASA.

When dealing with contract laborers, the ASA will file the appropriate 1099 and any other required IRS filings. Payments should reconcile to game schedules.

All Organizations shall conduct background checks on all volunteers and paid employees who will interact with youth and shall maintain documentation of completed background checks for review upon request by the City. If the background checks reveal that an employee or volunteer is unsuitable for working with youth, the ASA shall not allow the volunteer or employee to interact with youth. A person should be disqualified and prohibited from serving as a volunteer if the person has been found guilty of the following crimes:

For purposes of this policy guilty shall mean that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilt (regardless of adjudication), or received court directed programs in lieu of conviction.

SEXUAL OFFENSES

- **All Sex Offenses** Regardless of the amount of time since offense.

Examples include: sexual assault, prostitution, solicitation, indecent exposure, etc.

FELONIES

- **All Violent Felony Offenses** - Regardless of the amount of time since offense.

Examples include: murder, manslaughter, aggravated assault, kidnapping, robbery, etc.

- **All Non-Violent and Non-Sexual Felony Offenses** within the past ten (10) years.

Examples include: drug offenses, theft, embezzlement, fraud, child endangerment, etc.

MISDEMEANORS

- **All Violent Misdemeanor Offenses** within the past seven (7) years.

Examples include: assault, family violence assault, failure to stop and give information, theft, etc.

- **Two or more Misdemeanor Drug and Alcohol Offenses** within the past seven (7) years.

Examples include: driving while intoxicated, drug possession, disorderly conduct, public intoxication, possession of drug paraphernalia, etc.

PENDING CASES

Individuals found to have pending court cases for any of the disqualifying offenses will be disqualified. If the disposition of the pending case does not meet the criteria for the disqualification as listed above, the individual would then be cleared and reinstated.

SPECIAL USE OF FACILITIES:

At any time, the City reserves and retains the right to use the fields or facilities and all public park facilities for City-approved events including, but not limited to, hosting athletic leagues, tournaments, special events, programs that enhance economic development for the City, as well as during an emergency. The City will make every effort to schedule City-approved events during dates and times that do not conflict with the ASA's previously submitted calendar and scheduled activities. If the City's use conflicts with the ASA's calendar and scheduled activities, the City will notify the ASA as soon as the City is aware of the date and time of the City-approved event on the fields or in the facilities.

FACILITY KEYS:

Prior to the execution of this Agreement, Parks shall provide the ASA with two sets of keys to all locks at the beginning of the athletic season(s). Requests for the purchase of additional keys may be made in writing to Parks. A \$50.00 fee will be assessed for each key that is lost or not returned. If the City determines that it is necessary to change the locks, ASA will be notified and new keys will be distributed. If the ASA is requesting that locks be changed, they must contact Parks and the requesting ASA Organization will incur a replacement fee of \$25.00 per key, \$35.00 per core, and \$75.00 per padlock.

PARKING:

Unless specifically marked, parking spaces at the sports complexes are not reserved and are available on first-come, first-served basis.

SIGNAGE:

The ASA is granted the right to solicit advertising boards at each sports complex. Signs placed on fencing are limited to no larger than one fence panel in length (10 feet). Signs will be limited on outfield fencing to the area between the foul poles. Two (2) sponsorship signs are allotted backstops above the top cross bar, facing viewers. The signs shall not be longer than 4 x 6 feet and they shall not obstruct the view. Signs along the interior gates along walkways shall not be longer than 4 x 6 feet. The City reserves the right to review and approve potential advertisers and sign content prior to installation and can mandate sign removal if, under the City's sole discretion, the sign is not in compliance with this Agreement, the City's Code of Ordinances, State law, or for any other reason the City deems fit for removal.

CONCESSION AND STORAGE BUILDINGS:

The City has provided a facility containing storage and concession facilities. The City agrees to maintain utility service to the concession and storage structure's various components including, electrical, plumbing, roofing, and other systems that contribute to their safe and efficient operation. The City shall inspect the concession stand two (2) weeks prior to the first game of the athletic season and no later than two (2) weeks after the last game of the athletic season. The ASA agrees it will solely operate appliances in the concession stand or storage rooms during league games, tournaments, and outside tournaments. All revenues produced by concession operations shall belong to the ASA. The ASA is responsible for meeting all applicable Federal and State laws, Ordinances, and codes regarding the following: sales tax, safety, and any other issue relative to concession operations.

RESTROOM FACILITIES:

The City has provided a facility containing restrooms. The City agrees to maintain utility service to the restroom's various components including electrical, plumbing, roofing, and other systems that contribute to their safe and efficient operation. The restroom facility will remain open to the public for use. The City will provide weekday custodial services for the restroom facility. The ASA is responsible for ensuring that restrooms are stocked with hand soap, toilet paper, and paper towels at the ASA's expense during the ASA's use of the facilities, including during tournaments, to assure restrooms are clean and operable. The ASA must ensure restrooms are clean, free of litter, and vacant and that the water and lights are turned off before leaving the fields. City employees forced to clean restrooms, outside of weekday custodial services, will result in a fee of \$20.00 per man hour being deducted from the ASA Security Deposit.

DAMAGES AND VANDALISM:

The ASA assumes responsibility and will bear the cost for repairs to the fields and facilities due to any damage caused by the ASA's activities. If the ASA does not pay for the repairs, the City shall pay for the repairs out of the ASA's Security Deposits, and the ASA forfeits the right to any additional use of the fields or facilities until the Security Deposit is replenished. The City will bill the ASA for any cost which exceeds the current balance of the Security Deposit. The ASA is responsible for immediately notifying the City in the event of any malfunction or damage to City infrastructure or City property.

ASA Organizations with access to facilities shall make every effort to mitigate vandalism by securing all doors, windows, or any other point from which persons could enter. The City will share in the responsibility of deterrence by providing sufficient lighting, frequent security patrols, overall security assessment, and other measures upon the review and permission of the Parks Director.

Repairs to City facilities caused by vandalism will be the responsibility of the City, unless the vandalized facility was vacated before being properly secured by the ASA, in which case, the ASA will be solely responsible for all costs and repairs. The City will repair or replace as necessary, the following equipment: air conditioners and heaters, electrical and

lighting systems, plumbing systems, or other equipment upon review and permission of the Parks Director. The ASA will be responsible for replacing or repairing vandalized items which are built by the ASA. The City shall not be responsible for loss or damages to any property, equipment, supplies, etc. not owned by the City.

PARK AND ATHLETIC FACILITY ORDINANCES:

ASA agrees to comply with all City Ordinances, including the Code of Ordinances, Chapter 17, Article III, Use of Public Parks, and all State laws. ASA agrees to promptly notify the Angleton Police Department of any violations of Federal laws, State laws, or City Ordinances on or in the fields or facilities as soon as they come to the attention of the ASA.

FIREARMS:

It is unlawful for any person to carry a trapping device or carry or discharge any firearm, pneumatic weapon, including but not limited to a BB gun or pellet gun, spring-gun, cross-bow, bow and arrow, or slingshot on or over any park, field, or facility. Except as otherwise provided by law, it is an exception to this section if a person: carries in a park a concealed handgun, or a handgun in a shoulder or belt holster, or any other firearm, and is not prohibited from doing so under applicable Federal and State law, including Texas Penal Code Chapter 46 and Texas Government Code Chapter. 411, Subchapter H (Handgun Licensing Law).

MAINTENANCE OF PARK AND RECREATIONAL FACILITIES:

The ASA will provide general maintenance of fields and facilities so that they may be used safely and efficiently. General maintenance includes mowing, watering, and trimming along fence lines, light poles, sidewalks, bleachers, buildings, restrooms, and concessions areas throughout the term of this Agreement. The City of Angleton will reserve the right to cancel or postpone any activity on any sports field or in any facility, which is not in safe condition due to vandalism, overuse, or weather.

The ASA will follow the City of Angleton Parks & Recreation “Athletic Complex Maintenance Standards,” enclosed as Appendix A, as amended, and provide general maintenance, weekly mowing, trimming, and edging of the sports complexes and fields so that they may be used safely and efficiently. Proper maintenance shall include: expertise, labor, and equipment to provide sports-specific, industry accepted, turf maintenance practices and techniques in order to keep the turf in playable condition. ASA Organizations shall mow the turf at their respective complexes throughout their playing seasons. All ASA Organizations may be required at the request of the Parks Director to mow playing turf during scheduled seasonal play. This does not preclude the use of turf areas by other organizations if approved by the Parks Director. City employees forced to maintain turf or facilities will result in a fee of \$20.00 per man hour, in addition to cost of supplies, being deducted from the ASA Security Deposit.

The ASA is responsible for correcting hazardous conditions related to the ASA’s activities.

The ASA is also responsible for, and shall pay for specific sports requirements including, but not limited to, watering, placement of bases, chalking foul and boundary lines, dragging infields, and screening.

The ASA shall furnish and maintain their own equipment, materials, and supplies for operating their games and events (i.e., starting blocks, bases, soccer goals, public address systems, nets, etc.). ASA shall provide proper maintenance of the dirt infield areas year-round at their respective athletic complexes.

The ASA shall remove trash debris and litter from dugouts, around concession stands, playing fields, facilities and buildings, parking areas, and common areas. All trash, debris, and litter shall be deposited in dumpsters on the park grounds.

Storage of equipment or materials needed must be contained in locked storage room(s) or receptacle(s) placed in a City-approved location. The City is not responsible for the damage, loss, or theft of any equipment, supplies, or materials stored by the ASA.

The City shall provide field lights for ASA's scheduled activities. If ASA activities end early and prior to the time previously submitted in the schedule provided to the City, ASA will contact the Parks Director, or designee, to advise them that the lights may be turned off.

The City shall be responsible for any chemical applications to the field or within the sports complexes, including insecticide and herbicide applications. Regulated chemicals must be applied by a licensed applicator and the City will notify the ASA at least one (1) week prior to the application of any chemical.

Parks has a work order system. The purpose of the system is to provide park maintenance personnel with documentation in order to better serve and track facility repairs, maintenance activities, and service requests. Its intent is to provide a better means of communication between persons requesting service and park maintenance personnel concerning park facilities. Material or work requests shall be called or emailed to the Parks Superintendent and ample notice should

be given to order materials or schedule repairs.

THE CITY OF ANGLETON WILL NOT BE HELD LIABLE AND WILL BE HELD HARMLESS FOR ANY CONTENTS OWNED AND STORED BY ANY ASA IN ANY BUILDING PERTAINING, BUT NOT LIMITED TO, THEFT, VANDALISM, STORM DAMAGE, OR ANY ACT CAUSING DAMAGE OR DESTRUCTION OF ASA OWNED CONTENTS.

STORAGE OF CONTENTS BY ANY ASA IS AT THE RISK AND FINANCIAL OBLIGATION FOR REPAIR OR REPLACEMENT OF CONTENTS BY THE ASA.

IF, AND WHEN, THE CITY OF ANGLETON DETERMINES THE STORAGE BUILDING NEEDS TO BE REMOVED AND/OR TORN DOWN FOR ANY REASON, THE CITY WILL GIVE ASA FORTY- FIVE (45) DAYS TO RELOCATE THEIR STORAGE CONTENTS AT THE EXPENSE OF ASA.

Signature of Acknowledgement

ASA Organization

POLICING REQUIREMENTS:

The City expects each ASA Organization to not leave trash or recycling containers full or overflowing during and after their activities. In addition, the ASA, all ASA Organizations, and affiliated individuals should make every effort to police the facilities, buildings, parking areas, and common areas for trash, debris, and litter associated with their activities. All trash, debris, and litter shall be deposited in the trash receptacles or dumpsters on the park grounds.

ENHANCEMENTS:

Requests for improvements and enhancements to fields or facilities must be submitted in writing to the Parks Director at least thirty (30) days prior to the desired date of installation or improvement. The ASA shall not install, build, or perform any type of facility or property improvements without the prior written consent of the Parks Director or designee. All improvements may require action and approval by the City Council and must meet the City’s inspection codes and ordinance requirements. These improvements and enhancements include, but are not limited to, enlarging ball fields, establishing new fields, cutting trees, extra landscaping, modifying irrigation systems, constructing buildings, and installing scoreboards, bleachers,

netting, and batting cages.

The ASA shall be responsible for the maintenance and upkeep of any improvements and enhancements to the fields or facilities that are made by the ASA after City approval.

All improvements to the fields and facilities shall become the property of the City. Nothing in this Agreement shall be construed as a grant of ownership rights to the ASA. All ownership and property rights remain with the City.

The City retains the right to remove such property improvements or enhancements.

EMERGENCIES AND ACCIDENTS:

ASA, ASA Organizations, and all affiliated individuals shall report any and all accidents that require medical attention by health care professionals to the Parks Superintendent. Accidents involving the condition or maintenance of facilities should be reported to the Parks office at the beginning of the first business day following the accident. After hour emergencies involving immediate maintenance of the facility shall be reported immediately by contacting the Angleton Police Department at (979) 849-2383. The Police Department will contact the proper on-call staff representative.

CAPITAL IMPROVEMENT PROJECTS:

If the ASA desires the City to consider funding specific capital improvement projects, the ASA shall submit, in writing, a detailed description of the type of project for consideration (e.g., scoreboards, bleachers, etc.). Written requests should be submitted to the Parks Director by February 1 of each year in order to be reviewed and approved by the Parks Board for consideration in the following fiscal years' program budget. The City's fiscal year runs October 1 to September 30. Approval of projects is based on priority of need and available funding.

TERMINATION CLAUSE:

ASA Organization's using the City's facilities or fields may voluntarily terminate their relationship with the City with at least ten (10) days' advance written notice sent to the Parks Director. Voluntary termination shall constitute a written letter of intent sent to the Parks Director from the ASA. Upon such notification, the Parks Director or designee shall conduct a walk-through inspection of the facilities or fields for damage and collect all keys to City facilities prior to issuing any refundable deposit.

This Agreement may be terminated upon any ASA Organization's failure to perform or adhere to the rules and expectations outlined in this Agreement as well as the Athletic Facilities Policy. Upon such termination, the violating ASA Organization shall be subject to losing the privilege of using the fields and facilities, terminating that ASA Organization's recognition as a part of the ASA, and forfeiture of any refundable deposit previously paid by that ASA Organization. In the event of such a termination, the Parks Director shall provide written notice to the ASA Organization, listing any and all violations, and allow the ASA Organization reasonable

time to bring all violations into acceptable and sustained compliance within five (5) business days of said notice.

INDEMNIFICATION:

THE ASA SHALL INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, EMPLOYEES, DIRECTORS, REPRESENTATIVES, AND AGENTS FROM LIABILITY FOR ANY AND ALL CLAIMS, LOSS, DAMAGES, DEMANDS, INJURY, COST, EXPENSE, CLAIM, OR JUDGEMENT, FOR CAUSES OF ACTION OF EVERY KIND AND CHARACTER, INCLUDING BUT NOT LIMITED TO WRONGFUL DEATH, BODILY INJURY, AND PROPERTY DAMAGE ARISING FROM THE WILLFUL, INTENTIONAL, RECKLESS, OR NEGLIGENT (WHETHER ACTIVE, PASSIVE, OR GROSS) ACTS OR OMISSIONS OF THE ASA, THE ASA ORGANIZATION'S, THEIR AGENTS OR EMPLOYEES OR CAUSED BY OR ALLEGED TO BE CAUSED BY OR ARISING OUT OF OR ALLEGED TO ARISE OUT OF THE WILLFUL, INTENTIONAL, RECKLESS OR NEGLIGENT (WHETHER ACTIVE, PASSIVE, OR GROSS) ACTS OR OMISSIONS OF THE ASA IN CONNECTION WITH THIS AGREEMENT OR THE ACTIVITIES TO TAKE PLACE AT THE FIELDS/FACILITIES.

NOTICES:

All notices must be in writing and shall be deemed validly provided if given by personal delivery or if sent by certified mail, postage prepaid, return receipt requested, addressed as shown below (or to any other address that the party to be notified may have designated to the sender by like notice).

CITY: City of Angleton
Director of Parks and Recreation
901 S Velasco
Angleton, Texas 77515
Telephone: (979) 849-4364 ext. 4101
Email: scrouch@angleton.tx.gov

Angleton Sports Association:

Telephone _____
Email _____
Fax _____

CITY OF ANGLETON, TEXAS

ANGLETON SPORTS ASSOCIATIONS:

Chris Whittaker, City Manager

Print Name: _____

Print Title: _____

Date Signed: _____

Date Signed: _____

Attest:

Michelle Perez,
City Secretary

Appendix A

CITY OF ANGLETON PARKS & RECREATION

Athletic Complex Maintenance Standards

Angleton Athletic Complexes will be maintained to meet the safety and playability requirements required by field usage. The City reserves the right to cancel or postpone any activity on any sports field, which is not safe condition due to vandalism, over-use, or weather.

I. SPECIFICATIONS

Weekly maintenance visits will include but not be limited to mowing, trimming, weeding, and landscape maintenance listed in this packet. The following specifications describe all operations required for the proper maintenance of the site.

II. LOCATION OF SERVICES

The locations listed below will be maintained to a condition that is safe for the type of sport to be played on that field.

Freedom Park – 3105 N Downing St, Angleton, TX 77515

BG Peck Soccer Complex – 709 Kelly Blvd, Angleton, TX 77515

Bates Park – 700 Bates, Park Rd, Angleton, TX 77515

III. WEEKLY MAINTENANCE VISITS

CLEANUP PROCEDURES

The Athletic Sports Associations (ASA) under contract with the City of Angleton will be responsible for litter, trash and other debris when they have fields leased (including all their practices, games and tournaments).

- All locations shall be kept free of litter, trash, and other debris. Collected litter, trash, and debris shall be placed in trash receptacles located throughout the site and shall be placed in the dumpster onsite minimally once a week.
- No landscape waste nor hazardous materials shall be placed in the dumpster or trash receptacles. Trash too large to be moved safely prior to mowing should be reported to the City for a scheduled removal.
- Grass, dirt and debris should be blown or swept from sidewalks and cement parking areas.
- Maintenance staff shall notify the Park Superintendent of any debris or any other situation(s) that create a Hazardous Condition and any noticeable deficiencies or repairs that need to be made so repairs can be made immediately. (I.E. Vandalism to grounds; broken sidewalks, handrails, or benches; large holes or tripping hazards; fallen trees or broken limbs; etc.).

MOWING

- Mowing shall be done weekly (weather permitting) to correspond with weekly games and other activities.
- Baseball and Softball field turf will be maintained at 1 ½ inch infield and 2-inch outfield throughout the growing season.
- Soccer and Football field turf shall be maintained at 2 ½ inches throughout the growing period.
- No grass height should ever be allowed to get over 5 inches tall.

- All areas adjacent to turf (pavement, path, landscape bed, water, etc.) shall be free from clippings immediately following mowing. All clippings inadvertently deposited or blown onto or into adjacent areas shall be promptly removed.
- Any grass clippings or other plant debris remaining on the grass surface, adjacent walks, drives, gutters and curbs or other surfaces concrete/asphalt surfaces shall be removed the same day as the mowing service is performed.
- Mowing shall not take place under wet conditions.
- If for some reason such as excessive rain or some other unforeseen problem, accumulations of grass may occur. Piles of grass should be removed by maintenance staff as to not disrupt game play or practices.
- Mowing equipment shall be appropriately sized to maintain the turf efficiently and without injury to turf, trees, shrubs, groundcovers, structures, site fixtures, and parked vehicles.
- The ASA shall be responsible for damage caused by mowing activities and shall promptly repair or replace any damage to site features.
- Mowing equipment shall always be properly maintained and operated.
- Turf cutting is to be accomplished free of scalping, rutting, bruising, uneven and rough cutting.
- The ASA will move soccer goals as needed to mow areas without removing attachments. Once mowing is completed, the goals will be returned to their proper position and the attachments to secure the goals. Goals should be inspected for integrity after placement to ensure the goals don't move to tip over and injure players.

TRIMMING/EDGING

- Line trimming shall be used to maintain all turf areas inaccessible to mowing equipment, including but not limited to, areas along walks, curbs, bed edges, lights, bollards, fences (caution adjacent to vinyl chain link), etc. The ASA shall promptly repair or replace any damage to worksite features, including plants, caused by improper line trimming.
- All trimming and edging will be done concurrently (same day) with each mowing cycle and grass blades shall be neat and clean, providing a clear zone free of scalping, rutting, bruising, uneven or rough cutting.
- All vines growing along or on fences shall be removed unless specified by Parks Superintendent that they are to remain in a specific area.
- The ASA shall be responsible for the elimination of grass and weeds in cracks and joints inside the batting cage, warmup areas, and along the exterior. At no time shall there be any visible weeds left to die.
- The ASA shall notify the Parks Superintendent of any damage, repairs or any other situation(s) that creates a Hazardous Condition.

IV. SEASONAL MAINTENANCE

The City will provide all pesticides and selective herbicides.

AERATION AND TOPDRESSING ATHLETIC FIELDS

- Aeration and Topdressing should be done by ASA to provide proper air and water exchange for maximum growth potential and health of the grass and shall be performed as follows:
 - Aeration: Aerification will assist in relieving compaction caused by constant use of the fields and will allow for better sunlight penetration and air circulation throughout the soil and root zone. Aeration shall be done on all playing fields at least 2 times per year.

- Topdressing: Soil used as topdressing material is to be consistent with existing soil texture where it is to be applied to fill noticeable depressions or holes and assist in leveling of the athletic fields as needed each year.

WEED & PEST CONTROL & HERBICIDE APPLICATIONS

- The City shall apply various herbicides and pesticides by means of spray type devices to aid in the control of unwanted weeds and vegetation. All City staff will be properly trained by a person with a valid herbicide application license as issued by the State of Texas to ensure it is done in accordance with the herbicide manufacturer's recommended rates and all applicable Federal, State, County and Municipal regulations.
- Weed control shall be performed to eliminate grass and weeds in cracks and joints within or along sidewalks, curbs, parking lots, around trees, fences, in expansion joints, goals, etc. At no time shall there be any visible weeds left to die in sidewalk cracks, curbs, flower beds, mulched areas, parking blocks and parking lots/areas, or fences. If herbicides are used, weeds are not to be left, to-die or dead, in mulched areas or flower beds, creating an unsightly appearance.
- Full weed control application required to eliminate weeds – the City shall apply 1-3 pre-emergent applications and a post emergent application as needed per calendar year on athletic fields.
- The City shall exercise extreme care so as not to overspray and affect areas not intended for treatment. Areas adversely affected by such overspray shall be restored as soon as possible so not to disrupt play.
- After each chemical application, if applicable, the City must place the appropriate signs on the fields and shall be removed in accordance with the chemical products' recommended standards.
- The City shall maintain records of all pesticide and herbicide usage on a "Herbicide/Pesticide" form. This form shall be filled out as fertilizing operations are performed stating dates, times, methods of applications, chemical formulations, applicators name and weather conditions.
- The City shall keep original forms on file.
- The City will provided MSDS (material safety data sheets) for all products used on the fields.
- Only those pesticides that comply with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Pesticide Control Act of 1996, 7 U.S.C. §136 et seq, and any regulations issued thereunder will be used. Any treatment that may damage any portion of grounds shall be performed in accordance with federal and state regulations.
- Insecticides will be applied as necessary to control turf damage insects and ants.
- The City staff shall perform at least 2 insecticide treatments to control turf damaging insects and fire ants per calendar year.

FERTILIZER

- The ASA shall apply fertilizer on playing fields two (2) times per year.
- The ASA shall schedule fertilization with the Parks Superintendent at least one (1) week in advance to ensure there are no activities scheduled on the fields.
- The ASA shall maintain records of fertilizer usage on a "Fertilizer Applicators Record" form. This form shall be filled out as fertilizing operations are performed stating dates, times, methods of applications, chemical formulations, applicators name and weather conditions.
- The ASA shall give original forms to Parks Superintendent to keep on file.
- The ASA may need to apply additional fertilization in some areas during the year to control weed growth and/or promote the health of the Turf.

V. EQUIPMENT MAINTENANCE

IRRIGATION SYSTEM

- All improved and existing areas shall receive sufficient amounts of water, as necessary to present a uniform green color without browning or barren areas resulting from lack of water.
- The ASA shall be responsible for the management and operation of all systems at each Park throughout the year in accordance with league or rental schedules.
- Quarterly inspections shall be completed to determine what repairs are required at each site to bring each Irrigation System to full operation. This assessment will provide a detailed breakdown by site of the repair work required.
- The ASA shall ensure that the Irrigation Systems are always maintained in good working order and operating condition and notify the Parks Superintendent if a contractor should be called for any repairs needed, they are not able to perform.
- The ASA will maintain the rain delay system in working so that sprinklers do not continue to operate during periods of heavy rain and delay the ability of players to resume normal play.

VI. INCLUSIONS

REPAIR OF DAMAGED AREAS - Areas damaged by ASA vehicles, erosion, drought or pest(s)/disease(s) shall be seeded, sprigged, or sodded to meet the standards of surrounding areas. Other vegetation areas shall be repaired to match the surrounding area, if damaged.

EMERGENCY AND SPECIAL SERVICES - Upon notification by the Parks Superintendent the City shall perform emergency or special grounds maintenance required.

VII. ADDITIONAL SERVICES UPON REQUEST

To ensure the athletic fields remain safe and playable additional services may be added to the maintenance schedule or contracted out. These services can include but are not limited:

- Tree Pruning
- Replace: bases, home plates, pitcher's rubbers, anchors, foul ball nets, etc.
- Fence repair
- Repairing or repacking pitching mounds
- Repair skinned areas of ruts, holes, bowled out areas
- Replace damaged turf areas as necessary
- Application of infield mix to baseball, softball skinned areas
- Overseeding fields when less than 10% or more of field is without turf cover
- In-field Lip Reduction
- Repair of all skinned areas including home plate/batter's box, pitcher's mounds, base paths and warning tracks

FREEDOM PARK 3105 N Downing St, Angleton, TX 77515	
FERTILIZER PROGRAM FOR FREEDOM PARK FIELDS	
Weed & Broadleaf Control	TRIMEC SOUTHERN @ 1 qt/per acre
Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)
Insecticide	BIFEN I/T AT FULL RATE
Fertilizer	16-2-3 45% UFLEXX 3%FE W/HOU-ACTINITE
2 nd Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)
2 nd Fertilization	16-2-3 45% UFLEXX 3%FE W/HOU-ACTINITE
3 rd Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)

ATHLETIC COMPLEX MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	DAILY	WEEKLY	MONTHLY	QUARTERLY	BI-ANNUAL	ANNUALLY	AS NEEDED
Mowing	x	x	x	x	x	x	x	x	x	x	x	x		x					
Edging/Trimming	x	x	x	x	x	x	x	x	x	x	x	x		x					
Weed & Broadleaf Control		x																x	
Pre-Emergent		x																x	
Insecticide			x						x								x		
Fertilizer				x														x	
2 nd Pre-Emergent										x								x	
2 nd Fertilization								x										x	
3 rd Pre-Emergent						x													x
Top dressing																			x
Aerate Infields																	x		
Aerate Outfields																	x		

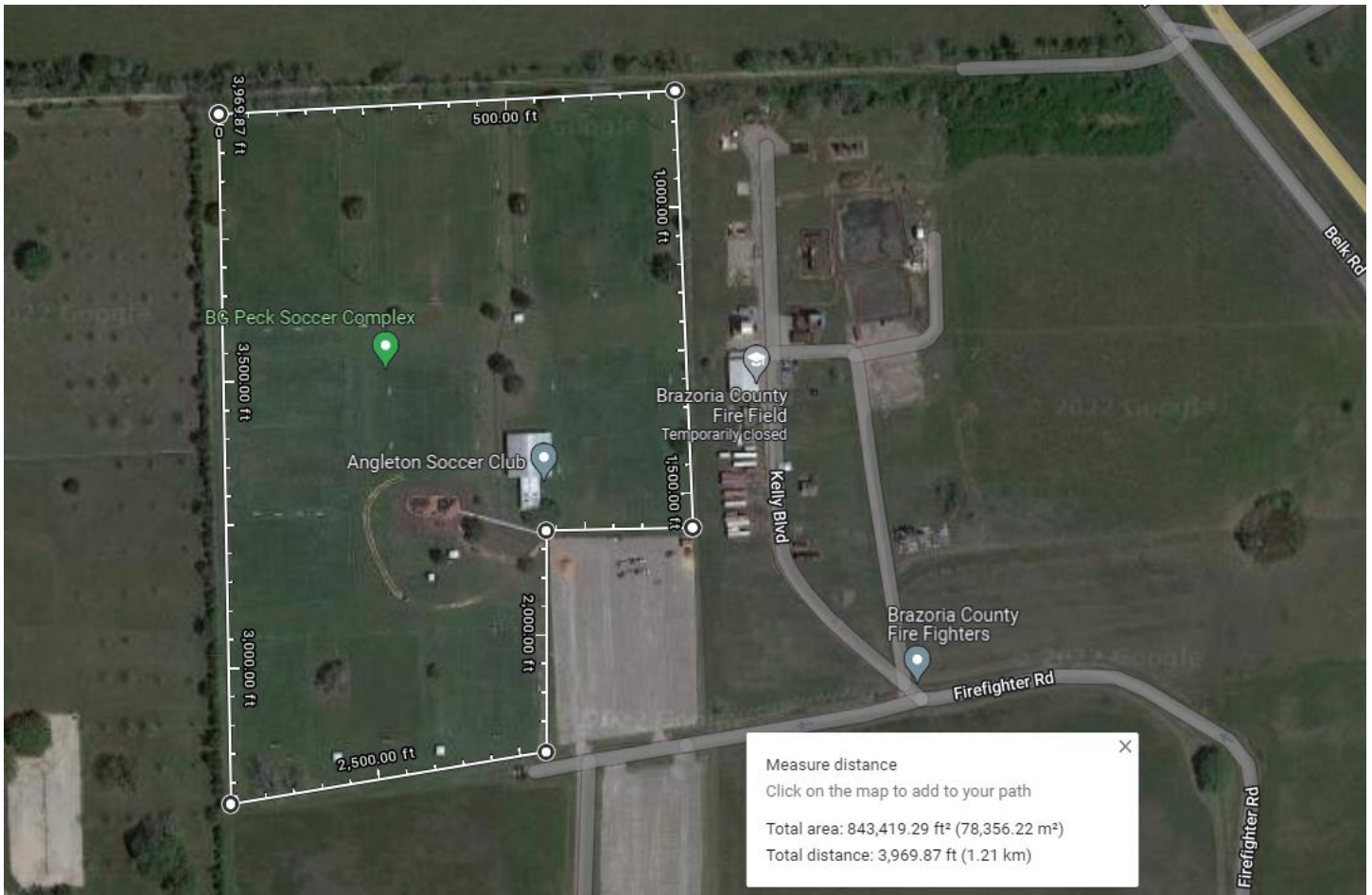
FREEDOM PARK | 3105 N Downing St, Angleton, TX 77515



BG PECK SOCCER COMPLEX | 709 Kelly Blvd, Angleton, TX 77515

FERTILIZER PROGRAM FOR BG PECK SOCCER COMPLEX	
Weed & Broadleaf Control	TRIMEC SOUTHERN @ 1 qt/per acre
Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)
Insecticide	BIFEN I/T AT FULL RATE
Fertilizer	16-2-3 45% UFLEXX 3%FE W/HOU-ACTINITE
2 nd Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)
2 nd Fertilization	16-2-3 45% UFLEXX 3%FE W/HOU-ACTINITE
3 rd Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)

ATHLETIC COMPLEX MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	DAILY	WEEKLY	MONTHLY	QUARTERLY	BI-ANNUAL	ANNUALLY	AS NEEDED
Mowing	x	x	x	x	x	x	x	x	x	x	x	x		x					
Edging/Trimming	x	x	x	x	x	x	x	x	x	x	x	x		x					
Weed & Broadleaf Control		x																x	
Pre-Emergent		x																x	
Insecticide			x						x								x		
Fertilizer				x														x	
2 nd Pre-Emergent										x								x	
2 nd Fertilization								x										x	
3 rd Pre-Emergent						x													x
Top dressing																			x
Aerate Infields																	x		
Aerate Outfields																	x		



BATES PARK | 700 Bates, Park Rd, Angleton, TX 77515

FERTILIZER PROGRAM FOR BATES PARK

Weed & Broadleaf Control	TRIMEC SOUTHERN @ 1 qt/per acre
Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)
Insecticide	BIFEN I/T AT FULL RATE
Fertilizer	16-2-3 45% UFLEXX 3%FE W/HOU-ACTINITE
2 nd Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)
2 nd Fertilization	16-2-3 45% UFLEXX 3%FE W/HOU-ACTINITE
3 rd Pre-Emergent	PRODIAMINE 65WDG 1 lb per acre (5 lbs jugs)

ATHLETIC COMPLEX MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	DAILY	WEEKLY	MONTHLY	QUARTERLY	BI-ANNUAL	ANNUALLY	AS NEEDED
Mowing	x	x	x	x	x	x	x	x	x	x	x	x		x					
Edging/Trimming	x	x	x	x	x	x	x	x	x	x	x	x		x					
Weed & Broadleaf Control		x																x	
Pre-Emergent		x																x	
Insecticide			x						x								x		
Fertilizer				x														x	
2 nd Pre-Emergent										x								x	
2 nd Fertilization								x										x	
3 rd Pre-Emergent						x													x
Top dressing																			x
Aerate Infields																	x		
Aerate Outfields																	x		





ASA USE OF CITY ATHLETIC FACILITY CHECKLIST

General Checklist	
<input type="checkbox"/>	City of Angleton is named as an additional insured on the Certificate of Insurance.
<input type="checkbox"/>	Last season's financial statement.
<input type="checkbox"/>	Primary contact person's name, title, address, including home, mobile and work phone numbers, fax numbers and email address.
<input type="checkbox"/>	List of association's Board of Directors including name, address, contact number, email address and physical address.
<input type="checkbox"/>	Tryout, practice, game and tournament schedule.
<input type="checkbox"/>	Signed agreement.
<input type="checkbox"/>	One thousand-dollar (\$1000) deposit.
<input type="checkbox"/>	Proof of non-profit status under the terms of a 501(c)(3) status with the IRS
<input type="checkbox"/>	Copy of bylaws.



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

PREPARED BY: Michelle Perez

AGENDA CONTENT: Discussion and possible action to approve the minutes of the Angleton City Council meeting of August 23, September 13 and September 27, 2022.

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Approve the minutes of the Angleton City Council meeting of August 23, September 13, and September 27, 2022.

RECOMMENDATION:

Staff recommends Council approves the minutes as presented.



THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, AUGUST 23, 2022 AT 6:00 P.M., IN THE ANGLETON CITY HALL COUNCIL CHAMBERS, 120 S. CHENANGO, ANGLETON, TEXAS.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Perez called the Council Meeting to order at 6:01 P.M.

PRESENT

Mayor Jason Perez
 Mayor Pro-Tem John Wright
 Council Member Cecil Booth
 Council Member Mark Gongora
 Council Member Travis Townsend
 Council Member Christiene Daniel

PLEDGE OF ALLEGIANCE

Council Member Daniel led the Pledge of Allegiance.

INVOCATION

Council Member Booth led the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

There were no speakers.

Council moved to Ceremonial Presentations

CEREMONIAL PRESENTATIONS

2. Presentation of employee service award.

No presentation was given since the recipient was not present.

3. Presentation of a Proclamation by the Mayor.

Mayor Perez presented a Proclamation to the Peach Street Farmer's Market.

4. Presentation of August Keep Angleton Beautiful Yard of the Month and Business of the Month.

Tracy Delesandri with Keep Angleton Beautiful presented Yard of the Month to Ann Scott at 304 Richmond Street and Business of the Month to Elite Nutrition at 136 E Locust Street.

Council moved to Public Hearings and Action Items

PUBLIC HEARINGS AND ACTION ITEMS

1. Conduct a public hearing, discussion, and possible action on the proposed Fiscal Year 2022-2023 Ad Valorem Tax Rate.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council opened the public hearing at 6:08 P.M.

There were no speakers for or against.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council closed the public hearing at 6:09 P.M.

CONSENT AGENDA

5. Discussion and possible action on a resolution extending the disaster declaration signed by the Mayor on March 17, 2020, through October 7, 2022; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council approved Resolution No. 20220823-005 a resolution by the City Council of the City of Angleton, Texas, ratifying the disaster declaration signed by the Mayor on March 17, 2020, and consenting to its continuation through October 7, 2022; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date. Extending the covid declaration. The motion passed on a 4-2 vote with Council Member Townsend and Council Member Booth opposed.

REGULAR AGENDA

6. Discussion and possible action to allow the Fire Department to purchase rugged laptops for trucks.

Presentation was provided by Scott Myers, Fire Chief of the Angleton Fire Department.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Daniel, Council approved to allow the Angleton Fire Department Technology Committee to purchase seven Dell Latitude 5430 Rugged Laptops, mobile docking stations, and mounting brackets for trucks at a total cost of \$24,539.28. The motion passed on a 6-0 vote.

7. Discussion and possible action on a resolution declaring a disaster due to extreme drought conditions; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Presentation was provided by Glenn LaMont, Director of Emergency Management.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council approved Resolution No. 20220823-007 a resolution by the City Council of the City of Angleton, Texas, ordering a declaration of local disaster for the City of Angleton, Texas; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date. Due to extreme drought conditions. The motion passed on a 5-1 vote with Council Member Booth opposed.

8. Discussion and possible action on the American Rescue Plan Act, Tranche I Spending Plan.

An update was provided by Patty Swords, City Grants Coordinator and Special Projects.

9. Discussion and possible action regarding the American Rescue Plan Act, Tranche II Spending Plan.

Presentation was provided by Patty Swords, City Grants Coordinator and Special Projects and Megan Mainer, Director of Parks and Recreation.

Upon a motion by Council Member Townsend and seconded by Council Member Booth, Council approved the American Rescue Plan Act, Tranche II Proposed Spending Plan with the caveat that it be a plus/minus and prioritized. The motion passed on a 6-0 vote.

10. Discussion and possible action on a Request for Proposal for Oyster Creek Wastewater Treatment Plant Lab Redesign to be awarded to Construction Masters of Houston, Inc.

Presentation was provided by Martha Eighme, Director of Communications and Marketing.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Townsend, Council approved a Request for Proposal (RFP) for Oyster Creek Wastewater Treatment Plant Lab Redesign to be awarded to Construction Masters of Houston, Inc. The motion passed on a 6-0 vote.

11. Discussion and Possible action on the debt and assessment structure for the Riverwood Ranch PID and impact on homeowner annual assessments.

This item was removed from the agenda.

12. Discussion and possible action on an ordinance approving the 2022-23 update to the Service and Assessment Plan and Assessment Roll for the Riverwood Public Improvement District.

Presentation was provided by Andrea Barnes with P3 Works.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council approved Ordinance No. 20220823-012 an ordinance of the City of Angleton, Texas, approving the 2022-23 update to the Service and Assessment Plan and Assessment Roll for the Riverwood Public Improvement District; making and adopting findings; accepting and approving the Annual Service Plan update and updated Assessment Roll for the district; providing an effective date and other matters related thereto. The motion passed on a 6-0 vote.

13. Discussion and possible action on an ordinance approving the 2022-23 update to the Service and Assessment Plan and Assessment Roll for the Kiber Reserve Public Improvement District.

Presentation was provided by Andrea Barnes with P3 Works.

Upon a motion by Council Member Booth and seconded by Council member Gongora, Council approved Ordinance No. 20220823-013 an ordinance of the City of Angleton, Texas, approving the 2022-23 update to the Service and Assessment Plan and Assessment Roll for the Kiber Reserve Public Improvement District; making and adopting findings; accepting and approving the Annual Service Plan update and updated Assessment Roll for the district; providing an effective date and other matters related thereto. The motion passed on a 5-1 vote with Mayor Pro-Tem Wright opposed.

14. Discussion and possible action on a thirty-day contract extension request from DL Meacham, Lakeside Park Contractor, due to delays associated with the TDI design revisions.

Presentation was provided by Megan Mainer, Director of Parks and Recreation.

Representatives Tanner Shipp and Carrie Wicke with D L Meacham, and Representative Elizabeth Gilbert with Clark Condon addressed council and spoke regarding the 30-day contract extension due to delays.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council approved a 30-day contract extension request from D L Meacham, Lakeside Park Contractor, due to delays associated with the TDI design revisions for Lakeside Park. The motion passed on a 6-0 vote.

15. Discussion and Possible action on new sanitary sewer services for the County's Emergency Operation Center (EOC).

Presentation was provided by John Peterson, Project Manager with HDR Engineering.

16. Discussion and possible action on installing sidewalks on Robinhood Lane, Street Bond Project Package #1.

Presentation was provided by John Peterson, Project Manager with HDR Engineering.

Howard Huet, a citizen of Angleton, addressed Council and stated he is against installation of sidewalks on Robinhood Lane.

EXECUTIVE SESSION

The City Council convened into executive session at 7:47 PM pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

17. Consultation with Attorney regarding a settlement offer with Constellation Energy, pursuant to Section 551.071 of the Texas Government Code.

OPEN SESSION

The City Council reconvened into executive session at 8:14 PM pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

17. Consultation with Attorney regarding a settlement offer with Constellation Energy, pursuant to Section 551.071 of the Texas Government Code.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council accepted the settlement offer with Constellation Energy and authorized the City Manager to execute the terms of the agreement with the City Attorney.

ADJOURNMENT

The meeting was adjourned at 8:16 PM.

These minutes were approved by Angleton City Council on this the 10th day of January, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary



**CITY OF ANGLETON
CITY COUNCIL MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
TUESDAY, SEPTEMBER 13, 2022 AT 6:00 PM**

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, SEPTEMBER 13, 2022, AT 6:00 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

With a quorum present, Mayor Perez called the Council Meeting to order at 6:00 P.M.

PRESENT

Mayor Jason Perez
Mayor Pro-Tem John Wright
Council Member Cecil Booth
Council Member Mark Gongora
Council Member Christiene Daniel
Council Member Travis Townsend

PLEDGE OF ALLEGIANCE

Mayor Perez led the Pledge of Allegiance.

INVOCATION

Council Member Booth led the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

There were no speakers.

PUBLIC HEARINGS AND ACTION ITEMS

1. Conduct a public hearing and discussion on the proposed Fiscal Year 2022-2023 Budget.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council opened the public hearing at 6:02 P.M.

There were no speakers for or against.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council closed the public hearing at 6:03 P.M.

2. Conduct a public hearing and discussion on the proposed Fiscal Year 2022-2023 Ad Valorem Tax Rate.

Upon a motion by Mayor Pro-Tem Booth and seconded by Mayor Pro-Tem Wright, Council opened the public hearing at 6:03 P.M.

There were no speakers for or against.

Upon a motion by Council Member Booth and seconded by Council Member Daniel, Council closed the public hearing at 6:04 P.M.

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

3. Discussion and possible action on approving the interlocal agreement for mitigation hazard planning with H-GAC to commence on August 19, 2022 and end on February 19, 2024.
4. Discussion and possible action to adopt Public Rights-of-way Accessibility Guidelines (PROWAG) as an Angleton design standard.
5. Discussion and possible action on major and sub facility naming signage.
6. Discussion and possible action on a Storm Sewer Line Replacement at 819 E. Wilkins, to be awarded to Matula & Matula alternate bid.
7. Discussion and possible action on a service agreement with Connect2Concepts and authorize the City Manager to execute the agreement.
8. Discussion and possible action to approve the minutes of the Angleton City Council meeting of July 12, 2022.
9. Discussion and possible action on approving a resolution appointing HDR Engineering, Inc. the city engineer; providing for repeal; and providing for an effective date.
10. Discussion and possible action on a resolution authorizing City Council to consider appointments to fill vacancies and absences on all boards, commissions and committees annually in the month of October, providing for repeal and providing for an effective date.
11. Discussion and possible action on an ordinance amending the City of Angleton Home Rule Charter to correct and renumber the charter provisions following the adoptions by City Council of the charter amendments approved in the May 7, 2022, election and containing other provisions relating to the subject.

12. Discussion and possible action on authorizing the Mayor to sign an amendment to the existing water supply contract with Brazosport Water Authority.
13. Discussion and possible action to allow the Angleton Fire Department to Perform the Fill the Boot Campaign.

Council pulled consent agenda items 4, 5, 6, and 9 for further discussion.

Upon a motion by Council Member Booth and seconded by Council Member Townsend, Council approved the consent agenda: 3. Discussion and possible action on approving the interlocal agreement for mitigation hazard planning with H-GAC to commence on August 19, 2022, and end on February 19, 2024; 7. Discussion and possible action on a service agreement with Connect2Concepts and authorize the City Manager to execute the agreement; 8. Discussion and possible action to approve the minutes of the Angleton City Council meeting of July 12, 2022; 10. Discussion and possible action on a resolution authorizing City Council to consider appointments to fill vacancies and absences on all boards, commissions and committees annually in the month of October, providing for repeal and providing for an effective date; 11. Discussion and possible action on an ordinance amending the City of Angleton Home Rule Charter to correct and renumber the charter provisions following the adoptions by City Council of the charter amendments approved in the May 7, 2022, election and containing other provisions relating to the subject; 12. Discussion and possible action on authorizing the Mayor to sign an amendment to the existing water supply contract with Brazosport Water Authority; and 13. Discussion and possible action to allow the Angleton Fire Department to Perform the Fill the Boot Campaign.

REGULAR AGENDA

Council discussed agenda items 4, 5, 6, and 9 from the consent agenda.

4. Discussion and possible action to adopt Public Rights-of-way Accessibility Guidelines (PROWAG) as an Angleton design standard.

Presentation was provided by Megan Mainer, Parks and Recreation Director.

Further discussion took place between council, staff, Erin Eurek with Kimley-Horn, and Kristi Avalos with Accessology.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council adopted Public Rights-of-way Accessibility Guidelines (PROWAG) as an Angleton design standard. The motion passed on a 6-0 vote.

5. Discussion and possible action on major and sub facility naming signage.

Presentation was provided by Megan Mainer, Parks and Recreation Director.

Upon a motion by Council Member Booth and seconded by Mayor Pro-Tem Wright, Council approved the major and sub facility naming signage. The motion passed on a 6-0 vote.

6. Discussion and possible action on a Storm Sewer Line Replacement at 819 E. Wilkins, to be awarded to Matula & Matula alternate bid.

Presentation was provided by Jeff Sifford, Public Works Director.

Upon a motion by Council Member Townsend and seconded by Mayor Pro-Tem Wright, Council accepted the bid from Matula & Matula to complete the project. The motion passed on a 6-0 vote.

9. Discussion and possible action on approving a resolution appointing HDR Engineering, Inc. the city engineer; providing for repeal; and providing for an effective date.

Presentation was provided by Chris Whittaker, City Manager.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220913-009, a resolution appointing HDR Engineering, Inc. the City Engineer; providing for repeal; and providing for an effective date.

Upon an amended motion by Mayor Pro-Tem Wright and seconded by Council Member Booth. Council approved Resolution No. 20220913-009, a resolution appointing HDR Engineering, Inc. the City Engineer; providing for repeal; and providing for an effective date. To be reviewed every 10 years. The motion passed on a 6-0 vote.

14. Discussion and possible action on an ordinance by the City Council of the City of Angleton, Texas, adopting the 2022-2023 Fiscal Budget of the City of Angleton, Texas for the Fiscal Year beginning on October 1, 2022 and ending on September 30, 2023; and providing a severability clause; providing for repeal and penalty; and providing an effective date. This budget will raise more total property taxes than last year's budget by \$1,312,773 or 17.33%, and of that amount, \$128,744 is tax revenue to be raised from new property added to the tax roll this year.

Presentation was provided by Phillip Conner, Finance Director.

Upon a motion by Council Member Booth and seconded by Council Member Daniel, Council approved Ordinance No. 20220913-014, an ordinance adopting the 2022-2023 Fiscal Budget of the City of Angleton, Texas for the Fiscal Year beginning on October 1, 2022, and ending on September 30, 2023; and providing a severability clause; providing for repeal and penalty; and providing an effective date. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

15. Discussion and possible action on an ordinance of the City Council of the City of Angleton, Texas, levying the Ad Valorem property tax of the City of Angleton, Texas, for the year 2022 on all taxable property within the corporate limits of the city on January 1, 2022,

and adopting a tax rate for 2022; providing revenues for payment of current municipal maintenance and operating expenses and for payment of interest and principal on outstanding City of Angleton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; providing for repeal and penalty; and providing an effective date.

Upon a motion by Council Member Booth and seconded by Mayor Pro-Tem Wright, Council approved Ordinance No. 20220913-015, an ordinance levying the Ad Valorem property tax of the City of Angleton, Texas, for the year 2022 on all taxable property within the corporate limits of the city on January 1, 2022, and adopting a tax rate for 2022; providing revenues for payment of current municipal maintenance and operating expenses and for payment of interest and principal on outstanding City of Angleton debt; providing for limited exemptions of certain homesteads; providing for enforcement of collections; providing for a severability clause; providing for repeal and penalty; and providing an effective date. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

16. Discussion and possible action on an ordinance of the City Council of the City of Angleton, Texas ratifying the increase of \$638,899 in property tax revenues over last year's operating budget as reflected in the FY 2022-2023 operating budget.

Presentation was provided by Phillip Conner, Finance Director.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council approved Ordinance No. 20220913-016, an ordinance ratifying the increase of \$638,899 in property tax revenues over last year's operating budget as reflected in the FY 2022-2023 operating budget. The motion passed on a 5-1 vote with Council Member Townsend opposed.

17. Discussion and possible action on the adoption of phase one of the ADA Self-Evaluation and Transition Plan prepared by Kimley Horn and Associates, Inc.

Presentation was provided by Megan Mainer, Director of Parks and Recreation.

Erin Eurek with Kimley-Horn and Kristi Avalos with Accessology addressed Council and spoke regarding the ADA Self-Evaluation and Transition Plan.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Townsend, Council approved the adoption of phase one of the ADA Self-Evaluation and Transition Plan prepared by Kimley Horn and Associates, Inc. The motion passed on a 6-0 vote.

18. Discussion and possible action to temporarily allow one way traffic in and out of the Heritage Court subdivision on Halloween night from 6:00 P.M. to 9:00 P.M.

Bill Burton, President of Angleton Heritage Court Property Owners' Association addressed Council and spoke regarding temporary one way traffic on Halloween night.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Townsend, Council approved the request to temporarily allow one way traffic in and out of the

Heritage Court subdivision on Halloween night from 6:00 P.M. to 9:00 P.M. The motion passed on a 6-0 vote.

19. Discussion and possible action on a recommendation to increase the voluntary Keep Angleton Beautiful Commission donation on residential utility bills.

Presentation was provided by Jason O'Mara, Parks and Recreation Assistant Director.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council approved to increase the voluntary Keep Angleton Beautiful Commission donation by 50 cents on residential utility bills to a total of one dollar. The motion passed on a 6-0 vote.

20. Discussion and possible action on awarding the contract to purchase two mobile generators to service the City's lift stations to Generators of Houston.

Presentation was provided by Glenn LaMont, Director of Emergency Management.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council approved to award the contract to purchase two mobile generators to service the City's lift stations to Generators of Houston in the amount of \$185,546.43. The motion passed on a 6-0 vote.

21. Discussion and possible action on an ordinance amending the utility rates in the City of Angleton Fee Schedule in Chapter 2 Administration Article X Section 2-266 Fee Schedule the Angleton, Texas Code of Ordinances; providing for an increase in the rates to be charged for utility services by the City of Angleton; providing for repeal; providing for severability; providing for a penalty; and providing an effective date.

Presentation was provided by Phillip Conner, Finance Director.

Upon a motion by Council Member Booth and seconded by Mayor Pro-Tem Wright, Council approved Ordinance No. 20220913-021 amending the utility rates in the City of Angleton Fee Schedule in Chapter 2 Administration Article X Section 2-266 Fee Schedule the Angleton, Texas Code of Ordinances; providing for an increase in the rates to be charged for utility services by the City of Angleton; providing for repeal; providing for severability; providing for a penalty; and providing an effective date. The motion passed on a 6-0 vote.

22. Discussion on the Belize Sister City updated agenda.

Presentation was provided by Chris Whittaker, City Manager.

23. Discussion and possible action on approving an Engagement letter with Belt, Harris and Pechacek, LLP, to complete the Financial Audit and Single Audit for fiscal year ending September 30, 2022.

Presentation was provided by Phillip Conner, Finance Director.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, council approved the Engagement letter with Belt, Harris and Pechacek, LLP, to complete the Financial Audit and Single Audit for fiscal year ending September 30, 2022. The motion passed on a 6-0 vote.

EXECUTIVE SESSION

The City Council convened into executive session at 8:22 P.M. pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained therein:

24. Discussion and possible action on Boards and Commissions appointments, pursuant to 551.074 of the Texas Government Code. (Parks & Recreation Board of Directors and Board of Adjustments)

OPEN SESSION

The City Council reconvened into Open Session at 9:11 P.M. pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

24. Discussion and possible action on Boards and Commissions appointments, pursuant to 551.074 of the Texas Government Code. (Parks & Recreation Board of Directors and Board of Adjustments)

Upon a motion by Mayor Pro Tem Wright and seconded by Council Member Daniel, council appointed Blaine Smith to Position 3 and Michelle Townsend to Position 5 on the Boards of Adjustment and Cheryl McBeth to Parks and Recreation Board of Directors. The motion passed on a 6-0 vote.

ADJOURNMENT

The meeting was adjourned at 9:12 P.M.

These minutes were approved by Angleton City Council on this the 10th day of January, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary



CITY OF ANGLETON
CITY COUNCIL MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
TUESDAY, SEPTEMBER 27, 2022 AT 6:00 PM

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, SEPTEMBER 27, 2022, AT 6:00 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

With a quorum present, Mayor Perez called the Council Meeting to order at 6:00 P.M.

PRESENT

Mayor Jason Perez
 Mayor Pro-Tem John Wright
 Council Member Cecil Booth
 Council Member Mark Gongora
 Council Member Christiene Daniel
 Council Member Travis Townsend

PLEDGE OF ALLEGIANCE

Mayor Perez led the Pledge of Allegiance.

INVOCATION

Council Member Booth led the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

Angleton resident, Larry and Judy Shaefer addressed council regarding Angleton Police Department failing to act upon their complaint of a Texas New Mexico employee trespassing on their property with no identification.

CEREMONIAL PRESENTATIONS

1. Presentation of National Night Out Proclamation.

Mayor Perez presented the proclamation to Sergeant Harold Vandergriff.

2. Ceremonial Presentation of September Keep Angleton Beautiful Yard of the Month and Business of the Month.

Tracy Delesandri, Keep Angleton Beautiful Chairwoman, presented the Yard of the Month to Dr. Craig McDonald at 1013 Shady Oaks Drive and Business of the Month to Summer House Apartments at 4 Stadium Drive.

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

3. Discussion and possible action on requesting the Texas Department of Transportation (TxDOT) to not re-paint the parallel parking places in downtown Angleton when N. Velasco St. is resurfaced.
4. Discussion and possible action on approving a Deed of Mural Easement agreement.
5. 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.
6. Discussion and possible action on a request from Habitat for Humanity to waive building permit and utility connection fees for the construction of a new home at 1305 Caldwell Road in Angleton, Texas.
7. Discussion and possible action on approving one way traffic in and out of Plantation Oaks Subdivision on Halloween night from 5 P.M. to 9 P.M.

Council pulled consent agenda item 3 for further discussion.

Upon motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council approved the consent agenda: 4. Discussion and possible action on approving a Deed of Mural Easement agreement; 5. 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; 6. Discussion and possible action on a request from Habitat for Humanity to waive building permit and utility connection fees for the construction of a new home at 1305 Caldwell Road in Angleton, Texas; and 7. Discussion and possible action on approving one way traffic in and out of Plantation Oaks Subdivision on Halloween night from 5 P.M. to 9 P.M. The motion passed on a 6-0 vote.

REGULAR AGENDA

Council discussed agenda item 3 from the consent agenda.

3. Discussion and possible action on requesting the Texas Department of Transportation (TxDOT) to not re-paint the parallel parking places in downtown Angleton when N. Velasco St. is resurfaced.

Presentation was provided by Patty Swords, Grant Administrator.

Further discussion took place between council, staff, and Maria Aponte from Texas Department of Transportation.

Upon a motion by Council Member Townsend and seconded by Council Member Booth, Council approved to stripe the road as it is currently configured and revisit to discuss in the future if needed. The motion passed on a 6-0 vote.

Council moved to agenda item 9.

9. 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.

Presentation was provided by Otis Spriggs, Director of Development Services.

Manager Travis Janik, and Vice President Mark Janik with Ashton Gray gave a PowerPoint presentation. Ashton Gray Attorney Richard Moeller with Moore Corbett spoke regarding the development agreement.

Upon a motion by Council Member Booth and seconded by Mayor Pro-Tem Wright, Council approved the 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 with the recommendation of Planning and Zoning and for the details of the development agreement to be discussed between the developer and the city. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

Council moved to agenda item 8.

8. Discussion and possible action on Riverwood Ranch Public Improvement District Service and Assessment Plan debt rate.

Presentation was provided by Joe Morrow, Managing Director with Hilltop Securities.

Michael Foley, Vice President of Riverway Properties addressed Council regarding tax rates.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Booth, Council approved Riverwood Ranch Public Improvement District Service and Assessment Plan debt rate according to scenario 1 to keep the reimbursement the same and pass the additional cost on to the homeowner in the form of a higher annual assessment. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Daniel opposed.

Council recessed for break at 8:07 P.M.

Council reconvened meeting at 8:20 P.M.

Council moved to agenda item 10.

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

Presentation was provided by Otis Spriggs, Director of Development Services.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council approved the preliminary plat of the Ashland Project Street Dedication #1 conditioned on staff comments with the assumption that 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. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

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

Presentation was provided by Otis Spriggs, Director of Development Services.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council approved the preliminary plat of the Ashland Project Street Dedication #2 with the conditioned staff comments with the assumption that 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. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

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

Presentation was provided by Otis Spriggs, Director of Development Services.

Travis Janik, Manager with Ashton Gray continued discussion with Council.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council approved the preliminary plat of the Ashland Project Model Home Park with engineer conditions resolved. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

13. Discussion and possible action on the preliminary plat of Ashland Section 1.

Presentation was provided by Otis Spriggs, Director of Development Services introduced the item.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council approved the preliminary plat of Ashland Section 1 with engineer conditions resolved. The motion passed on a 4-2 vote with Mayor Pro-Tem Wright and Council Member Townsend opposed.

14. Presentation on the Stasny Ranch proposed new development.

Presentation was provided by Otis Spriggs, Director of Development Services.

Parke Patterson with Stasny Development gave a presentation.

Council gave staff direction to continue discussion with the developer regarding the same information given in the presentation.

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

Presentation was provided by Otis Spriggs, Director of Development Services.

On a motion by Council Member Townsend and seconded by Council Member Gongora, Council approved the preliminary plat of Coleman Commercial Park with the recommendation of a correction on the preliminary plat. The motion passed on a 6-0 vote.

16. Consideration of approval of a preliminary plat for a 12.390-acre subdivision in the J. De J. Valderas Survey, Abstract No. 380.

Presentation was provided by Otis Spriggs, Director of Development Services.

Rick Clark, representing his daughter, Danielle Clark who is the business owner and Douglas Roesler, President with Baker & Lawson, Inc. addressed Council regarding the development.

On a motion by Council Member Booth and seconded by Mayor Pro-Tem Wright, Council approved the preliminary plat for a 12.390-acre subdivision in the J. De J. Valderas Survey, Abstract No. 380 subject to the engineer comments. The motion passed on a 6-0 vote.

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

Presentation was provided by Otis Spriggs, Director of Development Services.

Jignesh Derasari, Addressed Council and stated he is representing the developer and gave a presentation on the development.

Able Gutierrez addressed Council and stated he is the owner of the property, and he fully supports the developer.

Clara Dannhaus, President of Homeowner's Association addressed Council and stated she is there to represent both homeowners on either side of the entrance plan.

Council Member Townsend recommended the developer submitting a plan. Mayor Pro-Tem requested more specific details. Council Member Gongora asked that the developer go back through the Planning and Zoning Commission to show them the pictured design of the entrance of the property that was presented to Council.

18. 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.

Presentation was provided by Kyle Reynolds, Assistant Director of Development Services.

City Attorney, Judith El Masri stated this property was subject to the 2011 annexation ordinance that had a requirement that was impossible to meet and because the requirement was impossible to meet, and the ordinance was never repealed she gave the opinion that this is a situation that would be appropriate for a variance.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council approved 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. The motion passed on a 6-0 vote.

19. Discussion and possible action on a resolution extending the disaster declaration signed by the Mayor on March 17, 2020, through November 7, 2022; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Presentation was provided by Patty Swords, Grant Administrator.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Gongora, Council approved Resolution No. 20220927-019 extending the disaster declaration signed by the Mayor on March 17, 2020, through November 7, 2022; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date. The motion was approved 5-1 with Council Member Booth opposed.

20. Discussion and possible action on submitting a grant application to the Texas Department of Transportation (TxDOT) for mobility improvements in downtown Angleton along both sides of Velasco St., from E. Orange St. to E. Locus St.

Presentation was provided by Patty Swords, Grant Administrator.

Upon a motion by Mayor Pro-Tem Wright and seconded by Council Member Daniel, Council approved submitting a grant application to the Texas Department of Transportation (TxDOT) for mobility improvements in downtown Angleton along both sides of Velasco St., from E. Orange St. to E. Locus St. The motion passed on a 5-1 with Council Member Booth opposed.

- 21. Discussion and possible action on submitting a grant application to the Texas Department of Transportation (TxDOT) for a 10' wide multi-model shared path around Highway 274 from E. Cedar St. to Munson St.

Presentation was provided by Patty Swords, Grant Administrator gave a presentation.

Upon a motion by Mayor Pro-Tem Wright and Seconded by Council Member Daniel, Council approved submitting a grant application to the Texas Department of Transportation (TxDOT) for a 10' wide multi-model shared path around Highway 274 from E. Cedar St. to Munson St. with the contingency that 100% is funded by TxDOT or other organizations. The motion passed on a 5-1 with Council Member Booth opposed.

- 22. Presentation on Lift Station Rehab through the American Rescue Plan Act (ARPA) Funds.

Presentation was provided by Hector Renteria, Assistant Director of Public Works.

ADJOURNMENT

The meeting was adjourned at 11:03 P.M.

These minutes were approved by Angleton City Council on this the 24th day of January, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 10, 2023

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

AGENDA CONTENT: Conduct a public hearing on a request for approval of an ordinance rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Mr. Robert Campbell, the applicant is requesting approval of an ordinance rezoning 15.895 acres from the PD, Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX. Driveway tie-in with CR220 will have to coordinated with Brazoria County for approval.

Mr. Campbell owns a business and is purchasing the subject property; he wants to rezone it to Light Industrial to accommodate his metal fabrication (small parts, custom railings for home owners and contractors) business now located in Clute, Tx. He plans to build a 50'x150' shop near CR 220/SW portion of the property, a distance of 400 ft. from the back property line. He has 10 employees with a desire to double that amount.

The use does not require a large amount of water. Mr. Campbell plans to put in well and septic with the minor plumbing needs of a small kitchen with a couple of bathrooms. Operating hours will be between 7:30 to 3:30 M-F.

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. ***(Staff concurs the property is appropriate as light industrial alone a major arterial and on the edge of the city limits).***

- 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 improvements; he is willing to put in a private system).**
- 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; **(Opportunities for commercial infill development are adequate in the surrounding area; developing the property as light industrial for a small metal fabrication is feasible and would have little impact on public services and infrastructure).**
- 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 **(Area is at the most southern boundary next to the ETJ, compatible businesses are situated along the major arterials including BUS 288).**
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. **(This rezoning will provide for good commercial infill reinvestment, and pose no negative impact on the surrounding area).**
- 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 if developed as proposed).**

Surrounding Conditions:

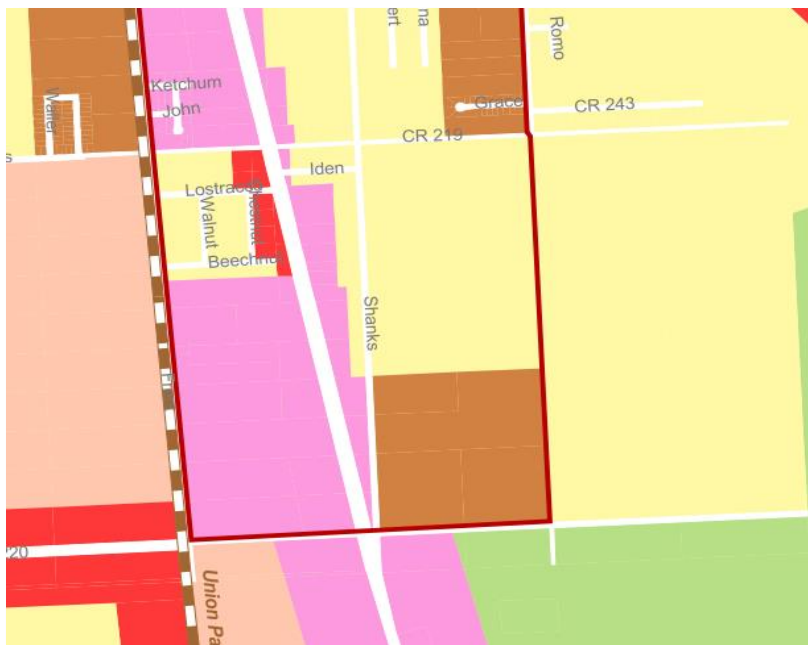
Existing Land Use and Zoning

North: Manufactured Homes (MH) District.

East: PD, Planned District, Holding Zone

West: Light Industrial District and PD, Planned District, Holding Zone

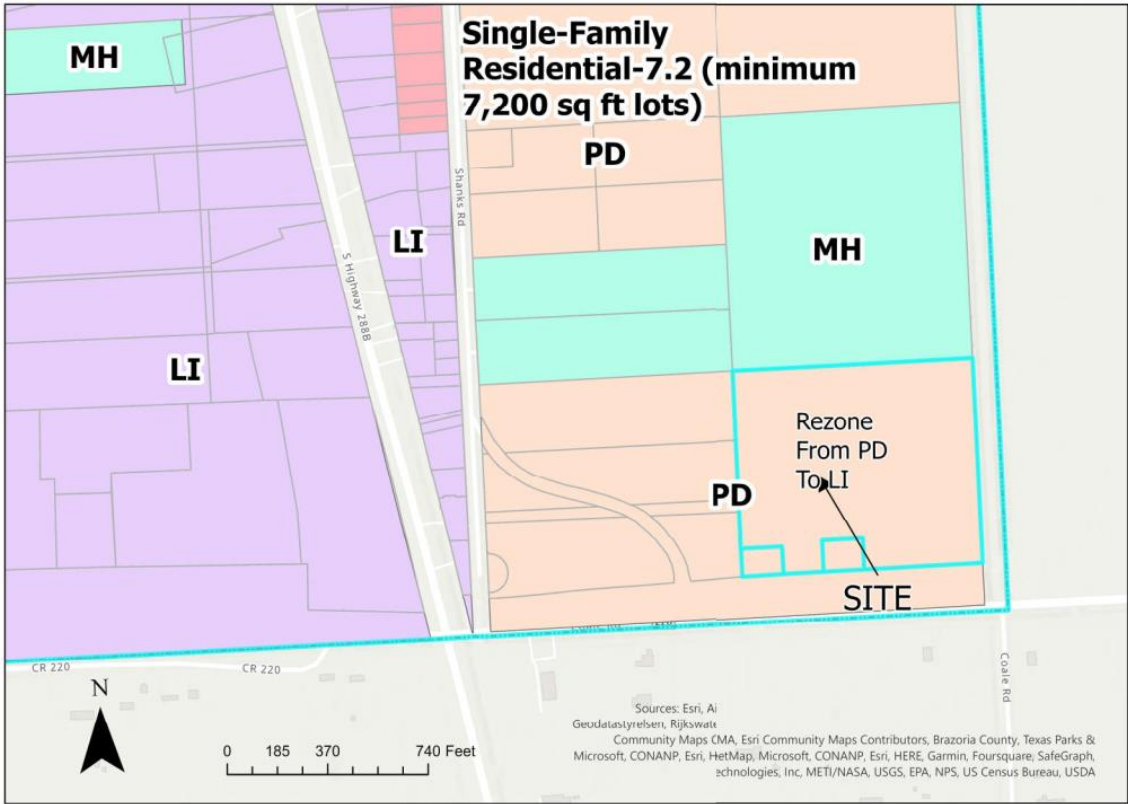
South: City Limits Line, CR 220, ETJ Rural Residential area



Future Land Use Map

The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property as **Manufactured Housing Category**. The general vicinity of Shanks Road has primarily single-family housing, with a number of Manufactured Housing units situated adjacent to the project site. Staff supports that a change to the future Land Use Map is advisable due to the impact on utility and infrastructure, if the site were utilized as

Manufactured Housing. Note that most of the commercial uses abut the major arterials.



ZONING MAP



SITE PHOTOS-2



VIEW LOOKING NORTH AT SITE FROM CR220



VIEW LOOKING NORTH AT SITE FROM



VIEW LOOKING NORTH AT SITE FROM CR220



VIEW LOOKING WEST ON CR220, SITE ON RIGHT

RECOMMENDATION:

City Council should conduct the public hearing and obtain public input.



CITY OF ANGLETON
APPOINTMENT OF AGENT

As owner of the property described as COUNTY ROAD 220, ANGLETON TEXAS 77515 (ID 161699 & 161,700)
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Brazos Funding, LLC.

Mailing Address: 4702 Brazos River Rd Email: rhonda@sollockmetalworks.com

City: Freeport State: Texas Zip: 77541 -

Home Phone: (979) 292-4146 Business Phone: (979) 583-2260

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of owner [Handwritten Signature] Title owner

Printed/Typed Name of owner John Macek Date 11-28-2022

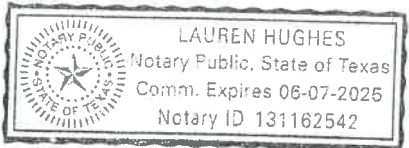
*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

STATE OF TEXAS §

COUNTY OF Brazoria §

Before me, Lauren Hughes, on this day personally appeared John Macek known to me (or proved to me on the oath of or through [Handwritten Signature]) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 28 day of Nov. 2022



[Handwritten Signature]
Notary Public Signature

Commission Expires

(SEAL)



**CITY OF ANGLETON
APPOINTMENT OF AGENT**

As owner of the property described as COUNTY ROAD 220, ANGLETON TEXAS 77515 (ID 161699 & 161,700)
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Brazos Funding, LLC.

Mailing Address: 4702 Brazos River Rd Email: rhonda@sollockmetalworks.com

City: Freeport State: Texas Zip: 77541 -

Home Phone: (979) 292-4146 Business Phone: (979) 583-2260

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of owner *Warren Lane Sbrusch* Title owner

Printed/Typed Name of owner Warren Lane Sbrusch Date 11-28-2022

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

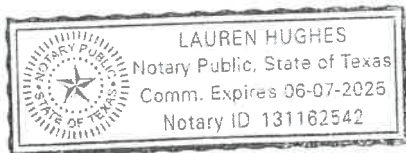
STATE OF TEXAS §

COUNTY OF Brazoria §

Before me, Lauren Hughes on this day personally appeared Warren Lane Sbrusch known to me (or proved to me on the oath of _____ or through (FDL)) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 28 day of Nov, 2022
Lauren Hughes
Notary Public Signature

(SEAL)



Commission Expires _____

2022 TAX STATEMENT

Item 4.



KRISTIN R. BULANEK
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
 111 E. LOCUST
 ANGLETON, TEXAS 77515

Certified Owner:

SBRUSCH JOYCE JEAN & JOHN MACEK & ELAINE
 3399 COUNTY ROAD 352
 BRAZORIA, TX 77422-7301

Legal Description:

A0134 E WALLER BLOCK 5 TRACT 6-6A1 (SD
 E/2) ACRES 15.482 (ANGLETON)

Legal Acres: 15.4820

Parcel Address: COUNTY ROAD 220

Print Date: 11/28/2022

Account No: 0134-0354-110

Appr. Dist. No.: 161699

As of Date: 11/28/2022

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$253,540	\$1,820	\$255,360	\$255,360	\$0	\$0	\$253,540	\$1,820
Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax	
		Code	Amount				
BRAZORIA COUNTY <i>Amount saved by additional sales tax revenue \$2.29</i>	\$255,360	OSP	\$252,610.00	\$2,750	0.2911060	\$8.01	
SPECIAL ROAD & BRIDGE	\$255,360	OSP	\$252,610.00	\$2,750	0.0500000	\$1.38	
ANGLETON ISD	\$255,360	OSP	\$252,610.00	\$2,750	1.2296000	\$33.81	
ANGLETON - DANBURY HOSPIT	\$255,360	OSP	\$252,610.00	\$2,750	0.1609430	\$4.43	
PORT FREEPORT	\$255,360	OSP	\$252,610.00	\$2,750	0.0350000	\$0.96	
ANGLETON DRAINAGE DIST. N	\$255,360	OSP	\$252,610.00	\$2,750	0.0700000	\$1.93	
CITY OF ANGLETON	\$255,360	OSP	\$252,610.00	\$2,750	0.6187600	\$17.02	

Total Tax: \$67.54
 Total Tax Paid to date: \$0.00
 Total Tax Remaining: \$67.54

Exemptions:

OSP OPEN SPACE I-D-1

AMOUNT DUE IF PAID BY:

11/30/2022 0%	01/02/2023 0%	01/31/2023 0%	02/28/2023 7%	03/31/2023 9%	05/01/2023 11%
\$67.54	\$67.54	\$67.54	\$72.28	\$73.61	\$74.97
05/31/2023 13%	06/30/2023 15%	07/31/2023 18 + up to 20%	08/31/2023 19 + up to 20%	10/02/2023 20 + up to 20%	10/31/2023 21 + up to 20%
\$76.32	\$77.66	\$95.66	\$96.44	\$97.24	\$98.06

School Information:

ANGLETON ISD 2022 M&O .85460000 I&S .37500000 Total 1.2296000 2021 M&O .87200000 I&S .39500000 Total 1.2670000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.74



Print Date: 11/28/2022

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

KRISTIN R. BULANEK
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
 111 E. LOCUST
 ANGLETON, TEXAS 77515
 (979) 864-1320, (979) 388-1320, (281) 756-1320



* 0 1 3 4 0 3 5 4 1 1 0 *

0134-0354-110
 SBRUSCH JOYCE JEAN & JOHN MACEK & ELAINE
 3399 COUNTY ROAD 352
 BRAZORIA, TX 77422-7301

AMOUNT PAID:
 \$ _____

01340354110 2022 112022 00000006754 00000006754 00000006754 9



Draft

CITY OF ANGLETON
 PLANNING AND ZONING
 COMMISSION
 120 S. CHENANGO STREET,
 ANGLETON, TEXAS 77515
 THURSDAY, JANUARY 5, 2023 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, JANUARY 5, 2023 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 Henry Munson
 Commission Member Ellen Eby
 Commission Member Deborah Spoor
 Commission Member Michelle Townsend
 Commission Member Regina Bieri
 Commission Member Bonnie McDaniel

1. Approval of Meeting Minutes for December 1, 2022

Motion was made by Commission Member Henry Munson to approve the minutes; Motion was seconded by Commission Member Regina Bieri.

Commission Action: Approved. Motion carried unanimously, 7-0 vote.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX.

Staff Presentation: Mr. Otis Spriggs introduced the case and presented the staff report findings.

This item came before the P&Z Commission about a month ago with the concept as a potential petition to rezone 15.895 acres from the planned district, which is our holding district to light industrial which would accommodate a future use as a metal fabrication, small instrument type business that would like to locate on that large site.

Photos were shown of the site being adjacent to the mobile Home Park to the north. They would access off County Road 220 . The city limits would be along the frontage of CR220. Staff weighed in the criteria of findings of fact. Mobile homes actually is on the land use map and this is something that staff felt wasn't a great use for the property; the land use plan probably needs to be reconsidered.

More density on that particular tract is not feasible. From County Road 220, there is probably about 400 feet setback from the rear of the property. There would be no negative impact on the area. It would be fitting in the area from a light industrial perspective, because we're seeing a lot of the commercialization along the major arterials in the area. Staff is recommending approval to be sent to the to the Council for final adoption, the draft ordinance is provided.

Chair Garwood opened the Public Hearing, with no objection.

Applicant Mr. Robert Campbell appeared before the P&Z Commission:

Stated that he is the operations manager and works for the company that owns the property and is here to represent them. We are looking to rezone this from planned development to light industrial as Mr. Spriggs stated so that we construct a building on there for our company. We are building towards County Road 220, like what's going on County Road 220 right now. Kind of on the West side and want to stay in line with that but. It is a metal fabrication company, and it would be a good addition to what's going on down there.

Chair William Garwood: Recognized a person in the audience: Miss Rhonda Sollock, who is also in favor of the proposal; she didn't want to speak.

Public Hearing was closed with no objections.

Commission Member Bonnie McDaniel: Noted that a concern recently has been, having access to utilities, water and sewer. The is will there be enough availability. Is this going to be low impact? I thought I saw mentioned that the owner was willing to do a well and septic. I thought city policy was we didn't do those; but typically, they are supposed to tie in.

DS Director Otis Spriggs: Noted that is correct, if it's within a certain distance; otherwise, they may have to request a variance through proper procedures; if the variance is needed, due to lack of utilities and connections in the area, it could be justified.

Commission Action:

Commission Member Michelle Townsend made a motion that we approve the ordinance and recommend approval of the rezoning to Light Industrial for council's approval and consideration.

Roll Call Vote: (7-0 Vote).

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye;
Commission Member Michelle Townsend- Aye; Commission Member Deborah Spoor- Aye;
Commission Member Regina Bieri - Aye; Commission Member Bonnie McDaniel- Aye; Chair
William Garwood- Aye. Motion carried unanimously

ADJOURNMENT

Planning and Zoning Commission Chair Bill Garwood adjourned the meeting at 1:10 P.M.

These minutes were approved by Angleton Planning and Zoning Commission on this the 5th day of January 5, 2023, upon a motion by Commission Member XX, seconded by Commission Member XX. The motion passed on X-X vote.

CITY OF ANGLETON, TEXAS

William Garwood
Chair

Otis T. Spriggs, AICP
Director of Development Services

02189050 11/29/2022 1:52 PM
TAB TERM: 105
105

300.1190 ZONING VAR/PLATTING
LIVING/VARIANCE/PLA 150.00CR

DERED: 150.00 CHECK
IED: 150.00-

IGE: 0.00

OFFICE USE ONLY	
Date received: <u>11/29/22</u>	Fee: \$ <u>150.00</u>
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

Warren SBRUSCH

Name(s) of Property Owner: SBRUSCH JOYCE & JOHN MACEK & ELAINE AKERS (ID: 161699)

Current Address: COUNTY ROAD 220 Email: _____

City: Angleton State: TEXAS Zip: 77515

Home Phone: 979-292-4706 Business Phone: 979-583-2260 Cell: _____

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

Name of Applicant: BRAZOS FUNDING, LLC.
(If different than Property Owner)

Address: 4702 BRAZOS RIVER RD CR 400 Email: RHONDA @ SOLLOCKMETALWORKS.com

City: FREEPORT State: TEXAS Zip: 77541

Home Phone: _____ Business Phone: 979 583 2260 Cell: 979 292 4146

Address/Location of Property to be Re-zoned: COUNTY ROAD 220 (SEE ATTACHED BCAD DESCRIPTION)

Legal Description: <u>A0134 E WALLER</u>	<u>6-6A1</u>	<u>5</u>	<u>E/2</u>
Metes & Bounds	Lot(s)	Block	Subdivision

ATTACH MAP/SURVEY OF PROPERTY

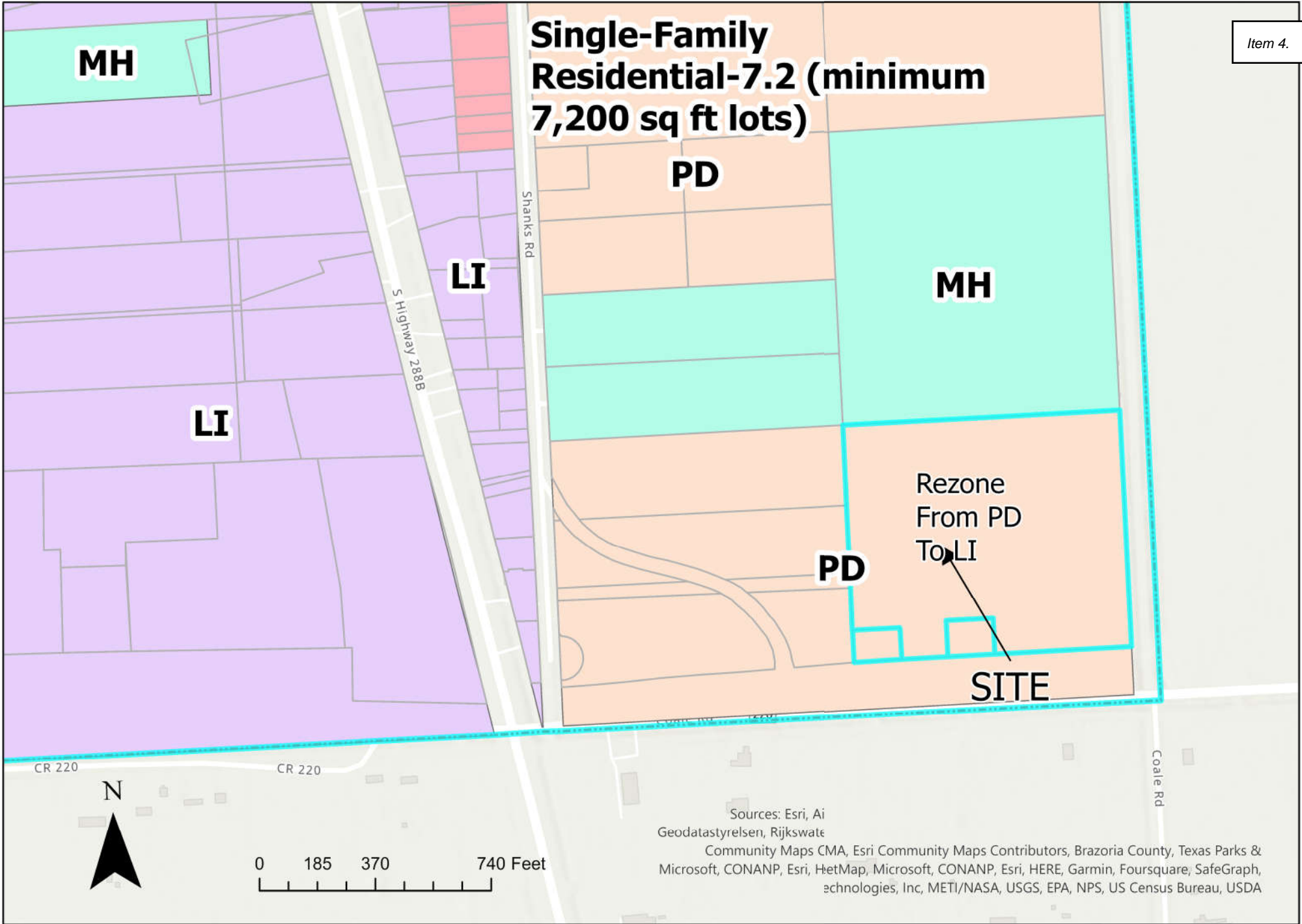
Has the property been platted? Planned Development YES NO

Current Zoning: 11-30-17 CH Current Use: UNDEVELOPED VACANT LAND

Proposed Zoning: Light Industrial Proposed Use: metal Fabrication Business

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

RECEIVED
NOV 29 2022
BY: M. Barron



Single-Family Residential-7.2 (minimum 7,200 sq ft lots)

Rezone From PD To LI

SITE

Sources: Esri, Ai Geodatastyrelsen, Rijkswaterstaat, Community Maps CMA, Esri Community Maps Contributors, Brazoria County, Texas Parks & Microsoft, CONANP, Esri, HetMap, Microsoft, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, echnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

ZONING MAP



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 10, 2023

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

AGENDA CONTENT: Discussion and possible action on a request for approval of an ordinance rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX.

AGENDA ITEM SECTION: Public Hearing and Action Item

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

FUND: N/A

EXECUTIVE SUMMARY:

Mr. Robert Campbell, the applicant is requesting approval of an ordinance rezoning 15.895 acres from the PD, Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX. Driveway tie-in with CR220 will have to coordinated with Brazoria County for approval.

Mr. Campbell owns a business and is purchasing the subject property; he wants to rezone it to Light Industrial to accommodate his metal fabrication (small parts, custom railings for home owners and contractors) business now located in Clute, Tx. He plans to build a 50'x150' shop near CR 220/SW portion of the property, a distance of 400 ft. from the back property line. He has 10 employees with a desire to double that amount.

The use does not require a large amount of water. Mr. Campbell plans to put in well and septic with the minor plumbing needs of a small kitchen with a couple of bathrooms. Operating hours will be between 7:30 to 3:30 M-F.

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. ***(Staff concurs the property is appropriate as light industrial alone a major arterial and on the edge of the city limits).***

- 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 improvements; he is willing to put in a private system).**
- 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; **(Opportunities for commercial infill development are adequate in the surrounding area; developing the property as light industrial for a small metal fabrication is feasible and would have little impact on public services and infrastructure).**
- 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 **(Area is at the most southern boundary next to the ETJ, compatible businesses are situated along the major arterials including BUS 288).**
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. **(This rezoning will provide for good commercial infill reinvestment, and pose no negative impact on the surrounding area).**
- 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 if developed as proposed).**

Surrounding Conditions:

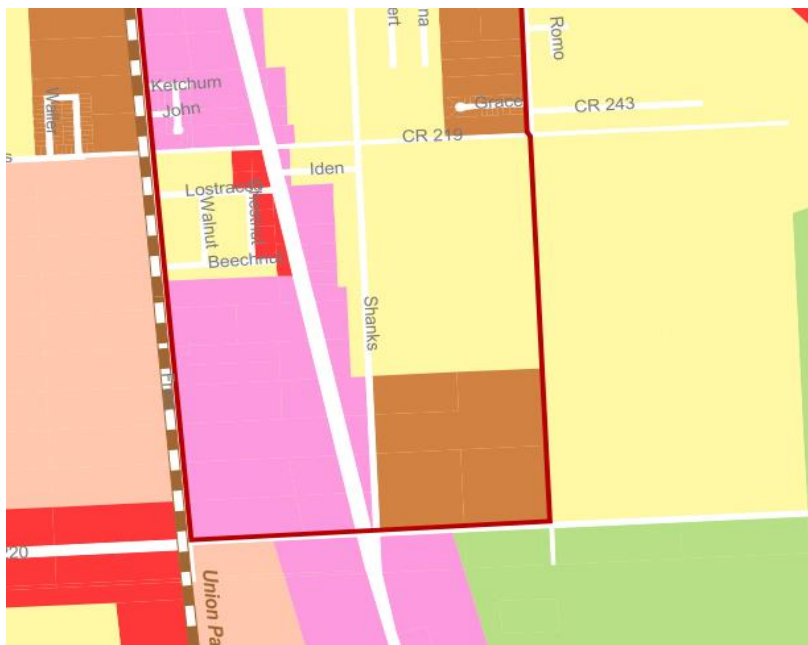
Existing Land Use and Zoning

North: Manufactured Homes (MH) District.

East: PD, Planned District, Holding Zone

West: Light Industrial District and PD, Planned District, Holding Zone

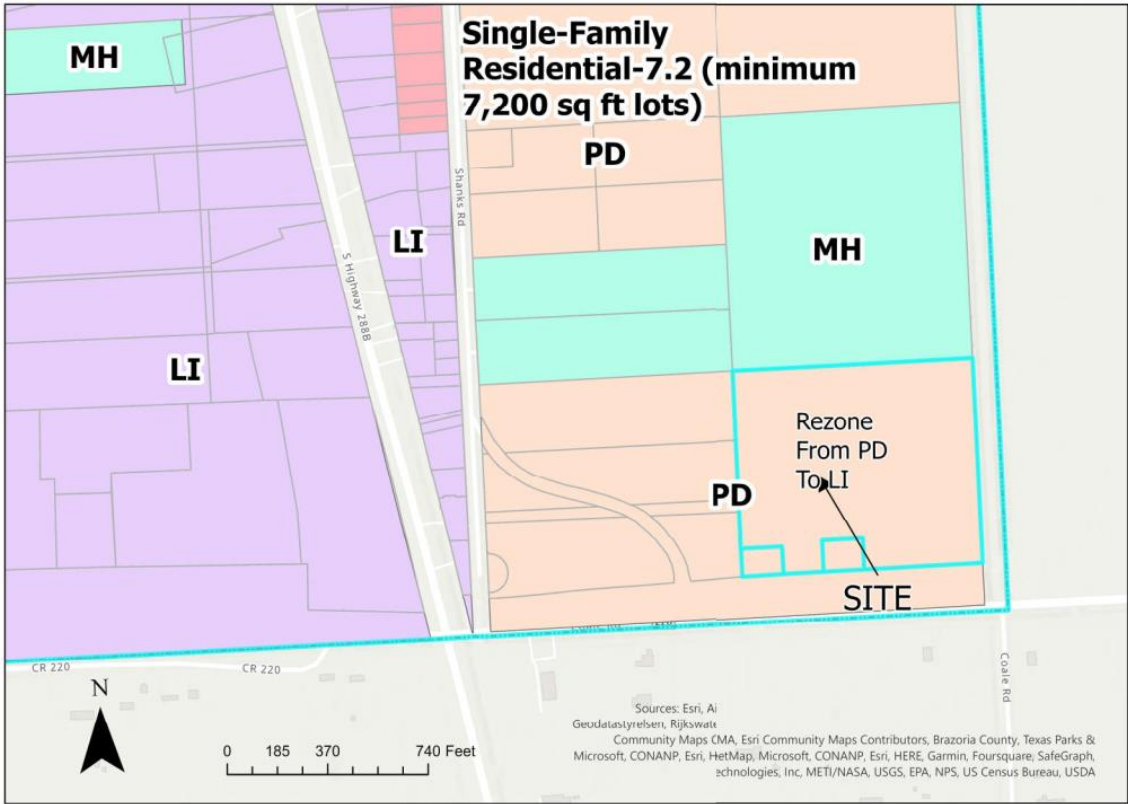
South: City Limits Line, CR 220, ETJ Rural Residential area



Future Land Use Map

The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property as **Manufactured Housing Category**. The general vicinity of Shanks Road has primarily single-family housing, with a number of Manufactured Housing units situated adjacent to the project site. Staff supports that a change to the future Land Use Map is advisable due to the impact on utility and infrastructure, if the site were utilized as

Manufactured Housing. Note that most of the commercial uses abut the major arterials.



ZONING MAP



SITE PHOTOS-2



VIEW LOOKING NORTH AT SITE FROM CR220



VIEW LOOKING NORTH AT SITE FROM



VIEW LOOKING NORTH AT SITE FROM CR220



VIEW LOOKING WEST ON CR220, SITE ON RIGHT

P&Z COMMISSION AND STAFF RECOMMENDATION:

The Planning and Zoning Commission voted unanimously (7-0), to adopted this as its final report and recommends approval of the rezoning of 15.895 acres from the Planned District to the Light Industrial District (LI) to City Council.

SUGGESTED MOTION:

I move that we approve the ordinance adopting this as the final report and recommendation of approval of rezoning 15.895 acres from the Planned District to the Light Industrial District (LI), as forwarded by Staff and the Planning Commission.

ORDINANCE NO. 20230110-005

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE OF 15.895 ACRES FROM THE PLANNED DISTRICT (PD) TO THE LIGHT INDUSTRIAL (LI), FOR PROPERTY LOCATED ON THE NORTH SIDE OF CR220, 237 FT. EAST OF THE INTERSECTION OF SHANKS RD., ANGLETON, TX.; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 10, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning 15.895 acres from the Planned District to the Light Industrial District (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX would be consistent with the adjacent property in the area, and the spirit and intent of recommendations of the Comprehensive Plan, and with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 10, 2023, adopted by reference the findings of fact made by the Planning and Zoning Commission.

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

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The Property is more fully described in Exhibit "B," and depicted on the Rezoning Plat, Exhibit "A", attached hereto and made a part hereof for all purposes be rezoned from the Planned District to the Light Industrial District (LI).

SECTION 3. That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 4. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 5. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 6. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 7. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY 10, 2023.

CITY OF ANGLETON, TEXAS

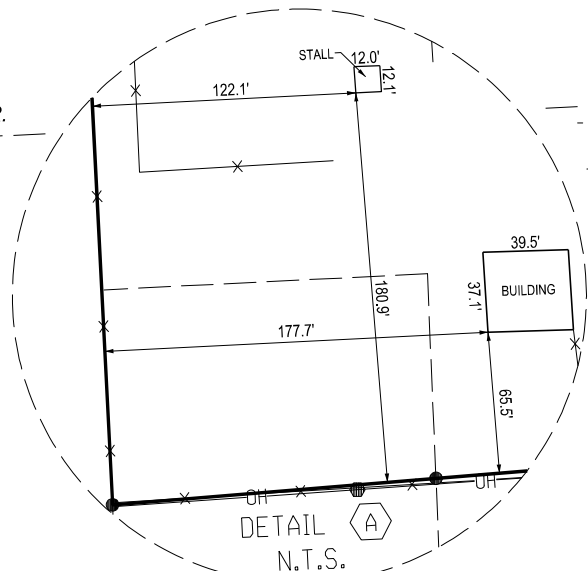
Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

EXHIBIT A

ANGLETON MOBILE HOME COMMUNITY
CALLED 30.00 ACRES
98-051929 B.C.O.R.



KENNETH CHARLES BARCHAK
NINA JOY VRAZEL
CALLED 20.000 ACRES
99-021459 B.C.O.R.

JOHN MACEK, ELAINE AKERS
AND JOYCE JEAN SBRUSCH
CALLED 0.336 ACRE
VOL (89) 671, PAGE 820 B.C.O.R.

BRAZORIA COUNTY
CALLED 3.671 AC.
11-036460 B.C.O.R.

BRAZORIA COUNTY
CALLED 0.664 AC.
11-026612 B.C.O.R.

BRAZORIA COUNTY
CALLED 0.68 AC.
11-026606 B.C.O.R.

BRAZORIA COUNTY
CALLED 0.6841 AC.
11-035004 B.C.O.R.

JOYCE JEAN SBRUSCH
JOHN MACEK
ELAINE AKERS
VOLUME 867, PAGE 267 B.C.D.R.

WARREN LANE SBRUSCH
CALLED 0.316 ACRE
92-036445 B.C.O.R.

BRAZORIA COUNTY
CALLED 2.236 ACRES
11-026606 B.C.O.R.

FRANK J. GRADY, TRUSTEE
CALLED 211.491 ACRES
VOLUME 1260, PAGE 243 B.C.D.R.

SHANKS ROAD
STATE HWY 288B

40' WIDE PLATTED ROADWAY
N 2°58'56" W 993.16'

N 2°54'01" W 748.27'

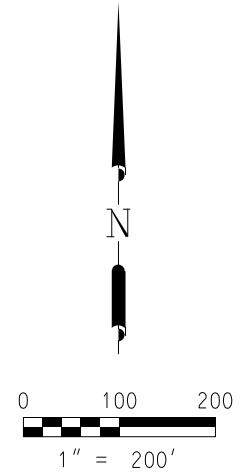
N 87°07'59" E 934.31'

S 2°58'56" E 737.36'

S 85°18'43" W 214.63'

S 86°48'33" W 720.87'

COUNTY ROAD 220



SURVEY PLAT
OF A
15.895 ACRE TRACT
COMPOSED OF
A PORTION OF TRACT 6, DIVISION 5
OF THE EAST 1/2 OF THE
EDWIN WALLER LEAGUE,
A PORTION OF A 1.0 ACRE TRACT
RECORDED IN
VOLUME (89) 671, PAGE 820
OF THE
BRAZORIA COUNTY OFFICIAL RECORDS
AND A PORTION OF A 1.00 ACRE TRACT
RECORDED IN
COUNTY CLERK'S FILE 92-036445
OF THE
BRAZORIA COUNTY OFFICIAL RECORDS
AND SITUATED IN THE
**EDWIN WALLER LEAGUE
ABSTRACT 134**
BRAZORIA COUNTY, TEXAS
FOR
BRAZOS FUNDING, LLC

I, CHARLES D. WACHTSTETTER, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE ABOVE PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION, ON THE GROUND, AND THAT THERE ARE NO EXCESSES NOR INTRUSIONS ON THIS PROPERTY, EXCEPT AS SHOWN.
DATE SURVEYED: NOVEMBER 17, 2022

NOTES:

- ALL COORDINATES AND BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83).
- ALL DISTANCES ARE HORIZONTAL SURFACE LEVEL LENGTHS. (SF = 0.999869765)
- THIS SURVEY RELIES ON A TITLE COMMITMENT FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, GF NO.: 1875046, WITH AN EFFECTIVE DATE OF OCTOBER 27, 2022, AND AN ISSUE DATE OF NOVEMBER 7, 2022, FOR ALL ITEMS OF RECORD.
- THIS PLAT IS ACCOMPANIED BY A METES AND BOUNDS DESCRIPTION, DATED NOVEMBER 17, 2022, ON FILE IN THE OFFICES OF DOYLE & WACHTSTETTER, INC.

LEGEND

- FOUND IRON PIPE/ROD
- SET 5/8" IRON ROD W/ CDW CAP
- POWER POLE
- OH— OVERHEAD WIRE
- P/L PIPELINE MARKER
- X— BARBED WIRE FENCE
- LOT LINE



Charles D. Wachtstetter
CHARLES D. WACHTSTETTER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4547

Doyle & Wachtstetter, Inc.
Surveying and Mapping GPS/GIS
131 COMMERCE STREET, CLUTE, TEXAS 77531
OFFICE: 979.265.3622 FAX: 979.265.9940 FIRM NO.: 72

SURVEYED: 11-17-22 BOOK: ANGLETON VOL. 35 PROJ NO: 150
DRAWN BY: JMJ/11-28-22 CHECKED: CDW/11-29-22 REVISED: NONE

USER: test TIME: 4:00:05 PM C:\Users\Boundary\Angleton\CR220\CR_220_15_48ac_Sbrusch\Survey Plat 15.6129 Acres.dgn

EXHIBIT B

Item 5.



Doyle & Wachtstetter, Inc

Surveying and Mapping • GPS/GIS

15.895 ACRES

EDWIN WALLER LEAGUE, ABSTRACT 134

BRAZORIA COUNTY, TEXAS

PAGE 1 OF 2

ALL THAT CERTAIN 15.895 ACRES of land composed of a portion of Tract 6 of Division 5 of the subdivision of the east half of the Edwin Waller League recorded in Volume 26, Page 210 of the Brazoria County Deed Records, a portion of a called 1.0 acre tract recorded in Volume (89) 671, Page 820 of the Brazoria County Official Records and a portion of a called 1.00 acre tract recorded in County Clerk's File 92-036445 of the Brazoria County Official Records, all situated in the Edwin Waller League, Abstract 134, Brazoria County, Texas, and more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone, NAD 83 in which the directions are Lambert grid bearings and the distances are horizontal surface level lengths as follows:

BEGINNING at a found 5/8" iron rod marking the intersection of the north right-of-way line of County Road 220 (Coale Road) with the west line of said Tract 6, same being the northeast corner of a called 3.671 acre tract conveyed to Brazoria County in County Clerk's File 11-036460 of the Brazoria County Official Records, same being the northwest corner of a called 0.664 acre tract conveyed to Brazoria County in County Clerk's File 11-026612 of the Brazoria County Official Records, same being in the west line of a called 1.0 acre tract conveyed to Albina Frances McKibben in Volume (89) 671, Page 820 of the Brazoria County Deed Records;

THENCE North 2°54'01" West, coincident with the east line of a called 20.00 acre tract conveyed to Kenneth Charles Barchak and Nina Joy Vrazel described in County Clerk's File 99-021459 of the Brazoria County Official Records, same being the west line of said Tract 6, a distance of 748.27 feet to a found 1/2" iron rod marking the northeast corner of the said Barchak and Vrazel tract, same being set in the south line of a called 30.00 acre tract conveyed to Angleton Mobile Home Community in County Clerk's File 98-051929 of the Brazoria County Official Records;


THENCE North 87°07'59" East, coincident with the south line of the said Angleton Mobile Home Community 30.00 acre tract, a distance of 934.31 feet to a set 5/8" iron rod being set in the west right-of-way line of a 40' wide platted roadway (undeveloped), same being in the west line of a called 211.491 acre tract conveyed to Frank J. Grady, Trustee, recorded in Volume 1260, Page 243 of the Brazoria County Deed Records;

THENCE South 2°58'56" East, coincident with west right-of-way line of said platted roadway, same being the west line of the Grady 211.491 acre tract, a distance of 737.36 feet to a found 5/8" iron rod for corner in the north right-of-way line of County Road 220, same being the northeast corner of a called 2.236 acre tract conveyed to Brazoria County in County Clerk's File 11-026606 of the Brazoria County Official Records;

**15.895 ACRES
EDWIN WALLER LEAGUE, ABSTRACT 134
BRAZORIA COUNTY, TEXAS
PAGE 2 OF 2**

THENCE South 86°48'33" West, coincident with the north right-of-way line of County Road 220, same being the north line of said 2.236 acre tract, at a distance of 485.19 feet pass a found 1/2" iron rod, marking the east line of a called 1.00 acre tract conveyed to Warren Lane Sbrusch in County Clerk's File 92-036445 of the Brazoria County Official Records and continue to a total distance of 720.87 feet to a found 1/2" iron rod for angle point;

THENCE South 85°18'43" West, continuing coincident with the north right-of-way line of County Road 220, at a distance of 64.36 feet pass a found 5/8" iron rod marking the northwest corner of the aforementioned McKibben 1.0 acre tract and continue to a total distance of 214.63 feet to the **POINT OF BEGINNING**, containing 15.895 acres of land, more or less.


Charles D. Wachtstetter
Registered Professional Land Surveyor
Texas Registration Number 4547
November 17, 2022



This description is based on a survey, a plat of which, dated November 17, 2022 is on file in the office of Doyle & Wachtstetter, Inc.

- 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; (***Opportunities for infill development are adequate in the surrounding area; the nonconforming status limits any needed code or upgrade improvements to only 10% expansion of the existing 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 (***Positive and consistent downtown growth and promotion is occurring***).
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (***This rezoning will be a catalyst for other downtown reinvestment and for other users to contribute to the promotion of downtown economic development advances***).
- 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 Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property requested to be zoned for downtown activity. The downtown category is described in the plan as:

The downtown land use category represents a substantial blend of uses found only in the central core of a community including residential, office/retail and public/institutional. The category is recognition that a myriad of uses are both appropriate and necessary for success of the Downtown District. The appropriate mix of uses may include government facilities and offices, retail, office and low to medium density residential activity. Places of worship, meeting halls and other public/semi-public facilities are equally appropriate to this particular category. The dynamic mix of uses will continue to provide downtown Angleton a character that is unique in comparison to other areas of the community.

The subject site is also part of the footprint highlighted as part of the Angleton Livable City Center Study which was adopted as part of the Comprehensive Plan by City Council. Action item 13 of the Economic Recommendations facilitates downtown commercial and redevelopment opportunities in this area of downtown Angleton. The employee parking lends for additional overflow parking for the downtown area if approved by the ownership.

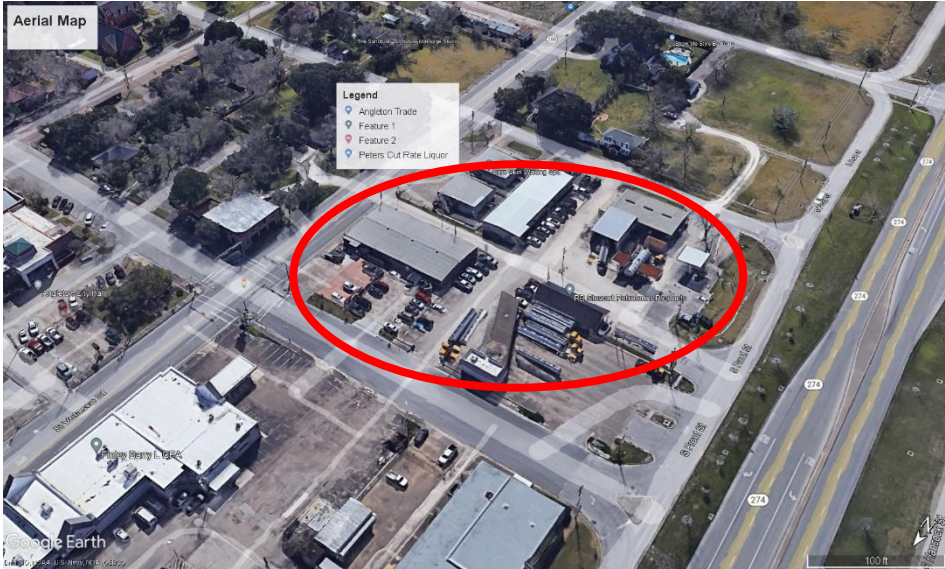
Existing Land Use and Zoning

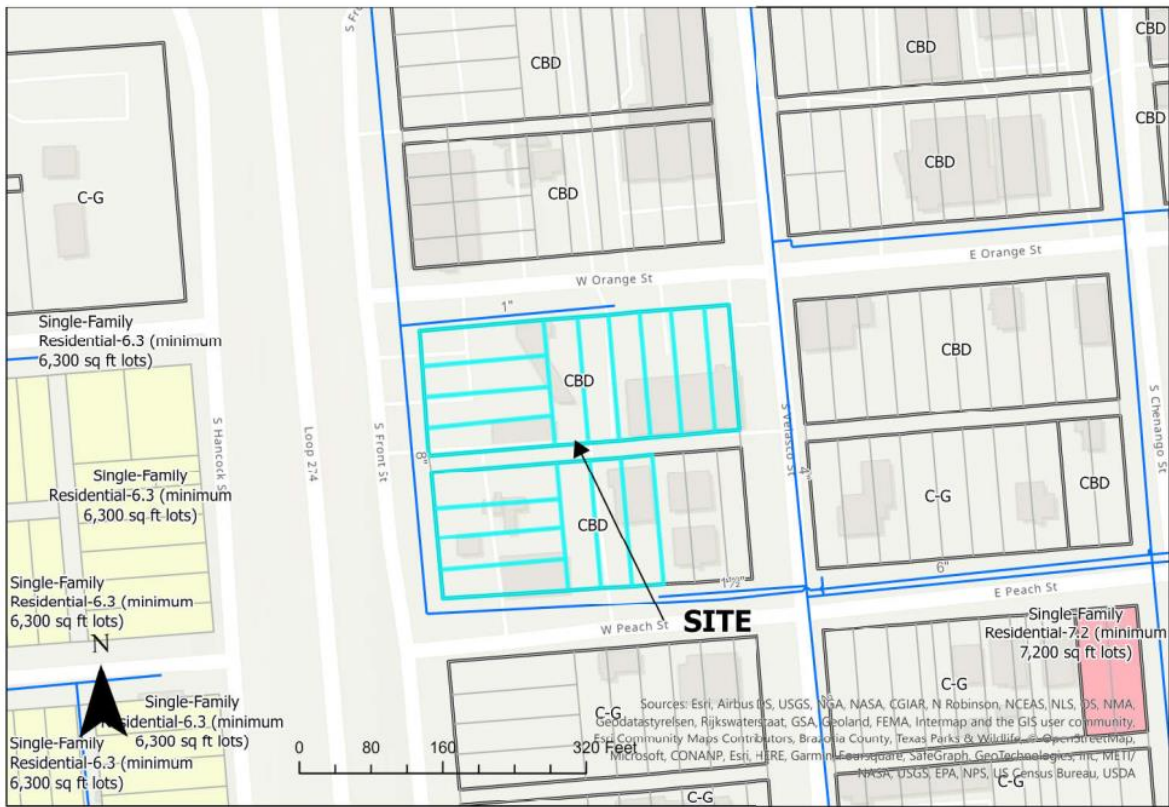
North: Southwestern Bell Building, Old Prosperity Bank/zoned CBD, Central Business District

West: Business 288/.SF 6.3 Residential across the major arterial.

South: Attorney offices; Converted and vacant Single Fam./Commercial-General (C-G)

East: Bareskin Spa, zoned Commercial-General, Office/(C-G)/CBD Central Business District.





Property location Map

Staff Analysis:

In reviewing the application and after meeting with the applicants during the D.A.W.G. predevelopment meeting, Staff concluded that the initial request to rezoned the property to Light Industrial would have not be in good compatibility with the CBD, Central Business District vicinity. Having the PD, planned district overlay zoning designation would afford the Planning and Zoning Commission and City Council, an opportunity to limit future uses on the property to which the initial intent of corporate headquarters for fleet services has been for a number of years. Any further uses to more intensive commercial activity would require an amendment to an ordinance establishing the PD District.

RB Stewart Petroleum hopes to remain in the area and would like to bring some of their buildings up to current standards in terms of fleet servicing, professional offices, storage and related uses. This change would facilitate their needs in compliance with the LDC and Zoning Ordinance.

The planned development district if approved shall be continuously used in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations and restrictions as follows:

A. Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this CBD District regulations. The following uses may only be located within the approved PD District No. 4 boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

1. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SITE PHOTOS



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING NORTH ON S. VELASCO



VIEW LOOKING WEST TOWARD SITE



VIEW LOOKING S. VELASCO SITE ON LEFT



VIEW LOOKING WEST @ SITE

RECOMMENDATION:

City Council should conduct the public hearing and receive public comment.



Draft

CITY OF ANGLETON
 PLANNING AND ZONING
 COMMISSION
 120 S. CHENANGO STREET,
 ANGLETON, TEXAS 77515
 THURSDAY, JANUARY 5, 2023 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, JANUARY 5, 2023 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 Henry Munson
 Commission Member Ellen Eby
 Commission Member Deborah Spoor
 Commission Member Michelle Townsend
 Commission Member Regina Bieri
 Commission Member Bonnie McDaniel

1. Approval of Meeting Minutes for December 1, 2022

Motion was made by Commission Member Henry Munson to approve the minutes; Motion was seconded by Commission Member Regina Bieri.

Commission Action: Approved. Motion carried unanimously, 7-0 vote.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and take possible action on a request by R.B. Stewart Petroleum on an ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North and S. Front Street to the West, R.B. Stewart Petroleum.

Mr. Spriggs presented the request noting the location as in our central downtown district. The R.B. Stewart Petroleum business is a non-conforming use been here for a long time and has been a great company in terms of services to the area. They approached the city prior to my arrival, trying to deal with the nonconforming use regulations. They proposed to bring some of the structures up-to-code and provide for a space that will provide coverage so that they can maintain their fleet services. The company is majorly, a fleet maintenance or management type company that has a fleet of petroleum vehicles and this is their headquarters. Offices are on the site as mentioned in the staff report. The difficulty of the non-conforming use code is you can only do about 10% increase to the site or increase to the area in which you operate. That led to some difficulty for us in reviewing and approving a minor addition to one of the structures to provide that coverage.

Mr. Spriggs added that during the D.A.W.G., working group meeting the original requests was for industrial. In which we raised the red flag and noted it probably isn't a good idea due to the I-District regulations. We recommended the Planned District would be the better approach to make it specific or particular use. R. B. Petroleum doesn't do any major industrial type activities on the site that would be detrimental to the area. In the keeping with the downtown recommendations of the Comprehensive Plan this would be a better fit. Staff further analyzed the criteria for approval and felt that based on the above the petition it met the criteria.

Public Input:

Randy Stroud: My office is right across the highway from this property. I've been there for 28 years, and they've been there forever. They've been nothing but great neighbors. There's nothing they've ever done that was not top class, so I'm strongly in favor of this recommendation.

Commission Action:

Commission Member Henry Munson made a motion that we accept staff recommendations and approve the ordinance adopting this as the final report and recommend forwarding the rezoning with 1.925 acres from the Central Business District (CBD) to Plan Development Overlay District #4 to the City Council for final approval.

Commission Member Regina Bieri seconded the motion.

Roll Call Vote: (7-0 Vote).

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye; Commission Member Michelle Townsend- Aye; Commission Member Deborah Spoor- Aye; Commission Member Regina Bieri - Aye; Commission Member Bonnie McDaniel- Aye; Chair William Garwood- Aye. Motion carried unanimously.

ADJOURNMENT

Planning and Zoning Commission Chair Bill Garwood adjourned the meeting at 1:10 P.M.

These minutes were approved by Angleton Planning and Zoning Commission on this the 5th day of January 2023, upon a motion by Commission Member XX, seconded by Commission Member XX. The motion passed on X-X vote.

CITY OF ANGLETON, TEXAS

William Garwood
Chair

Otis T. Spriggs, AICP
Director of Development Services

DEDICATION:
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, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

DULY AUTHORIZED AGENT:
PETE PETROSKY - PRESIDENT OF R.B. STEWART PETROLEUM PRODUCTS, INC

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED PETE PETROSKY, PRESIDENT OF R.B. STEWART PETROLEUM PRODUCTS, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE 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 _____, 20____.

NOTARY PUBLIC
STATE OF TEXAS

MY COMMISSION EXPIRES _____

FIELD NOTES OF A 0.79 ACRE TRACT COMPOSED OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2" iron pipe found at the intersection of the North right-of-way line of Peach Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said pipe marking the Southwest corner of Lot 8, Block 2 of Angleton Townsite;

THENCE; N 87° 48' 00" E 244.54 feet, along the North right-of-way line of Peach Street (70' Wide), to a 1/2" iron rod found for corner at the Southwest corner of Lot 18, Block 2, Angleton Townsite;

THENCE; N 2° 12' 00" W 140.00 feet, along the West line of said Lot 18, Block 2, to a 1/2" iron rod found for corner at the Northwest corner of said Lot 18, Block 2 in the South line of a 20 foot alley;

THENCE; S 87° 48' 00" W 244.54 feet, along the South line of said 20 foot alley, to a 1-1/2" iron pipe found for corner in the East right-of-way line of Front Street (40' Wide) at the Northwest corner of Lot 5, Block 2, Angleton Townsite;

THENCE; S 2° 12' 00" E (REFERENCE BEARING) 140.00 feet, along the East right-of-way line of Front Street (40' Wide), to the place of beginning.

Said tract therein containing 0.79 acres of land.

FIELD NOTES OF A 1.12 ACRE TRACT COMPOSED OF LOTS 1-4 AND 9-14, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the intersection of the South right-of-way line of Orange Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said iron rod marking the Northwest corner of Lot 1, Block 2 of Angleton Townsite;

THENCE; S 2° 12' 00" E 140.00 feet (Reference Bearing), along the East right-of-way line of Front Street (40' Wide), to a "X" in concrete for corner at the Southwest corner of Lot 4, Block 2, Angleton Townsite;

THENCE; N 87° 48' 00" E 349.29 feet, along the South line of said Lot 4, and Lots 9-14, Block 2, also being the North right-of-way line of 20' alley, to a 1/2" iron rod found for corner at the Southeast corner of said Lot 14, Block 2 in the West line of South Velasco Street (70' Wide);

THENCE; N 2° 16' 30" W 140.13 feet, along the West right-of-way line of South Velasco Street (70' Wide), to a "X" in concrete found for corner in the South right-of-way line of Orange Street (70' Wide) at the Northeast corner of Lot 14, Block 2, Angleton Townsite;

THENCE; S 87° 46' 44" W 349.11 feet, along the South right-of-way line of Orange Street (70' Wide), to the place of beginning.

Said tract therein containing 1.12 acres of land.

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 SECRETARY, CITY OF ANGLETON, ON BEHALF OF THE CITY.

NOTARY PUBLIC
STATE OF TEXAS

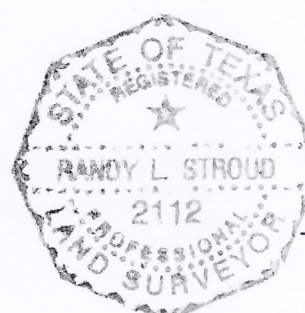
SURVEYOR'S CERTIFICATION

STATE OF TEXAS - COUNTY OF BRAZORIA
KNOW ALL MEN BY THESE PRESENTS:

THAT I, RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, 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 FOUND UNDER MY SUPERVISION.

Randy L. Stroud
RANDY L. STROUD, RPLS 2112

12-21-22
DATE

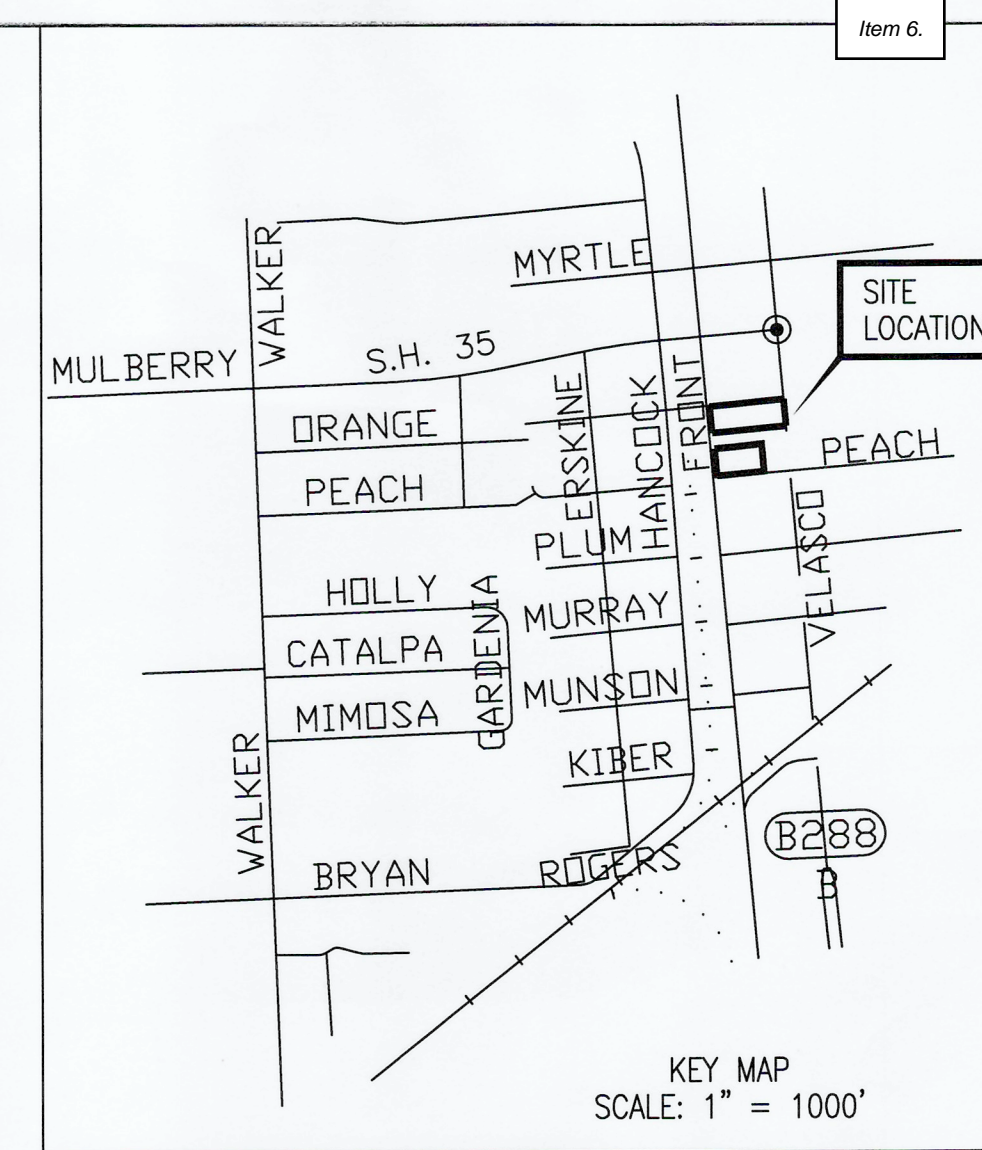
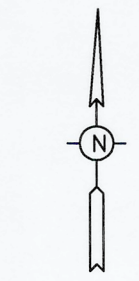
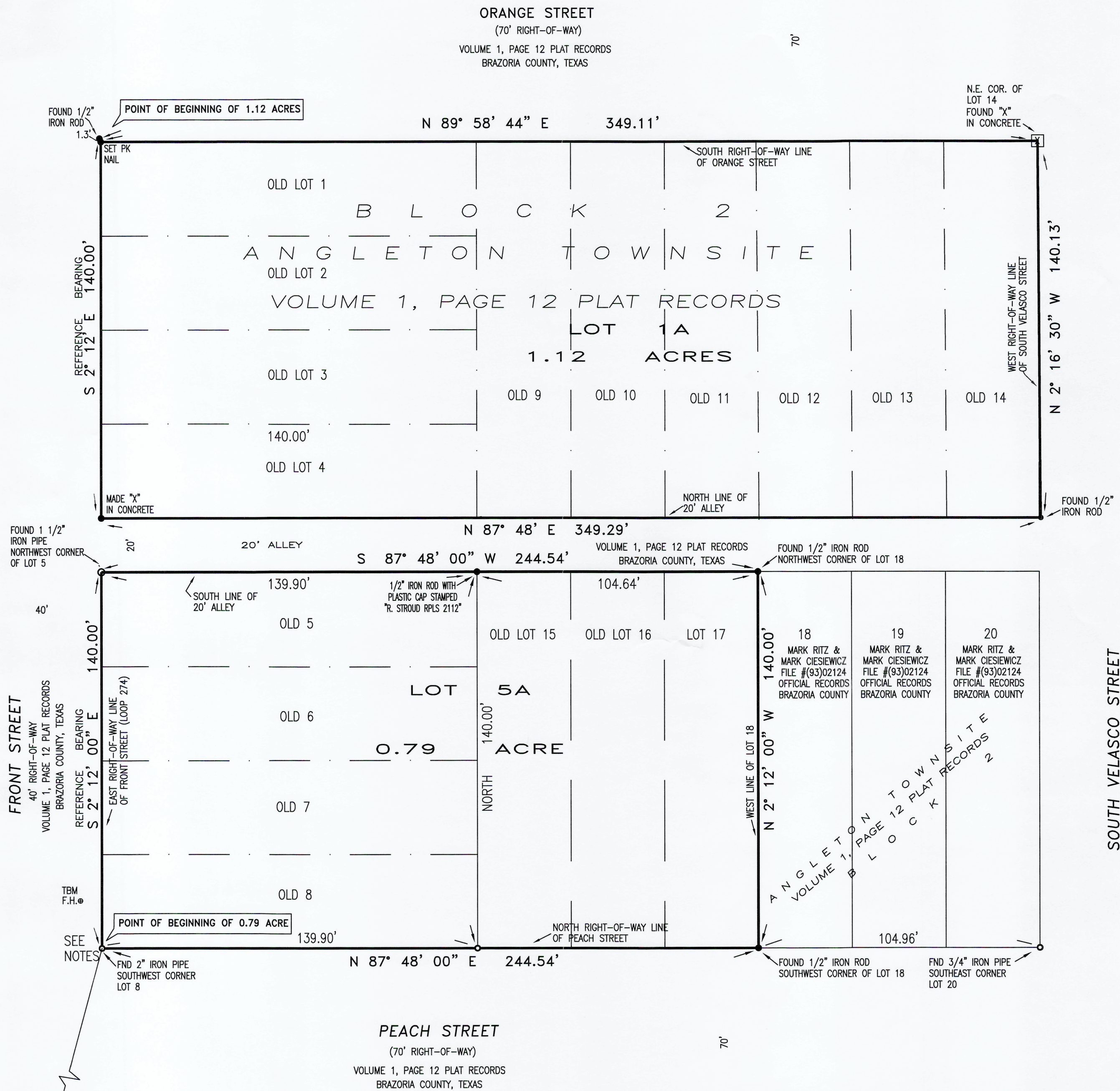


FROM THE OFFICE OF:
RANDY L. STROUD, P.E.
FIRM NO. 10020500
201 SOUTH VELASCO
ANGLETON, TEXAS 77515
979-849-3141

OWNER: R.B. STEWART PETROLEUM PRODUCTS, INC.
PETE PETROSKY - PRESIDENT
215 S FRONT STREET
ANGLETON, TEXAS 77515
979-849-7471

SURVEYOR:
RANDY L. STROUD, P.E.
201 SOUTH VELASCO
ANGLETON, TEXAS 77515
979-849-3141

EXHIBIT B



- NOTES:
1. THE ADDRESS FOR THE 0.79 ACRE TRACT IS 215 S FRONT STREET - ANGLETON, TEXAS 77515 AND THE ADDRESS FOR THE 1.12 ACRE TRACT IS 200 SOUTH VELASCO - ANGLETON, TEXAS 77515.
 2. THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE LOTS 5-8, AND 15-17, BLOCK 2, ANGLETON TOWNSITE, CITY OF ANGLETON, INTO ONE LOT BEING A 0.79 ACRE TRACT AND TO CONSOLIDATE LOTS 1-4, AND 9-14, BLOCK 2, ANGLETON TOWNSITE, CITY OF ANGLETON, INTO ONE LOT BEING A 1.12 ACRE TRACT.
 3. 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 PLATING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 4. 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.
 5. 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.
 6. 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.
 7. 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.
 8. THIS PROPERTY APPEARS TO BE LOCATED IN ZONE "X" COMMUNITY # 480064 AND IS NOT IN THE 100 YEAR FLOOD PLAIN, ACCORDING PANEL # 0440 TO THE FLOOD HAZARD MAP FOR THE CITY OF ANGLETON SUFFIX: K IN BRAZORIA COUNTY, TEXAS. DATE: 12-30-20 ZONE: "X"
 9. THE PROPERTY IS LOCATED WITHIN THE "ORIGINAL TOWN DETENTION FREE AREA" ESTABLISHED BY CITY OF ANGLETON ORDINANCE NO. 2013-0-7B AND ANGLETON DRAINAGE DISTRICT RESOLUTION #2013-08-0001.

ANGLETON DRAINAGE DISTRICT
ACCEPTED THIS _____ 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 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 OF 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 PART SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

DAVID SPOOR-CHAIRMAN RONNIE SLATE - MEMBER

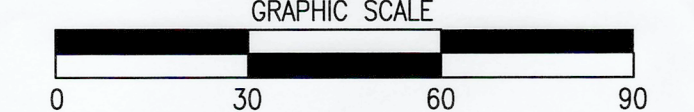
TERRY NOVAK - MEMBER

R.B. STEWART PETROLEUM PRODUCTS AMENDED PLAT

2 LOTS - 1 BLOCK 0.79 ACRE & 1.12 ACRES

AN AMENDED PLAT OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 BEING 0.79 ACRE AND LOTS 1-4 AND 9-14 BEING 1.12 ACRES, ALL OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE RECORDED MAP OF PLAT THEREOF IN VOLUME 1, PAGE 12 BRAZORIA COUNTY, TEXAS.

SCALE 1" = 30' GRAPHIC SCALE 12-19-22





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: R. B. STEWART PETROLEUM PRODUCTS, INC.
 Current Address: 215 S FRONT STREET Email: petc@rbsfuel.com
 City: ANGLETON State: TX Zip: 77515
 Home Phone: _____ Business Phone: _____ Cell: (979) 848-6686

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

Name of Applicant: _____
(If different than Property Owner)

Address: _____ Email: _____
 City: _____ State: _____ Zip: _____
 Home Phone: _____ Business Phone: _____ Cell: _____

Address/Location of Property to be Re-zoned: 215 S FRONT STREET
ANGLETON, TX 77515

Legal Description: _____
Metes & Bounds Lot(s) Block Subdivision

ATTACH MAP/SURVEY OF PROPERTY

Has the property been platted? YES NO
 Current Zoning: CB Current Use: TERMINAL / LIGHT MAINT
 Proposed Zoning: LI Proposed Use: SAME

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



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 5, 2023

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

AGENDA CONTENT: Discussion and possible action on a request by R.B. Stewart Petroleum for approval of an ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North and S. Front Street to the West.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request by Pete Petrosky, Jr. on behalf of RB Stewart Petroleum Products to rezone approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4.

The applicant's primary purpose of this request to rezone the subject property is to promote conformity to the spirit and intent of the Comprehensive and Land Use Plan as well as cause a nonconforming use within the CBD to be brought into land use conformance with the Zoning Ordinance.

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. *(Staff concurs appropriateness is achieved, the corporate enterprise has maintained contributing headquarter business to the area for many years under a legal non-conforming use for their fleet services).*
- 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 or any negative impacts to capacity of public improvements).*

- 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; (***Opportunities for infill development are adequate in the surrounding area; the nonconforming status limits any needed code or upgrade improvements to only 10% expansion of the existing 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 (***Positive and consistent downtown growth and promotion is occurring***).
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (***This rezoning will be a catalyst for other downtown reinvestment and for other users to contribute to the promotion of downtown economic development advances***).
- 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 Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property requested to be zoned for downtown activity. The downtown category is described in the plan as:

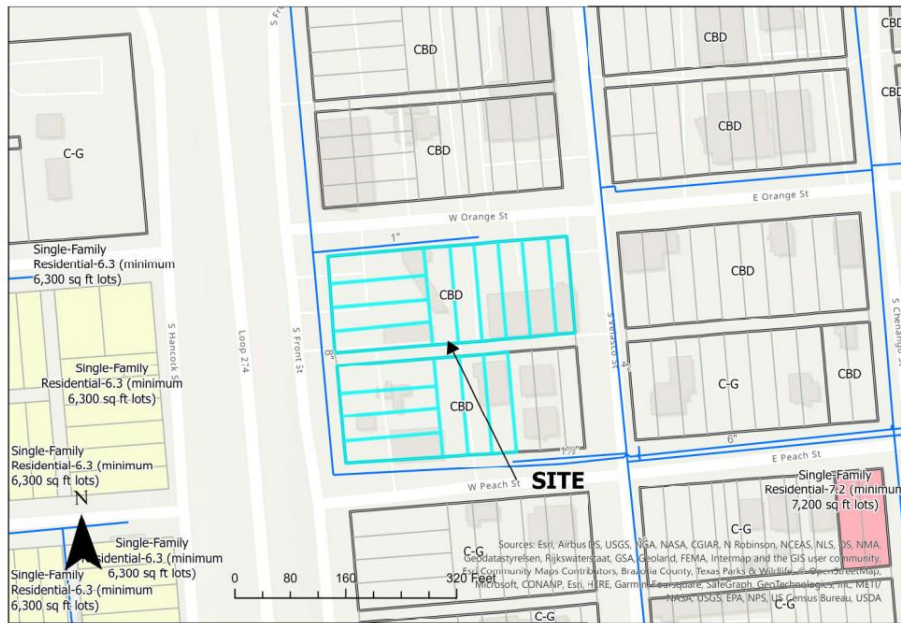
The downtown land use category represents a substantial blend of uses found only in the central core of a community including residential, office/retail and public/institutional. The category is recognition that a myriad of uses are both appropriate and necessary for success of the Downtown District. The appropriate mix of uses may include government facilities and offices, retail, office and low to medium density residential activity. Places of worship, meeting halls and other public/semi-public facilities are equally appropriate to this particular category. The dynamic mix of uses will continue to provide downtown Angleton a character that is unique in comparison to other areas of the community.

The subject site is also part of the footprint highlighted as part of the Angleton Livable City Center Study which was adopted as part of the Comprehensive Plan by City Council. Action item 13 of the Economic Recommendations facilitates downtown commercial and redevelopment opportunities in this area of downtown Angleton. The employee parking lends for additional overflow parking for the downtown area if approved by the ownership.

Existing Land Use and Zoning

- North:** Southwestern Bell Building, Old Prosperity Bank/zoned CBD, Central Bus. District
- West:** Business 288/SF 6.3 Residential across the major arterial.
- South:** Attorney offices; Converted and vacant Single Fam./Commercial-General (C-G)
- East:** Bareskin Spa, zoned Commercial-General, Office/(C-G)/CBD Central Bus. District.





Property location Map

Staff Analysis:

In reviewing the application and after meeting with the applicants during the D.A.W.G. predevelopment meeting, Staff concluded that the initial request to rezone the property to Light Industrial would have not be in good compatibility with the CBD, Central Business District vicinity. Having the PD, planned district overlay zoning designation would afford the Planning and Zoning Commission and City Council, an opportunity to limit future uses on the property to which the initial intent of corporate headquarters for fleet services has been for a number of years. Any further uses to more intensive commercial activity would require an amendment to an ordinance establishing the PD District.

RB Stewart Petroleum hopes to remain in the area and would like to bring some of their buildings up to current standards in terms of fleet servicing, professional offices, storage and related uses. This change would facilitate their needs in compliance with the LDC and Zoning Ordinance.

The planned development district if approved shall be continuously used in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations and restrictions as follows:

- A. Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this CBD District regulations. The following uses may only be located within the approved PD District No. 4 boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

1. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SITE PHOTOS



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING NORTH ON S. VELASCO



VIEW LOOKING WEST TOWARD SITE



P&Z RECOMMENDATION:

The Planning and Zoning Commission voted (7-0) and adopt this as its final report and recommends approval of the ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4. to City Council.

SUGGESTED MOTION:

I move that we accept staff's and the P&Z Commission's recommendation and approve the ordinance adopting this as the final report rezoning of 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4.

ORDINANCE NO. 20230110-007

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 1.925 ACRES FROM THE CENTRAL BUSINESS DISTRICT (CBD) TO THE PLANNED DEVELOPMENT DISTRICT (PD) NO. 4; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 10, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning of the property from the Central Business District (CBD) zoning district to the Planned Development District (PD) #4 would be consistent with the zoning adjacent property, the recommendations of the Comprehensive Plan, and with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 10, 2023, adopted by reference the findings of fact made by the Planning and Zoning Commission.

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

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The Property is more fully described in Exhibit "A," and depicted on the Rezoning Plat, Exhibit "B", attached hereto and made a part hereof for all purposes be rezoned from the Central Business District (CBD) to the Planned Development District No.

Four (4).

SECTION 3. The Planned Development District No. Four (4) shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance regarding an uses and structures in that no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this Ordinance. The uses may only be located within the approved Planned Development District No. Four (4) boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

A. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SECTION 4. That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 5. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 6. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 7. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 8. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY 10, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

Exhibit A
Legal Description

FIELD NOTES OF A 0.79 ACRE TRACT COMPOSED OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2" iron pipe found at the intersection of the North right-of-way line of Peach Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said pipe marking the Southwest corner of Lot 8, Block 2 of Angleton Townsite;

THENCE; N 87° 48' 00" E 244.54 feet, along the North right-of-way line of Peach Street (70' Wide), to a ½" iron rod found for corner at the Southwest corner of Lot 18, Block 2, Angleton Townsite;

THENCE; N 2° 12' 00" W 140.00 feet, along the West line of said Lot 18, Block 2, to a ½" iron rod found for corner at the Northwest corner of said Lot 18, Block 2 in the South line of a 20 foot alley;

THENCE; S 87° 48' 00" W 244.54 feet, along the South line of said 20 foot alley, to a 1-1/2" iron pipe found for corner in the East right-of-way line of Front Street (40' Wide) at the Northwest corner of Lot 5, Block 2, Angleton Townsite;

THENCE; S 2° 12' 00" E (REFERENCE BEARING) 140.00 feet, along the East right-of-way line of Front Street (40' Wide), to the place of beginning.

Said tract therein containing 0.79 acres of land.

FIELD NOTES OF A 1.12 ACRE TRACT COMPOSED OF LOTS 1-4 AND 9-14, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the intersection of the South right-of-way line of Orange Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said iron rod marking the Northwest corner of Lot 1, Block 2 of Angleton Townsite;

THENCE; S 2° 12' 00" E 140.00 feet (Reference Bearing). along the East right-of-way line of Front Street (40' Wide), to a "X" in concrete for corner at the Southwest corner of Lot 4, Block 2, Angleton Townsite;

THENCE; N 87° 48' 00" E 349.29 feet, along the South line of said Lot 4, and Lots 9-14, Block 2, also being the North right-of-way line of 20' alley, to a f iron rod found for corner at the Southeast corner of said Lot 14, Block 2 in the West line of South Velasco Street (70' Wide);

THENCE; N 2' 16' 30" W 140.13 feet, along the West right-of-way line of South Velasco Street (70' Wide), to a "X" in concrete found for corner in the South right-of-way line of Orange Street (70' Wide) at the Northeast corner of Lot 14, Block 2, Angleton Townsite;

THENCE; S 87° 46' 44" W 349.11 feet, along the South right-of-way line of Orange Street (70' Wide), to the place of beginning.

Said tract therein containing 1.12 acres of land.

DEDICATION:
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, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

DULY AUTHORIZED AGENT:
PETE PETROSKY - PRESIDENT OF R.B. STEWART PETROLEUM PRODUCTS, INC

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED PETE PETROSKY, PRESIDENT OF R.B. STEWART PETROLEUM PRODUCTS, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE 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 _____, 20____.

NOTARY PUBLIC
STATE OF TEXAS

MY COMMISSION EXPIRES _____

FIELD NOTES OF A 0.79 ACRE TRACT COMPOSED OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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THENCE; N 2° 16' 30" W 140.13 feet, along the West right-of-way line of South Velasco Street (70' Wide), to a "X" in concrete found for corner in the South right-of-way line of Orange Street (70' Wide) at the Northeast corner of Lot 14, Block 2, Angleton Townsite;

THENCE; S 87° 46' 44" W 349.11 feet, along the South right-of-way line of Orange Street (70' Wide), to the place of beginning.

Said tract therein containing 1.12 acres of land.

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 SECRETARY, CITY OF ANGLETON, ON BEHALF OF THE CITY.

NOTARY PUBLIC
STATE OF TEXAS

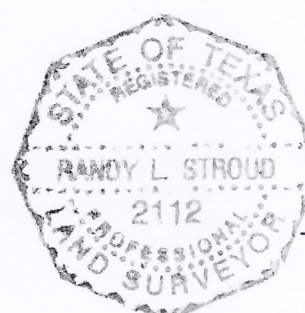
SURVEYOR'S CERTIFICATION

STATE OF TEXAS - COUNTY OF BRAZORIA
KNOW ALL MEN BY THESE PRESENTS:

THAT I, RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, 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 FOUND UNDER MY SUPERVISION.

Randy L. Stroud
RANDY L. STROUD, RPLS 2112

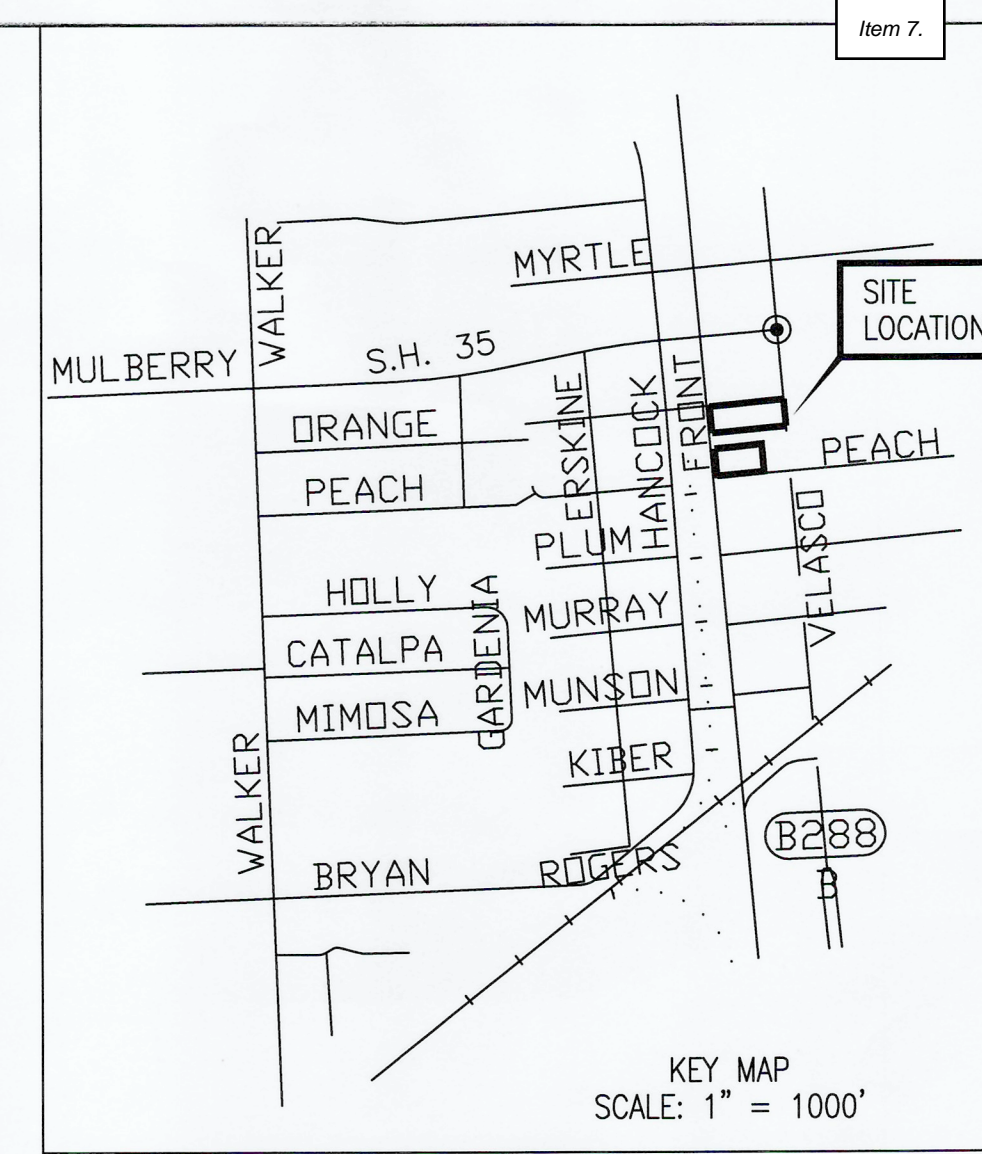
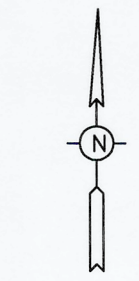
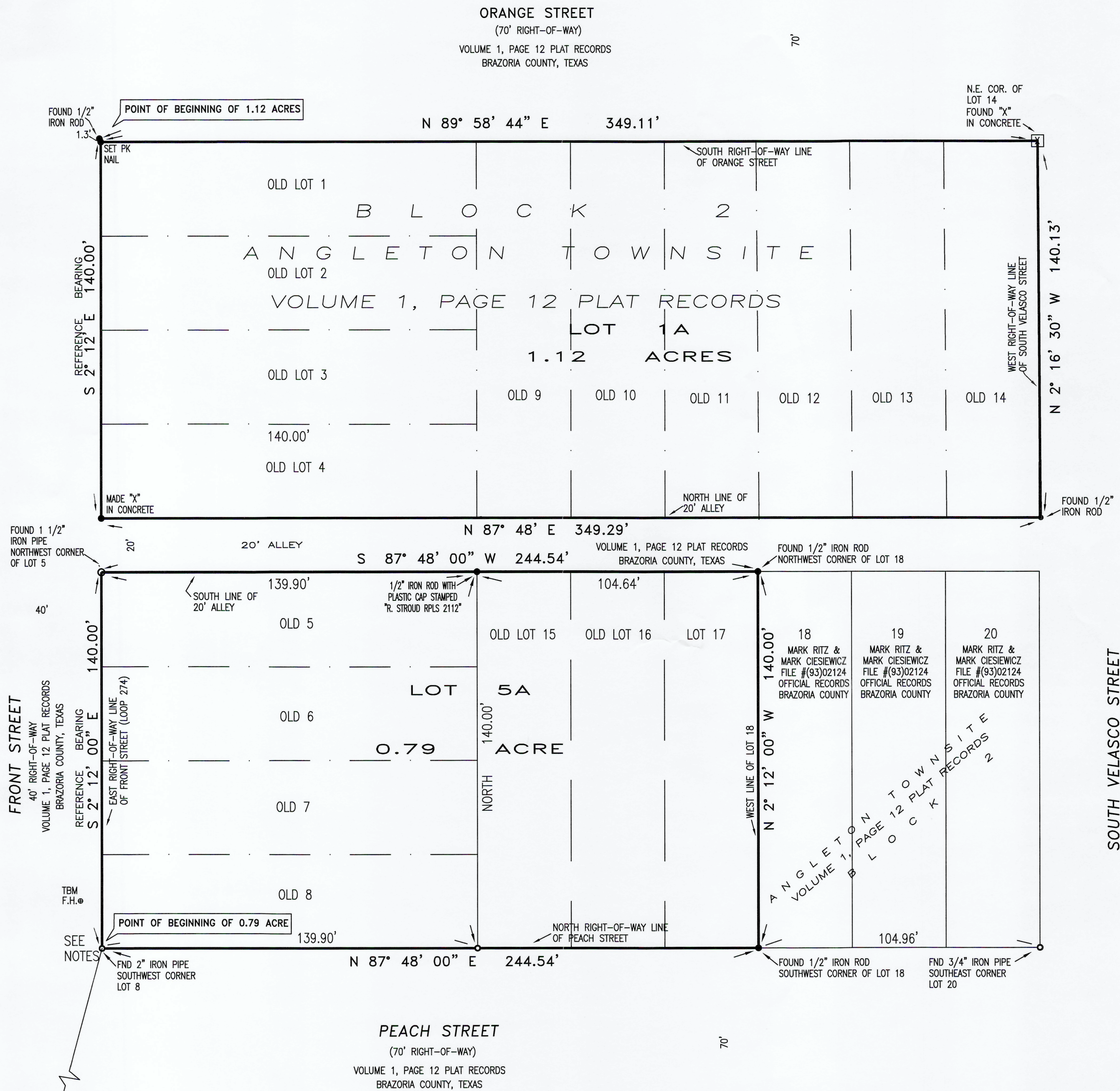
12-21-22
DATE



OWNER: R.B. STEWART PETROLEUM PRODUCTS, INC.
PETE PETROSKY - PRESIDENT
215 S FRONT STREET
ANGLETON, TEXAS 77515
979-849-7471

SURVEYOR:
RANDY L. STROUD, P.E.
201 SOUTH VELASCO
ANGLETON, TEXAS 77515
979-849-3141

EXHIBIT B



NOTES:

1. THE ADDRESS FOR THE 0.79 ACRE TRACT IS 215 S FRONT STREET - ANGLETON, TEXAS 77515 AND THE ADDRESS FOR THE 1.12 ACRE TRACT IS 200 SOUTH VELASCO - ANGLETON, TEXAS 77515.
2. THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE LOTS 5-8, AND 15-17, BLOCK 2, ANGLETON TOWNSITE, CITY OF ANGLETON, INTO ONE LOT BEING A 0.79 ACRE TRACT AND TO CONSOLIDATE LOTS 1-4, AND 9-14, BLOCK 2, ANGLETON TOWNSITE, CITY OF ANGLETON, INTO ONE LOT BEING A 1.12 ACRE TRACT.
3. 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 PLATING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. 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.
5. 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.
6. 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.
7. 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.
8. THIS PROPERTY APPEARS TO BE LOCATED IN ZONE "X" COMMUNITY # 480064 AND IS NOT IN THE 100 YEAR FLOOD PLAIN, ACCORDING PANEL # 0440 TO THE FLOOD HAZARD MAP FOR THE CITY OF ANGLETON SUFFIX: K DATE: 12-30-20 IN BRAZORIA COUNTY, TEXAS. ZONE: "X"
9. THE PROPERTY IS LOCATED WITHIN THE "ORIGINAL TOWN DETENTION FREE AREA" ESTABLISHED BY CITY OF ANGLETON ORDINANCE NO. 2013-0-7B AND ANGLETON DRAINAGE DISTRICT RESOLUTION #2013-08-0001.

ANGLETON DRAINAGE DISTRICT

ACCEPTED THIS _____ 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 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 OF 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 PART SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

DAVID SPOOR-CHAIRMAN RONNIE SLATE - MEMBER

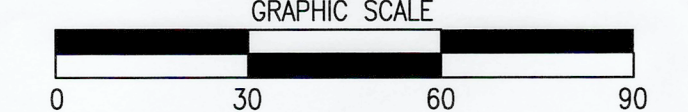
TERRY NOVAK - MEMBER

R.B. STEWART PETROLEUM PRODUCTS AMENDED PLAT

2 LOTS - 1 BLOCK 0.79 ACRE & 1.12 ACRES

AN AMENDED PLAT OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 BEING 0.79 ACRE AND LOTS 1-4 AND 9-14 BEING 1.12 ACRES, ALL OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE RECORDED MAP OF PLAT THEREOF IN VOLUME 1, PAGE 12 BRAZORIA COUNTY, TEXAS.

SCALE 1" = 30' GRAPHIC SCALE 12-19-22



NOTES:

TBM DESCRIPTION: "NN" ON TOP FLANGE OF FIRE HYDRANT LOCATED AT THE NORTHEAST CORNER OF PEACH STREET AND FRONT STREET. ELEVATION=28.72 FEET

REFERENCE BENCHMARK: NGS BENCHMARK "A-693" ELEVATION=29.11 FEET - DISC IN BASE OF FLAGPOLE AT BRAZORIA COUNTY COURTHOUSE



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

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

AGENDA CONTENT: Conduct a public hearing on an ordinance amending a previously approved Planned Development (PD) District No. 3. (Austin Colony), on an approximate 164.50 acres of land located on the north side of Anchor Road (CR 44) approximately 2,000 feet northwest of W. Wilkens Street.

AGENDA ITEM SECTION: Public Hearing and possible action

BUDGETED AMOUNT: None

FUNDS REQUESTED: None

FUND: None

EXECUTIVE SUMMARY:

This is a request from the owner/developer of the Austin Colony Development, PD No. 3, regarding modifications to ordinance on an approximate 164.50 acres of land.

A request to rezone the property from the AG Zoning District originates as earlier as March of 2021. After a number of renditions of the plan it was adopted as PD No. 3 on August 10, 2021 and amended on February 22, 2022 by City Council. The owner/developer has provided a revised phasing plan (Exhibit C) that further explains the components of the attached Land Plan (Exhibit B). The owner/developer would like to keep the same number of 50 ft. lots. The additional 26 lots were moved to the 60 ft. lot width category.

Current Approved Land Plan: Ordinance No. 20220222-016

LOT SIZE	NUMBER	PERCENTAGE OF TOTAL
Minimum 50 ft wide	100	18.52%
Minimum 55 ft wide	219	40.56%
Minimum 60 ft. wide	221	40.92%
TOTAL	540	100%

Proposed Amended Land Plan

LOT SIZE	NUMBER	PERCENTAGE OF TOTAL
Minimum 50 ft wide	100	17.67%
Minimum 55 ft wide	215	37.99%
Minimum 60 ft. wide	251	44.34%
TOTAL	566	100%

The applicant's primary purpose for this amendment is to make minor adjustments to the land plan, redesigning Austin Colony Boulevard to be a local interior street with single family homes fronting on both sides. The four-lane Boulevard- Tigner St. will remain as approved: Austin Colony Boulevard was originally designed the same with no houses fronting on the corridor. This modification was made to avoid safety issues for children, as well as cost increases.

The timing of Tigner Street, full connection of Tigner St. to CR 44 will be contingent upon the Commercial area developing at Anchor Rd.

All amenities of the original PD No. 3 remain, such as the proposed entry monument and private open space within the project. Tigner Road will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing are proposed along Tigner Street, the revised fencing plan has been updated. Private open space is also proposed that will be developed as playgrounds although no details have been provided on how those will be developed. The developer has chosen parks fee-in-lieu of dedication of parkland.

The Future Land Use Plan from the Angleton Comprehensive Plan Update designates the subject property as being appropriate for single family residential use and office/retail/multi-family residential use. The proposed rezoning is further supported by Goals 1 & 2 of Chapter 3 Land Use as well as Goals 1 & 2 of Chapter 8 Housing of the Comprehensive Plan.

Chapter 3 – Land Use

Goal One: High quality development that promotes sensible growth patterns and respects the small-town atmosphere and image of the community.

Goal Two: A pattern of development that promotes livable neighborhoods, viable commercial centers, and economic prosperity.

Chapter 8 – Housing

Goal One: A community in which quality housing is attractive available and affordable to all residents.

Goal Two: A variety of housing options that meets the needs of an increasingly diverse population.

Existing Land Use and Zoning

North: Undeveloped land in the ETJ and further north largely undeveloped land in the Commercial General District (C-G).

East: Undeveloped land in the Commercial General District (C-G) and the Planned Development District (PD) and developed land in the Single Family 7.2 District (SF 7.2), and undeveloped Multifamily Residential 29 (MFR-29) district for apartments having a maximum density of 29 dwelling units per acre.

South: Anchor Road (CR 44), Agricultural (AG) district with a church, single family residential development in the SF-7. 2 district and Lakeside Park.

West: Some development the ETJ across Carr Road and then some development in the Planned Development District (PD) and Commercial General (C-G) districts along SH 288.

Anchor Road is designated as a Minor Collector on the Mobility Plan in this area. Carr Road is designated as a Minor Collector. Cannan/Tigner Drive is designated to extend into the property. Karankawa Lane (along the eastern property line) is designated in part as an existing Minor Collector and in-part as a proposed Minor Collector.

The proposed request is consistent with the Future Land Use Plan and is supported by several goals of the Comprehensive Plan.

Staff Summary/Comments:

The planned development district shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations governing the Land Plan (Exhibit "B") attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance. The uses may only be located in the locations indicated for such uses in Exhibit "C":

Signage, Fencing, Heritage Tree Preservation, and Parkland regulations. All amenities of the original PD No. Three (3) shall remain including the proposed entry monument and private open space within the project. Tigner Street will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing shall be installed along Tigner Street, per the revised fencing plan (Exhibit "D"). The parkland dedication requirements shall be satisfied by the applicant/owner for the chosen option of parks fee-in-lieu of dedication of parkland.

Development Schedule. The property shall be developed in accordance with the development schedule attached hereto as Exhibit "C".

RECOMMENDATION:

The Planning Commission should hold the public hearing regarding the amendment to Austin Colony, Planned Development (PD) District (PD#3).



Draft

CITY OF ANGLETON
 PLANNING AND ZONING
 COMMISSION
 120 S. CHENANGO STREET,
 ANGLETON, TEXAS 77515
 THURSDAY, JANUARY 5, 2023 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, JANUARY 5, 2023 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 Henry Munson
 Commission Member Ellen Eby
 Commission Member Deborah Spoor
 Commission Member Michelle Townsend
 Commission Member Regina Bieri
 Commission Member Bonnie McDaniel

1. Approval of Meeting Minutes for December 1, 2022

Motion was made by Commission Member Henry Munson to approve the minutes; Motion was seconded by Commission Member Regina Bieri.

Commission Action: Approved. Motion carried unanimously, 7-0 vote.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance amending the PD Planned Development Overlay District Three (3), ORD_20220222-016 for Austin Colony Subdivision, rezoning 164.50 acres, for property located on the northside of Anchor Rd, East of Carr Rd., West of the terminus of Tigner St.

DS Director Otis Spriggs: Presented this being brought as a request to amend what we call planned development district #3, which is further known as Austin Colony. This plan district development was approved in previous ordinances in 2021 amended in 2022 as noted in the report. Basically, the lot arrangements that you see there before you are what triggered this particular request and amendment. Austin Colony Blvd., one of the original arterial roads that extended into the planned community, was basically a street that had no lots fronting on it and it served as a major connection through the subdivision. Because of safety reasons and costs, the developer needed to redesign that area to have the houses front on Austin Colony Blvd., but to continue to utilize Tigner St. the major arterial that would provide us with the needed east/west connection from Walmart to County Road 44. As stated, this triggered and affected the lot layout changes.

Mr. Spriggs further illustrated the changes on the revised land plan. He noted that there is a development agreement tied to this; a Public Improvement District (PID); and, the C.A.F. analysis would have to be recalculated, due to the lot changes. The minimum 50' wide foot lots having a 100 quantity of the original PD remains; no additional 50' foot lots are added and we noted 26 lots are added, which would go into that 60 foot lot category.

Public Input: None.

Commission Member Bonnie McDaniel: Referring to the Detention area, asked if they are planning on removing those trees and then what is the vision for Section 9 commercial?

Doug Roesling, Baker Lawson explained that there are no heritage oak trees in that area. A tree survey was done. Trees will be removed for the detention area, and we will comply with the ordinance.

Wayne "Sandy" Rea: Council member Wright and I think the rest of Council insisted from the very beginning that there be an opportunity to have some commercial development within this subdivision. And we have agreed to not develop this in the single-family residential homes for seven years after the first home was built. If it doesn't sell and it's not developed as commercial, then we will build some houses. The commercial zoning would be mainly retail and office.

Commission Action:

Commission Member Bonnie McDaniel: Made a motion that we accept the staff recommendations and conditions and recommend approval of the amendment of PD. #3 plan development district, and forward it to City Council and final consideration.

Commission Member Deborah Spoor seconded the motion.

Roll Call Vote: (7-0 Vote).

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye;
Commission Member Michelle Townsend- Aye; Commission Member Deborah Spoor- Aye;

Commission Member Regina Bieri - Aye; Commission Member Bonnie McDaniel- Aye; Chair William Garwood- Aye. Motion carried unanimously.

ADJOURNMENT

Planning and Zoning Commission Chair Bill Garwood adjourned the meeting at 1:10 P.M.

These minutes were approved by Angleton Planning and Zoning Commission on this the 5TH day of January, 2023, upon a motion by Commission Member XX, seconded by Commission Member XX. The motion passed on X-X vote.

CITY OF ANGLETON, TEXAS

William Garwood
Chair

Otis T. Spriggs, AICP
Director of Development Services

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING REGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. THREE (3), AUSTIN COLONY; AMENDING THE LAND PLAN AUTHORIZED WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT TO ALLOW STREET CONNECTIVITY; AMENDING THE LAND PLAN AND DEVELOPMENT SCHEDULE; DESCRIBING 164.5 ACRES OF LAND; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF ANGLETON; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, Tejas-Angleton Development LLC, are the owner/applicant of approximately 164.5 acres of land within the corporate limits of the City of Angleton, Texas (the "Property"); and

WHEREAS, said the Property presently has a zoning classification of PD Planned Development District No. 3 pursuant to Ordinance No. 20210810-008 and 20220222-016, adopted on August 10, 2021 and February 22, 2022 consecutively; and

WHEREAS, the owner/applicant has made application to the City of Angleton to amend PD Plan Development District No. Three (3); and

WHEREAS, pursuant to Sec. 28-24 of the City of Angleton LDC and Zoning Ordinance, said application was submitted to the City of Angleton with proof of unified ownership or control of the Property; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Angleton have each conducted, in the time and manner and after the notice required and the City of Angleton LDC and Zoning Ordinance, a public hearing proposed change in zoning regulations; and

WHEREAS, the City of Angleton Planning and Zoning Commission has issued its final report and the City Council of the City of Angleton now deems it appropriate to grant such requested amendments; now therefore,

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. As required by law, the City Council of the City of Angleton conducted the public hearing on the request and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The Property is more fully described in Exhibit “A,” attached hereto and made a part hereof for all purposes.

Section 4. The planned development district shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations governing the Land Plan (Exhibit “B”) attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

- A. Use regulations.** In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance. The uses may only be located in the locations indicated for such uses in Exhibit “C”:
- B. Signage, Fencing, Heritage Tree Preservation, and Parkland regulations.** All amenities of the original PD No. Three (3) shall remain including the proposed entry monument and private open space within the project. Tigner Street will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and “premium” fencing shall be installed along Tigner Street, per the revised fencing plan (Exhibit “D”). The parkland dedication requirements shall be satisfied by the applicant/owner for the chosen option of parks fee-in-lieu of dedication of parkland.
- C. Development Schedule.** The property shall be developed in accordance with the development schedule attached hereto as Exhibit “C”.

Section 5. The Zoning District Map of the City of Angleton shall be revised and amended to show the zoning classification of said 164.5-acre tract of land with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Angleton, save and except the changes and the imposition of the findings, regulations, restrictions and conditions contained herein.

Section 7. *Repeal.* Ordinance Number 20220222-016, adopted by the City Council of the City of Angleton on February 22, 2022, is hereby repealed only to the extent of conflict with this Ordinance. Any ordinance or any other part of any other ordinance in conflict here with shall be and is hereby repealed only to the extent of such conflict.

Section 8. *Penalty.* Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense

shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

Section 9. *Severability.* In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance 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 Angleton, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED this 10 day of January, 2023.

Jason Perez, Mayor

ATTEST:

Michelle Perez, City Secretary

Exhibit A
The Property
 pg.2



County: Brazoria
 Project: 150 Acres Anchor Rd
 Job No.: 14257

FIELD NOTES FOR 164.50 ACRE

Being a tract of land containing 164.50 acres (7,165,737 square feet), located within J. De J Valderas Survey, Abstract Number (No.) 380, in Brazoria County, Texas; Said 164.50 acre tract being all of Lots 74, 80, 81, 82 and 83 and a portion of Lots 73, 75, 76, 77 and 84 of the New York and Texas Land Company Subdivision recorded under Volume (Vol.) 26, Page 140 of the Brazoria County Deed Records (B.C.D.R.), being a 166.97 acre tract save and except a 2.472 acre tract recorded in the name of Thomas H. Journey and Elizabeth Journey under Brazoria County Clerk's File (B.C.C.F.) No. 2014047617; Said 164.50 acres 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):

Overall 166.97 acre tract:

BEGINNING at a 1/2-inch iron rod with cap found on the northeast right-of-way (R.O.W.) line of Anchor Road (AKA County Road 44, one hundred ten feet wide), on the south line of said Lot 77, at the northwest corner of Lot 1 of the Angleton Meadows Business Park recorded under Plat No. 2005019895 of the Brazoria County Plat Records (B.C.P.R.), for the southwest corner of the herein described tract;

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 853.57 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the south corner of a called 1.50 acre tract recorded in the name of Williams M. Tigner, II under B.C.C.F. No. 2019055977, for an angle point of the herein described tract;

THENCE, with the easterly lines of said 1.50 acre tract the following four (4) courses:

1. North 43 degrees 09 minutes 58 seconds East, at a distance of 1.35 feet pass a 1/2-inch iron rod with cap found for reference, continue in all a distance of 122.66 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for an interior corner of the herein described tract;
2. North 49 degrees 37 minutes 04 seconds West, a distance of 128.89 feet to a 1/2-inch iron rod with cap found for an angle point;
3. North 42 degrees 06 minutes 44 seconds East, a distance of 126.66 feet to a 1/2-inch iron rod with cap found for an interior corner of the herein described tract;
4. North 49 degrees 03 minutes 29 seconds West, a distance of 208.32 feet to a 1/2-inch iron rod with cap found at the north corner of said 1.50 acre tract, for an interior corner of the herein described tract;

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 Texas Firm Registration No. 10052500

Exhibit A
The Property
 pg.3



THENCE, with the northwest line of said 1.50 acre tract, South 43 degrees 14 minutes 22 seconds West, at a distance of 235.10 feet pass a 1/2-inch iron rod with cap found for reference, continue in all a distance of 237.02 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the northeast R.O.W. line of said Anchor Road, at the west corner of said 1.50 acre tract, for an angle point;

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 329.32 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the east line of an undeveloped road (sixty feet wide per Vol. 26, Page 140 B.C.D.R.) on the west line of said Lot 76, for the southwest corner of the herein described tract;

THENCE, with the east line of said undeveloped road and the west lines of said Lots 76, 75, 74 and 73, North 02 degrees 57 minutes 24 seconds West, a distance of 1,941.54 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the southwest corner of a called 10 acre tract recorded in the name of Benjamin F. Gray under B.C.C.F. No. 1999047350, for the northwest corner of the herein described tract;

THENCE, with the south line of said 10 acre tract, North 87 degrees 11 minutes 18 seconds East, a distance of 1,320.08 feet to a 5/8-inch iron rod found at southwest corner of a called 10 acre tract recorded in the name of Benjamin F. Gray under B.C.C.F. No. 2006070636, at the southeast corner of said 10 acre tract recorded in B.C.C.F. No. 1999047350, for the northwest corner of a 60' X 1,320' strip recorded in the name of Benjamin F. Gray under B.C.C.F. No. 2003054771, for an angle point;

THENCE, with the west line of said a 60' X 1,320' strip, South 02 degrees 52 minutes 02 seconds East, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the southwest corner of said a 60' X 1,320' strip, for an interior corner of the herein described tract;

THENCE, with the south line of said a 60' X 1,320' strip, North 87 degrees 07 minutes 58 seconds East, a distance of 1,321.11 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the west line of Karankawa Road (undeveloped sixty feet wide per Vol. 26, page 140 B.C.D.R.), at the southeast corner of said a 60' X 1,320' strip, for the northeast corner of the herein described tract;

THENCE, with the west R.O.W. line of said Karankawa Road, being the east line of Lots 84, 83, 82, 81 and 80, South 02 degrees 52 minutes 54 seconds East, a distance of 2,970.25 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the northeast corner of a twenty-foot drainage easement dedicated by the Second Replat of Angleton Meadows Subdivision recorded under Vol. 17, Page 263 of the B.C.P.R., for the southeast corner of said Lot 80 and the herein described tract;

THENCE, with the north line of said Angleton Meadows Subdivision and Angleton Meadows Business Park, and the south lines of said Lots 80 and 77, South 87 degrees 09 minutes 29 seconds West, a distance of 1,575.33 feet to the **POINT OF BEGINNING** and containing 166.97 acres of land.

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 Texas Firm Registration No. 10052500

Exhibit A
The Property
pg.4



SAVE AND EXCEPT 2.47 ACRES:

COMMENCING at a 1/2-inch iron rod with cap found on the northeast right-of-way (R.O.W.) line of Anchor Road (AKA County Road 44, one hundred ten feet wide), on the south line of said Lot 77, at the northwest corner of Lot 1 of the Angleton Meadows Business Park recorded under Plat No. 2005019895 of the Brazoria County Plat Records (B.C.P.R.);

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 1,245.66 feet to an angle point;

THENCE, through and across said Lot 76 the following five (5) courses:

1. North 42 degrees 49 minutes 04 seconds East, a distance of 284.35 feet to a 5/8-inch iron rod found for the south corner and **POINT OF BEGINNING** of the herein described tract;
2. North 18 degrees 16 minutes 53 seconds West, a distance of 571.37 feet to a 5/8-inch iron rod found at the northwest corner of the herein described tract;
3. North 88 degrees 50 minutes 27 seconds East, a distance of 299.56 feet to a 5/8-inch iron rod found at the northeast corner of the herein described tract;
4. South 00 degrees 07 minutes 27 seconds West, a distance of 434.88 feet to a 5/8-inch iron rod found at the southeast corner of the herein described tract;
5. South 46 degrees 22 minutes 47 seconds West, a distance of 164.83 feet to the **POINT OF BEGINNING** and containing 2.47 acres of land.

OVERALL: 166.97 ACRES

SAVE AND EXCEPT: 2.47 ACRES

TOTAL: 164.50 ACRES

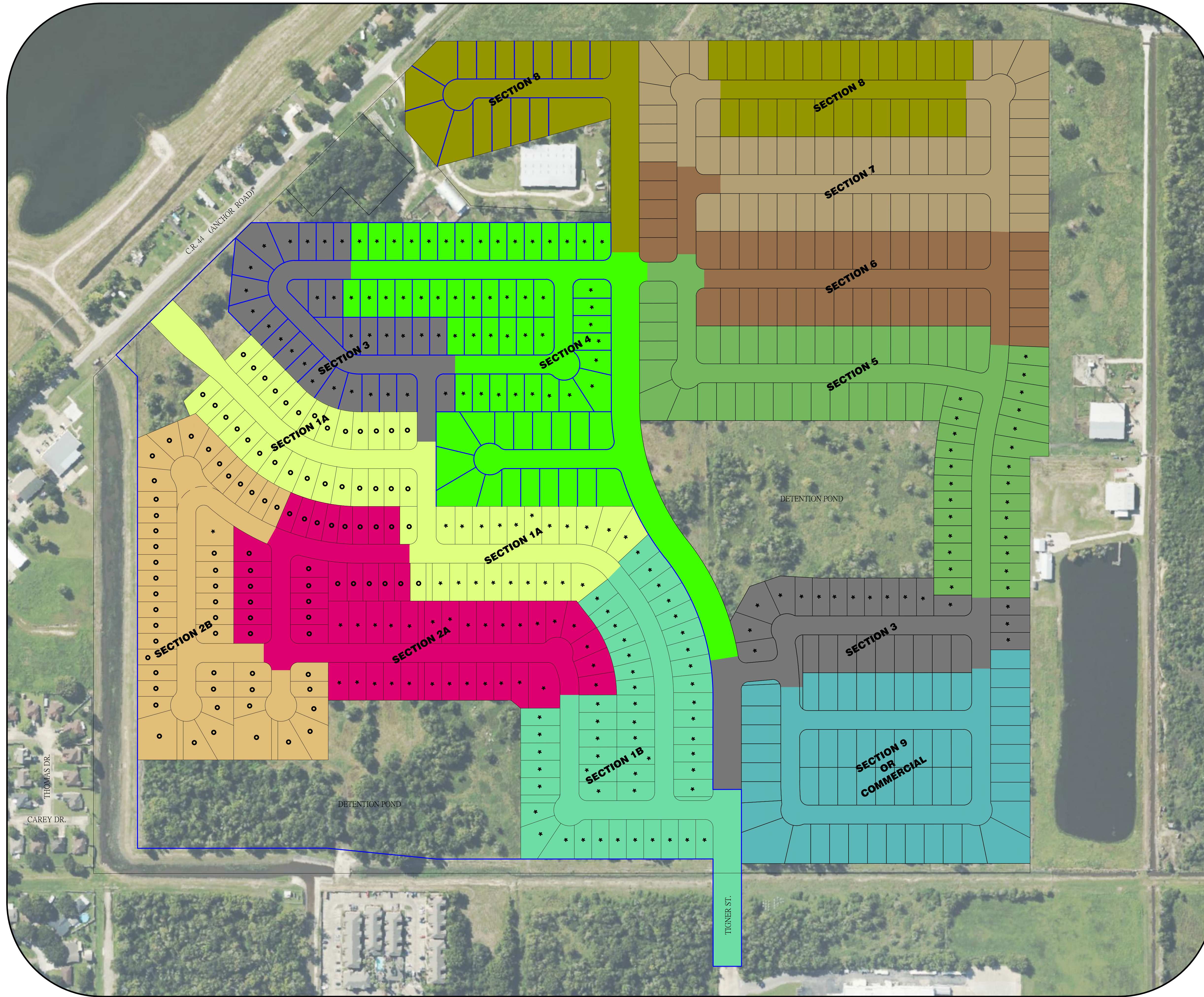
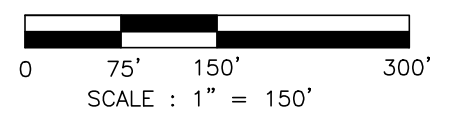
A land title survey of the herein described tract has been prepared by Baker & Lawson Inc. and accompanies this metes and bounds description.

Devin Royal 12-22-20
Devin R. Royal
Registered Professional Land Surveyor
Texas Registration No. 6667

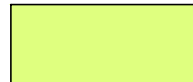












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EXHIBIT B LAND PLAN



LOT SUMMARY

	SECTION 1A 50 LOTS 30-50', 20-55'
	SECTION 1B 50 LOTS 50-55'
	SECTION 2A 53 LOTS 24-50', 29-55'
	SECTION 2B 47 LOTS 46-50', 1-55'
	SECTION 3 52 LOTS 43-55', 9-60'
	SECTION 4 63 LOTS 46-55', 17-60'
	SECTION 5 61 LOTS 26-55', 35-60'
	SECTION 6 41 LOTS 41-60'
	SECTION 7 50 LOTS 50-60'
	SECTION 8 44 LOTS 44-60'
	SECTION 9 COMMERCIAL RESERVE OR 55-60' LOTS

- * 55' LOTS
- o 50' LOTS

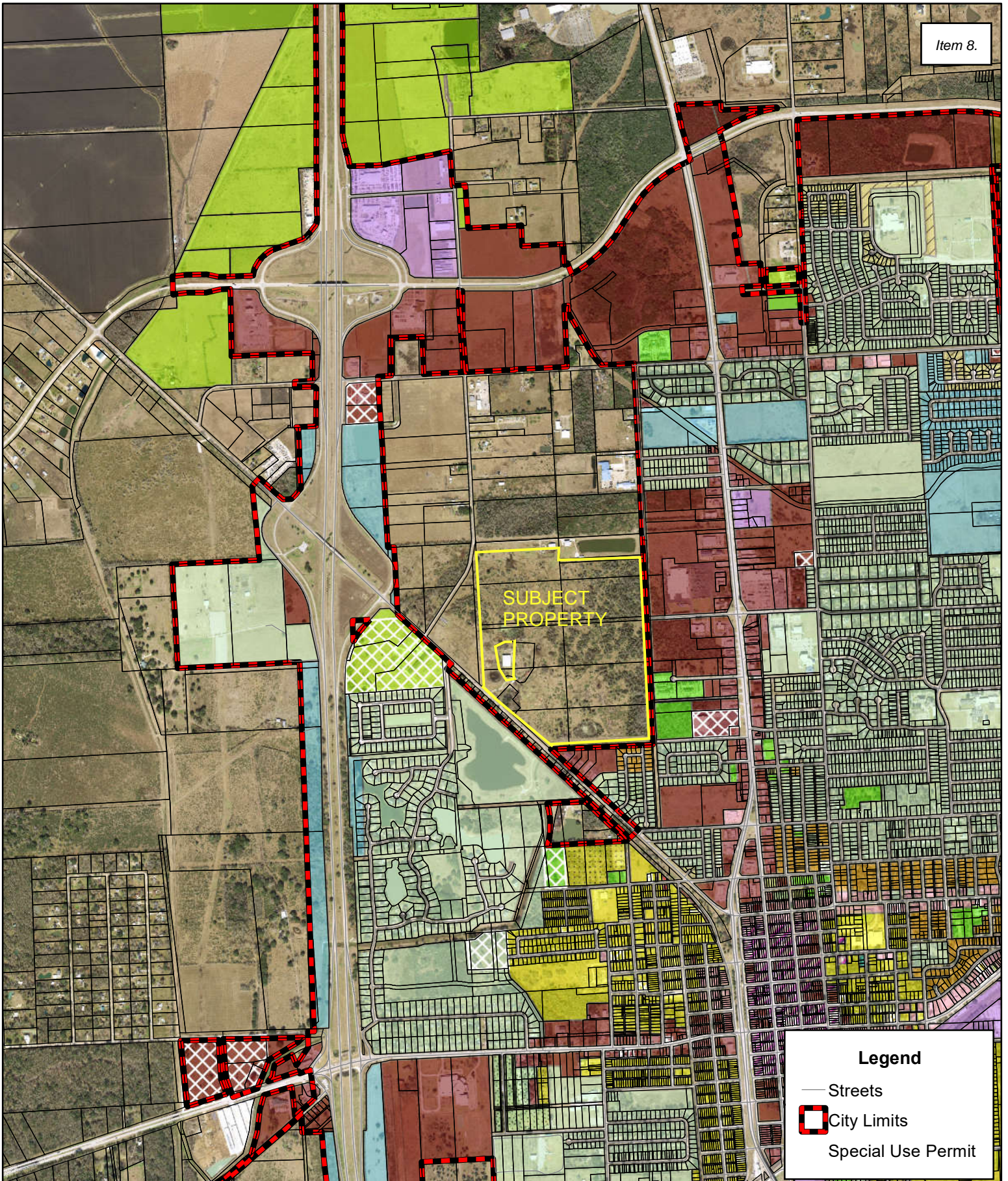
TOTAL LOTS
566

100 - 50' LOTS
215 - 55' LOTS
251 - 60' LOTS

Austin Colony Subdivision

164.50 ACRES OF LAND

B & L
BAKER & LAWSON, INC.
ENGINEERS • PLANNERS • SURVEYORS
REG. NO. F-825, TBPLS NO. 10052500
DATE: 12/09/22
FILE NAME: 14257 OVERALL EXHIBIT 5.DWG



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

Exhibit C
Development Standards and District Regulations

All regulations of the Code of Ordinances of the City of Angleton shall apply in this Planned Development PD Three (3) unless otherwise modified in this Exhibit or the PD Planned Development Overlay District Three (3) Ordinance.

REGULATIONS for Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9. as identified in Exhibit "B":

1. **Base District.** The provisions of Section 28-47 SF-5 Single Family Residential 5 District of the City of Angleton Code of Ordinances, as adopted upon the effective date of this ordinance shall apply to Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9, except as otherwise modified herein.

2. **Uses.** Those uses described for the SF-5 district in Section 28-81 Use Regulations (Charts) shall be permitted for Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9.

3. **Lot Dimensions and Development.** The lots shall be the size depicted in Exhibit "B" and shall be approximately 120 feet in length, with the front width of each lot as set forth in this Sections and Lot Summary Chart.

SECTIONS AND LOT SUMMARY CHART				
Section	Lot Width 50 Feet	Lot Width 55 Feet	Lot Width 60 Feet	Section Lot Total
1A	30 Lots	20 Lots		50 Lots
1B		50 Lots		50 Lots
Section 2A	24 Lots	29 Lots		53 Lots
Section 2B	46 Lots	1 Lots		47 Lots
Section 3		43 Lots	9 Lots	52 Lots
Section 4		46 Lots	17 Lots	63 Lots
Section 5		26 Lots	35 Lots	61 Lots
Section 6			41 Lots	41 Lots
Section 7			50 Lots	50 Lots
Section 8			44 Lots	44 Lots
Section 9 Commercial reserve or 55-60 Lots			55 Lots	
Lot Size Total	100 Lots	215 Lots	251 Lots	566 Lots
Size%	17.67%	37.99%	44.34%	100%

4. **Entry Monument.** An Entry Monument shall be placed at the corner of Austin Colony Boulevard and County Road 44, which is the entry to the Project off County Road 44. The Entry Monument shall be either brick or stone with landscaping, planted grass, shrubs, an irrigation system and lighting.

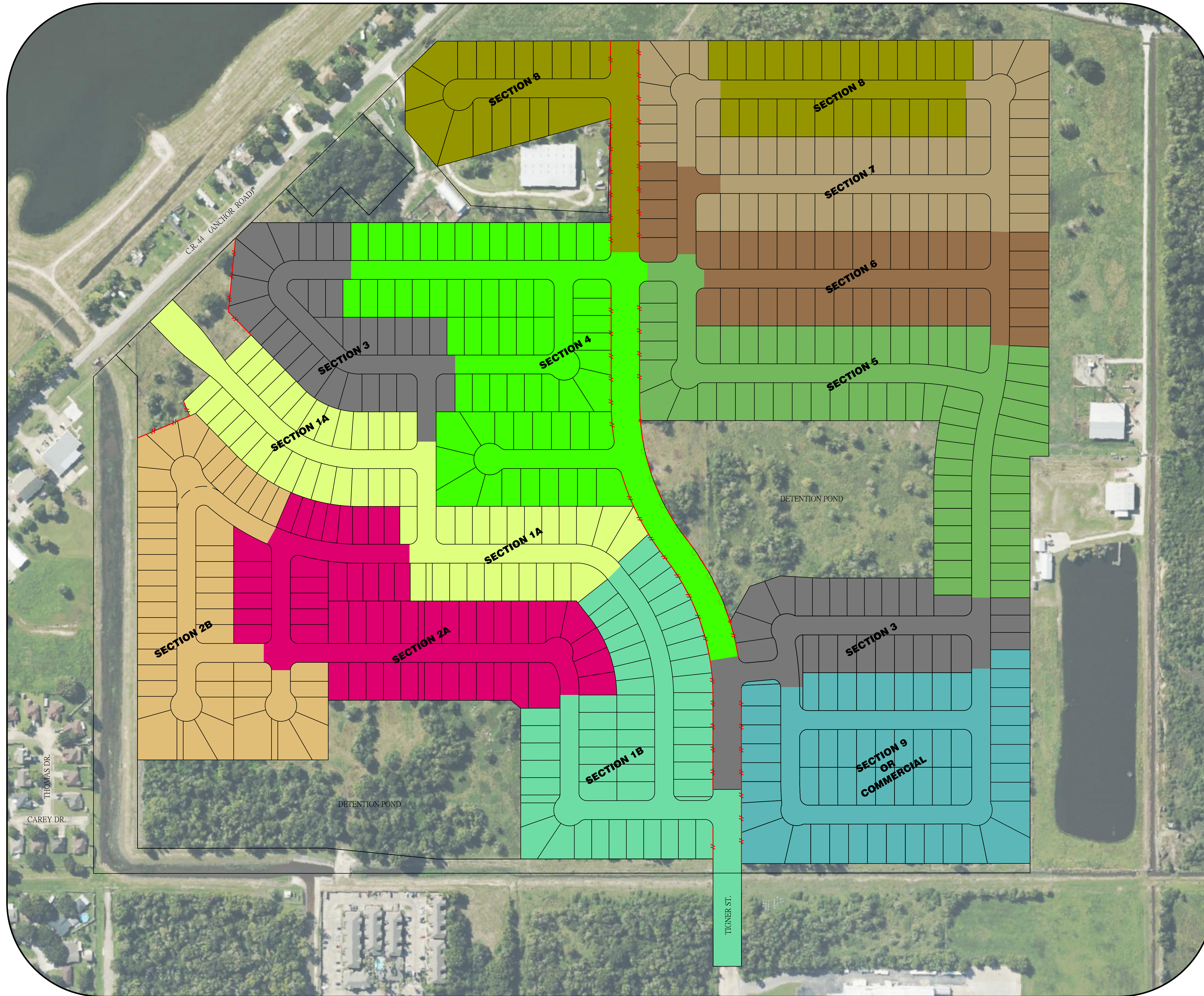
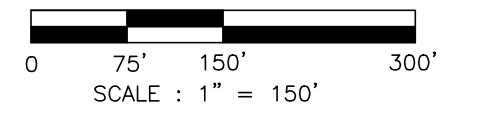
5. **Fencing.** Developer agrees to install perimeter fencing as depicted in **Exhibit "D"** attached hereto. Developer agrees to install premium, stained, crowned fencing along the

rear Property lines of all lots at the intersection of the Austin Colony Boulevard entrance at CR 44 (Anchor Road) and along both sides of the extension of Tigner Street. All perimeter fencing shall be maintained by the Homeowners' Association. Perimeter fencing shall not be installed within any street intersection sight triangles. All fencing for each proposed development phase shall be installed prior to the occupancy of any residence in that phase. All wood fencing will have a top cap.

REGULATIONS for Phase 9 as identified by Exhibit "B":

- 1. Base District.** The provisions of Section 28-58 C-O/R Commercial-Office/Retail District of the City of Angleton Code of Ordinances, as adopted upon the effective date of this ordinance, shall apply to Phase 9 of the Property subject to the provisions of this Exhibit and the PD Planned Development Overlay District Three (3) Ordinance.
- 2.** In the event the then current owner of the property depicted as Phase 9 of Exhibit "B" hereof has not applied for a building permit for an office or retail use permitted by Section 28-81 of the City of Angleton Code of Ordinances (C-O/R - Commercial office-Retail District) within six (6) years of the issuance of the first building permit in the project, the then current owner shall be automatically, and with no additional legislative action, be permitted to take all necessary steps to construct single family residential product consistent with the requirements of Section 28-47 SF-5 Single Family Residential District and Exhibit "B".

EXHIBIT D FENCING PLAN



-  PREMIUM CEDAR FENCE W/CROWN
-  WROUGHT IRON FENCE W/BRICK COLUMNS FOR VISUAL TO DETENTION POND

Austin Colony Subdivision

164.50 ACRES OF LAND

B & L
 BAKER & LAWSON, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 REG. NO. F-825, TBPLS NO. 10052500
 DATE: 12/09/22
 FILE NAME: 14257 OVERALL EXHIBIT 5.DWG



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

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

AGENDA CONTENT: Discussion and possible action on an ordinance to amend previously approved Planned Development (PD) District No. 3., on an approximate 164.50 acres of land located on the north side of Anchor Road (CR 44) approximately 2,000 feet northwest of W. Wilkens Street.

AGENDA ITEM SECTION: Public Hearing and possible action

BUDGETED AMOUNT: None

FUNDS REQUESTED: None

FUND: None

EXECUTIVE SUMMARY:

This is a request from the owner/developer of the Austin Colony Development, PD No. 3, regarding modifications to ordinance on an approximate 164.50 acres of land.

A request to rezone the property from the AG Zoning District originates as earlier as March of 2021. After a number of renditions of the plan it was adopted as PD No. 3 on August 10, 2021 and amended on February 22, 2022 by City Council. The owner/developer has provided a revised phasing plan (Exhibit C) that further explains the components of the attached Land Plan (Exhibit B). The owner/developer would like to keep the same number of 50 ft. lots. The additional 26 lots were moved to the 60 ft. lot width category.

Current Approved Land Plan: Ordinance No. 20220222-016

LOT SIZE	NUMBER	PERCENTAGE OF TOTAL
Minimum 50 ft wide	100	18.52%
Minimum 55 ft wide	219	40.56%
Minimum 60 ft. wide	221	40.92%
TOTAL	540	100%

Proposed Amended Land Plan

LOT SIZE	NUMBER	PERCENTAGE OF TOTAL
Minimum 50 ft wide	100	17.67%
Minimum 55 ft wide	215	37.99%
Minimum 60 ft. wide	251	44.34%
TOTAL	566	100%

The applicant's primary purpose for this amendment is to make minor adjustments to the land plan, redesigning Austin Colony Boulevard to be a local interior street with single family homes fronting on both sides. The four-lane Boulevard- Tigner St. will remain as approved: Austin Colony Boulevard was originally designed the same with no houses fronting on the corridor. This modification was made to avoid safety issues for children, as well as cost increases.

The timing of Tigner Street, full connection of Tigner St. to CR 44 will be contingent upon the Commercial area developing at Anchor Rd.

All amenities of the original PD No. 3 remain, such as the proposed entry monument and private open space within the project. Tigner Road will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing are proposed along Tigner Street, the revised fencing plan has been updated. Private open space is also proposed that will be developed as playgrounds although no details have been provided on how those will be developed. The developer has chosen parks fee-in-lieu of dedication of parkland.

The Future Land Use Plan from the Angleton Comprehensive Plan Update designates the subject property as being appropriate for single family residential use and office/retail/multi-family residential use. The proposed rezoning is further supported by Goals 1 & 2 of Chapter 3 Land Use as well as Goals 1 & 2 of Chapter 8 Housing of the Comprehensive Plan.

Chapter 3 – Land Use

Goal One: High quality development that promotes sensible growth patterns and respects the small-town atmosphere and image of the community.

Goal Two: A pattern of development that promotes livable neighborhoods, viable commercial centers, and economic prosperity.

Chapter 8 – Housing

Goal One: A community in which quality housing is attractive available and affordable to all residents.

Goal Two: A variety of housing options that meets the needs of an increasingly diverse population.

Existing Land Use and Zoning

North: Undeveloped land in the ETJ and further north largely undeveloped land in the Commercial General District (C-G).

East: Undeveloped land in the Commercial General District (C-G) and the Planned Development District (PD) and developed land in the Single Family 7.2 District (SF 7.2), and undeveloped Multifamily Residential 29 (MFR-29) district for apartments having a maximum density of 29 dwelling units per acre.

South: Anchor Road (CR 44), Agricultural (AG) district with a church, single family residential development in the SF-7. 2 district and Lakeside Park.

West: Some development the ETJ across Carr Road and then some development in the Planned Development District (PD) and Commercial General (C-G) districts along SH 288.

Anchor Road is designated as a Minor Collector on the Mobility Plan in this area. Carr Road is designated as a Minor Collector. Cannan/Tigner Drive is designated to extend into the property. Karankawa Lane (along the eastern property line) is designated in part as an existing Minor Collector and in-part as a proposed Minor Collector.

The proposed request is consistent with the Future Land Use Plan and is supported by several goals of the Comprehensive Plan.

Staff Summary/Comments:

The planned development district shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations governing the Land Plan (Exhibit "B") attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance. The uses may only be located in the locations indicated for such uses in Exhibit "C":

Signage, Fencing, Heritage Tree Preservation, and Parkland regulations. All amenities of the original PD No. Three (3) shall remain including the proposed entry monument and private open space within the project. Tigner Street will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing shall be installed along Tigner Street, per the revised fencing plan (Exhibit "D"). The parkland dedication requirements shall be satisfied by the applicant/owner for the chosen option of parks fee-in-lieu of dedication of parkland.

Development Schedule. The property shall be developed in accordance with the development schedule attached hereto as Exhibit "C".

STAFF & P&Z COMMISSION RECOMMENDATION:

The Planning Commission voted unanimously (7-0) to adopt this as its final report and recommends approval of the proposed amendment to PD#3, Planned Development (PD) District.

SUGGESTED MOTION:

I move we approve the ordinance amending Austin Colony, Planned Development (PD) District (PD#3), as forwarded by the P&Z Commission.

ORDINANCE NO. 20230110-009

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING REGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. THREE (3), AUSTIN COLONY; AMENDING THE LAND PLAN AUTHORIZED WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT TO ALLOW STREET CONNECTIVITY; AMENDING THE LAND PLAN AND DEVELOPMENT SCHEDULE; DESCRIBING 164.5 ACRES OF LAND; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF ANGLETON; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, Tejas-Angleton Development LLC, are the owner/applicant of approximately 164.5 acres of land within the corporate limits of the City of Angleton, Texas (the “Property”); and

WHEREAS, said the Property presently has a zoning classification of PD Planned Development District No. 3 pursuant to Ordinance No. 20210810-008 and 20220222-016, adopted on August 10, 2021 and February 22, 2022 consecutively; and

WHEREAS, the owner/applicant has made application to the City of Angleton to amend PD Plan Development District No. Three (3); and

WHEREAS, pursuant to Sec. 28-24 of the City of Angleton LDC and Zoning Ordinance, said application was submitted to the City of Angleton with proof of unified ownership or control of the Property; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Angleton have each conducted, in the time and manner and after the notice required and the City of Angleton LDC and Zoning Ordinance, a public hearing proposed change in zoning regulations; and

WHEREAS, the City of Angleton Planning and Zoning Commission has issued its final report and the City Council of the City of Angleton now deems it appropriate to grant such requested amendments; now therefore,

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

SECTION 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. As required by law, the City Council of the City of Angleton conducted the public hearing on the request and closed the public hearing prior to the final adoption of this Ordinance.

SECTION 3. The Property is more fully described in Exhibit “A,” attached hereto and made a part hereof for all purposes.

SECTION 4. The planned development district shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations governing the Land Plan (Exhibit “B”) attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

- A. Use regulations.** In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance. The uses may only be located in the locations indicated for such uses in Exhibit “C”:
- B. Signage, Fencing, Heritage Tree Preservation, and Parkland regulations.** All amenities of the original PD No. Three (3) shall remain including the proposed entry monument and private open space within the project. Tigner Street will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and “premium” fencing shall be installed along Tigner Street, per the revised fencing plan (Exhibit “D”). The parkland dedication requirements shall be satisfied by the applicant/owner for the chosen option of parks fee-in-lieu of dedication of parkland.
- C. Development Schedule.** The property shall be developed in accordance with the development schedule attached hereto as Exhibit “C”.

SECTION 5. The Zoning District Map of the City of Angleton shall be revised and amended to show the zoning classification of said 164.5-acre tract of land with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

SECTION 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Angleton, save and except the changes and the imposition of the findings, regulations, restrictions and conditions contained herein.

SECTION 7. *Repeal.* Ordinance Number 20220222-016, adopted by the City Council of the City of Angleton on February 22, 2022, is hereby repealed only to the extent of conflict with this Ordinance. Any ordinance or any other part of any other ordinance in conflict here with shall be and is hereby repealed only to the extent of such conflict.

SECTION 8. *Penalty.* Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense

shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

SECTION 9. *Severability.* In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance 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 Angleton, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED THIS 10TH DAY OF JANUARY, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

Exhibit A
The Property

pg.2



County: Brazoria
Project: 150 Acres Anchor Rd
Job No.: 14257

FIELD NOTES FOR 164.50 ACRE

Being a tract of land containing 164.50 acres (7,165,737 square feet), located within J. De J Valderas Survey, Abstract Number (No.) 380, in Brazoria County, Texas; Said 164.50 acre tract being all of Lots 74, 80, 81, 82 and 83 and a portion of Lots 73, 75, 76, 77 and 84 of the New York and Texas Land Company Subdivision recorded under Volume (Vol.) 26, Page 140 of the Brazoria County Deed Records (B.C.D.R.), being a 166.97 acre tract save and except a 2.472 acre tract recorded in the name of Thomas H. Journey and Elizabeth Journey under Brazoria County Clerk's File (B.C.C.F.) No. 2014047617; Said 164.50 acres 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):

Overall 166.97 acre tract:

BEGINNING at a 1/2-inch iron rod with cap found on the northeast right-of-way (R.O.W.) line of Anchor Road (AKA County Road 44, one hundred ten feet wide), on the south line of said Lot 77, at the northwest corner of Lot 1 of the Angleton Meadows Business Park recorded under Plat No. 2005019895 of the Brazoria County Plat Records (B.C.P.R.), for the southwest corner of the herein described tract;

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 853.57 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the south corner of a called 1.50 acre tract recorded in the name of Williams M. Tigner, II under B.C.C.F. No. 2019055977, for an angle point of the herein described tract;

THENCE, with the easterly lines of said 1.50 acre tract the following four (4) courses:

1. North 43 degrees 09 minutes 58 seconds East, at a distance of 1.35 feet pass a 1/2-inch iron rod with cap found for reference, continue in all a distance of 122.66 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for an interior corner of the herein described tract;
2. North 49 degrees 37 minutes 04 seconds West, a distance of 128.89 feet to a 1/2-inch iron rod with cap found for an angle point;
3. North 42 degrees 06 minutes 44 seconds East, a distance of 126.66 feet to a 1/2-inch iron rod with cap found for an interior corner of the herein described tract;
4. North 49 degrees 03 minutes 29 seconds West, a distance of 208.32 feet to a 1/2-inch iron rod with cap found at the north corner of said 1.50 acre tract, for an interior corner of the herein described tract;

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Texas Firm Registration No. 10052500

Exhibit A
The Property
 pg.3



THENCE, with the northwest line of said 1.50 acre tract, South 43 degrees 14 minutes 22 seconds West, at a distance of 235.10 feet pass a 1/2-inch iron rod with cap found for reference, continue in all a distance of 237.02 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the northeast R.O.W. line of said Anchor Road, at the west corner of said 1.50 acre tract, for an angle point;

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 329.32 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the east line of an undeveloped road (sixty feet wide per Vol. 26, Page 140 B.C.D.R.) on the west line of said Lot 76, for the southwest corner of the herein described tract;

THENCE, with the east line of said undeveloped road and the west lines of said Lots 76, 75, 74 and 73, North 02 degrees 57 minutes 24 seconds West, a distance of 1,941.54 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the southwest corner of a called 10 acre tract recorded in the name of Benjamin F. Gray under B.C.C.F. No. 1999047350, for the northwest corner of the herein described tract;

THENCE, with the south line of said 10 acre tract, North 87 degrees 11 minutes 18 seconds East, a distance of 1,320.08 feet to a 5/8-inch iron rod found at southwest corner of a called 10 acre tract recorded in the name of Benjamin F. Gray under B.C.C.F. No. 2006070636, at the southeast corner of said 10 acre tract recorded in B.C.C.F. No. 1999047350, for the northwest corner of a 60' X 1,320' strip recorded in the name of Benjamin F. Gray under B.C.C.F. No. 2003054771, for an angle point;

THENCE, with the west line of said a 60' X 1,320' strip, South 02 degrees 52 minutes 02 seconds East, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the southwest corner of said a 60' X 1,320' strip, for an interior corner of the herein described tract;

THENCE, with the south line of said a 60' X 1,320' strip, North 87 degrees 07 minutes 58 seconds East, a distance of 1,321.11 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the west line of Karankawa Road (undeveloped sixty feet wide per Vol. 26, page 140 B.C.D.R.), at the southeast corner of said a 60' X 1,320' strip, for the northeast corner of the herein described tract;

THENCE, with the west R.O.W. line of said Karankawa Road, being the east line of Lots 84, 83, 82, 81 and 80, South 02 degrees 52 minutes 54 seconds East, a distance of 2,970.25 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the northeast corner of a twenty-foot drainage easement dedicated by the Second Replat of Angleton Meadows Subdivision recorded under Vol. 17, Page 263 of the B.C.P.R., for the southeast corner of said Lot 80 and the herein described tract;

THENCE, with the north line of said Angleton Meadows Subdivision and Angleton Meadows Business Park, and the south lines of said Lots 80 and 77, South 87 degrees 09 minutes 29 seconds West, a distance of 1,575.33 feet to the **POINT OF BEGINNING** and containing 166.97 acres of land.

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 Texas Firm Registration No. 10052500

Exhibit A
The Property
pg.4



SAVE AND EXCEPT 2.47 ACRES:

COMMENCING at a 1/2-inch iron rod with cap found on the northeast right-of-way (R.O.W.) line of Anchor Road (AKA County Road 44, one hundred ten feet wide), on the south line of said Lot 77, at the northwest corner of Lot 1 of the Angleton Meadows Business Park recorded under Plat No. 2005019895 of the Brazoria County Plat Records (B.C.P.R.);

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 1,245.66 feet to an angle point;

THENCE, through and across said Lot 76 the following five (5) courses:

1. North 42 degrees 49 minutes 04 seconds East, a distance of 284.35 feet to a 5/8-inch iron rod found for the south corner and **POINT OF BEGINNING** of the herein described tract;
2. North 18 degrees 16 minutes 53 seconds West, a distance of 571.37 feet to a 5/8-inch iron rod found at the northwest corner of the herein described tract;
3. North 88 degrees 50 minutes 27 seconds East, a distance of 299.56 feet to a 5/8-inch iron rod found at the northeast corner of the herein described tract;
4. South 00 degrees 07 minutes 27 seconds West, a distance of 434.88 feet to a 5/8-inch iron rod found at the southeast corner of the herein described tract;
5. South 46 degrees 22 minutes 47 seconds West, a distance of 164.83 feet to the **POINT OF BEGINNING** and containing 2.47 acres of land.

OVERALL: 166.97 ACRES

SAVE AND EXCEPT: 2.47 ACRES

TOTAL: 164.50 ACRES

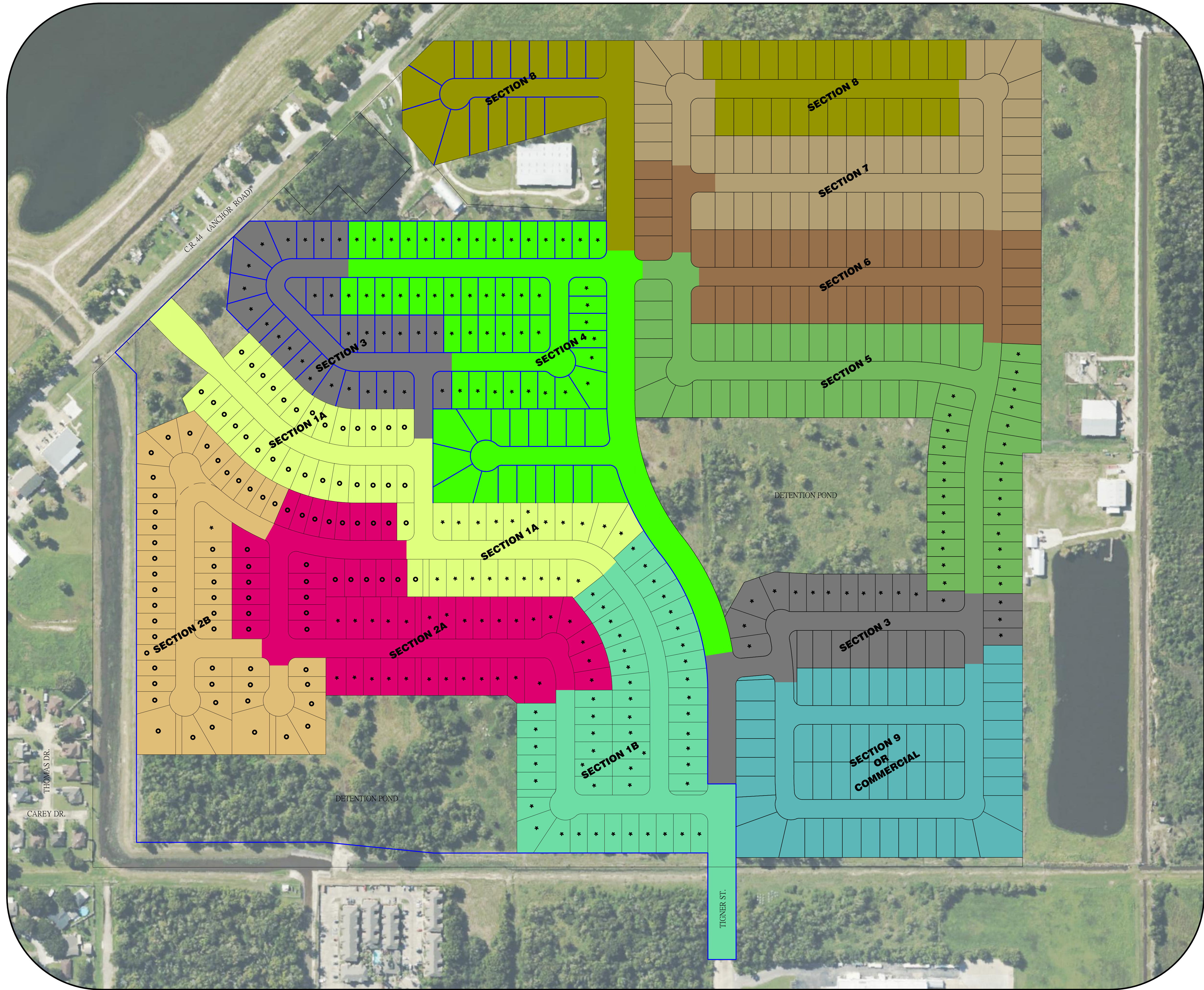
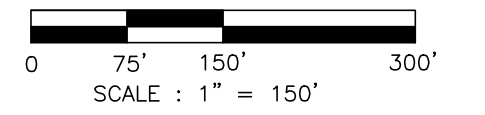
A land title survey of the herein described tract has been prepared by Baker & Lawson Inc. and accompanies this metes and bounds description.

Devin Royal 12-22-20
Devin R. Royal
Registered Professional Land Surveyor
Texas Registration No. 6667














300 E Cedar St, Angleton, Texas 77515 • Phone: (979) 849-6681
Texas Firm Registration No. 10052500

EXHIBIT B LAND PLAN



LOT SUMMARY

	SECTION 1A 50 LOTS 30-50', 20-55'
	SECTION 1B 50 LOTS 50-55'
	SECTION 2A 53 LOTS 24-50', 29-55'
	SECTION 2B 47 LOTS 46-50', 1-55'
	SECTION 3 52 LOTS 43-55', 9-60'
	SECTION 4 63 LOTS 46-55', 17-60'
	SECTION 5 61 LOTS 26-55', 35-60'
	SECTION 6 41 LOTS 41-60'
	SECTION 7 50 LOTS 50-60'
	SECTION 8 44 LOTS 44-60'
	SECTION 9 COMMERCIAL RESERVE OR 55-60' LOTS

- * 55' LOTS
- o 50' LOTS

TOTAL LOTS
566

100 - 50' LOTS
215 - 55' LOTS
251 - 60' LOTS

Austin Colony Subdivision

164.50 ACRES OF LAND

B & L
BAKER & LAWSON, INC.
ENGINEERS • PLANNERS • SURVEYORS
REG. NO. F-825, TBPLS NO. 10052500
DATE: 12/09/22
FILE NAME: 14257 OVERALL EXHIBIT 5.DWG

Exhibit C
Development Standards and District Regulations

All regulations of the Code of Ordinances of the City of Angleton shall apply in this Planned Development PD Three (3) unless otherwise modified in this Exhibit or the PD Planned Development Overlay District Three (3) Ordinance.

REGULATIONS for Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9. as identified in Exhibit "B":

1. **Base District.** The provisions of Section 28-47 SF-5 Single Family Residential 5 District of the City of Angleton Code of Ordinances, as adopted upon the effective date of this ordinance shall apply to Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9, except as otherwise modified herein.
2. **Uses.** Those uses described for the SF-5 district in Section 28-81 Use Regulations (Charts) shall be permitted for Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9.
3. **Lot Dimensions and Development.** The lots shall be the size depicted in Exhibit "B" and shall be approximately 120 feet in length, with the front width of each lot as set forth in this Sections and Lot Summary Chart.

SECTIONS AND LOT SUMMARY CHART				
Section	Lot Width 50 Feet	Lot Width 55 Feet	Lot Width 60 Feet	Section Lot Total
1A	30 Lots	20 Lots		50 Lots
1B		50 Lots		50 Lots
Section 2A	24 Lots	29 Lots		53 Lots
Section 2B	46 Lots	1 Lots		47 Lots
Section 3		43 Lots	9 Lots	52 Lots
Section 4		46 Lots	17 Lots	63 Lots
Section 5		26 Lots	35 Lots	61 Lots
Section 6			41 Lots	41 Lots
Section 7			50 Lots	50 Lots
Section 8			44 Lots	44 Lots
Section 9 Commercial reserve or 55-60 Lots			55 Lots	
Lot Size Total	100 Lots	215 Lots	251 Lots	566 Lots
Size%	17.67%	37.99%	44.34%	100%

4. **Entry Monument.** An Entry Monument shall be placed at the corner of Austin Colony Boulevard and County Road 44, which is the entry to the Project off County Road 44. The Entry Monument shall be either brick or stone with landscaping, planted grass, shrubs, an irrigation system and lighting.
5. **Fencing.** Developer agrees to install perimeter fencing as depicted in **Exhibit "D"** attached hereto. Developer agrees to install premium, stained, crowned fencing along the

rear Property lines of all lots at the intersection of the Austin Colony Boulevard entrance at CR 44 (Anchor Road) and along both sides of the extension of Tigner Street. All perimeter fencing shall be maintained by the Homeowners' Association. Perimeter fencing shall not be installed within any street intersection sight triangles. All fencing for each proposed development phase shall be installed prior to the occupancy of any residence in that phase. All wood fencing will have a top cap.

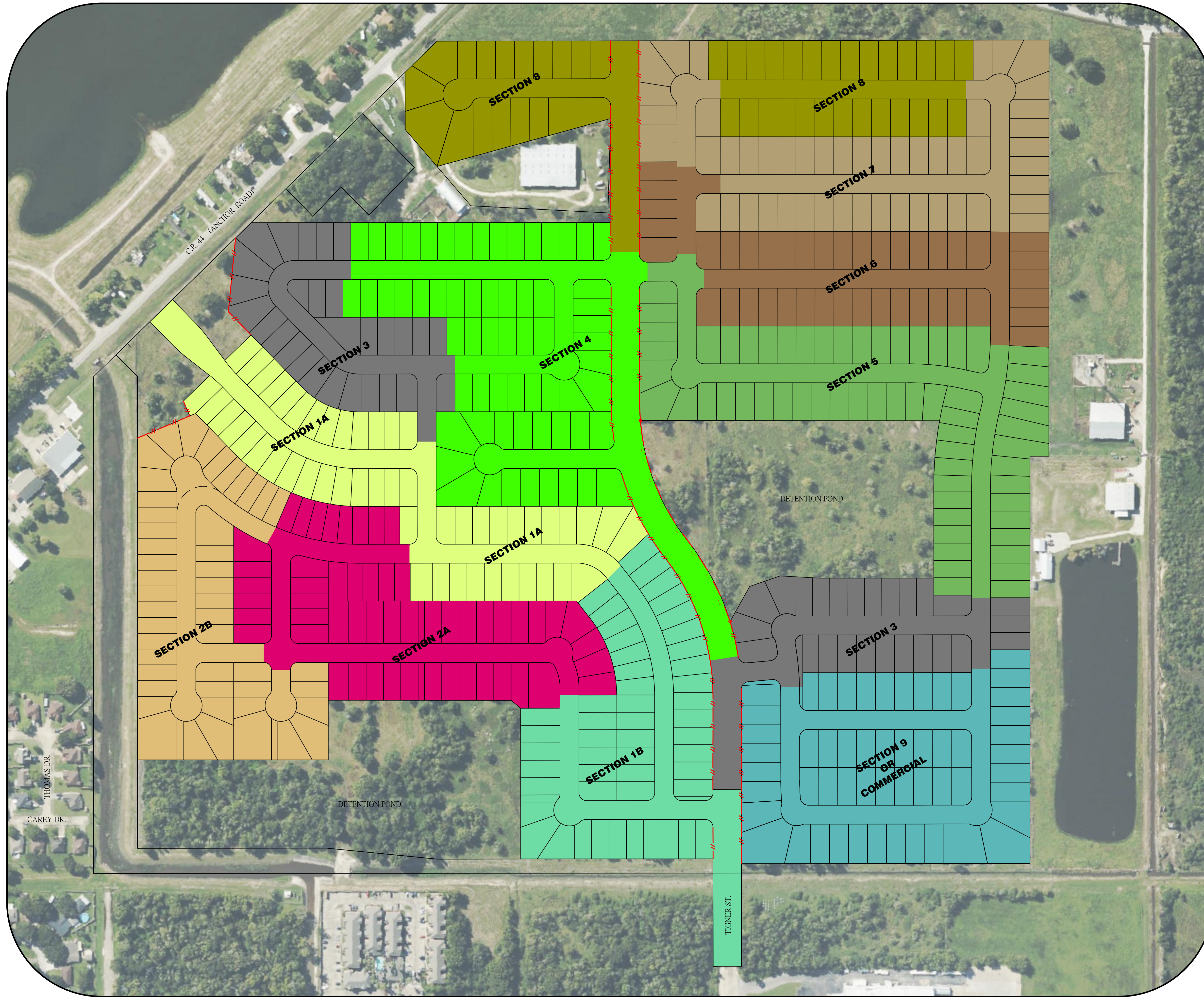
REGULATIONS for Phase 9 as identified by Exhibit "B":

- 1. Base District.** The provisions of Section 28-58 C-O/R Commercial-Office/Retail District of the City of Angleton Code of Ordinances, as adopted upon the effective date of this ordinance, shall apply to Phase 9 of the Property subject to the provisions of this Exhibit and the PD Planned Development Overlay District Three (3) Ordinance.
- 2.** In the event the then current owner of the property depicted as Phase 9 of Exhibit "B" hereof has not applied for a building permit for an office or retail use permitted by Section 28-81 of the City of Angleton Code of Ordinances (C-O/R - Commercial office-Retail District) within six (6) years of the issuance of the first building permit in the project, the then current owner shall be automatically, and with no additional legislative action, be permitted to take all necessary steps to construct single family residential product consistent with the requirements of Section 28-47 SF-5 Single Family Residential District and Exhibit "B".

EXHIBIT D FENCING PLAN



0 75' 150' 300'
SCALE: 1" = 150'

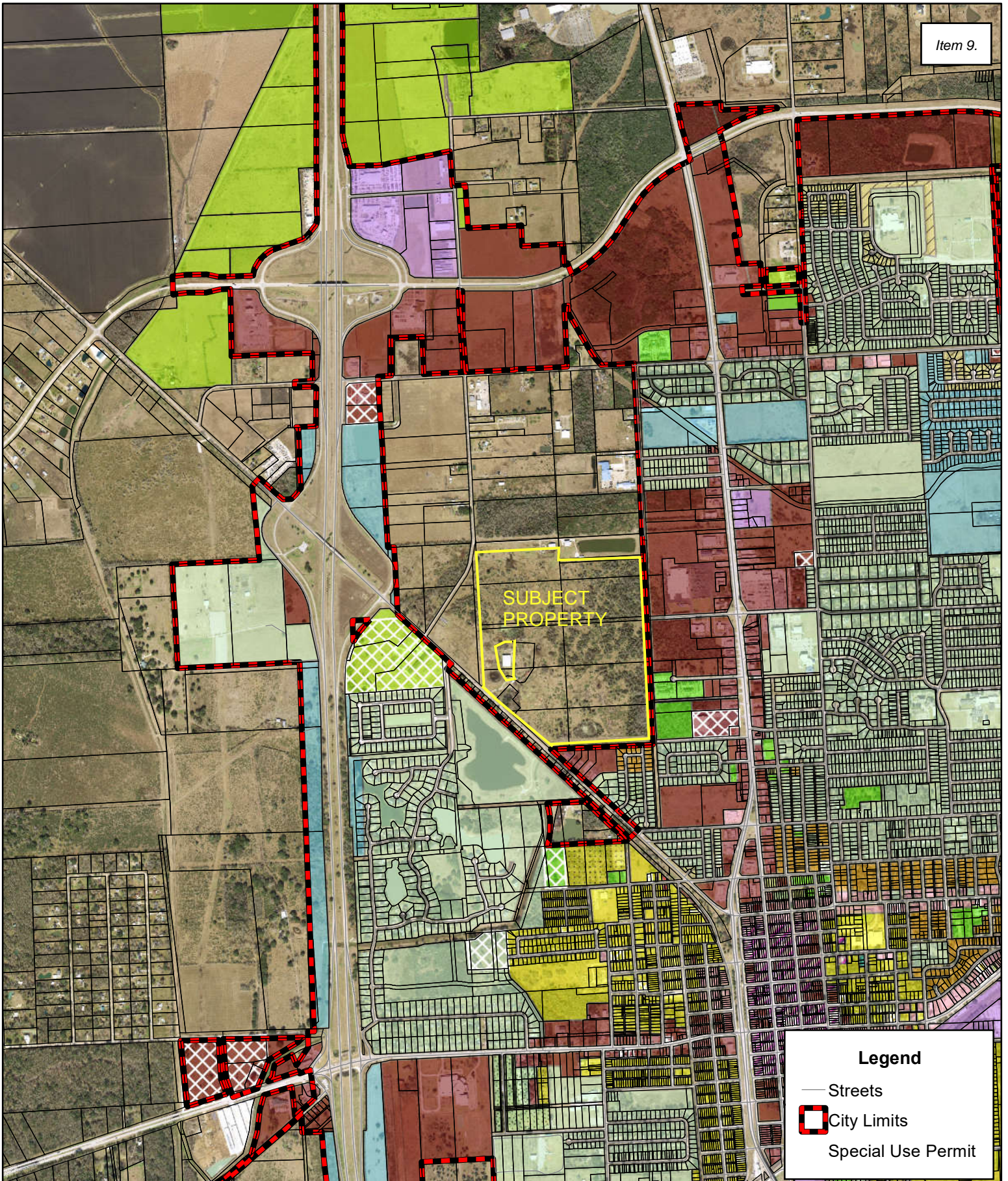


-  PREMIUM CEDAR FENCE W/CROWN
-  WROUGHT IRON FENCE W/BRICK COLUMNS FOR VISUAL TO DETENTION POND

Austin Colony Subdivision

164.50 ACRES OF LAND

B & L
 BAKER & LAWSON, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 REG. NO. F-825, TBPLS NO. 10052500
 DATE: 12/09/22
 FILE NAME: 14257 OVERALL EXHIBIT 5.DWG



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.



Memorial City Plaza II
820 Gessner, Suite 1570
Houston, TX 77024-4494

MEMORANDUM

TO: Chris Whittaker
FROM: Judith El Masri
THRU: J. Grady Randle
RE: **Legal review of Angleton City Charter provision:
“Article 3 The City Council, Section 3.01 Number, selection, and term.”**
DATE: December 29, 2022

Brief History on Angleton Charter Amendment 2021-2022

In 2021 the Charter Commission made recommendations regarding charter amendments to Article 3, and the City Council approved some of the recommendations. The May 2022 ballot contained nine (9) amendments to “Article 3 *The City Council*”.

The City Council did not accept or approve any modification to Article 3, Section 3.01 despite recommendations from the Charter Commission. The council considered the proposed amendments at the 12/14/2021 city council meeting and had a workshop on 1/18/22 but minutes reflect no council action, only discussion. On 2/8/22 the council discussed charter amendments and voted on the amendments to be placed on the ballot.

In the 2/8/22 meeting city council voted to include all amendments to the city charter excluding three provisions, “Section 3.01 term limits”, “Section 4.01 powers of city manager” and the transition provision that would have aided should term limits been voted on¹. (The import of the transition provision would have been that the mayor serve until 2024 rather than 2023 and Cecil Booth inquired on that specific point).

The inadvertent result of the City Council rejection of modifications to Section 3.01, is that Section 3.01(8) was not on the ballot and remained in the Charter as originally written. In 1995 Ordinance 2346 was adopted by the city council approving “Section 3.01 Number, selection and term” subsections (5), (6), (7), (8) to be placed on the ballot for the May 6, 1995 election. The city council minutes from the May 16, 1995 council meeting reflect the canvass of the results and adoption of the charter amendment by popular vote. Section 3.01(8) was therefore effective on May 16, 1995 and the intent of city council was that term limits and the provisions of 3.01(8) were to be applied in 1995. The 1995 Ordinance and city council meeting minutes are attached.

¹ To confirm I watched the video of the city council meeting.

T 281-657-2000

F 832-476-9554

www.jgradyrandlepc.com

In August 2021, the Charter Commission decided that Section 3.01(8) be removed in its entirety. Section 3.01(8) states:

“Persons in the positions of Mayor and/or councilmember elected at the time this amendment is approved by the voters or thereafter shall be deemed to be serving in their first terms of office. Specifically, the term limit shall be applicable and commence with the taking of the oath of office after term limits are approved by the voters with such date serving as the beginning of their first term of office.”

As an aid to interpret the charter section titled: “Article 3, *The City Council* “of the Charter in its entirety, I have set forth the nine (9) amendments to “Article 3 *The City Council* “that were on the ballot and approved by popular vote.

1. Proposition H regarding amendment to Section 3.02 to define the 6-month residency requirement for Angleton citizens to run for city council
2. Proposition I regarding amendment to Section 3.05A deletion of vacancy in office of Mayor due to provisions superseded by state law
3. Proposition J regarding amendment to Section 3.06 Vacancies generally which was deleted and revised to eliminate inoperative provisions and to add language regarding a disaster
4. Proposition K regarding amendment to Section 3.07 Powers of the city Council deleted in part and revised to replace obsolete references and update terminology to current legal usage to vest all powers of self-government in the city council
5. Proposition L regarding amendment to Section 3.08 Meetings of City Council to replace obsolete references and update terminology and to add language permitting council to place items on the agenda at city council meetings
6. Proposition M regarding amendment to Section 3.09 Rules of Procedure deleting in part and revising to update to define a quorum as 4 members of city council and to define Mayor as a member of City Council.
7. Proposition N regarding amendment to Section 3.10 Procedure for Passing of Ordinances which was deleted in its entirety as it was superseded by state law.
8. Proposition O regarding amendment to Section 3.12 Investigation by the City Council eliminate inoperative provisions and update terminology and correct the fine amount for violation dictated by current state law.
9. Proposition P regarding amendment to Section 3.13 Audit and examination of accounts to be deleted in its entirety

Home Rule Charter Interpretation

The Angleton City Charter is the fundamental law for Angleton. The Texas Constitution, Art. XI, Section 5 grants the power of self-government and authorizes home rule municipalities by a majority vote of the qualified voters of the city to amend its charter. Through this Constitutional amendment “the Legislature conferred upon Home Rule cities the full power of self-government.” *Bennett v. Brown County Water Improvement Dist. No. 1*, 272 S.W.2d 498, 506 (Tex. 1954)(Wilson, J. dissenting).

The Angleton City Charter is to be interpreted and read as a whole, and all provisions must be harmonized “considering every word, phrase, and expression as if each had been deliberately

chosen and used for a purpose”. *Hammond v. City of Dallas*, 712 S.W.2d 496, 498 (Tex. 1986). The City Council is responsible for interpreting its charter. The attorney general has opined a city attorney bears primary responsibility for interpreting a city’s charter for the purpose of whether there are limits imposed by the Texas Constitution and Texas statute on self-government. *See* Tex. Att’y Gen. Op. No. JM-805 (1987), at 1 n. 1. In this review we have determined there are no such state law or constitutional provisions imposing limitations on Section 3.01(8).

Application of the plain meaning rule (see research item 2 below) when interpreting Charter Section 3.01(8) leads to one possible interpretation as follows:

At the time the charter amendments were placed on the ballot and voted on (2022), *the elected officials not on the ballot for election in May 2022 are serving their first term*. The elected officials not on the 2022 ballot seeking (re)election were Mayor Jason Perez, Councilman Travis Townsend and Councilman Cecil Booth. This interpretation is altered by a review of the history of the charter amendment in which Section 3.01(8) was adopted.

Decisions by Texas courts (see research item 2 below) reflect this interpretation is accurate, unless a contrary intention is apparent from the context, or such a construction leads to absurd results. Using this interpretation and applying the “plain meaning rule” means Perez, Townsend and Booth would in fact be serving their first term.

In 2011, the Texas Supreme Court decided that a court’s primary objective in construing an ordinance is to ascertain and give effect to the enacting body’s intent. *TGS-NOPEC Geophysical Co. v. Combs*, 340 S.W.3d 432,439 (Tex. 2011). In order to “give effect to the enacting body’s intent” a review of the acting body’s action is required. City council action on Angleton charter amendments is normally reflected by city ordinance and the 1995 Ordinance reflects the action.²

It appears the “enacting body’s intent” is reflected in the 1995 Ordinance and 5/16/1995 city council minutes, however, the responsibility for the interpretation of (a) intent, and (b) the meaning of Section 3.01(8) falls upon the current Angleton City Council.

Conclusion:

The Charter language in Section 3.01(8) was inadvertently overlooked by the city council when they decided to exclude it from the amendments to be placed on the ballot and go to the voters. The charter commission deleted the provision. The provision remains and is valid and the interpretation of the provision is the responsibility of the City Council. The City Attorney is responsible for interpreting whether a charter provision is limited or exceeds the limits of state law, and a legal review reflects neither.

One possible interpretation and the interpretation that is reasonable and based on city council action in 1995, is that the intent of the authors (city council in 1995) of Section 3.01(8) was that following the charter amendment election, the citizens of Angleton by popular vote imposed term limits on the elected officials, and those particular elected officials not on the ballot in 1995 were to serve in their first term.

² According to Municode the Angleton City Charter was amended in 1969, 1971, 1973, 1975, 1979, 1981, 1983, 1985, 1989, 1995, 2003, 2005, 2007, 2010, 2015, 2018.

Another possible interpretation is that after the Charter was amended in 2022 the elected officials in office (not on the ballot in 2022) are serving their first term, similar to the elected officials on the 2022 ballot that are serving their first term. Regardless of the City Council interpretation, the Code Construction Act of Texas requires that a just and reasonable result is intended, and the public interest is favored over any private interest (see research item 5 below).

Research on rules of construction:

1. Courts use the same rules to construe statutes as municipal ordinances. *Mills v. Brown*, 159 Tex. 110, 316 S.W.2d 720, 723 (1958).
2. Courts use definitions prescribed by the Legislature and any technical or particular meaning the words have acquired. Tex. Gov't Code Ann. § 311.011(b). Otherwise, courts must construe the statute's words according to their plain and common meaning, *Texas Department of Transportation v. City of Sunset Valley*, 146 S.W.3d 637, 642 (Tex.2004), unless a contrary intention is apparent from the context, *Taylor v. Firemen's & Policemen's Civil Serv. Comm'n of City of Lubbock*, 616 S.W.2d 187, 189 (Tex. 1981), or unless such a construction leads to absurd results. *Texas Dept. of Protective & Regulatory Services v. Mega Child Care, Inc.*, 145 S.W.3d 170, 177 (Tex. 2004) (noting that when statutory text is unambiguous, courts must adopt the interpretation supported by the statute's plain language unless that interpretation would lead to absurd results).
3. *Silguero v. CSL Plasma, Inc.*, 579 S.W.3d 53, 59-64 (Tex. 2019); see also *State v. T.S.N.*, 547 S.W.3d 617, 620-622 (Tex. 2018) stating that the Texas Supreme Court's analysis of a statute is limited to the text of the statute unless the only possible interpretation leads to absurd results.
4. When construing an ordinance, we presume "*the ordinance is intended to be effective, a just and reasonable result is intended, a result feasible of execution is intended, and the public interest is favored over private interest.*" And a court's primary objective in construing an ordinance is to ascertain and give effect to the enacting body's intent. *TGS-NOPEC Geophysical Co. v. Combs*, 340 S.W.3d 432,439 (Tex. 2011).
5. Code Construction Act, Texas Government Code Sec. 311.021 *Intention in Enactment of Statutes*. Presumption that: per Sec. 311.021 (3) a just and reasonable result is intended and per Sec. 311.021(5) public interest is favored over any private interest.

AN ORDINANCE TO PROVIDE FOR THE SUBMISSION OF PROPOSED AMENDMENT TO THE HOME RULE CHARTER OF THE CITY OF ANGLETON, TEXAS, BY AMENDING THE LANGUAGE OF SECTION 3.01 OF THE HOME RULE CHARTER OF THE CITY OF ANGLETON TO INCLUDE SUBSECTIONS (5), (6), (7) AND (8) TO LIMIT TERMS OF THE MAYOR AND COUNCIL MEMBERS; AS PRESENTED IN THIS ORDINANCE, PROVIDING FOR THE SUBMISSION OF THE PROPOSED AMENDMENT TO THE HOME RULE CHARTER OF THE CITY OF ANGLETON, TEXAS, TO THE QUALIFIED VOTERS OF SAID CITY AT THE NEXT REGULAR ELECTION, MAY 6, 1995, AND DIRECTING THAT NOTICE THEREOF BE GIVEN.

WHEREAS, the Home Rule Charter Revision Commission of the City of Angleton recommended to the City Council of the City of Angleton to submit to the voters a proposal to amend the Home Rule Charter to provide for term limits for the Mayor and City Council members, and

WHEREAS, the Council of the City of Angleton deems it proper and in the best interest of the citizens of Angleton to submit the proposed amendment to the qualified voters of said City; therefore,

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

SECTION 1. The following proposed amendment to the Home Rule Charter of the City of Angleton shall be submitted to the qualified voters of the City for adoption or rejection, at a regular City election to be held on Saturday, May 6, 1995:

PROPOSITION NO. 1

Shall Section 3.01 of Article 3 of the Home Rule Charter of the City of Angleton be amended by adding subsections (5), (6), (7) and (8) as follows:

Section 3.01. Number, selection and term.

(5) A person who has served three (3) terms as Councilmember shall not be eligible to serve in such office thereafter for a period of twelve (12) months, at which time that person's eligibility to serve another three (3) terms shall be restored.

(6) A person who has served three (3) terms as Mayor shall not be eligible to serve in such office thereafter for a period of twelve (12) months, at which time that person's eligibility to serve another three (3) terms shall be restored.

(7) A person who is elected Mayor or Councilmember at any city election or who is appointed or elected to serve an unfinished term of office of more than one (1) year shall be deemed to have served one term. A person who is appointed or elected to serve an unfinished term of office of one (1) year or less, shall not be deemed to have served one (1) term.

(8) Persons in the positions of Mayor and/or Councilmember elected at the time this amendment is approved by the voters or thereafter shall be deemed to be serving in their first terms of office. Specifically, the term limit shall be applicable and commence with the taking of the oath of office after term limits are approved by the voters with such date serving as the beginning of their first term of office.

State of Texas

County of Brazoria

City of Angleton

The Angleton City Council conducted a Special Meeting at 6:00 p.m., Tuesday, May 9, 1995 at City Hall, 121 S. Velasco, with the following present:

Roy Gardner	Mayor
Rudy Santos	Mayor Pro Tem
Robyn Cochran	Councilwoman
Matt Sebesta	Councilman
Ronnie Slate	Councilman
J. Patrick Henry	Councilman

Others Present	Ruth Hertel	City Administrator
	David Emswiler	City Secretary
	Roger Collins	Councilman Elect.
	and those listed on the guest register.	

CALL TO ORDER

CANVASS RESULTS OF MAY 6, 1995 GENERAL ELECTION

Mayor Roy Gardner read the results of the May 6, 1995 General Election.

Mayor		
* Roy Gardner	692 votes	100. percent
(No opponent)		
<i>Total</i>	<i>692 votes</i>	<i>100. percent</i>
Council Position 2		
* J. Patrick Henry	621 votes	100. percent
(No opponent)		
<i>Total</i>	<i>621 votes</i>	<i>100. percent</i>
Council Position 4		
* Sarah Shepherd Bostick	230 votes	25.99 percent
* Roger D. Collins	541 votes	61.13 percent
* Timm D. Martin	114 votes	12.88 percent
<i>Total</i>	<i>885 votes</i>	<i>100 percent</i>

Proposition No. 1

Do you vote to amend the Home Rule Charter of the City of Angleton by amending Section 3.01 of Article 3 by limiting to three the number of terms a person may serve as City Councilmember, by limiting to three the number of terms a person may serve as mayor; such person then becoming ineligible to serve in such office for a period of 12 months.

	575 yes votes	72.60 percent
	217 no votes	27.40 percent
<i>Total</i>	<i>792 votes</i>	<i>100 percent</i>

Following Mayor Roy Gardner report the following action was taken:

Motion: Councilman Slate
Second: Councilman Sebesta

That the City Council accept the Canvass of the General Election and Proposition No. 1 conducted May 6, 1995, as read. Motion passed with 6 voting for; 0 against.

CONSIDER BIDS; DOWNING - HOSPITAL DRIVE TO BRUSHY BAYOU

The City Council considered bids on grading, paving Downing Road from Hospital Drive to Brushy Bayou. Baker and Lawson Engineers recommended that Ramos Industries, Inc. be award the low bid at the total bid amount of \$431,052.10.

Motion: Councilman Slate
Second: Councilwoman Cochran

That the City Council accept the low bid of \$431,052.10 from Ramos Industries for the grading, paving of Downing Road from Hospital Drive to Brushy Bayou. Motion carried with 6 voting for; 0 against.

EXECUTIVE SESSION

The City Council entered an Executive Session in accordance with Article 6252 - 17, Section 2 (g) personnel in regards to interviews for Municipal Judge position.

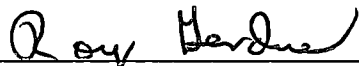
Action coming from Executive Session in Open Session:

Motion: Councilman Sebesta
Second: Councilwomen Cochran

That the City of Angleton appoint David Bonnen to serve as the City of Angleton's Municipal Judge replacing Forest Smith who has resigned. Motion carried with 6 voting for; 0 against.


Adjournment

PASSED AND APPROVED this the 16th day of May, 1995.



Roy Gardner, Mayor

ATTEST:



David Emswiler, City Secretary



AGENDA ITEM SUMMARY FORM

MEETING DATE: 01/10/2023

PREPARED BY: Glenn LaMont

AGENDA CONTENT: Discussion and possible action on awarding a construction contract for the GLO CDBG-MIT SUP Grant #22-119-002-D360 for the City of Angleton's Supplemental Project to purchase and install a Warning Siren system to Mobile Communications America (MCA), whose proposal scored the highest. (LaMont)

AGENDA ITEM SECTION: Consent Agenda

BUDGETTED AMOUNT: \$144,250 **FUNDS REQUESTED:** \$0.00

FUND: CDBG-MIT Supplemental Grant

EXECUTIVE SUMMARY:

Awarding a contract to install warning sirens to the best proposal meeting our spec.

RECCOMENDATION:

Staff recommends awarding to Mobile Communications America (MCA).

Warning Siren and Installation Project					
Board Members	MCA	American Signal Corp.	Turner Power		
One	95	93	60		
Two	80	80	50		
Three	91	88	60		
Four	100	88	67		
Average	91.50	87.25	59.25		
Rank	1	2	3		

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: Turner Power
 Evaluator's Name I

Date of Rating
12/1/2022

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>15</u>	<u>199,847.69</u>
2. Cost is considered reasonable to the project	20	<u>5</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50	<u>25</u>
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Experience with Systems and Installations

Factor	Max.Pts.	Score
1. Past projects completed	10	<u>5</u>
2. Manages projects within budgetary constraints	10	<u>5</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25	<u>15</u>
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NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>5</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>5</u>

Subtotal, Ability to Complete

25	<u>20</u>
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TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>25</u>
<input type="checkbox"/> Experience	25	<u>15</u>
<input type="checkbox"/> Ability to Complete	25	<u>20</u>

Total Score

100	<u>60</u>
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Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: American Signal Corp.
 Evaluator's Name 1

Date of Rating 12/1/22

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>25</u>	<u>108,085.13</u>
2. Cost is considered reasonable to the project	20	<u>20</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50 50

Experience with Systems and Installations

Factor	Max.Pts.	Score
1. Past projects completed	10	<u>8</u>
2. Manages projects within budgetary constraints	10	<u>10</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25 23

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>0</u>

Subtotal, Ability to Complete

25 20

TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>50</u>
<input type="checkbox"/> Experience	25	<u>23</u>
<input type="checkbox"/> Ability to Complete	25	<u>20</u>

Total Score

100 93

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: MC A
 Evaluator's Name I

Date of Rating
12/1/2022

Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	<u>Comments</u>
1. Cost is consistent with the project estimate	25	<u>20</u>	162,847.26
2. Cost is considered reasonable to the project	20	<u>4820</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50	<u>45</u>
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Experience with Systems and Installations

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>10</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25	<u>25</u>
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NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>5</u>

Subtotal, Ability to Complete

25	<u>25</u>
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TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
<input type="checkbox"/> Cost	50	<u>45</u>
<input type="checkbox"/> Experience	25	<u>25</u>
<input type="checkbox"/> Ability to Complete	25	<u>25</u>

Total Score

100	<u>95</u>
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Interview Notes:

Warning Sirens Rating Sheet

Entity City of Anxleton
 Name of Respondent Turner Power
 Evaluator's Name 2

Date of Rating 12/1/22

Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	<u>Comments</u>
1. Cost is consistent with the project estimate	25	<u>5</u>	
2. Cost is considered reasonable to the project	20	<u>5</u>	
3. Cost can be scalable	5	<u>2</u>	

Subtotal, Cost

50 13

Experience with Systems and Installations

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Past projects completed	10	<u>5</u>
2. Manages projects within budgetary constraints	10	<u>5</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25 15

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staff Level / Experience of Staff	10	<u>5</u>
2. Adequacy of Resources	10	<u>5</u>
3. Professional liability insurance is in force	5	<u>5</u>

Subtotal, Ability to Complete

25 15

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
<input type="checkbox"/> Cost	50	<u>5</u>
<input type="checkbox"/> Experience	25	<u>10</u>
<input type="checkbox"/> Ability to Complete	25	<u>10</u>

Total Score

100 25
50

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: ASC
 Evaluator's Name 2

Date of Rating 12/1/22

Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	<u>Comments</u>
1. Cost is consistent with the project estimate	25	<u>25</u>	
2. Cost is considered reasonable to the project	20	<u>20</u>	
3. Cost can be scalable	5	<u>3</u>	

Subtotal, Cost

50 48

Experience with Systems and Installations

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>5</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25 20

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	

Subtotal, Ability to Complete

25 20

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
<input type="checkbox"/> Cost	50	<u>40</u>
<input type="checkbox"/> Experience	25	<u>20</u>
<input type="checkbox"/> Ability to Complete	25	<u>20</u>

Total Score

100 80

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: MCA
 Evaluator's Name 2

Date of Rating 12/1/22

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>25</u>	
2. Cost is considered reasonable to the project	20	<u>20</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50

50

Experience with Systems and Installations

Factor	Max.Pts.	Score
1. Past projects completed	10	<u>8</u>
2. Manages projects within budgetary constraints	10	<u>10</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25

23

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>3</u>

Subtotal, Ability to Complete

25

23

TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>40</u>
<input type="checkbox"/> Experience	25	<u>20</u>
<input type="checkbox"/> Ability to Complete	25	<u>20</u>

Total Score

100

80

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: B Turner Power
 Evaluator's Name S

Date of Rating 12/1/22

Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	<u>Comments</u>
1. Cost is consistent with the project estimate	25	<u>10</u>	
2. Cost is considered reasonable to the project	20	<u>5</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50

20

Experience with Systems and Installations

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>5</u>
3. Work product is of high quality	5	<u>3</u>

Subtotal, Experience

25

18

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>5</u>

Subtotal, Ability to Complete

25

25

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
<input type="checkbox"/> Cost	50	<u>20</u>
<input type="checkbox"/> Experience	25	<u>18</u>
<input type="checkbox"/> Ability to Complete	25	<u>25</u>

Total Score

100

60

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: ASC
 Evaluator's Name 3

Date of Rating 12/1/22

Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	<u>Comments</u>
1. Cost is consistent with the project estimate	25	<u>25</u>	
2. Cost is considered reasonable to the project	20	<u>20</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50	<u>50</u>
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Experience with Systems and Installations

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>10</u>
3. Work product is of high quality	5	<u>3</u>

Subtotal, Experience

25	<u>23</u>
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NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>5</u>
3. Professional liability insurance is in force	5	<u>0</u>

Subtotal, Ability to Complete

25	<u>15</u>
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TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
<input type="checkbox"/> Cost	50	<u>50</u>
<input type="checkbox"/> Experience	25	<u>23</u>
<input type="checkbox"/> Ability to Complete	25	<u>15</u>

Total Score

100	<u>88</u>
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Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
Name of Respondent: MCA
Evaluator's Name 3

Date of Rating 12/1/22

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>20</u>	
2. Cost is considered reasonable to the project	20	<u>18</u>	
3. Cost can be scalable	5	<u>5</u>	

Subtotal, Cost

50 43

Experience with Systems and Installations

Factor	Max.Pts.	Score
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>8</u>
3. Work product is of high quality	5	<u>5</u>

Subtotal, Experience

25 23

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>5</u>

Subtotal, Ability to Complete

25 25

TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>43</u>
<input type="checkbox"/> Experience	25	<u>23</u>
<input type="checkbox"/> Ability to Complete	25	<u>25</u>

Total Score

100 91

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: Turner
 Evaluator's Name 4

Date of Rating 12/1/22

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>10</u>	<u>\$199,897.69</u>
2. Cost is considered reasonable to the project	20	<u>10</u>	
3. Cost can be scalable	5		
Subtotal, Cost	<u>50</u>	<u>22</u>	

Experience with Systems and Installations

Factor	Max.Pts.	Score
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>10</u>
3. Work product is of high quality	5	<u>5</u>
Subtotal, Experience	<u>25</u>	<u>25</u>

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>5</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>5</u>
Subtotal, Ability to Complete	<u>25</u>	<u>20</u>

TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>22</u>
<input type="checkbox"/> Experience	25	<u>25</u>
<input type="checkbox"/> Ability to Complete	25	<u>20</u>
Total Score	<u>100</u>	<u>67</u>

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: ASC
 Evaluator's Name 4

Date of Rating 12-1-2022

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>20</u>	<u>\$108'085.13</u>
2. Cost is considered reasonable to the project	20	<u>20</u>	
3. Cost can be scalable	5		
		<u>3</u>	
Subtotal, Cost	<u>50</u>	<u>43</u>	

Experience with Systems and Installations

Factor	Max.Pts.	Score	
1. Past projects completed	10	<u>10</u>	14+
2. Manages projects within budgetary constraints	10	<u>10</u>	
3. Work product is of high quality	5	<u>5</u>	
Subtotal, Experience	<u>25</u>	<u>25</u>	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>8</u>
3. Professional liability insurance is in force	5	<u>2</u>
Subtotal, Ability to Complete	<u>25</u>	<u>20</u>

TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>43</u>
<input type="checkbox"/> Experience	25	<u>25</u>
<input type="checkbox"/> Ability to Complete	25	<u>20</u>
Total Score	<u>100</u>	<u>88</u>

Interview Notes:

Warning Sirens Rating Sheet

Entity City of Angleton
 Name of Respondent: MCA
 Evaluator's Name 4

Date of Rating 12-1-2022

Cost

Factor	Max.Pts.	Score	Comments
1. Cost is consistent with the project estimate	25	<u>25</u>	<u>\$162,847.76</u> Savings of <u>\$29,548.37</u> if using wooden poles instead of concrete.
2. Cost is considered reasonable to the project	20	<u>20</u>	
3. Cost can be scalable	5	<u>5</u>	
Subtotal, Cost	<u>50</u>	<u>50</u>	

Experience with Systems and Installations

Factor	Max.Pts.	Score
1. Past projects completed	10	<u>10</u>
2. Manages projects within budgetary constraints	10	<u>10</u>
3. Work product is of high quality	5	<u>5</u>
Subtotal, Experience	<u>25</u>	<u>25</u>

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Ability to Complete the Project in Two Months

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
3. Professional liability insurance is in force	5	<u>5</u>
Subtotal, Ability to Complete	<u>25</u>	<u>25</u>

TOTAL SCORE

Factor	Max.Pts.	Score
<input type="checkbox"/> Cost	50	<u>50</u>
<input type="checkbox"/> Experience	25	<u>25</u>
<input type="checkbox"/> Ability to Complete	25	<u>25</u>
Total Score	<u>100</u>	<u>100</u>

Interview Notes:



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

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

AGENDA CONTENT: Discussion and possible action on a Final Plat for De La Garza Subdivision, 3.996 Acres, 2- Lots, 1 Block, located on the south side of Kiber Rd., west of Sims Drive.

AGENDA ITEM SECTION: Regular Agenda Item

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY AND HISTORY:

The owner/agent request approval of the Preliminary/Final Plat for De La Garza Subdivision, 3.996 Acres, 2- Lots, 1 Block, located on the south side of Kiber Rd., just west of Sims Drive.

Action taken by the City Council on September 27, 2022. The Council voted unanimously to grant the requested variance voted to allow an on-site sewage system.

A variance was granted of Section 23-15.C to allow use of on-site sewerage facilities (OSSF) pursuant to Section 23-15.D.2. The proposed OSSF are septic systems. The subject property consists of 3.996 acres and is in the Single-Family Estate Residential – 20 (SFE-20) zoning district. The proposal is to subdivide the property into two lots (See attached plat). The property was annexed into the City (Ord. #2011-O-6C); the Annexation Services Plan, requires that prior to the City providing sanitary sewer service to the area the property owner, at his/her own expense, must install a grinder pump or small lift station in accordance with applicable codes and departmental policies and maintain the lift station or install a gravity. The variance request (Attachment 4) outlined the reasons for the variance, and Mr. Javier Vasquez, PE with HDR provided a timeline detailing effort to meet Chapter 23 requirements.

The applicant has been unable to find a way to connect to the City's sewer system, and while a solution could certainly be found if enough money is spent, that solution would not be consistent with the Section 23-32 Rough Proportionality requirement and pursuant to Section 23-33 the City Council can grant relief. After discussion with the City Attorney, it was determined that the controlling regulations in this instance are Sections 23-32 and 23-33 and not Ordinance #2011-O-6C.

DEVELOPMENT SERVICES/ENGINEERING COMMENTS:

1. Please revise plat with noted corrections including references to approved variance of on-site sewerage facilities (OSSF) pursuant to Section 23-15.D.2.
2. Textual corrections to be made to plat certificates and drawing
3. Provide a plat note that the subdivision is subject to connecting to City wastewater facilities when availability for connection is provided by extension of City utilities.

Recommendation. The Planning and Zoning Commission voted unanimously (7-0), to forward the Final Plat to City Council with a positive recommendation of approval and consideration.

DEDICATION STATEMENT:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT JACOBO DE LA GARZA, owner, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as De La Garza Subdivision, 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 to 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.

Drainage Easements Maintained by a Homeowners' Association.

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, their heirs, grantees, successors, and assigns:

"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 by and through a lawfully created homeowners association to be created by the Owners. The Owners covenant and agree that such a homeowners' association (called "Association") shall be created prior to the final acceptance of the City. All Association documents shall be subject to the approval of the City and shall specifically contain covenants binding the Association to continuously maintain all Drainage Easements. Such covenants shall not relieve the individual lot owners of the responsibility to maintain the Drainage Easements should the Association default in the performance of its maintenance responsibility. The Association documents shall also contain provisions that they may not be amended with regard to the Drainage Easement maintenance responsibilities without the approval of the City. The fee simple title to all Drainage Easements shall always remain in the Association.

The City and Angleton Drainage District are not responsible for the maintenance and operation of said easements 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 City and Angleton Drainage District reserves the right, but not the obligation, to enter upon any Drainage Easement at any point, or points, with all rights of ingress and egress, to investigate, survey, erect, construct, or maintain any drainage facility deemed necessary by the City for drainage and safety purposes.

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.

DRAINAGE AND DETENTION EASEMENT.

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, their heirs, grantees, successors, and assigns:

"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.

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.

Jacobo De La Garza, Owner

STATE OF TEXAS § COUNTY OF BRAZORIA §

Before me, the undersigned, personally appeared JACOBO DE LA GARZA 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 _____, 20____.

Notary Public State of Texas

Notary Public State of Texas

PLANNING AND ZONING COMMISSION AND CITY COUNCIL:

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

BILL GARWOOD, Chairman, Planning and Zoning Commission

FRANCES AGUILAR, City Secretary

APPROVED this ____ day of _____, 20____, by the City Council, City of Angleton, Texas.

JASON PEREZ, Mayor

FRANCES AGUILAR, City Secretary

STATE OF TEXAS § COUNTY OF BRAZORIA §

This instrument was acknowledged before me on the ____ day of _____, 20____, by

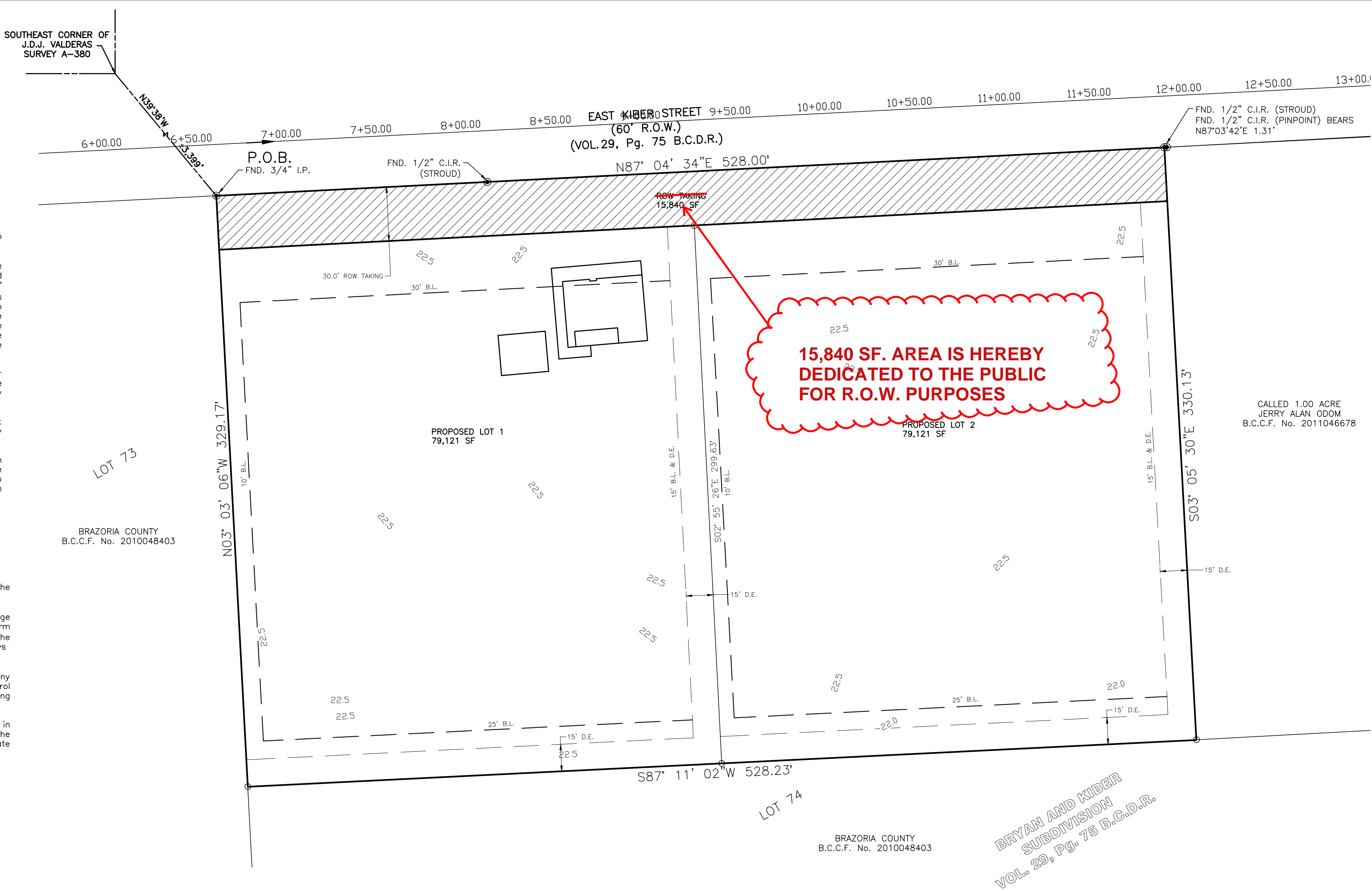
FRANCES AGUILAR, City Secretary, City of Angleton, on behalf of the City.

Notary Public State of Texas

Notary Public State of Texas

KNOW ALL MEN BY THESE PRESENTS: That I, Miguelangel A. Saucedo, 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.

SIGNED: Miguelangel A. Saucedo DATE PROFESSIONAL ENGINEER TEXAS REGISTRATION NO. 121992



ANGLETON DRAINAGE DISTRICT

ANGLETON DRAINAGE DISTRICT ACCEPTED, THIS THE ____ DAY OF _____, 20____. 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

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

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BOARD MEMBER

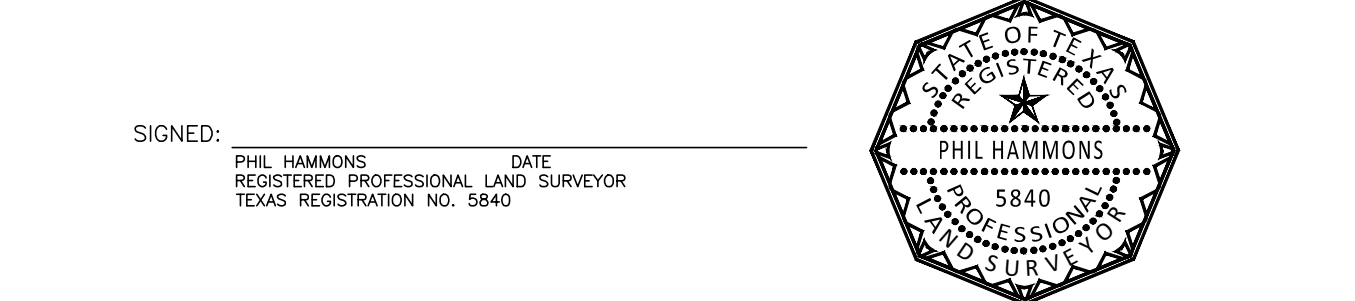
BOARD MEMBER

BOARD MEMBER

ADD VERBAGE:

THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE CITY OF ANGLETON LDC, EXCEPT FOR THE VARIANCE THAT WAS EXPRESSLY GRANTED BY THE CITY COUNCIL ALLOWING FOR ON-SITE SEWERAGE FACILITIES (OSSF) PURSUANT TO SECTION 23.14-15.D.2.

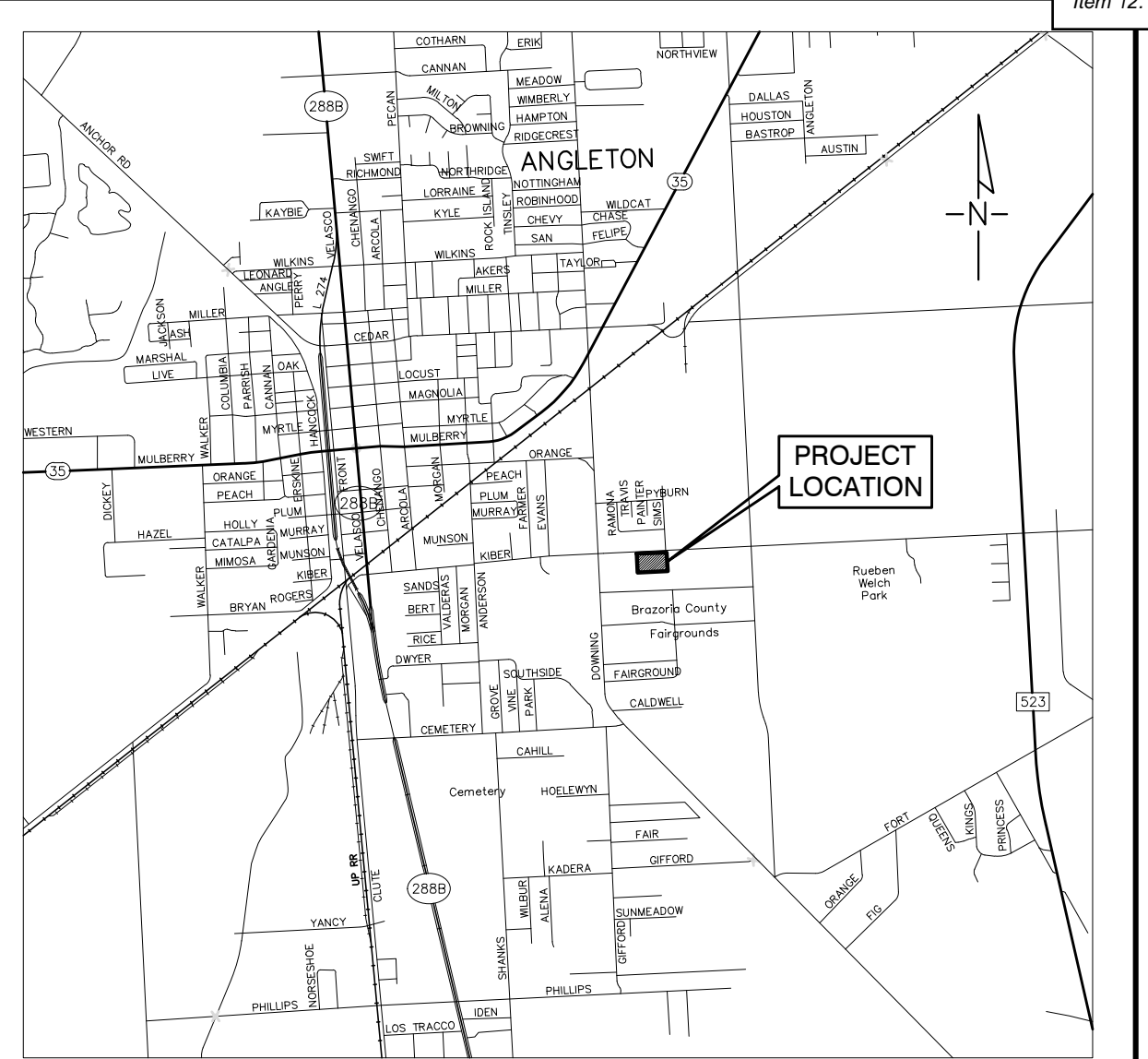
I CERTIFY THAT THE HEREIN PLAT AND THE SURVEY ON WHICH IT WAS BASED MEET THE MINIMUM REQUIREMENTS OF CATEGORY 1A, CONDITION II SURVEY, AS DESCRIBED IN THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS - MANUAL OF PRACTICE, FIELDWORK, AS COMPLETED IN FEBRUARY, 2021.



SIGNED: PHIL HAMMONS DATE REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5840

NOTES:

- 1. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
2. FLOOD ZONE STATEMENT: ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 48039C0445K, WITH EFFECTIVE DATE OF DECEMBER 30, 2021, THE PROPERTY SURVEYED LIES FULLY 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.
3. REFERENCE BENCHMARK: NGS MONUMENT R1182 (PID AW1171) A BRASS DISK STAMPED R1182, ON THE NORTH LINE OF CR 171, ON THE CURB OF A BRIDGE, APPROXIMATELY 275 SOUTHWEST OF INTERSECTION WITH CR 428. ELEVATION = 26.31 FEET NGVD29
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. SIDEWALKS SHALL BE REQUIRED PER ANGLETON LDC SEC. 23.14 - SIDEWALKS AND ACCESSIBILITY.
11. A MINIMUM OF TWO PARKING SPACES ON THE SAME LOT AS THE MAIN STRUCTURE AND ON A PAVED DRIVEWAY HAVING A MINIMUM LENGTH OF 20 FEET AS MEASURED FROM THE STREET RIGHT-OF-WAY LINE.
12. ALL REAR BUILDING LINES SHALL BE 25 FEET FROM PROPERTY LINE. SIDE BUILDING LINES SHALL BE 10 FEET FOR INTERIOR SIDE LOTS. THE FRONT BUILDING LINE SHALL BE 30 FEET.
13. THE PURPOSE OF THIS REPLAT IS TO SUBDIVIDE THE TRACT INTO TWO LOTS.



LEGEND
B.C.C.F. = BRAZORIA COUNTY CLERK'S FILE
B.C.D.R. = BRAZORIA COUNTY DEED RECORDS
B.C.F.P. = BRAZORIA COUNTY PLAT RECORDS
B.L. = BUILDING LINE
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
BM = BENCHMARK
D.D.E. = DRAINAGE AND DETENTION EASEMENT
G.B.L. = GARAGE BUILDING LINE
FND = FOUND
I.R. = IRON ROD
I.P. = IRON PIPE
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
STM.S.E. = STORM SEWER EASEMENT
VOL., Pg. = VOLUME, PAGE
SYMBOLS
O = SET 5/8" I.R. W/CAP "BAKER & LAWSON"
● = FOUND MONUMENT (AS NOTED)
⊕ = (TBM) TEMPORARY BENCHMARK

SCALE: 1" = 40'

FIELD NOTES FOR 3.996 ACRE TRACT

BEING A TRACT OF LAND CONTAINING 3.996 ACRES (174,082 FEET) OF LAND, LOCATED IN THE I.T. TINSLEY SURVEY, ABSTRACT NUMBER (NO.) 375, IN BRAZORIA COUNTY, TEXAS, BEING A PORTION OF TRACT 74 OF THE BRYAN AND KIBER SUBDIVISION RECORDED UNDER VOLUME (VOL.) 29, PAGE (PG.) 75 OF THE BRAZORIA COUNTY DEED RECORDS (B.C.D.R.), BEING ALL OF A CALLED 4 ACRE TRACT RECORDED IN THE NAME OF JACOBO H. DELAGARZA UNDER BRAZORIA COUNTY CLERK'S FILE (B.C.C.F.) NO. 2017023710; SAID 3.996 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) CENTRAL ZONE, PER GPS OBSERVATIONS):

BEGINNING AT A 3/4-INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF EAST KIBER STREET (SIXTY FEET WIDE PER VOL. 29, PG. 75 B.C.D.R.) AT THE NORTHEAST CORNER OF LOT 73 OF SAID BRYAN AND KIBER SUBDIVISION, AT THE NORTHWEST CORNER OF SAID LOT 74 AND THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE SOUTH R.O.W. LINE OF SAID EAST KIBER STREET, BEING THE NORTH LINE OF SAID LOT 74, NORTH 87 DEGREES 04 MINUTES 34 SECONDS EAST, A DISTANCE OF 528.00 FEET TO A 1/2-INCH IRON ROD WITH CAP (STROUD) FOUND AT THE NORTHWEST CORNER OF A CALLED 1.00 ACRE TRACT RECORDED IN THE NAME OF JERRY ALAN ODOM UNDER B.C.C.F. NO. 2011046678, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE WEST LINE OF SAID 1.00 ACRE TRACT, SOUTH 03 DEGREES 05 MINUTES 30 SECONDS EAST, A DISTANCE OF 330.13 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BAKER & LAWSON" SET ON THE NORTH LINE OF A TRACT RECORDED IN THE NAME OF BRAZORIA COUNTY UNDER B.C.C.F. NO. 2010048403, AT THE SOUTHWEST CORNER OF SAID 1.00 ACRE TRACT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE NORTH LINE OF SAID BRAZORIA COUNTY TRACT, SOUTH 87 DEGREES 11 MINUTES 02 SECONDS WEST, A DISTANCE OF 528.23 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BAKER & LAWSON" SET ON THE COMMON LINE OF LOTS 73 AND 74, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON LINE OF SAID LOTS 73 AND 74, NORTH 03 DEGREES 03 MINUTES 06 SECONDS WEST, A DISTANCE OF 329.17 FEET TO THE POINT OF BEGINNING, CONTAINING 3.996 ACRES OF LAND, MORE OR LESS.

REVISED:

PRELIMINARY/FINAL REPLAT
DE LA GARZA SUBDIVISION
A 3.996 ACRE, 2-LOT, 1 BLOCK SUBDIVISION
PORTION OF OF TRACT 74 OF THE BRYAN AND KIBER SUBDIVISION, VOL. 29, Pg. 75 B.C.D.R. LOCATED IN THE I. T. TINSLEY SURVEY, ABSTRACT No. 375 BRAZORIA COUNTY, TEXAS

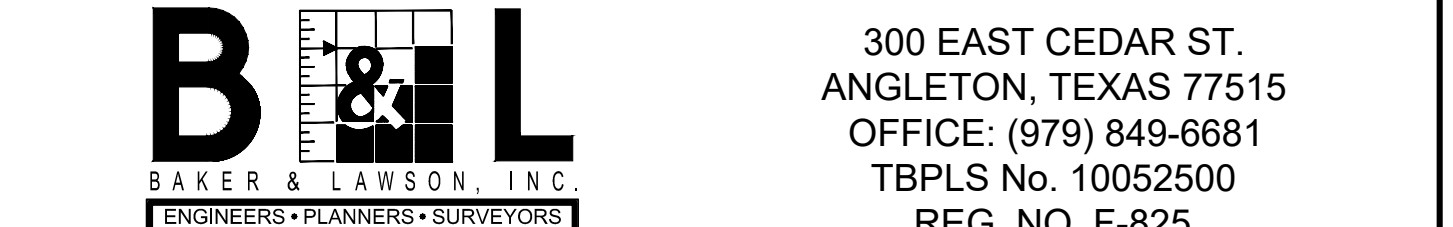
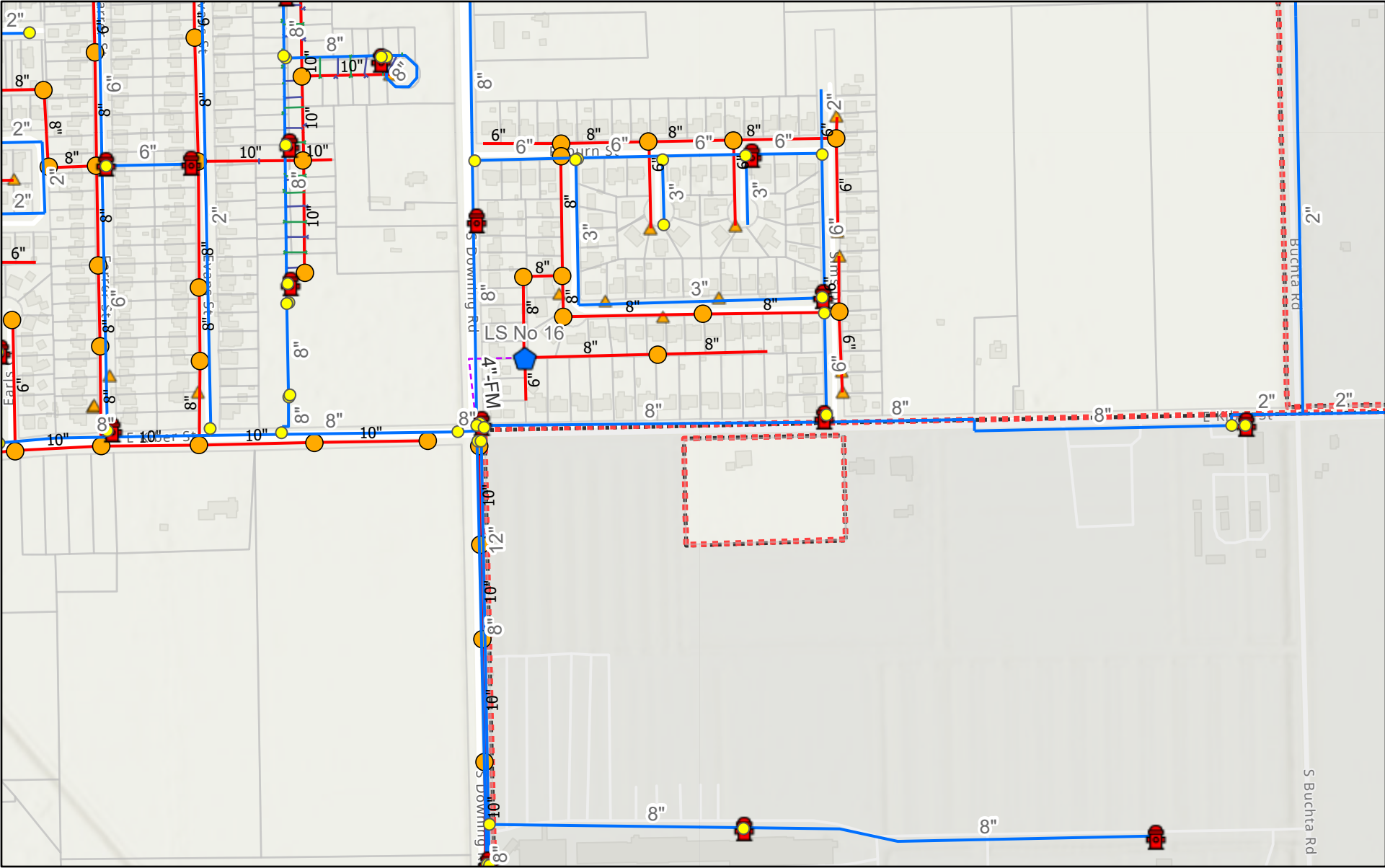
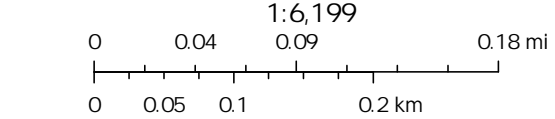


Table with 3 columns: PROJECT NO., SCALE, DRAWN BY; DRAWING NO., DATE, CHECKED BY. Values: PROJECT NO.: 14526, SCALE: 1" = 40', DRAWN BY: MAS; DRAWING NO.: 14526 PLAT, DATE: 04/01/2020, CHECKED BY: DRR

Water & Sewer Utilities



8/12/2022



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEM, NLS, OS, NMA, Geodastyrrelsen, Rijkswaterstaat, GSA, Geoland, FEMA



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

PREPARED BY: Kyle Reynolds, Assistant Director of Development Services

AGENDA CONTENT: Discussion and possible action on a Preliminary Plat for Ashland Development Water Treatment Plant, for 2.09 acres of land, containing one reserve in one block, Shubael Marsh Surveys A-81 & A-82, Brazoria County, Texas as submitted by Ashton Gray Development.

AGENDA ITEM SECTION: Regular Agenda

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

FUND: N/A

EXECUTIVE SUMMARY:

Consideration of approval of a Preliminary Ashland Development Wastewater Treatment Plant, for 2.09 acres of land, containing one reserve in one block, Shubael Marsh Surveys A-81 & A-82, Brazoria County, Texas as submitted by Ashton Gray Development.

The proposed use of the reserve is for public and infrastructural (Water Treatment) purposes only.

The property is currently within the ETJ, Extraterritorial Jurisdiction within Brazoria County. The City Council has approved the following associated plats for Ashland Development subject to the final approval of the development agreement: Preliminary Plats for Sections 1 and Section 2; Street Dedication Plats 1 & 2; Ashland Model Home Park; Detention; and, mass grading plans have been submitted to City.

City Engineer Comments: Pending

Planning Comments:

1. Development Services has no objections to the submitted plat. Utility, TIA, Mass Drainage Plans, and the Geotechnical Report have all been submitted as required.
2. A metes and bounds description shall be provided for review of the proposed subdivision
3. Processes under LDC Sec. 23-15 Drainage and Utilities shall be followed for water supply and fire protection. Submittal of items found under subsection C. Establishment of a Retail Public Utility including providing evidence that sufficient water rights have been obtained and dedicated or if groundwater is sourced, a groundwater availability report be provided.

RECOMMENDATION: The planning commission unanimously (7-0) to approve the Preliminary Plat for Ashland Development Water Treatment Plant, for 2.09 acres of land, containing one reserve in one block, and forwards the Plat to City Council for final consideration subject to staff comments and final approval of the Development Agreement.



APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 11/18/2022

TYPE OF PLAT APPLICATION

ADMINISTRATIVE	PRELIMINARY	FINAL
MINOR <input type="checkbox"/>	RESIDENTIAL <input checked="" type="checkbox"/>	RESIDENTIAL <input type="checkbox"/>
AMENDING/REPLAT <input type="checkbox"/>	COMMERCIAL <input type="checkbox"/>	COMMERCIAL <input type="checkbox"/>

Address of property: _____

Name of Applicant: Caitlin King Phone: 281-810-7228

Name of Company: META Planning + Design Phone: 281-810-1442

E-mail: cking@meta-pd.com

Name of Owner of Property: Ashton Gray Development

Address: 101 Parklane Blvd, Suite 102, Sugar Land, Texas, 77478

Phone: 281-810-7228 E-mail: cking@meta-pd.com

I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant)

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 18 day of November, 2022.



Notary Public for the State of Texas
Commission Expires: 01/18/2025

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) see attached metes and bounds descriptions

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: Caitlin King

ADDRESS: 24275 Katy Freeway, Suite 200, Katy, Texas, 77494

APPLICANT PHONE # 281-810-7228 E-MAIL: cking@meta-pd.com

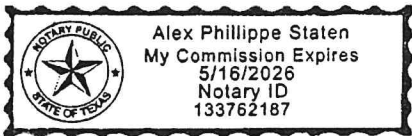
PRINTED NAME OF OWNER: Sudhershnan Vembutty

SIGNATURE OF OWNER: [Signature] DATE: 7/19/2022

NOTARIAL STATEMENT FOR PROPERTY OWNER:

Sworn to and subscribed before me this 19 day of July, 2022.

(SEAL)



[Signature] Notary Public for the State of Texas Commission Expires: 5/16/2026

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 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 of any time of procuring permission from anyone.

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, their heirs, grantees, successors, and assigns:
"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.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements, or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements, or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

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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
No. 5317

STATE OF TEXAS §
COUNTY OF BRAZORIA §
KNOW ALL MEN BY THESE PRESENTS:

That I, William A.C. McAshon, 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. McAshon, P.E.
Professional Engineer

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 IN THE PRELIMINARY SUBDIVISION PLAT.

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 Angleton, Texas.

Mayor

City Secretary

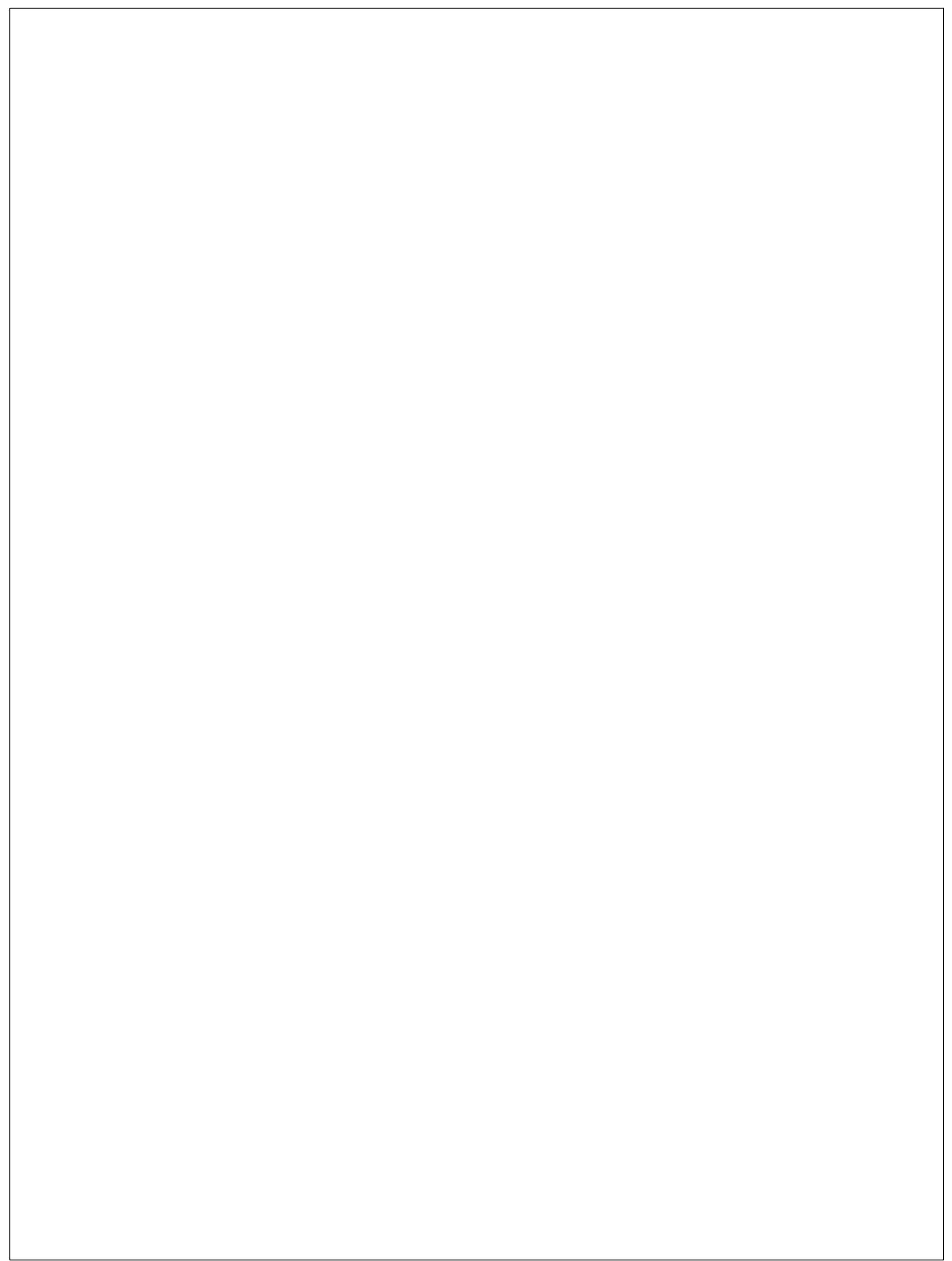
STATE OF TEXAS §
COUNTY OF BRAZORIA §
This instrument was acknowledged before me on the ____ day of _____, 20____, by _____, City Secretary, City of Angleton, on behalf of the City.

Notary Public
State of Texas

- GENERAL NOTE:
- 1.) "U.E." INDICATES UTILITY EASEMENT.
 - 2.) "1' RES." INDICATES ONE FOOT RESERVE.
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 revert in the dedicator, his heirs assigns, or successors.
 - 3.) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
 - 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.
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ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), SOUTH CENTRAL ZONE.

VERTICAL DATUM:
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.
 - 11.) THESE TRACTS LIE WITHIN ZONE "X" AND ZONE "X-SHADED" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 485458, MAP NUMBER 48039C0430K, PANEL 430, SUFFIX "K" DATED DECEMBER 30, 2020, FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS.
 - 12.) THIS PRELIMINARY PLAT HAS BEEN PREPARED BY META PLANNING + DESIGN LLC, WITH THE AID OF INFORMATION PROVIDED BY QUIDDITY ENGINEERING, LLC.
 - 13.) QUIDDITY ENGINEERING, LLC, TBPE FIRM REGISTRATION No. F-23290, TBPLS FIRM REGISTRATION No. 10046100., IS A SUBCONSULTANT ONLY AND HAS NOT PREPARED THIS PRELIMINARY PLAT.
 - 14.) • PROPOSED MONUMENTS TO BE SET BY QUIDDITY ENGINEERING, LLC., UPON RECORDATION OF A FINAL PLAT.
 - 15.) LOTS WITHIN THIS SUBDIVISION SHALL BE SERVICED BY THE FOLLOWING PROVIDERS: BRAZORIA COUNTY MUD #82, CENTERPOINT, TEXAS NEW MEXICO POWER, AND CENTRIC GAS & FIBER.

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



ASHLAND WATER PLANT

BEING 2.09 ACRES OF LAND CONTAINING ONE RESERVE IN ONE BLOCK.
OUT OF THE SHUBAEL MARSH SURVEYS, A-81 & A-82 BRAZORIA COUNTY, TEXAS

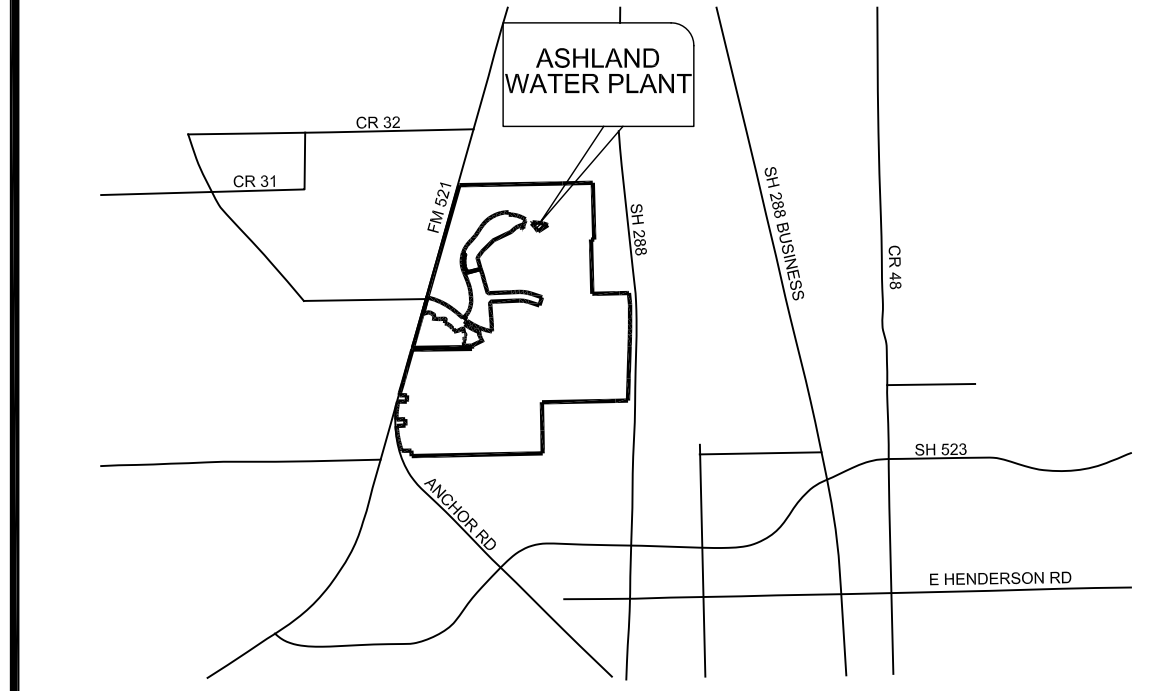
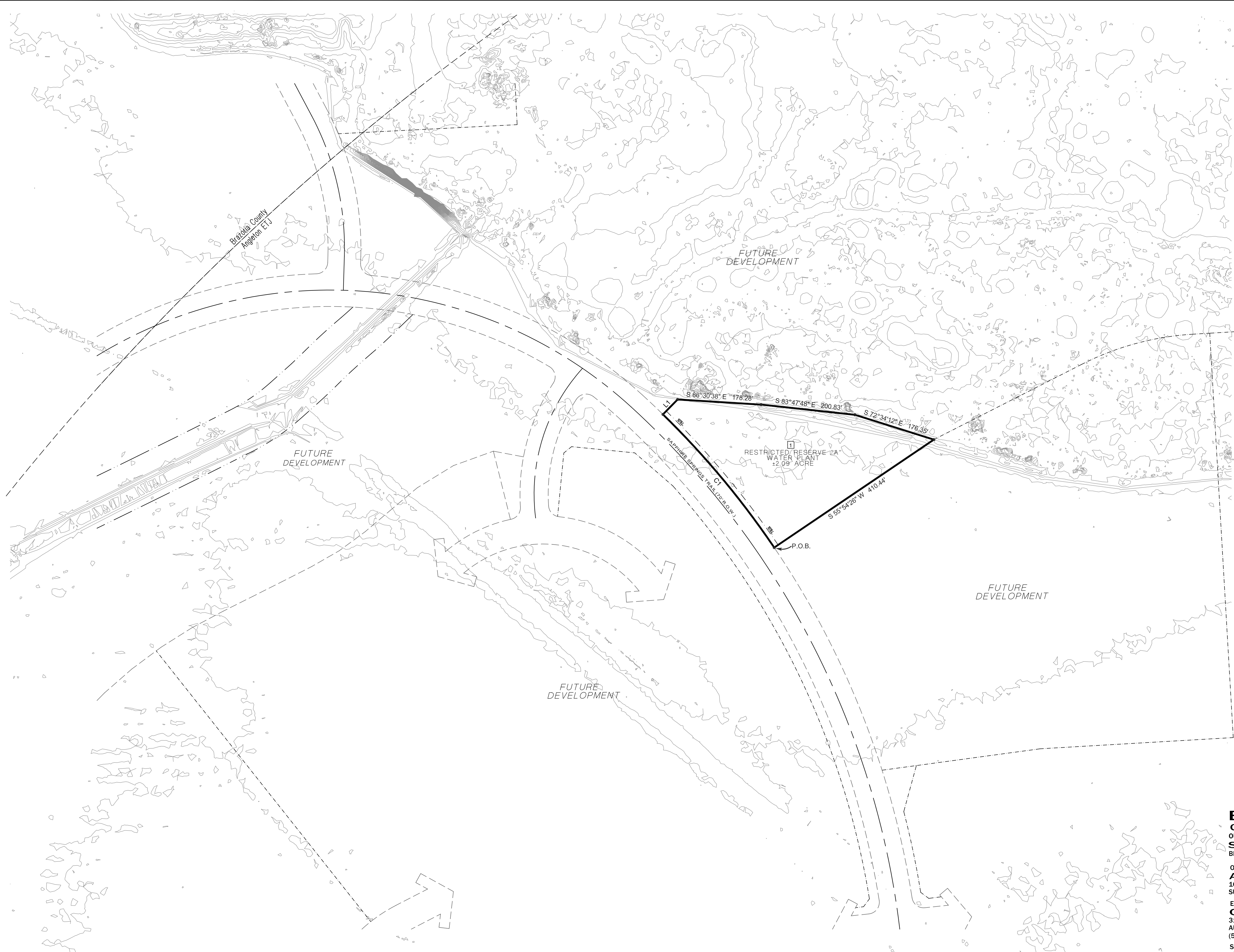
OWNER:
ANCHOR HOLDINGS MP LLC
101 PARKLANE BOULEVARD, SUITE 102
SUGAR LAND, TEXAS 77478

ENGINEER:
QUIDDITY ENGINEERING, LLC
3100 ALVIN DEVANE BLVD #150
AUSTIN, TEXAS 78741
(512) 441-9493

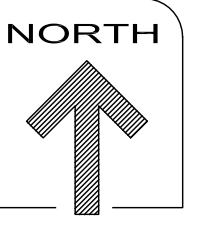
SURVEYOR:
QUIDDITY ENGINEERING, LLC
6330 W LOOP S, SUITE 150
BELLAIRE, TEXAS 77401
TBPE Firm Registration No. _____
TBPELS Firm Registration No. 10046104



SCALE: 1" = 100'
0 100 200



Vicinity Map (not to scale)



LINE	DISTANCE	BEARING
L1	443.8'	S 44° 28' 44\"/>

CURVE	RADIUS	ARC	TANGENT	BEARING	CHORD
C1	1833.07'	370.22'	186.76'	N 59° 52' 25\"/>	

LAND USE TABLE			
RESERVE	ACREAGE	SQ. FT.	LAND USE
A	±2.09	91,244	WATER PLANT

ASHLAND WATER PLANT

BEING 2.09 ACRES OF LAND CONTAINING ONE RESERVE IN ONE BLOCK.
OUT OF THE SHUBAEL MARSH SURVEYS, A-81 & A-82
BRAZORIA COUNTY, TEXAS

OWNER:
ANCHOR HOLDINGS MP LLC
101 PARKLANE BOULEVARD, SUITE 102
SUGAR LAND, TEXAS 77478

ENGINEER:
QUIDDITY ENGINEERING, LLC
3100 ALVIN DEVANE BLVD #150
AUSTIN, TEXAS 78741
(512) 441-9493

SURVEYOR:
QUIDDITY ENGINEERING, LLC
6330 W LOOP S, SUITE 150
BELLAIRE, TEXAS 77401
TBPE Firm Registration No. _____
TBPELS Firm Registration No. 10046104



SCALE: 1" = 100'

DECEMBER 16, 2022

PAGE: 2 OF 2

MTA# 78006

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December 14, 2022

Otis Spriggs
Director of Development Services
City of Angleton
121 S. Velasco Street,
Angleton, Texas, 77515

Re: ASHLAND WATER PLANT PRELIMINARY PLAT SUBMISSION

Dear Otis,

On behalf of Ashton Gray Development, we META Planning + Design LLC respectfully submit the preliminary plat application for the above listed plat. See the below list of submittal requirements and our response:

- 1) Preliminary plat application
 - a. Has been provided
- 2) Preliminary plat submittal fee
 - a. Has been provided
- 3) One (1) 24" x 36" paper prints of preliminary plat
 - a. Has been provided
- 4) Electronic format of preliminary plat drawing
 - a. Has been provided
- 5) Utility one-lines
 - a. Has been provided
- 6) TIA
 - a. Has been provided with previous submission and is provided digitally.
- 7) Utility and drainage report
 - a. Has been provided with previous submission and is provided digitally.
- 8) Geotechnical report
 - a. Has been provided with previous submission and is provided digitally.
- 9) Heritage tree survey
 - a. N/A

Please contact me if you need any additional information.

Sincerely,



Caitlin King
Enclosure



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

PREPARED BY: Kyle Reynolds, Assistant Director of Development Services

AGENDA CONTENT: Discussion and possible action on a Preliminary Plat for Ashland Development Wastewater Treatment Plant, for 14.44 acres of land, containing four reserves in three blocks out of the George Robinson League, A-126, Brazoria County, Texas as submitted by Ashton Gray Development.

AGENDA ITEM SECTION: Regular Agenda

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

FUND: N/A

EXECUTIVE SUMMARY:

Consideration of approval of a Preliminary Plat for Ashland Development Wastewater Treatment Plant, for 14.44 acres of land, containing four reserves in three blocks out of the George Robinson League, A-126, Brazoria County, Texas as submitted by META Planning and Design LLC on behalf of Ashton Gray Development. The proposed uses of the 4 reserves include Drainage and detention, open space, a wastewater treatment plant.

The property is currently within the ETJ, Extraterritorial Jurisdiction within Brazoria County. The City Council has approved the following associated plats for Ashland Development subject to the final approval of the development agreement: Preliminary Plats for Sections 1 and Section 2; Street Dedication Plats 1 & 2; Ashland Model Home Park; Detention; and mass grading plans have been submitted to City.

Planning and City Engineering Comments:

1. Development Services has no objections to the submitted plat. Utility, TIA, Mass Drainage Plans, and the Geotechnical Report have all been submitted as required.
2. For utility or public infrastructure plants staff recommends that notes be provided satisfying any fence and screening requirements by the LDC or required by TCEQ for areas visible to residential properties.
3. A metes and bounds description shall be provided for review of the proposed subdivision.
4. Processes under LDC Sec. 23-15 Drainage and Utilities shall be followed for sanitary sewer On-site Sewage Facilities including TCEQ approval of OSSF.

RECOMMENDATION: The planning commission voted unanimously (7-0) to approve the Preliminary Plat for Ashland Development Wastewater Treatment Plant, 14.44 acres of land, containing four reserves in three blocks, subject to staff and forwards the Plat to City Council for final consideration and approval; subject to the final approval of the Development Agreement.



APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 11/18/2022

TYPE OF PLAT APPLICATION

ADMINISTRATIVE	PRELIMINARY	FINAL
MINOR <input type="checkbox"/>	RESIDENTIAL <input checked="" type="checkbox"/>	RESIDENTIAL <input type="checkbox"/>
AMENDING/REPLAT <input type="checkbox"/>	COMMERCIAL <input type="checkbox"/>	COMMERCIAL <input type="checkbox"/>

Address of property: _____

Name of Applicant: Caitlin King Phone: 281-810-7228

Name of Company: META Planning + Design Phone: 281-810-1442

E-mail: cking@meta-pd.com

Name of Owner of Property: Ashton Gray Development

Address: 101 Parklane Blvd, Suite 102, Sugar Land, Texas, 77478

Phone: 281-810-7228 E-mail: cking@meta-pd.com


I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant) 

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 18 day of November, 2022.




Notary Public for the State of Texas
Commission Expires: 01/18/2025

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 of any time of procuring permission from anyone.

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, their heirs, grantees, successors, and assigns:

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STATE OF TEXAS §
COUNTY OF BRAZORIA §

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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 Jores, 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 Jores
Registered Professional Land Surveyor
No. 5317

STATE OF TEXAS §
COUNTY OF BRAZORIA §

KNOW ALL MEN BY THESE PRESENTS:

That I, William A.C. McAshon, 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. McAshon, 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 Angleton,
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

GENERAL NOTE:

- 1.) "U.E." INDICATES UTILITY EASEMENT.
- 2.) "1' RES." INDICATES ONE FOOT RESERVE.
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- 13.) QUIDDITY ENGINEERING, LLC, TBPE FIRM REGISTRATION No. F-23290, TBPLS FIRM REGISTRATION No. 10046100., IS A SUBCONSULTANT ONLY AND HAS NOT PREPARED THIS PRELIMINARY PLAT.
• PROPOSED MONUMENTS TO BE SET BY QUIDDITY ENGINEERING, LLC., UPON RECORDATION OF A FINAL PLAT.
- 14.) LOTS WITHIN THIS SUBDIVISION SHALL BE SERVICED BY THE FOLLOWING PROVIDERS: BRAZORIA COUNTY MUD #B2, CENTERPOINT, TEXAS NEW MEXICO POWER, AND CENTRIC GAS & FIBER.

LEGEND:

- 1.) "B.L." INDICATES BUILDING LINE.
- 2.) "AC." INDICATES ACREAGE.
- 3.) "R.O.W." INDICATES RIGHT-OF-WAY.
- 4.) "P.O.B." INDICATES POINT OF BEGINNING.
- 5.) "FND" INDICATES FOUND.
- 6.) "IP" INDICATES IRON PIPE.
- 7.) "IR" INDICATES IRON ROD.
- 8.) "VOL." INDICATES VOLUME.
- 9.) "PG." INDICATES PAGE.
- 10.) "D.R.B.C." INDICATES DEED RECORDS BRAZORIA COUNTY.
- 11.) "NO." INDICATES NUMBER.
- 12.) "CT." INDICATES COURT.
- 13.) "DR." INDICATES DRIVE.
- 14.) "O.P.R.B.C." INDICATES OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY.
- 15.) "┌─┐" INDICATES STREET NAME CHANGE.
- 16.) " [] " INDICATES BLOCK NUMBER.
- 17.) " [A] " INDICATES RESERVE NUMBER.

STATE OF TEXAS §

COUNTY OF BRAZORIA§

A METES & BOUNDS description of a certain 14.44-acre tract of land situated in the George Robinson League, Abstract No. 126 in Brazoria County, Texas, being partially out of a called 61.20-acre tract of land and a 166.74-acre tract of land, both of which are conveyed to 1485 Holdings LLC by Special Warranty Deed, recorded in Clerk's File No. 202185074 of the official public records of Brazoria County; said 14.44-acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, South Central Zone;

COMMENCING at a found 5/8 inch iron rod with cap stamped "TRS RPLS 4808" at the southeast corner of a said 61.20-acre tract, the northeast corner of a called 116.155-acres tract to Charles B. Robertson III, et al, recorded in Clerk's File No. 2018029439 of the Officially County Court of Brazoria County, Texas, and along the west line of a called 91.87-acres tract to Robert Lloyd Carr, et al recorded in County Clerk's File No. 2015014625 of the Official County Court of Brazoria County, Texas;

THENCE, South 86°53'29" West, along the south line of said 61.20-acre tract common with the north line of said 116.155-acres tract, 100.00 feet to the POINT OF BEGINNING;

THENCE, South 86°53'29" West, along said common line, 1323.65 feet to a point for corner;

THENCE, North 43°03'25" East, passing the north line of aforementioned 61.20-acres tract, common with the south line of aforementioned 166.74-acres tract at 951.26 feet, for a total distance of 1202.20 feet to a point for corner;

THENCE, South 43°19'59" East, passing said common line at 229.72 feet, for a total distance of 248.98 feet to a point for corner;

THENCE, South 43°48'03" East, 126.07 feet to a point for corner;

THENCE, South 58°22'21" East, 79.90 feet to a point for corner;

THENCE, South 58°28'19" East, 112.87 feet to a point for corner;

THENCE, South 46°41'05" East, 33.57 feet to a point for corner;

THENCE, South 42°06'09" East, 53.32 feet to a point for corner;

THENCE, South 02°50'23" East, 371.50 feet to the POINT OF BEGINNING, CONTAINING 14.4473-acres of land in Brazoria County, Texas.

This metes and bounds description is to be used to initiate title research and shall not be used for transfer of title to the property herein described.

LINE	DISTANCE	BEARING
L1	79.89	N 58°22'21" W
L2	112.86	N 58°28'19" W
L3	33.57	N 46°41'05" W
L4	53.32	N 42°06'09" W

ASHLAND WASTE WATER TREATMENT PLANT & RESERVES

BEING 14.44 ACRES OF LAND
CONTAINING FOUR RESERVES IN THREE BLOCKS.
OUT OF THE
GEORGE ROBINSON LEAGUE, A-126
BRAZORIA COUNTY, TEXAS

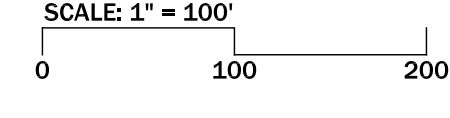
OWNER:
ANCHOR HOLDINGS MP LLC
101 PARKLANE BOULEVARD, SUITE 102
SUGAR LAND, TEXAS 77478

ENGINEER:
QUIDDITY ENGINEERING, LLC
3100 ALVIN DEVANE BLVD #150
AUSTIN, TEXAS 78741
(512) 441-9493

SURVEYOR
QUIDDITY ENGINEERING, LLC
6330 W LOOP S, SUITE 150
BELLAIRE, TEXAS 77401
TBPE Firm Registration No. _____
TBPELS Firm Registration No. 10046104



META PLANNING + DESIGN LLC
24275 KATY FREEWAY, SUITE 200
KATY, TEXAS 77494 | TEL: 281-810-1422

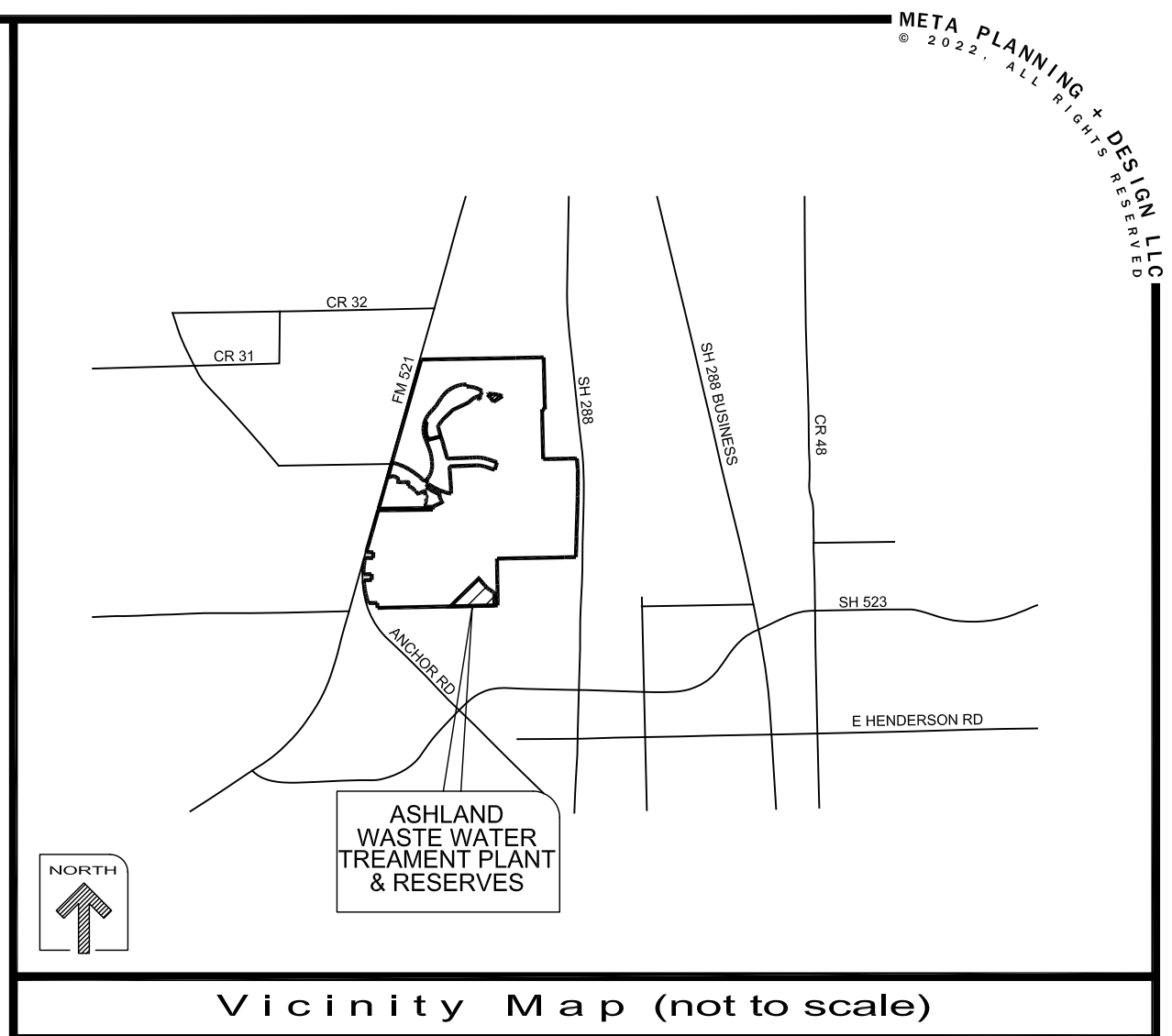
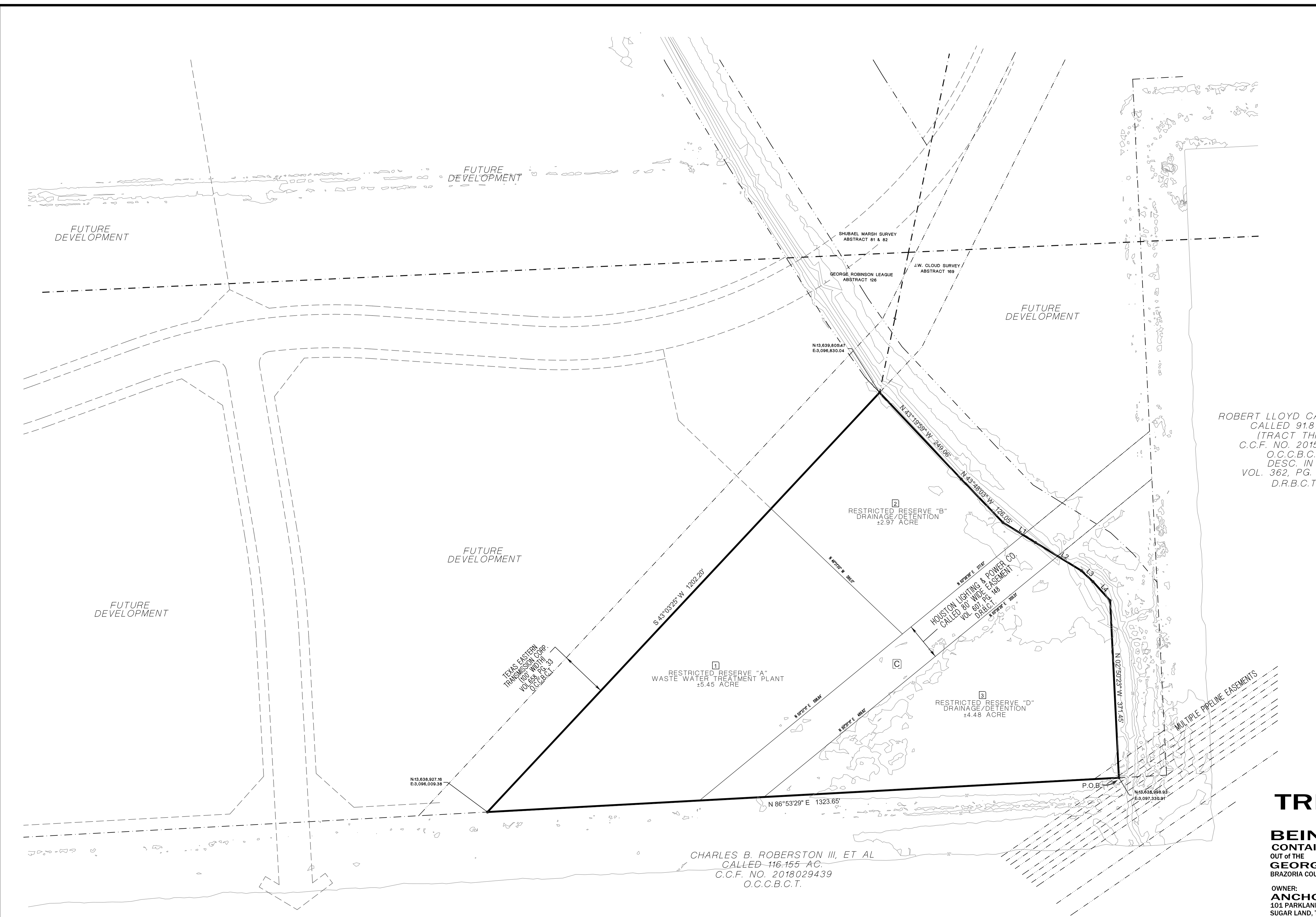


DECEMBER 16, 2022

PAGE: 1 OF 2

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 IN THE PRELIMINARY SUBDIVISION PLAT.



ROBERT LLOYD CARR, ET AL
CALLED 91.87 AC.
(TRACT THREE)
C.C.F. NO. 2015014625
O.C.C.B.C.T.
DESC. IN
VOL. 362, PG. 470
D.R.B.C.T.

ASHLAND WASTE WATER TREATMENT PLANT & RESERVES

BEING 14.44 ACRES OF LAND
CONTAINING FOUR RESERVES IN THREE BLOCKS.

OUT OF THE
GEORGE ROBINSON LEAGUE, A-126
BRAZORIA COUNTY, TEXAS

OWNER:
ANCHOR HOLDINGS MP LLC
101 PARKLANE BOULEVARD, SUITE 102
SUGAR LAND, TEXAS 77478

ENGINEER:
QUIDDITY ENGINEERING, LLC
3100 ALVIN DEVANEY BLVD #150
AUSTIN, TEXAS 78741
(512) 441-9493

SURVEYOR:
QUIDDITY ENGINEERING, LLC
6330 W LOOP S, SUITE 150
BELLAIRE, TEXAS 77401
TBPE Firm Registration No. _____
TBPEL5 Firm Registration No. 10046104

PLANNER:
META
PLANNING + DESIGN

META PLANNING + DESIGN LLC
24275 KATY FREEWAY, SUITE 200
KATY, TEXAS 77494 | TEL: 281-810-1422

SCALE: 1" = 100'
0 100 200

DECEMBER 16, 2022

PAGE: 2 OF 2

META# 78006

LAND USE TABLE			
RESERVE	ACREAGE	SQ. FT.	LAND USE
A	±5.45	237,518	WASTE WATER TREATMENT PLANT
B	±2.97	129,560	DRAINAGE/ DETENTION
C	±1.53	66,864	OPEN SPACE
D	±4.48	195,206	DRAINAGE/ DETENTION

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 AFORESAID ORDINANCES 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 IN THE PRELIMINARY SUBDIVISION PLAT.

December 14, 2022

Otis Spriggs
Director of Development Services
City of Angleton
121 S. Velasco Street,
Angleton, Texas, 77515

Re: ASHLAND WASTEWATER TREATMENT PLANT PRELIMINARY PLAT SUBMISSION

Dear Otis,

On behalf of Ashton Gray Development, we META Planning + Design LLC respectfully submit the preliminary plat application for the above listed plat. See the below list of submittal requirements and our response:

- 1) Preliminary plat application
 - a. Has been provided
- 2) Preliminary plat submittal fee
 - a. Has been provided
- 3) One (1) 24" x 36" paper prints of preliminary plat
 - a. Has been provided
- 4) Electronic format of preliminary plat drawing
 - a. Has been provided
- 5) Utility one-lines
 - a. Has been provided
- 6) TIA
 - a. Has been provided with previous submission and is provided digitally.
- 7) Utility and drainage report
 - a. Has been provided with previous submission and is provided digitally.
- 8) Geotechnical report
 - a. Has been provided with previous submission and is provided digitally.
- 9) Heritage tree survey
 - a. N/A

Please contact me if you need any additional information.

Sincerely,

Caitlin King

Caitlin King
Enclosure

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) see attached metes and bounds descriptions

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: Caitlin King

ADDRESS: 24275 Katy Freeway, Suite 200, Katy, Texas, 77494

APPLICANT PHONE # 281-810-7228 E-MAIL: cking@meta-pd.com

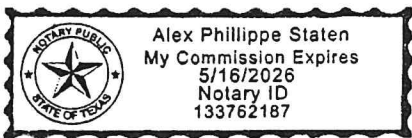
PRINTED NAME OF OWNER: Sudharschan Vembetty

SIGNATURE OF OWNER: [Signature] DATE: 7/19/2022

NOTARIAL STATEMENT FOR PROPERTY OWNER:

Sworn to and subscribed before me this 19 day of July, 2022.

(SEAL)



[Signature] Notary Public for the State of Texas Commission Expires: 5/16/2026



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

PREPARED BY: Otis T. Spriggs, AICP

AGENDA CONTENT: Discussion and possible action on a final replat for PT Patrick Thomas Estate, for a 7.732 -acre subdivision, 1-Block, 2 Lots, 1 Reserve.

AGENDA ITEM SECTION: Regular Agenda

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

FUND: N/A

EXECUTIVE SUMMARY:

The 7.732 acre tract is in the north central area of Angleton and is bound by Angleton Metroplex Subdivision (north), Aaron's Rental Subdivision (west), commercial tracts (south), and North Valderas Street (east). For surrounding developments, the tract is adjacent to residential tract (SF-7.2) to the south and east, commercial development (C-G) to the south and west, and undeveloped commercial tracts (C-G) to the north.

The 7.732 acre tract will be subdivided into 2 lots and 1 detention reserve. Lot 1 and the detention reserve are currently zoned as commercial (C-G). Lot 1 and the detention reserve are currently undeveloped. The proposed use for Lot 1 is to develop a self service storage facility. Lot 2 is zoned as residential (SF-7.2) (*Rezoned May of 2022, ORD_20220524-024*). Lot 2 is currently under residential use. There are no proposed improvement for Lot 1. A summary of the lot layout is shown on the Plat (PT Estates Subdivision).

Parkland Dedication Statement:

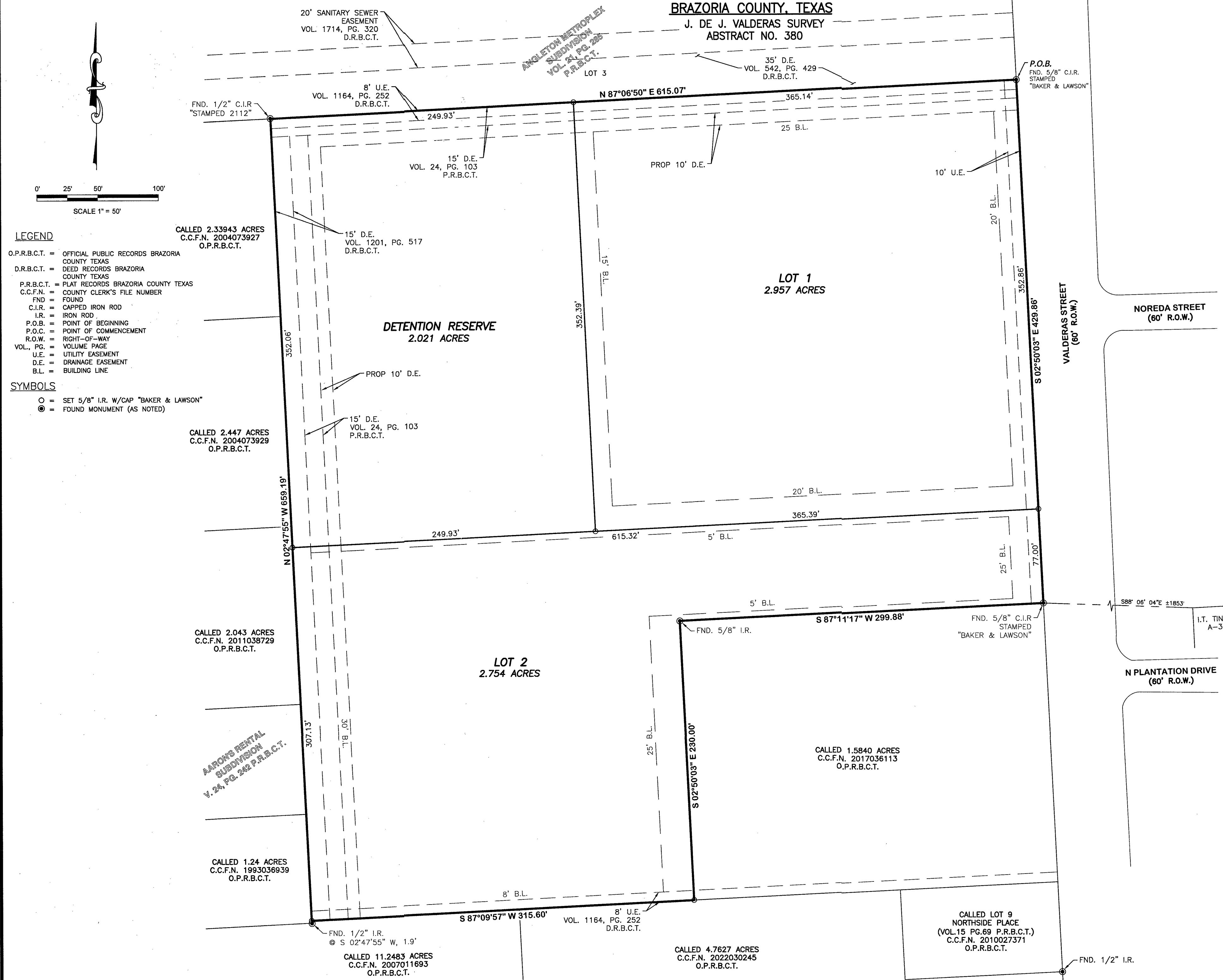
There is no land dedication on the property for parks. The owner requests parkland fees in lieu of parkland dedication.

Engineering and Planning Comments:

1. Correct minor typographical error(s) on plat.
2. Provide review and approval correspondence from Angleton Drainage District (A.D.D). If no approval letter is to be provided by A.D.D., provide correspondence from their office that states the plat/plan was received and that no comments.
3. Properly label reserve and provide "Drainage and Detention" Reserve Table with symbol, description, use and acreage (coordinate all other references in notes).

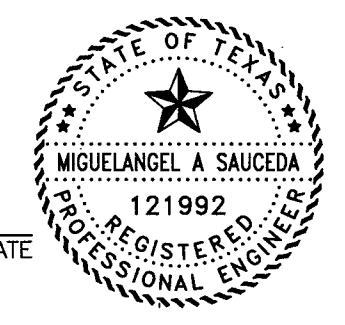
4. Provide Sidewalk requirement note per LDC Sec. 23.14 Sidewalks and Accessibility.
5. Owner shall satisfy Parkland Dedication requirements and fees.
6. Geotechnical report shall be required to be submitted.
7. The owner shall fully satisfy the Heritage Tree Ordinance.
8. Textual corrections to be made to plat certificates and drawing
9. Valderas Street is listed as a Major Collector on the City Thoroughfare Plan, where 70'-80' ROW is classified . Existing ROW shown is 60-ft, therefore it is recommended that a minimum 5-ft ROW dedication be provided along the subdivision to meet the Thoroughfare Plan classifications.
10. Verify if additional drainage easement is needed along the north property line of proposed Lot 2.
11. Review and approval of site development plans are pending.

RECOMMENDATION: The Planning Commission voted unanimously to approve the final replat subject to the staff comments and forwards the plat to Council for final consideration.



STATE OF TEXAS §
 COUNTY OF BRAZORIA §

KNOW ALL MEN BY THESE PRESENTS: THAT I, MIGUELANGEL SAUCEDA, 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. THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.



SIGNED: MIGUELANGEL A SAUCEDA
 PROFESSIONAL ENGINEER
 TEXAS REGISTRATION NO. 121992

FIELD NOTES FOR 7.732 ACRE

DESCRIPTION OF A 7.732 ACRE TRACT OF LAND, LOCATED WITHIN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380 BEING ALL OF LOT 1 OF THE VERA SUBDIVISION, AS RECORDED IN VOLUME 24, PAGE 103 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS (P.R.B.C.T.), IN THE NAME OF PATRICK THOMAS AS RECORDED IN COUNTY CLERK'S FILE NO. (C.C.F.N.) 2018064937 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HEREINAFTER AS THE ABOVE REFERENCED TRACT OF LAND, SAID 7.732 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 "BAKER & LAWSON", FOUND FOR CORNER, BEING THE NORTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING ON THE WESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF VALDERAS STREET (60'-FEET WIDE) SAME BEING THE SOUTHEAST CORNER OF LOT 3 OF THE ANGLETON METROPLEX SUBDIVISION AS RECORDED IN VOLUME 21, PAGE 285 OF THE P.R.B.C.T.;

THENCE SOUTH 02°50'03" EAST, ALONG THE EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SAID WEST R.O.W. LINE OF VALDERAS STREET, A DISTANCE OF 429.86 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", FOUND FOR CORNER, BEING THE NORTHERLY SOUTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE NORTHEAST CORNER OF A CALLED 1.5840 ACRE TRACT AS RECORDED IN C.C.F.N. 2017036113 OF THE O.P.R.B.C.T.;

THENCE SOUTH 02°50'03" EAST, ALONG THE EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SAID WEST R.O.W. LINE OF VALDERAS STREET, A DISTANCE OF 299.88 FEET TO A 5/8-INCH IRON ROD FOUND FOR CORNER;

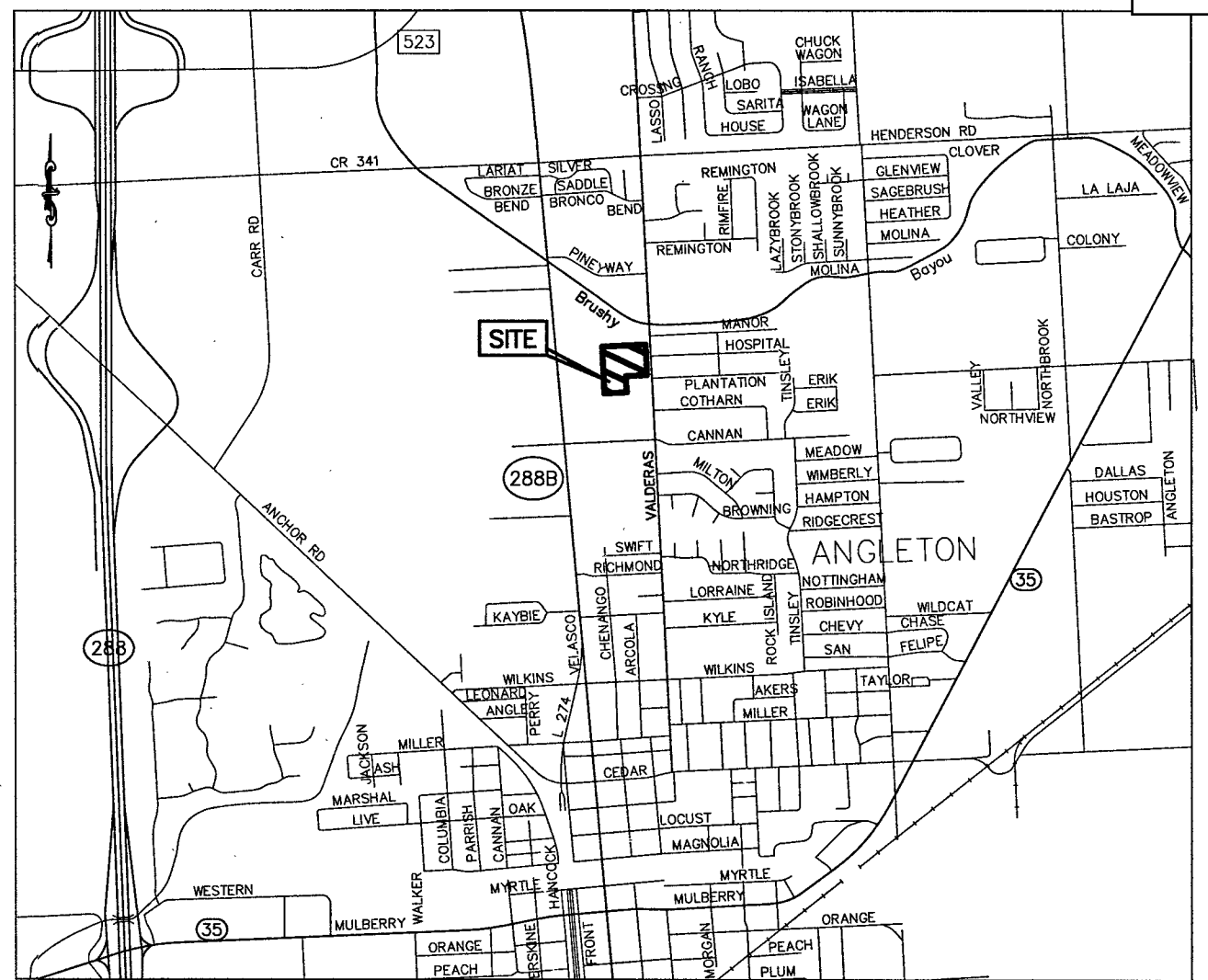
THENCE SOUTH 87°11'17" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE NORTH LINE OF SAID CALLED 1.5840 ACRE TRACT, A DISTANCE OF 299.88 FEET TO A 5/8-INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 02°50'03" EAST, EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE WEST LINE OF SAID CALLED 1.5840 ACRE TRACT, A DISTANCE OF 230.00 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", SET FOR CORNER, BEING THE SOUTHERLY SOUTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND;

THENCE SOUTH 87°09'57" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE NORTH LINE OF A CALLED 4.7627 ACRE TRACT, AS RECORDED IN C.C.F.N. 2022030245 OF THE O.P.R.B.C.T., AND THE NORTH LINE OF A CALLED 11.2483 ACRE TRACT, AS RECORDED IN C.C.F.N. 2007011693 OF THE O.P.R.B.C.T., A DISTANCE OF 315.60 FEET TO THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 02°47'55" WEST, A DISTANCE OF 1.9 FEET;

THENCE NORTH 02°47'55" WEST, ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST LINES OF THE FOLLOWING TRACTS, A CALLED 1.24 ACRE TRACT, AS RECORDED IN C.C.F.N. 1993036939 OF THE O.P.R.B.C.T., A CALLED 2.043 ACRE TRACT, AS RECORDED IN VOLUME 24, PAGE 242 OF THE P.R.B.C.T., A CALLED 2.043 ACRE TRACT, AS RECORDED IN C.C.F.N. 2011038729 OF THE O.P.R.B.C.T., A CALLED 2.447 ACRE TRACT, AS RECORDED IN O.P.R.B.C.T., A CALLED 2.33843 ACRE TRACT, AS RECORDED IN C.C.F.N. 2004073927 OF THE O.P.R.B.C.T., A DISTANCE OF 659.19 FEET TO A 1/2-INCH IRON ROD FOR CORNER, BEING THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT;

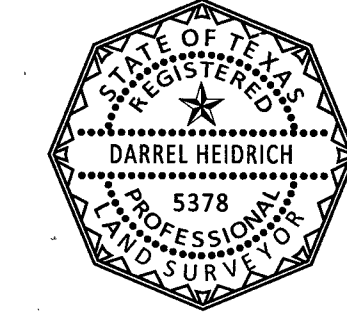
THENCE NORTH 87°06'50" EAST, ALONG THE NORTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SOUTH LINE SAID ANGLETON METROPLEX, A DISTANCE OF 615.07 FEET TO THE POINT OF BEGINNING OF THE ABOVE REFERENCED TRACT OF LAND, CONTAINING 7.732 ACRES OF LAND, MORE OR LESS.



- NOTES:**
- THE PURPOSE OF THIS PLAT IS TO REPEAT LOT 1 OF THE VERA SUBDIVISION AS RECORDED IN VOLUME 24, PAGE 103 OF THE BRAZORIA COUNTY PLAT RECORDS, INTO A SUBDIVISION WITH 1 BLOCK, 2 LOTS AND A DETENTION RESERVE.
 - ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, WITH REGARD TO ANY RECORDED 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.
 - FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HERON HAS EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY; MAP NUMBER 4803900440K, 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.
 - 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.
 - 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.
 - 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.
 - 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 ENGINEER AND/OR SURVEYOR OF RECORD.
 - THE OWNER OF LOT 1 WILL BE RESPONSIBLE FOR MAINTENANCE AND MAINTAIN OWNERSHIP OF THE DETENTION RESERVE.
 - NO DETENTION IS REQUIRED FOR LOT 2 WHICH IS UNDER RESIDENTIAL USE AND ZONED AS SF-7.2. ANY OTHER USE OF THE PROPERTY OR SUBDIVISION WILL REQUIRE DRAINAGE REVIEW BY THE ANGLETON DRAINAGE DISTRICT AND THE CITY OF ANGLETON.

STATE OF TEXAS §
 COUNTY OF BRAZORIA §

KNOW 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.



DARREL HEIDRICH DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5378

REVISION NO.	REVISION DESCRIPTION	REVISION DATE	DRAWN BY

**PRELIMINARY REPLAT
 PT ESTATES**

**A REPLAT OF VERA SUBDIVISION
 AS RECORDED IN
 VOL. 24, PG. 103
 P.R.B.C.T**

INTO A 7.732 ACRE, 1-BLOCK, 2-LOT, 1 RESERVE

**BEING THE SAME PROPERTY DESCRIBED
 AS LOT 1 RECORDED IN
 C.C.F.N. 2018064937
 O.P.R.B.C.T.**

**LOCATED IN THE
 J. DE J. VALDERAS SURVEY
 ABSTRACT NO. 380
 CITY OF ANGLETON
 IN BRAZORIA COUNTY, TEXAS**

Baker & Lawson, Inc.
 ENGINEERS - PLANNERS - SURVEYORS

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

PROJECT No: 15239	SCALE: 1" = 50'	DRAWN BY: AD
DRAWING No: 15239 PLAT	DATE: 12/19/2022	CHECKED BY: DH

PLANNING AND ZONING COMMISSION AND CITY COUNCIL:

APPROVED THIS _____ DAY OF _____, 20____, BY THE PLANNING AND ZONING COMMISSION, CITY OF ANGLETON, TEXAS.

BILL GARWOOD, CHAIRMAN, PLANNING AND ZONING COMMISSION

MICHELLE PEREZ, CITY SECRETARY

APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY COUNCIL, CITY OF ANGLETON, TEXAS.

JASON PEREZ, MAYOR

MICHELLE PEREZ, CITY SECRETARY

STATE OF TEXAS §
 COUNTY OF BRAZORIA §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____, BY MICHELLE PEREZ, CITY SECRETARY, CITY OF ANGLETON, ON BEHALF OF THE CITY.

NOTARY PUBLIC
 STATE OF TEXAS

ANGLETON DRAINAGE DISTRICT

ACCEPTED THIS THE THIS _____ DAY OF _____, 20____, BY THE ANGLETON DRAINAGE DISTRICT.

THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

- THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
- THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.
- THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
- 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 _____

DRAINAGE AND DETENTION EASEMENT

THIS PLAT IS HEREBY ADOPTED BY THE OWNERS AND APPROVED BY THE CITY OF ANGLETON (CALLED "CITY") SUBJECT TO THE FOLLOWING CONDITIONS WHICH SHALL BE BINDING UPON THE OWNERS, THEIR HEIRS, GRANTEES AND SUCCESSORS: THE PORTION OF BLOCK 1, AS SHOWN ON THE PLAT IS CALLED "DRAINAGE AND DETENTION EASEMENT." THE DRAINAGE AND DETENTION EASEMENT WITHIN THE LIMITS OF THIS ADDITION, WILL REMAIN OPEN AT ALL TIMES AND WILL BE MAINTAINED IN A SAFE AND SANITARY CONDITION BY THE OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE AND DETENTION EASEMENT, THE CITY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID EASEMENT OR FOR ANY DAMAGE TO PRIVATE PROPERTY OR PERSON THAT RESULTS FROM CONDITIONS IN THE EASEMENT, OR FOR THE CONTROL OF EROSION, NO OBSTRUCTION TO THE NATURAL FLOW OF STORMWATER RUN-OFF SHALL BE PERMITTED BY CONSTRUCTION OF ANY TYPE OF BUILDING, FENCE, OR ANY OTHER STRUCTURE WITHIN THE DRAINAGE AND DETENTION EASEMENT AS HERINAFOVE DEFINED, UNLESS APPROVED BY THE CITY ENGINEER. PROVIDED, HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY TO ERECT OR CONSIDER ERECTING ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE STORM DRAINAGE THAT MAY BE OCCASIONED BY THE CITY SHALL HAVE THE RIGHT TO ENTER UPON THE DRAINAGE AND DETENTION EASEMENT AT ANY POINT, OR POINTS, TO INVESTIGATE, SURVEY OR TO ERECT, CONSTRUCT AND MAINTAIN ANY DRAINAGE FACILITY DEEMED NECESSARY FOR DRAINAGE PURPOSES. EACH PROPERTY OWNER SHALL KEEP THE DRAINAGE AND DETENTION EASEMENT CLEAN AND FREE OF DEBRIS, SILT, AND ANY SUBSTANCE WHICH WOULD RESULT IN UNSANITARY CONDITIONS OR OBSTRUCT THE FLOW OF WATER, AND THE CITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSPECTION AND SUPERVISION OF MAINTENANCE WORK BY THE PROPERTY OWNER TO ALLEVIATE ANY UNDESIRABLE CONDITIONS WHICH MAY OCCUR. THE NATURAL DRAINAGE THROUGH THE DRAINAGE AND DETENTION EASEMENT IS SUBJECT TO STORM WATER OVERFLOW AND NATURAL BANK EROSION TO AN EXTENT WHICH CANNOT BE DEFINITELY DEFINED. THE CITY SHALL NOT BE HELD LIABLE FOR ANY DAMAGES OF ANY NATURE RESULTING FROM THE OCCURRENCE OF THESE NATURAL PHENOMENA, OR RESULTING FROM THE FAILURE OF ANY STRUCTURE, OR STRUCTURES, WITHIN THE EASEMENT.

FIRE LANE AND FIRE EASEMENT

THAT THE UNDERSIGNED DOES HEREBY COVENANT AND AGREE THAT THEY SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A HARD ALL-WEATHER SURFACE AND THAT THEY SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR OBSTRUCTION, INCLUDING BUT NOT LIMITED TO THE PARKING OF MOTOR VEHICLES, TRAILERS, BOATS, OR OTHER IMPEDIMENTS TO THE ACCESS OF FIRE APPARATUS. THE MAINTENANCE OF PAVING ON THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER, AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG SUCH FIRE LANES, STATING "FIRE LANE, NO PARKING." THE POLICE OR HIS DULY AUTHORIZED REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANES AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY USE.

OWNER'S ACKNOWLEDGEMENT:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT PATRICK THOMAS ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS PT ESTATES, 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.

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.

PATRICK THOMAS
 DULY AUTHORIZED AGENT

STATE OF TEXAS §
 COUNTY OF BRAZORIA §

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED PATRICK THOMAS, 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 _____

OWNER:
 PATRICK THOMAS
 (979)799-7016
 DRPPT70@GMAIL.COM



December 19, 2022

Mr. Otis Spriggs
City of Angleton
121 S. Velasco
Angleton, TX 77515

Subject: Engineer's Summary Letter
PT Estates Subdivision– 7.732 Acres

Dear Mr. Spriggs:

We are pleased to prepare this Engineer's Summary report for the subject tract of land for Patrick Thomas. The 7.732 acre tract is in the north central area of Angleton and is bound by Angleton Metroplex Subdivision (north), Aaron's Rental Subdivision (west), commercial tracts (south), and North Valderas Street (east). For surrounding developments, the tract is adjacent to residential tract (SF-7.2) to the south and east, commercial development (C-G) to the south and west, and undeveloped commercial tracts (C-G) to the north. A summary of this description is provided on the preliminary Site and Heritage Tree Plan (Sheet 2 of the Preliminary Plans).

Subdivision Summary

The 7.732 acre tract will be subdivided into 2 lots and 1 detention reserve. Lot 1 and the detention reserve are currently zoned as commercial (C-G). Lot 1 and the detention reserve are currently undeveloped. The proposed use for Lot 1 is to develop a self service storage facility. Lot 2 is zoned as residential (SF-7.2). Lot 2 is currently under residential use. There are no proposed improvement for Lot 1. A summary of the lot layout is shown on the Plat (PT Estates Subdivision).

Parkland Dedication Statement

There is no land dedication on the property for parks. The owner requests parkland fees in lieu of parkland dedication.

Lot 1 Drainage Summary

Storm water from Lot 1 will be conveyed in the detention pond via grading, type "A" inlets, and storm sewer. The detention design meets the requirements of Brazoria County Drainage Criteria Manual, effective May 2022. Based on this information, the project will require 3.305 ac-ft of detention. The owner of lot 1 will maintain sole ownership of the detention reserve. The design

DOUGLAS B. ROESLER, P.E. - Principal Engineer
4005 TECHNOLOGY DRIVE, SUITE 1530, ANGLETON, TEXAS 77515
(979) 849-6681 • Fax (979) 849-4689

layout and calculations for the pond are provided on sheets 4 and 7 of the preliminary plans. This stormwater plan is pending review by the Angleton Drainage District.

Lot 2 Drainage Summary

There are no improvements planned for Lot 2, which is currently used as a residence. No detention will be required for Lot 2. Lot 2 has access to the drainage on the west and east side of the property.

Outfall Ditch

There is an outfall ditch on the west and north side of the tract. The outfall ditch is encompassed by an easement of various widths. The current easement are aligned with the current top bank of the ditch. An additional 10' drainage easement will be provided on the north and west side of the property for maintenance needs.

The detention pond will be required to have a 20' berm width, per requirements of the Brazoria County Drainage District Manual. The 20' berm width will be shared with the outfall ditch (sheet 4 of the Preliminary Plans)

Geotechnical Summary

This design set is preliminary. We ask the city to start the review of the job without a geotechnical report. We are not proposing pump or wet detention facilities, therefore the need for a geotechnical report is not critical. The proposed pond depth is between 3.0-4.0 feet, and does not exceed the depth of the outfall ditch.

Heritage Tree Plan

A Heritage Tree plan is provided on sheet 2 of the Preliminary Plans. The owner intends to preserve 15 of the 31 heritage trees on the tract. The proposed plan will require the addition of 23 trees on the commercial tract.

Traffic Impact Threshold Study.

The Traffic Impact Threshold form is included with this submittal. The proposed development will not trigger any of the defined criteria in the Land Development Codes

1. Development that generates more than 100 Peak Hour Trips (PHT).
2. Development that generates more than 5,000 vehicle trips per day (VTD).
3. Development where more than 25.0 acres of property are involved. Minor subdivisions or low intensity development on larger parcels do not require a TIA.
4. Development that involve special traffic design considerations, such as oversized or slow-moving vehicles, that require special traffic geometry and traffic control needs.

5. Development that would result in an amendment to the Angleton *FTP*.
6. In-fill developments on properties greater than 10 acres in area or where proposed streets will connect to and extend existing or proposed stub streets to ensure that the in-fill development will not adversely affect existing adjoining development.

A TIA will not be required for the project.

Conclusion

Please contact me if you have any questions or need to discuss any aspect of this Engineer's Summary Letter.

Respectfully submitted,



Miguel Saucedo, P.E.
Project Engineer

**City of Angleton
Traffic Impact Analysis (TIA) Threshold
Worksheet**


Complete this form as an aid to determine if your project requires a Traffic Impact Analysis. This form shall be completed by a licensed professional engineer using the latest editions of the ITE Trip Generation Manual or more accurate project specific information.

Project Name: Patrick Thomas Subdivision
 Location: N Valdeiras St Angleton
 Applicant/Contact: Miguel Saucedo
 Contact Phone Number: 979 849 6881 Contact Email: msaucedo@bakerlawson.com

Application Type (check one):
 Zoning (CUP/PD) _____ Site Plan _____ Plat Other: _____

Anticipated Land Use	Units*	ITE Code	ITE Trip Rates / Trips Generated			
			Daily Total	AM Peak Hour	PM Peak Hour	Weekend Peak Hour
Warehouse (Mini)	$\frac{99920}{1000} = 49.92$	151	1.51 / 76	0.2 / 9.98	0.2 / 9.98	Est /
Residential / single family	1	210	9.94 / 9.94	0.76 / 0.76	1 / 1	/
			/	/	/	/

Project Description (include description of daily operations from a traffic standpoint):
Total daily = 86 trips
Peak hour = 11 trips

Applicant's Signature:  Date: 12/19/22
 Engineering Department Signature: _____ Date: _____

For Office Use Only:

ORDINANCE NO. 20220524-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS REZONING AN APPROXIMATE 2.748 ACRES IN THE J. DE J. VALDERES SURVEY, ABSTRACT NO. 380, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, FROM CHAPTER 28, ZONING, ARTICLE III ZONING DISTRICTS SECTION 28-57 C-G - COMMERCIAL-GENERAL DISTRICT TO CHAPTER 28 ZONING, ARTICLE III ZONING DISTRICTS SECTION 28-45 SF-7.2 SINGLE-FAMILY RESIDENTIAL-7.2 DISTRICT OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses, and related activities; and

WHEREAS, the City Council further finds that the rules and regulations governing land use, structures, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

WHEREAS, on May 5, 2022 the Angleton Planning and Zoning Commission conducted a public hearing regarding a request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

WHEREAS, on May 5, 2022 after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission has recommended that the request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District be approved; and

WHEREAS, on May 24, 2022 the City Council of the City of Angleton conducted a public hearing regarding a request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances City of Angleton, Texas; and

WHEREAS, on May 24, 2022 the City Council of the City of Angleton, Texas approved the request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances City of Angleton, Texas; and

WHEREAS, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code and the Code of Ordinance of the City of Angleton, Texas, concerning public notices, hearings and other procedural matters have been fully met; and

WHEREAS, the City Council desires to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances, City of Angleton, Texas;

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

SECTION 1. 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. The request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances, City of Angleton, Texas be approved.

SECTION 3. 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 the Ordinance occurs shall constitute a separate offense.

SECTION 4. 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. 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 on or more parts.

SECTION 6. This ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. 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

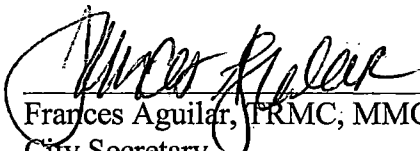
PASSED AND APPROVED THIS THE 24TH DAY OF MAY 2022.

CITY OF ANGLETON, TEXAS



Jason Perez
Mayor

ATTEST:



Frances Aguilar, FRMC, MMC
City Secretary



EXHIBIT A



County: Brazoria County
 Project: 2.748 Acre N Tract
 Job No.: 15239

FIELD NOTES FOR 2.748 ACRES

Being a tract of land containing 2.748 acres, located within the J. De J. Valderes Survey, Abstract No. 380, Brazoria County, Texas; said 2.748 acre tract, being a portion of the tract conveyed to Theresa Gail and Patrick Thomas, as recorded in Brazoria County Clerk's File No. (B.C.C.F.N.) 2018064937; said 2.748 acre tract being more particularly described by meres and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) Central Zone, per-GPS observations)

BEGINNING at a point in the west right-of-way (R.O.W.) line of N. Valderas Street, for the northeast corner of the herein described tract;

THENCE South 00°00'25" East, along the west R.O.W. line of said N. Valderas Road and the east line of the herein described tract, a distance of 77.00 feet to a point for the most southerly northeast corner of the herein described tract;

THENCE North 89°59'48" West, along the south line of the herein described tract, a distance of 289.90 feet to a point for an interior corner of the herein described tract;

THENCE South 00°01'54" East, along a southeasterly line of the herein described tract, a distance of 229.83 feet to a point for the southeast corner of the herein described tract;

THENCE South 89°59'41" West, along the south line of the herein described tract, a distance of 315.81 feet to a point for the southwest corner of the herein described tract;

THENCE North 00°50'10" West, along the west line of the herein described tract, a distance of 306.25 feet to a point for the northwest corner of the herein described tract;

THENCE North 89°56'28" East, along the north line of the herein described tract, a distance of 610.04 feet to the **POINT OF BEGINNING**, containing 2.748 acres of land, more or less.

This document was prepared under 22.TAC §563.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10, 2023

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

AGENDA CONTENT: Discussion and possible action on a proposed Concept Plan for Whispering Oaks Subdivision, for 49 lots, 2 Blocks, on 28.203 acres located north of Western Avenue and east of Heritage Oaks Drive.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The developer of property located north of Western Avenue and east of Heritage Oaks Drive (Attachment 1) submitted the concept plan consideration for Whispering Oaks Subdivision.

The proposed land plan (Attached) consists of 49 single family residential lots having typical lot dimensions of 100 feet of width and 130 ft. of depth, a central detention pond and two areas designated as “park areas.” The subject property is in the Single Family Residential 7.2 zoning district which has minimum lot dimension of 60 feet of width, 100 feet of depth and 7,200 square feet of lot area. The proposed land plan exceeds those minimum requirements, and the density is 1.73 dwelling units per acre.

Section 23-11.I requires the following: 1. All subdivisions containing 30 or more lots must have at least two points of 100-year storm compliant public access constructed to ACM standards, that connect to paved public streets. 2. The city council may approve subdivisions that have more than 30 lots, but fewer than 50 lots, with a single entrance to a paved public street provided that such connection to an existing paved public street is designed as a boulevard with a width sufficient on each driving lane for fire truck access, with an unbroken median length of 100 feet, unless left-turn lanes and median breaks designed to ACM standards, are installed at any crossing streets. 3. The city council may approve subdivisions that have more than 50 lots, with a single entrance to a paved street subject to the entrance to the development being designated as a boulevard with a width sufficient on each driving lane for fire truck access, with an unbroken median length of 150 feet, unless left-turn lanes and median breaks, designed to ACM standards, are installed at any crossings, subject to a phasing plan that stipulates when the second access will be provided and the developer or subdivider posts surety for the second access point. The council may defer plat recordation until adequate access is provided.

To meet the boulevard entrance requirement the developer proposed a revised cross-section (Attachment 4) for the existing stub street that is the proposed entrance into the Whispering Pines project. After input from Fire Chief Scott Meyers, EMS Director Lucille Maes, and Police Chief Guadalupe Valdez, the consensus staff direction to the developer in regard to the proposed entrance cross-section was the following: 1. Widen the pavement to 48 feet in width and remove the median due to the property owner to the south taking driveway access to the existing stub street. 2. Post “No Parking” signs along the entrance into the Whispering Pines project. 3. The curbs be rollover curbs.

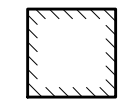
Pursuant to Section 23-104 D.3. applicants are encouraged as part of the plan submittal contents to “Cite any design deviations that are contemplated. Without such declarations it is assumed that the project will comply with all applicable development requirements.” While no design deviations have been cited, the boulevard entrance requirement has been a topic of discussion with the applicant. Unfortunately, even if a design deviation as proposed by the previous 80 lot development were specifically requested for the boulevard entrance, staff would advise that the Commission not address that deviation. Such a deviation is a variance of the requirement of Section 23-11.1.2 and variances requested as part of a residential replat (which this proposal would be) must comply with the requirements of the Texas Local Government Code (LGC). LGC Section 212.015.(a).(1) requires conformance with LGC Section 212.015 if during the preceding five years, any lot in the preceding plat was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot. The subject property is in the (SF-7.2) district which limits the number of residential units per lot to one.

Staff Comments/Conditions:

1. That the applicant shall submit a preliminary plat for the subject property prior to any construction plans being submitted for consideration.
2. The applicant shall satisfy the requirements of the Heritage Tree Ordinance and the Parkland Dedication Regulations.
3. The Boulevard Style Entrance deviation should be approved as to concept and form, subject to formal procedures being completed with the Preliminary Plat Submittal.

Recommendation: The Planning Commission voted unanimously (7-0) to approve the Concept Plan and forwards this application to the city council for final consideration and appropriate action.

ANGLETON DRAINAGE DISTRICT
DITCH 10



PROP. 2,000
SQ.FT. HOME

0 50 100
SCALE : 1" = 100'
JOB #15328

HERITAGE OAKS DR.

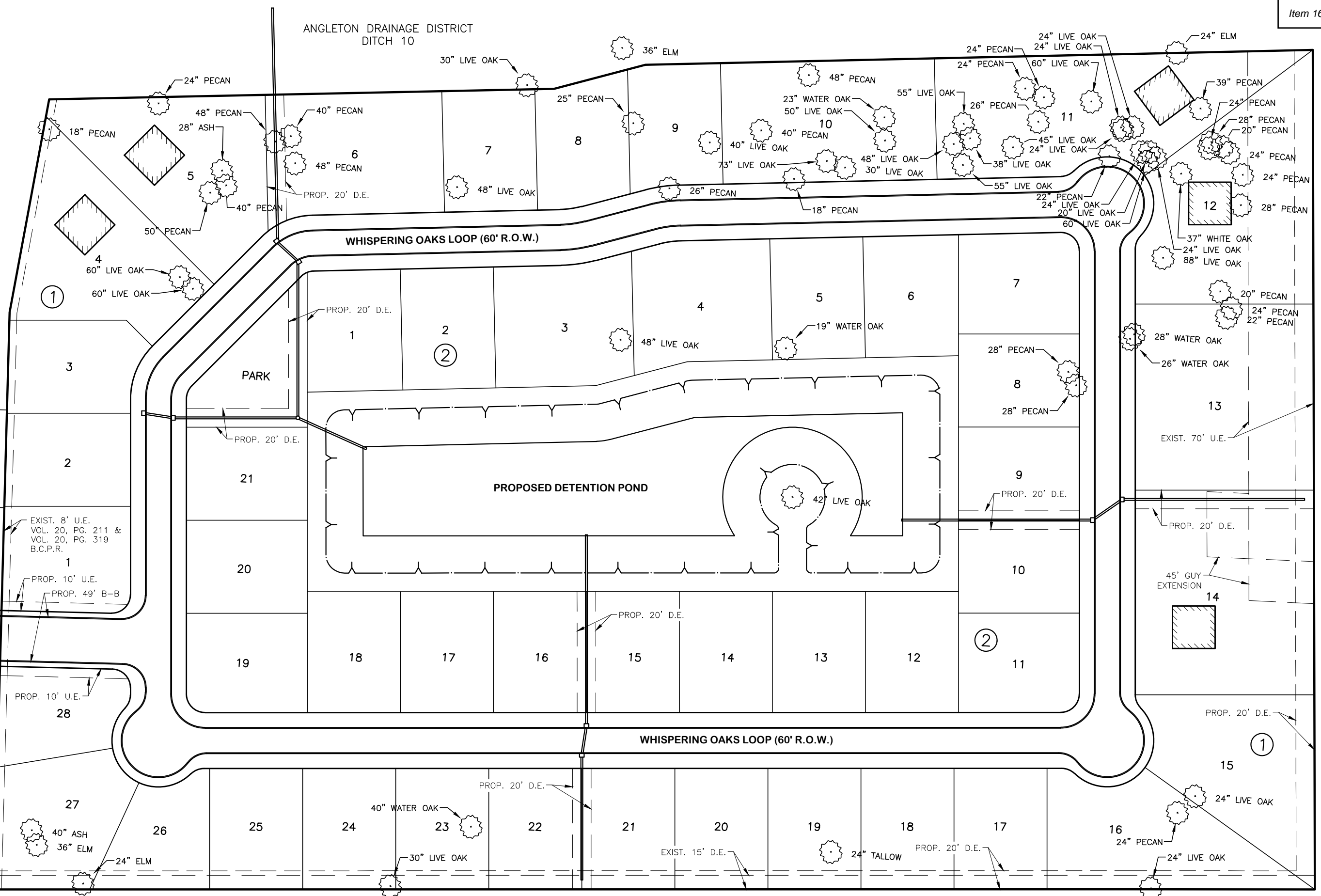
WHISPERING OAKS
BLVD. (60' R.O.W.)

WHISPERING OAKS LOOP (60' R.O.W.)

WHISPERING OAKS LOOP (60' R.O.W.)

PARK

PROPOSED DETENTION POND



Whispering Oaks

CONCEPT PLAN
±28.203 ACRES OF LAND
2 BLOCKS, 49 LOTS



October 26, 2022

Mr. Otis Spriggs
Director of Development and Planning
City of Angleton
121 S. Velasco
Angleton, Texas 77515

Re: Public Access to Subdivisions
Whispering Oaks Subdivision

Dear Mr. Spriggs,

We are requesting a waiver for the following Section of the City of Angleton Land Development Code (LDC):

Section 23-12. Streets and Driveways, Subsection I. Public Access to Subdivisions to allow 80 lots with only one access to public roadway.

I. Public Access to Subdivisions.

1. Subdivisions containing 30 or more lots, or multi-family developments with 50 or more units, shall have a minimum of two points of vehicular access to an existing public right-of-way separated as far apart as practical; or
2. The City Council may consider a boulevard style entrance with the following design elements:
 - a. A boulevard entrance with a median that has a minimum width of six feet;
 - b. Extension of the median into the subdivision an unbroken distance of at least 75 feet to the first intersecting interior street; and
 - c. Boulevard lanes with an adequate pavement for emergency access into the development.

The preliminary layout for Whispering Oaks Subdivision currently shows a development of 49 lots with a single 60 feet wide right of way access connection to Heritage Oaks Drive on the west side of the subdivision. There is no other available path to another access point because of Western Avenue subdivision to the south Heritage Oaks Subdivision to the west, Angleton Drainage District Ditch 10 to the north and Gambit Energy Battery facility and Private property to the east. A previously platted 60' right of way road through the private property owned now by Richard Willy was allowed to be abandoned a few years ago by the City. The City's abandonment of the right of way prevents a second access point.

Staff met with the original developer on June 9, 2021 and discussed the requirements of Section 23-11.I. To meet the boulevard entrance requirement the developer proposed a revised cross-section (Attachment 4) for the existing stub street that is the proposed entrance into the Whispering Pines project. After input from Fire Chief Scott Meyers, EMS Director Lucille Maes, and Police Chief Guadalupe Valdez, the consensus staff direction to the developer in regard to the proposed entrance cross-section was the following:

DOUGLAS B. ROESLER, P.E. - Principal Engineer
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(979) 849-6681 • Fax (979) 849-4689

consensus staff direction to the developer in regard to the proposed entrance cross-section was the following:

1. Widen the pavement to 48 feet in width and remove the median due to the property owner to the south taking driveway access to the existing stub street.
2. Post "No Parking" signs along the entrance into the Whispering Pines project.
3. The curbs be rollover curbs

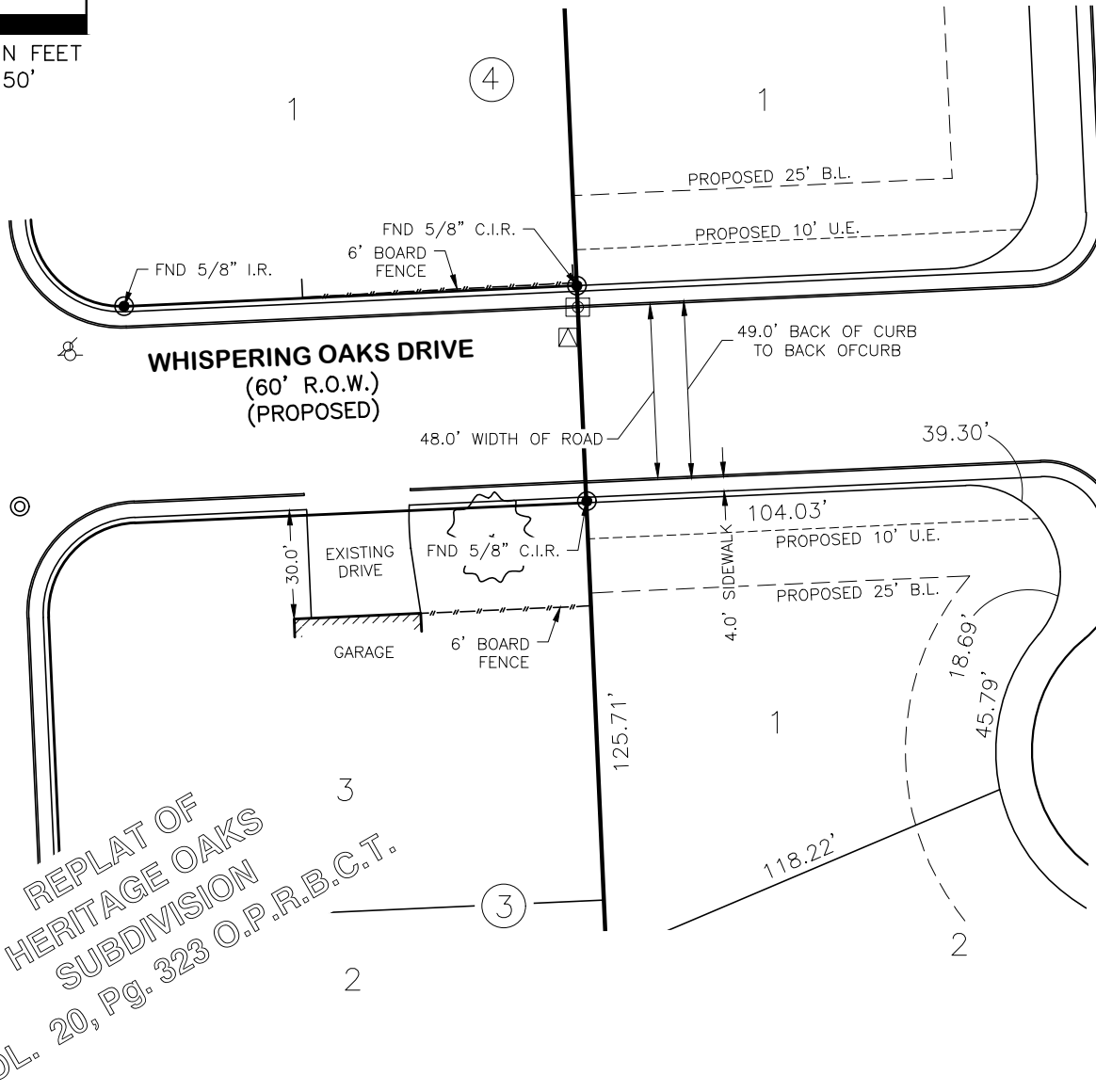
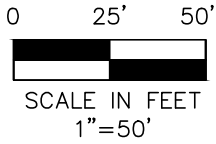
If you have any questions or require further information concerning this waiver request, please contact Baker & Lawson, Inc.

Sincerely,



Douglas B. Roesler, P.E.
President, Principal Engineer

(File: 15328/Single Access Waiver)



REPLAT OF
 HERITAGE OAKS
 SUBDIVISION
 VOL. 20, Pg. 323 O.P.R.B.C.T.

LEGEND

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

EXHIBIT OF
 PROPOSED WHISPERING OAKS DRIVE

OUT OF RE-PLAT OF HERITAGE OAKS SUBDIVISION
 RECORDED IN VOLUME 20, PAGE 323 O.P.R.B.C.T.

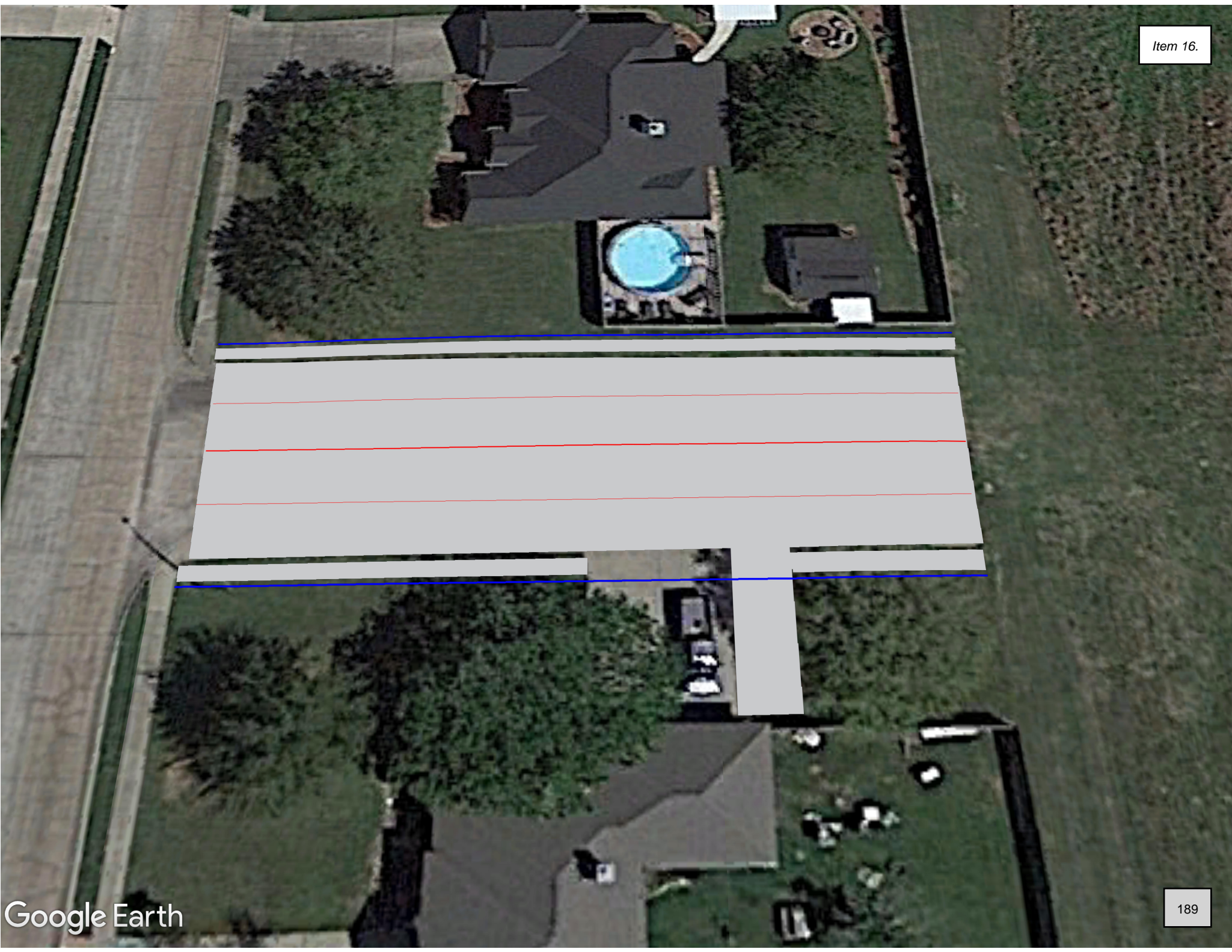
IN THE J. DE. J. VALDERAS SURVEY, A-30 BRAZORIA COUNTY, TEXAS



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.: 15328	SCALE: 1"= 50'	DATE: 08/29/2022
DWG. NO.: 15328 EXHIBIT	DRAWN BY: NWO	CHK. BY: AH

J:\150005\15300\15328\ENGINEERING-SURVEY\ENGINEERING_DRAWINGS\15328 EXHIBIT PROPOSED.DWG 8/29/22 Nathan Owens





AGENDA ITEM SUMMARY FORM

MEETING DATE: January 10,2023
PREPARED BY: Chris Whittaker
AGENDA CONTENT: 2023 Street Bond Project - Package II

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: \$2,000,000	FUNDS REQUESTED: \$1,792,900
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FUND: 121 – 2018 Bond Issue

EXECUTIVE SUMMARY:

HDR is finalizing the 2023 Street Bond Project Package II and is ready to move to the bidding phase. This project consists of replacing the pavement with small drainage improvements on Chevy Chase and San Felipe. Water line replacement will also occur on Chevy Chase. The engineer’s opinion of probable construction cost is 2,005,000.

City staff is reviewing the plans and HDR will incorporate them. We will then move into the bid phase.

RECOMMENDATION: Council to direct HDR to proceed forward with the bid phase for the above referenced project.