

#### CITY OF ANGLETON

### PLANNING AND ZONING COMMISSION AGENDA 120 S. CHENANGO STREET, ANGLETON, TEXAS 77515 THURSDAY, DECEMBER 05, 2024 AT 12:00 PM

#### **Members Names**

Chair | William Garwood

**Commission Members** | Deborah Spoor, Andrew Heston, Michelle Townsend,

Regina Bieri, Jeff Roberson, Will Clark

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, DECEMBER 5, 2024, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

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

- 1. Introduction and Swearing-in of new Planning and Zoning Commission Member Jeff Roberson.
- 2. Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on October 3, 2024.

#### **PUBLIC HEARINGS AND ACTION ITEMS**

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

#### **REGULAR AGENDA**

#### **ADJOURNMENT**

#### CERTIFICATION

I, Otis Spriggs, Development Services Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, www.angleton.tx.us, in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, December 2, 2024, by 12:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

# /S/ Otis Spriggs Otis Spriggs Development Services Director

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



## **AGENDA ITEM SUMMARY FORM**

**MEETING DATE:** December 5, 2024

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

AGENDA CONTENT: Introduction and Swearing-in of new Planning and Zoning

Commission Member Jeff Roberson.

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

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

FUND: N/A

#### **EXECUTIVE SUMMARY:**

Staff requests the Introduction and Swearing-in of new Planning and Zoning Commission Member Jeff Roberson.

**RECOMMENDATION:** Staff recommends that the Planning and Zoning welcome new member Jeff Roberson.



### AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 5, 2024

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

**AGENDA CONTENT:** Discussion and possible action on the minutes for the Planning and

Zoning Commission meeting held on October 3, 2024.

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

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

FUND: N/A

#### **EXECUTIVE SUMMARY:**

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

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



#### CITY OF ANGLETON

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

#### **Members**

Chair | William Garwood

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

Regina Bieri, Ellen Eby, Andrew Heston

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, OCTOBER 3, 2024, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

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

#### **Roll Call:**

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

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

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

#### **PUBLIC HEARINGS AND ACTION ITEMS**

#### **REGULAR AGENDA**

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

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

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

#### **Commission Action:**

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

#### Roll Call Vote:

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

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

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

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

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

#### **Commission Action:**

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

#### **Roll Call Vote:**

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

- 4. Discussion and possible action on a proposed Concept for "The Marquis" Multi-family Development, to be located on the west side of Karankawa St., south of Tracy St.
  - D.S. Director Otis Spriggs presented the concept review request. The owner/applicants are proposing 104 multifamily units on 10 acres. This concept has been brought to the city in the past; however, they have refined the plan, and have dealt with some of the issues and added amenities in the area of the open space detention area.

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

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

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

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

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

- 5. Discussion and possible action on the potential removal of the subdivision emergency access gate within the Rosewood Subdivision (Rosewood Ln. at E. Henderson Rd.).
  - D.S. Director Otis Spriggs introduced that is being forwarded to the Commission by City leadership. We are seeking feedback from the commission and allowing for public input on the removal of the emergency gate. Staff notified the 70 residents of Rosewood Subdivision by mail regarding this discussion item on the gate at Rosewood Lane and Henderson Rd.

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

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

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

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

#### **Public Input:**

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

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

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

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

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

Chair Bill Garwood recommended that we leave the situation untouched.

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

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

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

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

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

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

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

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

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

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

We will be considering upgrading our building codes also in terms of our comprehensive planning process, to be more resistant to disasters. The City was

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

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

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

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

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

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

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

**ADJOURNMENT: 12:39 PM** 



### AGENDA ITEM SUMMARY REPORT

**MEETING DATE:** December 5, 2024

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

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

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

County, Texas.

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

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

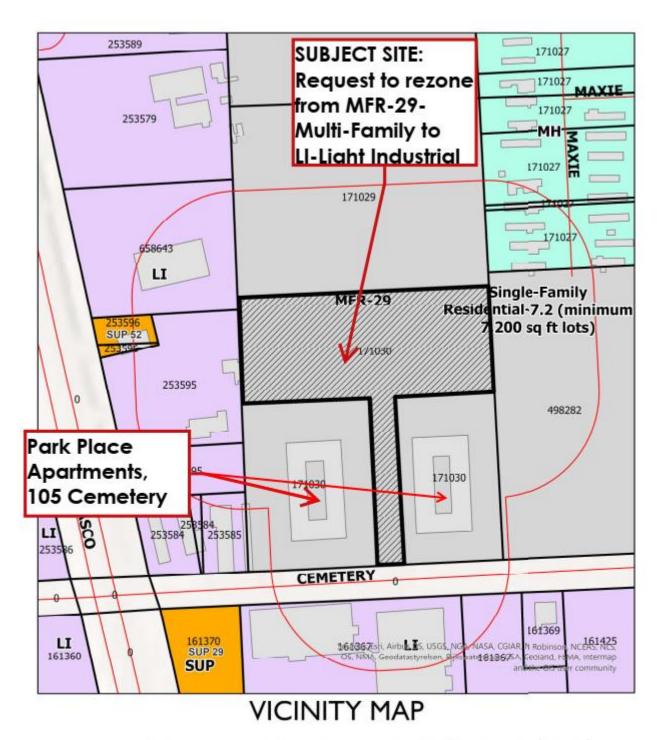
FUND: N/A

**EXECUTIVE SUMMARY:** 



**AERIAL MAP** 

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



105 Cemetery Rd. Rezoning From MFR-29 to I-1 Industrial



0 70 140 280 Feet

#### **Public Notices:**

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

#### Proposal:

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

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

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

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

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

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

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

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

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

#### **Future Land Use Map**



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

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

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

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

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

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

**East:** Apartments, Single Family Residential

### **SITE PHOTOS**



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



View looking north from Cemetery Rd. from property frontage



View looking north at subject tract north of the apartment units



View looking north at subject tract north of the apartment units



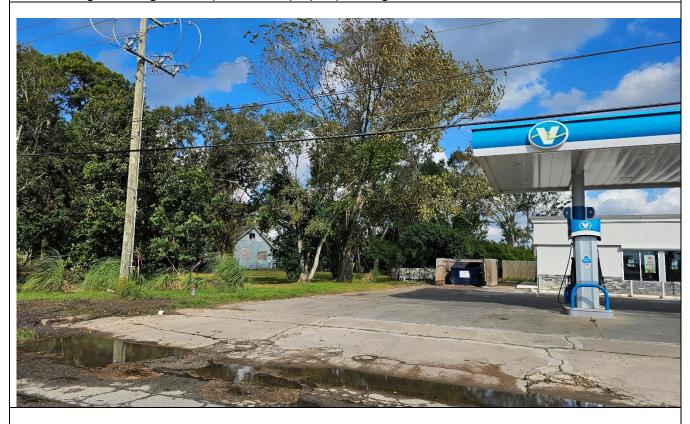
View looking south toward Cemetery Rd.



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



View looking east along Cemetery Rd. toward property frontage



View looking north-easterly from SH288B



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

#### **RECOMMENDATION:**

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

#### **Conditions:**

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

#### ORDINANCE NO.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

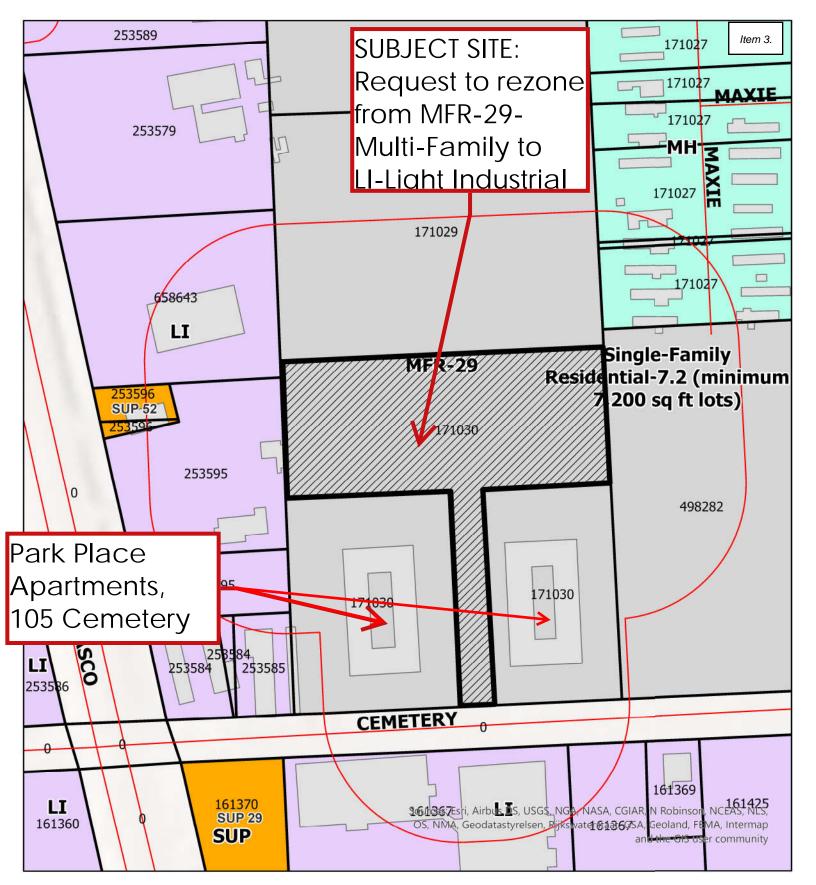
**Section 5. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair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

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

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

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

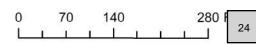
PASSED, APPROVED and ADOPTED this 12th d	lay of November, 2024.
	John Wright, Mayor
ATTEST:	
Michelle Perez. TRMC	



**EXHIBIT A: REZONING MAP** 

105 Cemetery Rd. Rezoning From MFR-29 to I-1 Industrial





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

# AFFIDAVIT OF AUTHORIZATION BY PROPERTY OWNER

_	I swear that I am the owner of (indicate address and/or legal description) 105 and 109 Cemetery Road, Angleton, TX 77515
	which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.
	I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.
	NAME OF APPLICANT:Ahsan Sattar
	ADDRESS: 105 Cemetery Road Angleton, TX 77515
	APPLICANT PHONE #E-MAIL:
	PRINTED NAME OF OWNER: Brantly D. Minor III. managing member  E. D.D. dovestment Group LLC  SIGNATURE OF OWNER: DATE: 10/28/24
	SIGNATURE OF OWNER: DATE: 10/28/24
	NOTARIAL STATEMENT FOR PROPERTY OWNER:
	Sworn to and subscribed before me this <u>38</u> day of <u>0 ctober</u> , 20 <u>34</u> .
(SEA	Notary Public for the State of Texas  Notary Public STATE OF TEXAS  Notary Public for the State of Texas  Commission Expires: 09 · 05 · 27

Notary ID # 13216076-6



County: Brazoria County
Project: 2.359 Acres
Job No.: 16214

#### **DESCRIPTION OF 2.359 ACRES**

Being a 2.359 acre tract of land located within the I.T. Tinsley Survey, Abstract No. 375, Brazoria County, Texas, being a portion of a called 4.8687 acre tract, as recorded in County Clerks File No. (C.C.F.N.) 1999003305 of the Official Public Records, Brazoria County, Texas (O.P.R.B.C.T.), referred to hereafter as the above referenced tract of land, said 2.359 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 1/2-inch iron rod found for the Northwest corner of the above referenced tract, same being the Southwest corner of a called 4.8687 acre tract, as recorded in C.C.F.N. 2001040747 of the O.P.R.B.C.T., same being on the East line of a 30' alley, no recording information found;

**THENCE** North 86°52'55" East, along the North line of the above referenced tract, same being the South line of said called 4.8687 acre tract, a distance of 434.00 feet to a 5/8-inch iron rod found for the Northeast corner of the above referenced tract, same being on the West line of a called 6.920 acre tract, as recorded in C.C.F.N. 2022008094 of the O.P.R.B.C.T.;

**THENCE** South 02°49'36" East, along the East line of the above referenced tract, same being the West line of said called 6.920 acre tract, a distance of 204.00 feet to a point for corner, being in a 32" live oak tree;

**THENCE** South 86°52'55" West, over and across the above referenced tract, a distance of 192.00 feet to a 5/8-inch iron rod with cap, stamped "Baker & Lawson" set for corner;

**THENCE** South 02°49'36" East, over and across the above referenced tract, a distance of 284.67 feet to a 5/8-inch iron rod with cap, stamped "Baker & Lawson" set for corner;

**THENCE** South 86°52'55" West, along the South line of the above referenced tract, same being the North Right-of-Way (R.O.W.) line of Cemetery Road, a distance of 50.00 feet to a 5/8-inch iron rod with cap, stamped "Baker & Lawson" set for corner;

**THENCE** North 02°49'36" West, over and across the above referenced tract, a distance of 284.67 feet to a 5/8-inch iron rod with cap, stamped "Baker & Lawson" set for corner;

**THENCE** South 86°52'55" West, over and across the above referenced tract, a distance of 192.00 feet to a 5/8-inch iron rod with cap, stamped "Baker & Lawson" set for corner, being on the West line of the above referenced tract, same being the East line of said 30' alley;

**THENCE** North 02°49'36" West, along the West line of the above referenced tract, same being the East line of said 30' alley, a distance of 204.00 feet to the **POINT OF BEGINNING** of the herein described tract of land, and containing 2.359 acres of land, more or less.

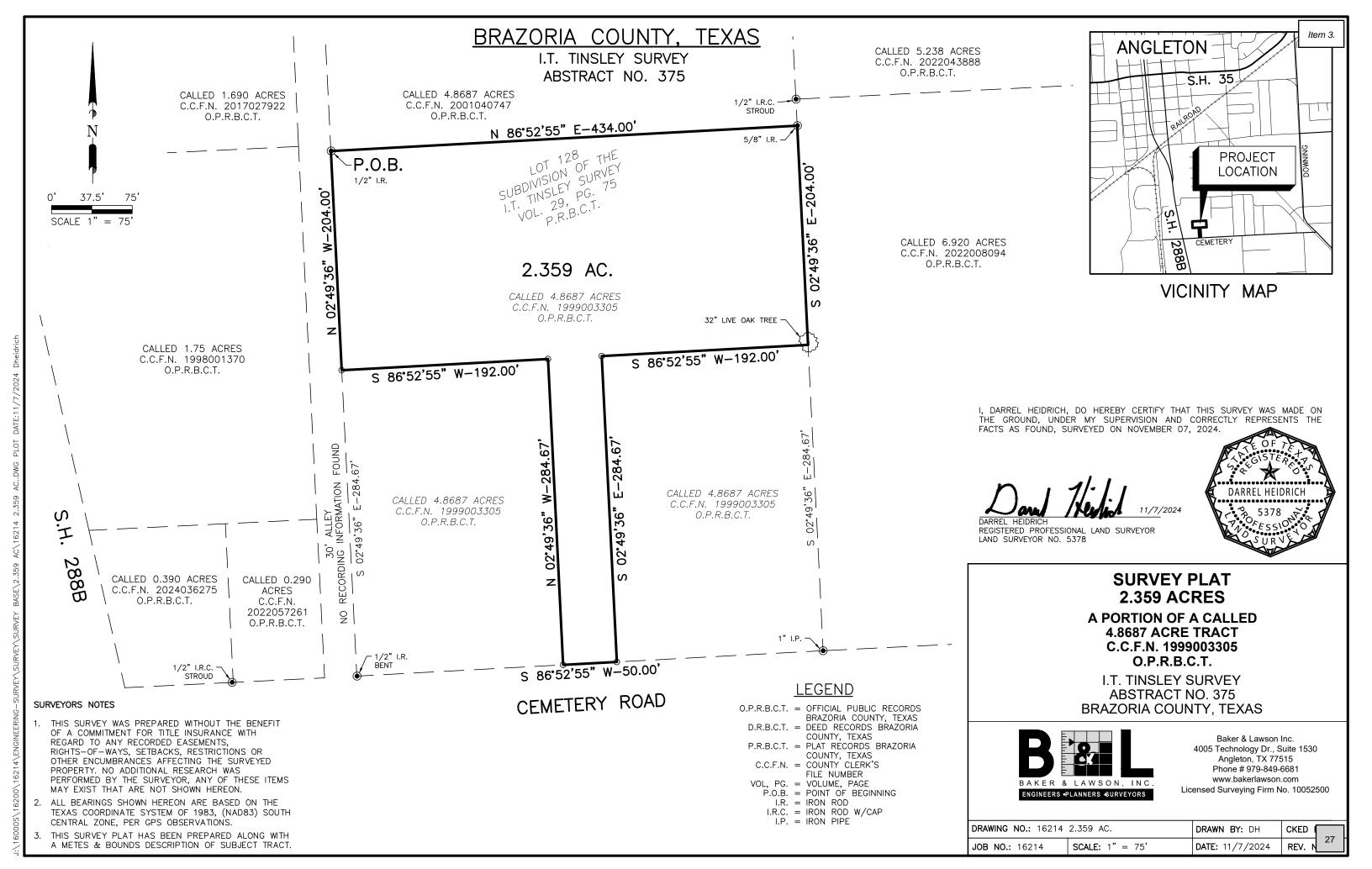
The field notes of the herein described tract of land, have been prepared along with a survey plat of the subject tract.

Darrel Heidrich

Registered Professional Land Surveyor

Texas Registration No. 5378





Item 3.



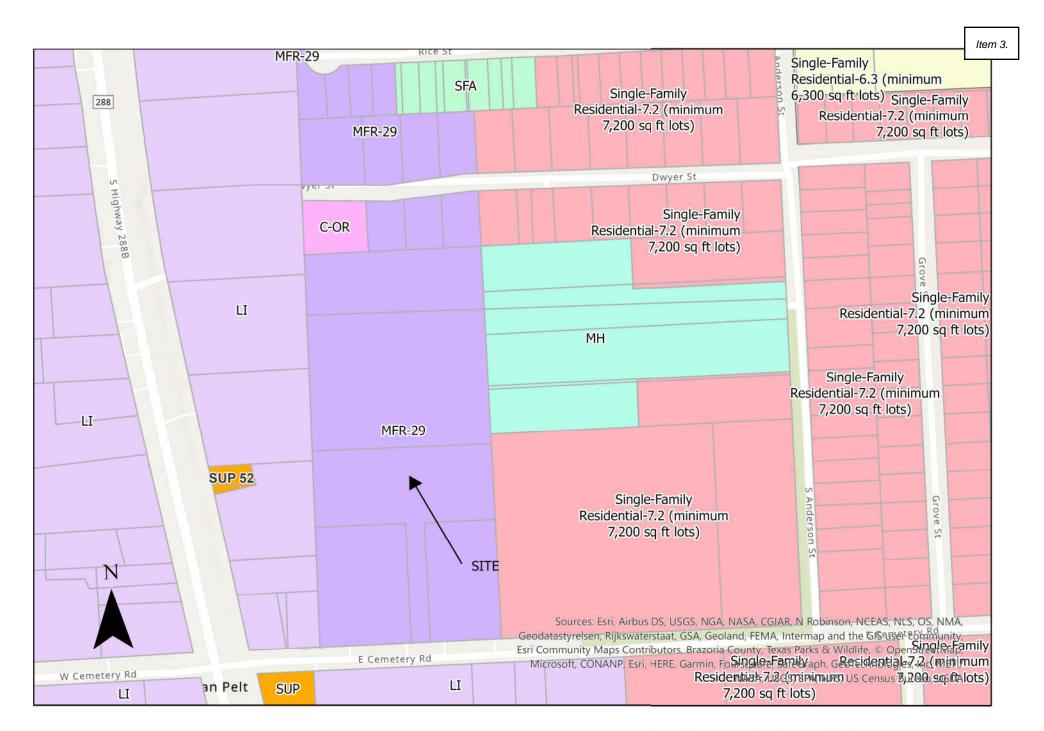
O	FFICE USE ONLY
Date received:	Fee: \$
P&Z Public Hearin	g date:
Date to send cert. le	etters:
Date to publish:	
Proof of taxes paid	date verified:

# CITY OF ANGLETON RE-ZONE APPLICATION

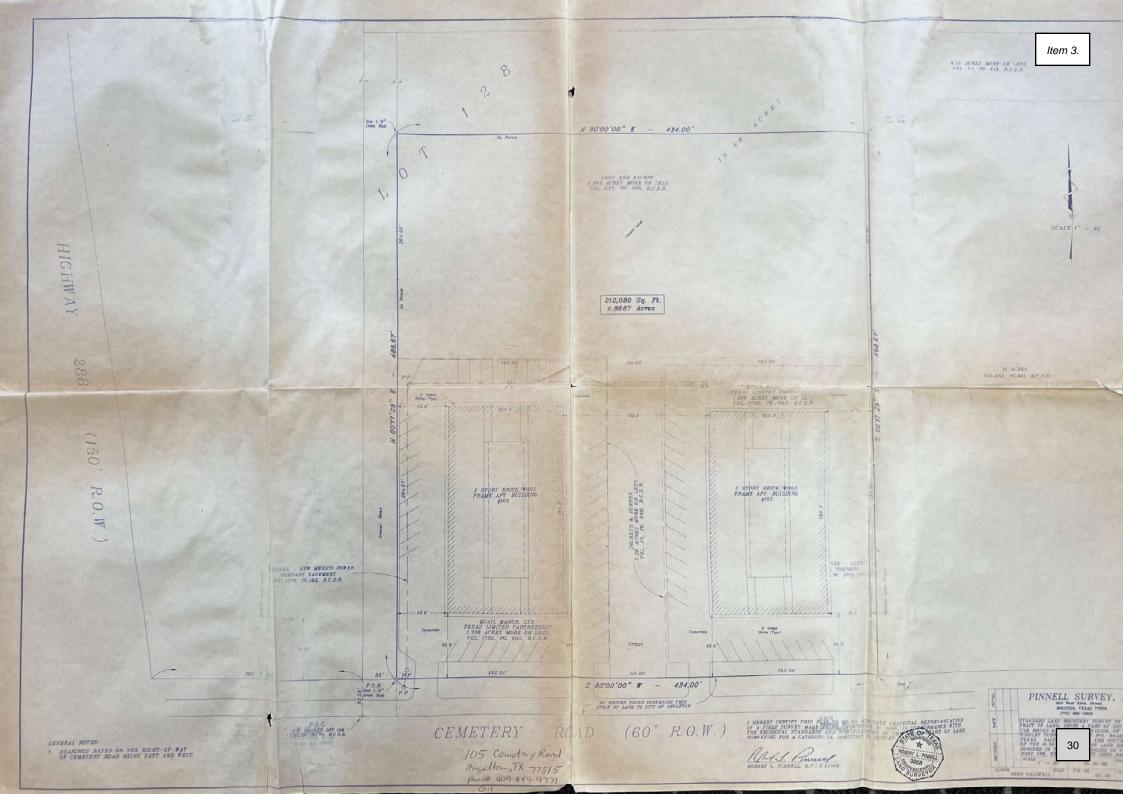
Name(s) of Proper	ty Owner: _	E D D Inv	estmen	t Group L	.LC		
Current Address:	1914 N	Memorial Way #6			_Email:	brantly@	discoveryconsultants.net
City: Houston		St	ate: _	TX		Zip:_	77007
Home Phone:		Business Phone			C	ell:	
ATTACH PROOF TO THE CITY OF			ANI	OBL	IGATION	S HAV	E BEEN PAID
Name of Applicant	:Ah						
		(If di	ifferei	it than	Property C	<i>'</i>	
Address:	105 Cemete	ery Rd			Email:		ies@emaret.org er@emaret.org
City: An							
Home Phone:		Business Phone			C	ell:	
Address/Location of	of Property t	o be Re-zoned:		105 Ce	metery Rd, Ang	gleton, TX 7	7515
Legal Description: _	A03751T	TINSLEY TRACT 128B	1- 128B	2 ACRES	4.868 (ANGLE	ton)	
	Metes & B	Sounds	Lo	t(s)	Block	(	Subdivision
ATTACH MAP/SU	JRVEY OF	PROPERTY					
Has the property bee	en platted?	YES		N	0		
Current Zoning:^	1FR-29	_ Current Use: _	acant L	and			
Proposed Zoning: _	LI	_ Proposed Use:		RV and	Boat Parking		

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





105 E. CEMETERY ZONING MAP





#### **MULTIPLE BUILDING PROPERTY SUMMARY**



Beds N/A

Full Baths N/A

Half Baths N/A

Sale Price

Sale Date

N/A

N/A

Bldg Sq Ft N/A

C021

**ANGLETON** 

Dr1

2022

Lot Sq Ft 212,050

Yr Built N/A

Type **MLT FAM DWLG** 

#### OWNER INFORMATION

Owner Name Owner Occupied Carrier Route Tax Billing Address E D D Investment Group LLC

1914 N Memorial Way #6

Tax Billing Zip Tax Billing Zip+4

Tax Billing City & State Houston, TX

77007 8319

#### LOCATION INFORMATION

Subdivision School District Name Neighborhood Code Township MLS Area Market Area

IT Tinsley **Angleton ISD** Commb1-Commb1 Angleton

Key Map Census Tract Flood Zone Code Flood Zone Date Flood Zone Panel

8288 6641.00 Х 12/30/2020 48039C0445K

#### TAX INFORMATION

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

M.U.D. Information

#### **ASSESSMENT & TAX**

Assessment Year

2021 2022

Assessed Value - Total Assessed Value - Land Assessed Value - Improved YOY Assessed Change (\$) YOY Assessed Change (%) Market Value - Total Market Value - Land Market Value - Improved

\$1,159,330 \$106,910 \$1,052,420 \$784,330 209.15% \$1,159,330 \$106,910

\$1,052,420

2021 \$375,000 \$106,910 \$268,090 -\$163,620 -30.38% \$375,000

\$538,620 \$106,910 \$431,710 \$538,620

\$106,910 \$431,710

2020

Tax Year Total Tax Change (\$) Change (%) \$14,782 2020

> \$9,788 \$30,261

-\$4,994 \$20,473

\$106,910

\$268,090

-33.78% 209.15%

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

#### CHARACTERISTICS

Land Use - CoreLogic Land Use - County Land Use - State Lot Acres

**Multi Family Dwelling** Multi-Family Residential **Multi-Family Residential** 4.868

**Building Type** Total Rooms Cooling Type Heat Type

Commercial 40 Central Package

32



Land Use - County	Multi-Far	mily Residential	Total Rooms	8
Land Use - State	Multi-Far	mily Residential	Cooling Type	Central
Lot Acres	4.868	0 a 11 of 00 at 00 11 0 at 00	Heat Type	Package
Lot Sq Ft	212,050		Exterior	Brick Veneer
FEATURES		•		
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	\$	11,616	1975	\$227,580
BUILDING 4 OF 11	-11/4			
CHARACTERISTICS				
Land Use - CoreLogic	Multi Fan	nily Dwelling	Building Type	Commercial
Land Use - County Land Use - State	Multi-Fan	nily Residential nily Residential	Total Rooms Cooling Type	8 Central
Lot Acres	4.868		Heat Type	Package
Lot Sq Ft	212,050		Exterior	Brick Veneer
- 121 A 111 A 1			**	VAVAVA 44 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	\$	11,328	1983	\$230,270
BUILDING 5 OF 11				
CHARACTERISTICS			Au-	
	tiplerrenge in the control of		222 at 222 a 22 a 2	
Land Use - CoreLogic		nily Dwelling	Building Type Total Rooms	Commercial
Land Use - County  Land Use - State		nily Residential nily Residential	Total Rooms Cooling Type	8 Central
Lot Acres	4.868	iny nesidential	Heat Type	Package
Lot Sq Ft	212,050	******************	Exterior	Brick Veneer
FEATURES	***			
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	11,328	1983	**********
Williple Hes (Low Hise)		. оддисисисиска в	4214.04.04.04.04.04.0	\$230,270
BUILDING 6 OF 11		"		
CHARACTERISTICS				
Land Use - CoreLogic	Multi Fam	nily Dwelling	Lot Sq Ft	212,050
Land Use - County	Multi-Fam	nily Residential	Building Type	Commercial
Land Use - State	Multi-Fam	nily Residential	Heat Type	Package
Lot Acres	4.868		Exterior	Brick Veneer
FEATURES				
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	S	1,664	1983	\$42,860
BUILDING 7 OF 11				PV INF-II JANIE W HAT
CHARACTERISTICS				17
Land Use - CoreLogic	Malai Fare	ily Dwelling	Lot Sq Ft	212,050
Land Use - County	******	nily Residential	Building Type	Commercial
Land Use - State		nily Residential	Heat Type	Package
Lot Acres	4.868		Exterior	Brick Veneer
FEATURES		0.19		et terger gly op met menge telepone e
	l Init	Olac/Ob.	Voor Duilt	Volus
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	<b>S</b>	1,664	1975	\$41,380
BUILDING 8 OF 11				H of the state of
OUADA OTERIOTOS			er. danktris	
CHARACTERISTICS	14		a section of	
Land Use - CoreLogic		ily Dwelling	Lot Sq Ft	212,050
Land Use - County	Multi-Fam	ily Residential	Building Type	Commercial

Land Use - State	Multi-Fam	ily Residential	Heat Type	Package
Lot Acres	4.868		Exterior	Brick Veneer Ite
FEATURES				Or - N
Feature Type	Unit	Size/Qty	Year Built	Value
Multiple Res (Low Rise)	\$	1,664	1975	\$41,070
BUILDING 9 OF 11				•
CHARACTERISTICS		~		
Land Use - CoreLogic	Multi Fami	ily Dwelling	Lot Acres	4.868
Land Use - County	COCO 7 0 7 0 7 0 7 0 7 0 7 0 7 0 7 0 7 0 7	ily Residential	Lot Sq Ft	212,050
Land Use - State		lly Residential		***
FEATURES	v			100h 19 AH
Feature Type		Valu	Je	MI
Misc Improvement-Commerc		\$13	,500	
		*		
BUILDING 10 OF 11				14. 1441.141
CHARACTERISTICS		P.		
ынымы.	Multi Fami	ly Dwelling	Lot Acres	4.868
CHARACTERISTICS		ly Dwelling ly Residential	Lot Acres	4.868 212,050
CHARACTERISTICS Land Use - CoreLogic	Multi-Fami			
CHARACTERISTICS Land Use - CoreLogic Land Use - County	Multi-Fami	ly Residential		
CHARACTERISTICS Land Use - CoreLogic Land Use - County Land Use - State FEATURES	Multi-Fami	ly Residential		
CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State  FEATURES  Feature Type	Multi-Fami Multi-Fami	ly Residential ly Residential	Lot Sq Ft	212,050
CHARACTERISTICS Land Use - CoreLogic Land Use - County Land Use - State	Multi-Fami Multi-Fami Unit	ly Residential ly Residential Size/Qty	Lot Sq Ft Year Built	212,050 Value
CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State  FEATURES  Feature Type  Concrete Paving Average	Multi-Fami Multi-Fami Unit	ly Residential ly Residential Size/Qty	Lot Sq Ft Year Built	212,050 Value
CHARACTERISTICS  Land Use - CoreLogic Land Use - County Land Use - State  FEATURES  Feature Type  Concrete Paving Average  BUILDING 11 OF 11	Multi-Fami Multi-Fami Unit S	ly Residential ly Residential Size/Qty 28,640	Lot Sq Ft Year Built	212,050 Value
CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State  FEATURES  Feature Type  Concrete Paving Average  BUILDING 11 OF 11  CHARACTERISTICS  Land Use - CoreLogic	Multi-Fami Multi-Fami Unit S	ly Residential ly Residential Size/Qty	Lot Sq Ft  Year Built  1975	Value \$58,280
CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State  FEATURES  Feature Type  Concrete Paving Average  BUILDING 11 OF 11  CHARACTERISTICS	Multi-Fami Multi-Fami  Unit S  Multi-Fami  Multi-Fami	ly Residential ly Residential Size/Qty 28,640	Year Built 1975  Lot Acres	Value \$58,280
CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State  FEATURES  Feature Type  Concrete Paving Average  BUILDING 11 OF 11  CHARACTERISTICS  Land Use - CoreLogic  Land Use - County	Multi-Fami Multi-Fami  Unit S  Multi-Fami  Multi-Fami	ly Residential ly Residential Size/Qty 28,640  ly Dwelling ly Residential	Year Built 1975  Lot Acres	Value \$58,280
CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State  FEATURES  Feature Type  Concrete Paving Average  BUILDING 11 OF 11  CHARACTERISTICS  Land Use - CoreLogic  Land Use - County  Land Use - State	Multi-Fami Multi-Fami  Unit S  Multi-Fami  Multi-Fami	ly Residential ly Residential Size/Qty 28,640  ly Dwelling ly Residential	Year Built 1975  Lot Acres	Value \$58,280



P.O. Box 549 Clute, TX 77531 979-265-7411

> Date: 11/13/24 Account: 15239

Name:

Company: City Of Angleton Telephone: (979) 849-4364

Email: mbarron@angleton.tx.us

Ad Taken By: ABROWNING
Sales Person: Anicia Browning
Phone: (979) 237-0113

Email: anicia.browning@thefacts.com

Ad ID: **1273265** # of Lines: **48** 

Size: 2 x 6.972

Color:
# of Preprints: 0
# of Pages: 0
Ad Cost: \$261.23

PO Number:

Publication: The Brazosports Facts, www.

TheFacts.com

Publish Date: 11/15/24

# \*Please proofread the ad\*

For any corrections or changes, contact your media representative.

We Appreciate Your Business! Thank You!

# **Proof**

Date: 11/13/24

**User: ABROWNING** 

# City of Angleton Notice of Hearing

Notice is hereby given that the Planning & Zoning Commission and City Council of the City of Angleton, Texas will conduct public hearings as listed below: at 12:00 PM on Thursday, December 5, 2024, and Tuesday, December 10, 2024, at 6:00 PM. The meetings will be held at Angleton City Hall in the City Council Chambers at 120 S. Chenango Street, Angleton, Texas 77515. At the meetings, the following hearings will be held:

1. Conduct a public hearing, discussion, and take possible action on Ordinance approving a request to amend the Zoning Map from MFR-29, Multi-family Residential District to LI- Light Industrial District on approximately 2.359 acres (Part of Property ID: 171030), for property located at the rear of 105 Cemetery Rd., Angleton, Brazoria County, Texas.

The City Council will consider the same request above and the second public hearing below on Tuesday, December 10, 2024, at 6:00 PM as follows:

2. Conduct a public hearing, discussion, and take possible action on the proposed City of Angleton Comprehensive Fee Schedule as related to the User Fee Study.

The meeting agenda and agenda packets will be posted online at https://angleton-tx.muni-codemeetings.com/. The public will have the opportunity to offer comments on each agenda item by registering prior to the meeting.

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



#### **Planning and Zoning Commission Meeting Calendar 2025**

Thursday, January 2, 2025 at 12:00 pm

Thursday, February 6, 2025 at 12:00 pm

Thursday, March 6, 2025 at 12:00 pm

Thursday, April 3, 2025 at 12:00 pm

Thursday, May 1, 2025 at 12:00 pm

Thursday, June 5, 2025 at 12:00 pm

Thursday, July 3, 2025 at 12:00 pm

Thursday, August 7, 2025 at 12:00 pm

Thursday, September 4, 2025 at 12:00 pm

Thursday, October 2, 2025 at 12:00 pm

Thursday, November 6, 2025 at 12:00 pm

Thursday, December 4, 2025 at 12:00 pm