



Draft

CITY OF ANGLETON
PLANNING AND ZONING
COMMISSION
120 S. CHENANGO STREET,
ANGLETON, TEXAS 77515
THURSDAY, DECEMBER 5, 2022 AT
12:00 PM

MINUTES

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON PLANNING AND ZONING COMMISSION IN THE ORDER THEY OCCURRED DURING THE MEETING. THE PLANNING AND ZONING COMMISSION OF ANGLETON, TEXAS CONVENED IN A REGULAR MEETING ON THURSDAY, 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 0.4213 acres from Commercial Office-Retail District (C-OR) to 2F, Two-Family Residential District (duplex homes), for property located at 425 N. Walker St. at the SW corner of W. Live Oak St., Tract 163A20 Jose De Jesus Valderas Survey, A-380, City of Angleton, TX, Brazoria County.

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

This is a request to rezone from the Commercial Office-retail District to convert an existing structure to a duplex. The property is located at 425 N Walker Street, and is surrounded by a well-established single family subdivision which probably has existed there for 30 to 40 years. However, this building has been in transition. It's what we would consider spot zoning in the middle of a residential area. Potentially they could come in and do those things as allowed within the Commercial Code that as listed under the Commercial- Office Retail District. In the area. Staff feels that would be not fitting within the core residential area.

The overall future plan (land use) recommends the property as multifamily. The request would be consistent with our master land use and comprehensive plan. To the South is the power plant and this would provide a buffer to the neighborhood. Staff listed that point in the criteria section and that justifies why this request makes practical sense. The duplex would probably be compatible than commercial. The potential owner of the property would like to do some upgrades to the façade and provide a cover for the parking- with a carport option. Note that there is some existing vegetation in the rear of the property in which we made some suggestions that the landscape area be manicured.

In terms of the previous uses of the property, we were told that at one time it was a laundry or washeteria. An individual later lived there and used the adjacent unit for storage. They later gutted the structure completely; and it is now vacant.

Typically, the SF-2 District requires 5,000 square foot area of lot per unit; so this would fall in those parameters in terms of density and will accommodate the required parking/2 spaces per units. Staff recommends approval and entertains any questions of the Commission.

Chair Garwood opened the Public Hearing, with no objection.

Resident Patricia Milligan appeared before the P&Z Commission:

Ms. Milligan stated that she has a problem with this. They have tried to use this as a residence before it brought bad company into the neighborhood. It was unsafe to the neighborhood; as well as I think it would devalue our property.

Resident Iva Robinson appeared before the P&Z Commission:

She stated that she is requesting that you do not approve it. Because of the things that have happened in the past. This is already a low-income area. And we would request that you please do not bring anything else into our area. It seems like our area gets everything that no one else wants and you just keep approving everything that comes along, gets dumped on us. Please do not do this for the safety of our children, and like she said, it devalues our property.

Applicants:

Laura Cooper approached the mic and stated she is Mr. Warren's real estate agent. She stated she is a local real estate agent and she has worked in the area frequently. She has absolutely respect for the neighborhood and the feelings of the neighborhood. And whenever she first approached the

property to show it, the property was unlocked, it was unsecured and there had been some property damage. You could tell that people were able to come in and out of the property without any security to the building.

She has shown the property to two or three real estate investors. And Mr. Morris was the most promising and he's just a regular individual who wants to make the area nicer. He has really great plans. She met with his contractor on several occasions and he wants to make the property nice and he wants to bring higher value to the area and build nice units that bring decent rent, and he is not looking to bring low income, and low rental units to the property.

Resident Patricia Milligan, a rebuttal: My question is, what's going to happen 10 years from now? Two years from now, when he decided he no longer wants to rent, he no longer wants the property and it gets sold. Same thing that happens to all the other low-income properties in town. It's going to happen. Someone else is going to purchase the property someone else is going to move people in. There's no Homeowners association there's nothing to stop people from destroying the property. What's going to happen then? He may fix it up now, but it's not going to stay that way.

Commission Member Bonnie McDaniel: asked under commercial office retail somebody could put in a bar?

DS Director Otis Spriggs noted that you can place a beauty shop or barber shop; laundry facility, financial institution bank; other retail types of service oriented businesses including medical.

Commission Member Bonnie McDaniel noted that she is concerned about their concerns, but then on the other hand, just knowing how real estate is developing at this point, this is probably as good a time as any for it to go into a state of improvement. She commented that she thinks the change will actually do the neighbor's a favor by allowing some improvement to the property. By changing the zoning, you are having a nice duplex for somebody to occupy, who can afford to pay the rent.

Chair William Garwood asked about the surrounding properties and uses; are the mostly residential?

DS Director Otis Spriggs noted that there was a petition for some form of daycare facility SUP, which is no longer across the street. The property has since been redeveloped as a single family home on the corner.

The applicant **Mr. Morris** added that he is going to have strict guidelines.

Commission Action:

Commission Member Bonnie McDaniel

Made a motion that we accept the staff recommendation adopting this as the final report and recommend approval of the ordinance, rezoning these 0.4213 acres from commercial office retail district to 2F, Duplex homes for property located at 425 N Walker St. and forward it to the City Council for final consideration and 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

5. 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.

REGULAR AGENDA

4. Consideration of approval of a final plat for Smart Storage, for a 12.390-acre subdivision.

Mr. Spriggs presented the final plat subject to the requested variances to be satisfied during the construction stage:

1. Variance is requested to allow the utility plan to be submitted at the time the first tract is considered for development.
2. Variance is requested to provide utility and drainage plans, heritage tree preservation and the geotechnical report at the time each tract is developed.

Mr. Spriggs presented the staff summary noting the Engineering comments per the review including the A.D.D. drainage coordination.

Commission Action:

Motion was made by Commission Member Henry Munson-to approve the proposed Final Plat for Smart Storage, seconded by Commission Member Deborah Spoor.

Roll Call Vote:

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Commission Member Regina Bieri - Aye; Chair William Garwood- Aye; Commission Member Michelle Townsend- Aye. Motion carried unanimously, 6-0 vote.

5. Presentation, discussion, and possible comment on a Site plan, for Angleton Park Place Sections 4-6; Presentation of Site plan, 70.838 acre tract in the southeast area of Angleton, Texas (60 ft. Lot option). No action is required.

Public Input:

“Chip” James Gayle, Shanks Rd.: Abutting neighbor to the south, appeared before the Commission voicing opposition to the proposal, he cited water sewer drainage, traffic, road frontage and crime statistics on the prior mobile home parks in the area. Chair recognized others in the audience that voiced the same concerns.

Applicant: Michael Morgan appeared and explaining Plan A; 60 ft. lots on both sides of the road. He plans to develop both sides of the existing Angleton Park Place.

Lots will be self-owned for-sale/no rentals. Manufactured home subdivision with the homes on slabs.

Chair Bill Garwood asked if this would require a rezoning. Mr. Spriggs noted that it would have to be annexed and rezoned. One (1) side is within the City Limits/PD holding zoning district.

Commission Member Henry Munson asked if Mr. Morgan proposes to have an HOA. Mr. Morgan replied yes. He advised Mr. Morgan that it will be tough to get this concept approved. Commission Member Ellen Eby asked about pricing: Mr. Morgan added that the price range would be \$165k to \$195 per lot.

Commission Member Deborah Spoor asked what the lot depths were: Mr. Morgan stated 125 ft. She also commented on the capacity of water/sewer taps. Can the City handle that? Mr. Spriggs stated that the capacity analysis would be done if an official request is submitted. She added that her concern is regarding high density in that area.

6. Presentation, discussion, and possible comment on a potential Rezoning Request, for a potential industrial development site located on 15.482 vacant acres on the North side of Hwy. 220, east of Shanks Road, for property currently zoned PD District. No action is required.

Mr. Robert Campbell, the applicant, appeared before the Commission. He noted that he owns a metal fabrication business that is purchasing the property; he wants to rezone it to Light Industrial. They are a metal fabrication (small parts, custom railings for home owners and contractors) business now in Clute, Tx. He is wanting to build a 50'x150' shop near CR 220/SW of the property with 10 employees with a desire to double. He noted that 400 ft. is the distance to the back property line.

Chair Garwood asked if this requires a lot of water. Mr. Campbell stated he wants to put in well and septic; they have a small kitchen with a couple of bathrooms. Operating hours are: 7:30 to 3:30 pm, M-F. Chair Garwood stated that it is a favorable proposal. Commission Member Deborah Spoor stated that this is fitting for that corridor.

ADJOURNMENT

Planning and Zoning Commission Chair Bill Garwood adjourned the meeting at 12:57 P.M.

These minutes were approved by Angleton Planning and Zoning Commission on this the _____ day of _____ 2022, 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