



## AGENDA ITEM SUMMARY REPORT

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**MEETING DATE:** February 15, 2023

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

**AGENDA CONTENT:** Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance rezoning approximately 3.35 acres from the Planned Development District (PD) to C-G, Commercial General Zoning District, for property located on the west side of the Shanks Road extension, at the intersection of CR220, Angleton, TX, Brazoria County.

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

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**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

### EXECUTIVE SUMMARY:

This is a request from Nina Vrazel to rezone 3.35 acres from PD District to the C-G, Commercial General Zoning District. The applicant's primary purpose is to develop the vacant property in the future for commercial uses that would be in-line with the Commercial General zoning district.

**Property Location/Legal Description:** A0134 E WALLER BLOCK 5 TRACT 5A-5B-5C (SD E/2) ACRES 3.2008, Undivided Interest 50.0000000000%.

### 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 more appropriate for commercial use, as opposed to manufactured housing use on the Land Use Plan; Tract fronts on CR220, a major arterial).***
- 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).***
- 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 commercial development are adequate in the surrounding Business 288/CR220 area; developing the***

*property as manufactured housing is not feasible and would have a negative 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, other commercial uses are likely to occur along the major corridors.**
- 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 infill commercial 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

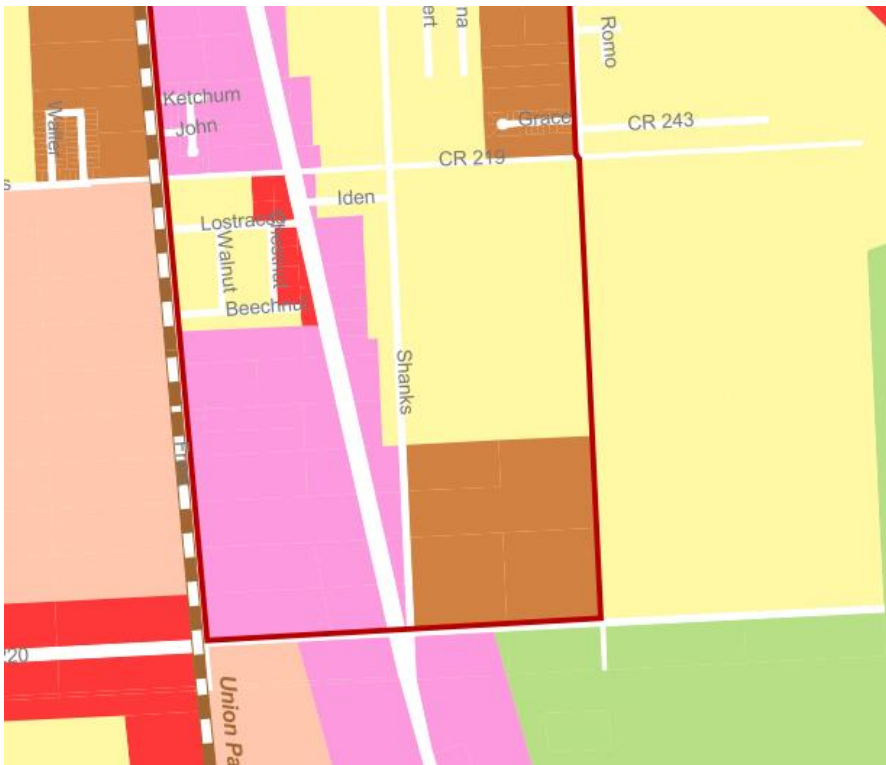
**North:** Shanks Road Residential/Manufactured Homes (MH) District.

**East:** AG, Light Industrial recently zoned; Planned District, Holding Zone

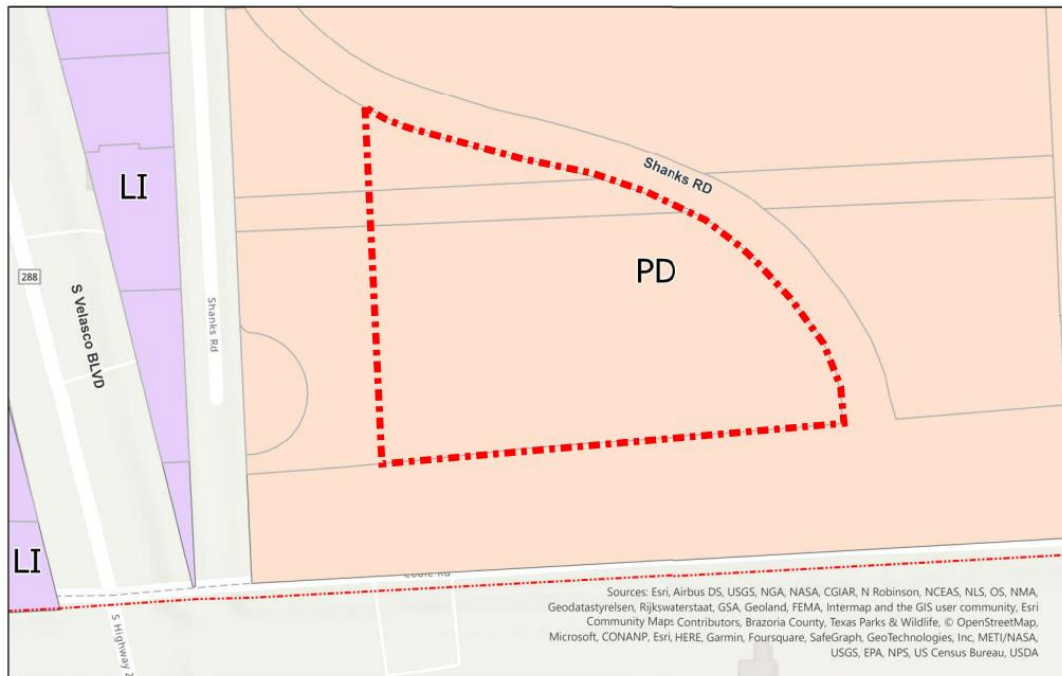
**West:** Light Industrial District and PD, Planned District, Holding Zone

**South:** City Limits Line, CR 220, ETJ /AG/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- Shanks Rd. Rezoning



## STAFF REVIEW:

The applicant proposes to utilize the property in the future as commercial. No particular plan or details have been submitted at this time. Any proposal would have to meet all requirements of the City of Angleton, Code of Ordinances, Land Development and Zoning and all applicable standards for Sec. 28-57. - C-G—Commercial-general district, including the listed standards below. Any permitted access to and from CR 220 would need to be coordinated with Brazoria County as well.

### **General Bulk Requirements for C-G Commercial are as follows:**

#### **Size of lot:**

- *Minimum lot area:* 10,000 square feet;
- *Minimum lot width:* 75 feet.
- *Minimum lot depth:* 100 feet.

#### **Size of yards:**

- *Minimum front yard:* 20 feet. All yards adjacent to a street shall be considered a front yard (see [section 28-106](#) for additional setback requirements).
- *Minimum side and rear yard:* 15 feet unless adjacent to a residentially zoned property (see below).
- *Interior side yards:* When retail uses are platted adjacent to other retail uses and integrated into an overall shopping center site (i.e., lots/lease spaces abutting one another), no side yard is required provided it complies with the city's building code.
- *Minimum side or rear yard adjacent to a residential district:* 20 feet for one-story building, and an additional 20 feet for every story (or fraction thereof) above one-story in height.
- **Maximum lot coverage:** Maximum 80 percent impervious coverage (including all buildings, parking areas, sidewalks, etc.).
- **Parking requirements:** As established by [section 28-101](#), off-street parking and loading requirements.
- **Driveway spacing** (i.e., distance between driveways, measured edge-to-edge):
- **Landscaping requirements:** See [section 28-102](#).
- **Screening requirements:** See [section 28-104](#).

## STAFF AND P&Z RECOMMENDATION:

The Planning and Zoning Commission adopts this as its final report and recommend approval of the ordinance rezoning 3.35 acres from PD District to the Commercial General (C-G) District and forwards this item to City Council for final action.

## SUGGESTED MOTION:

I move we approve the adopt the final report and approve the ordinance rezoning 3.35 acres from PD District to the Commercial General (C-G) District as forwarded to the City Council for final consideration.