



CITY OF ANGLETON
PLANNING AND ZONING COMMISSION DRAFT MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
TUESDAY, JULY 02, 2024 AT 12:00 PM

Members Names

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 TUESDAY, JULY 2, 2024, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

- 1. Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on June 6, 2024.**

Motion Commission Member Clark, 2nd by Commission Member Bieri. The minutes were unanimously approved.

PUBLIC HEARINGS AND ACTION ITEMS

- 2. Conduct a public hearing, discussion, and take possible action on Ordinance approving a request for a Rezoning Petition, for approximately 1 acre of land, currently zoned "C-OR", Commercial- Office/Retail to be rezoned to "C-G", Commercial-General District, for a shopping center currently located at 728-744 E. Henderson Rd., legally described as A0380 J DE J VALDERAS TRACT 110A7 (1Acre) (ANGLETON), Brazoria County, Texas.**

Staff: DS Director Otis Spriggs presented the staff findings for this rezoning petition for land located at 728 to 745 E. Henderson, which is an existing shopping center. He noted that the owners of the property do not have any plans to improve the actual property or shopping center in question. This request involves land use consistency in terms of the allowable uses that are listed in the code within the general commercial district. The property apparently is currently zoned commercial office retail (C-OR), there are some uses (such as tattoo studios) that are not allowed, but they're allowed in the commercial general (C-G). The owners of the property wish to fully use the shopping center for its worth in terms of the Commercial General District allowed uses.

Mr. Spriggs gave the history of the zoning where the properties highlighted on the exhibit were previously rezoned to commercial general; however, the two tracts in the middle (daycare) and the subject shopping center tracts we're left commercial office. The applicants are asking this evening

as part of this public hearing that the P&Z Commission would consider this request. Staff has offered an analysis of the criteria for rezoning, and has weighed the type of potential impacts, but we see no negative impacts on the surrounding area as used in the past. Staff is recommending a positive recommendation for this request and that it be sent on to City Council for final action.

Public Hearing:

A motion was made by Commission Member Regina Bieri, seconded by Commission Member Deborah Spoor to open the public hearing. The motion carried unanimously with all ayes. The public hearing was opened.

None Appeared.

A motion was made by Commission Member Spoor, seconded by Commission Member Regina Bieri to close the public hearing. The motion carried unanimously with all ayes. The public hearing was closed.

Commission Action:

A motion was made by Commission Member Regina Bieri to approve the rezoning as requested and forward it to Council for final action. Motion was seconded by Commission Member Clark.

Roll Call Vote: Commission Member Deborah Spoor- Aye; Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye; Commission Member Andrew Heston- Aye; Chair Bill Garwood- Aye. (5-0) Approved.

- 3. Conduct a public hearing, discussion, and take possible action on an Ordinance approving a request for a Specific Use Permit (SUP) for a Tattoo Studio at 740 E. Henderson Rd., within legally described as A0380 J DE J VALDERAS TRACT 110A7 (1Acre) (ANGLETON), Brazoria County, Texas.**

Staff: DS Director Otis Spriggs presented this item informing that this SUP request is at the same location, as a tenant space in the shopping center, addressed as 740 E. Henderson Rd. The applicant is requesting an SUP, Specific Use Permit approval by ordinance, within "C-G", Commercial General District. The applicant, Mr. Munez, hopes to move this tattoo shop into the city limits.

In the staff summary we have provided information from the Texas Department of Human Services, which monitors and issues licenses for this type of business. Note that the process for tattooing has changed and evolved over time, in terms of cleanliness. Staff provides that consistency is achieved within the area and there should be no issues or negative impacts. We also listed a number of conditions that are customary for this type of specific use permit, and informed the applicant that sometimes hours of operation, for the specific uses comes into play depending on where they're located in proximity to residential. Mr. Munoz is requesting that the original quoted hours of operation be modified as 7:00 AM to 9:00 PM, *seven days a week*.

The other conditions cover the maintenance of their state licensing. Staff also recommended consideration of a condition of expiration on the SUP. That means they would be required to come

back in one year for a re-evaluation. He concluded that staff recommends approval with the noted conditions as stated in the draft ordinance.

Public Hearing:

A motion was made by Commission Member Regina Bieri, seconded by Commission Member Deborah Spoor to open the public hearing. The motion carried unanimously with all ayes. The public hearing was opened.

Mr. Munoz appeared before the Commission and explained the difference with cosmetic tattooing (lips/eyebrows). He has no experience doing cosmetic tattoos. He explained his hours of operation and that he has been tattooing for 12 years. Has been located in Freeport. This is a private studio by private appointments, with no walk-in tattoos or applications.

A motion was made by Commission Member Andrew Heston, seconded by Commission Member Spoor to close the public hearing. The motion carried unanimously with all ayes. The public hearing was closed.

Commission Member Andrew Heston asked for an explanation of the appointments from the requested time asked. Mr. Munoz explained that he is *by appointment only (1- person at a time, 3 clients daily, at the most)*. With walk-ins they leave a deposit, and an appointment is scheduled, which allows time to do the requested design.

Commission Action:

A motion was made by Commission Member Will Clark to approve the SUP for tattoo studio with the amended hours and recommended conditions and forward it to Council for final action. Motion was seconded by Commission Member Regina Bieri.

Roll Call Vote: Commission Member Deborah Spoor- Aye; Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye; Commission Member Andrew Heston- Aye; and Chair Bill Garwood- Aye. **(5-0) Approved.**

4. **Conduct a hearing, discussion, and take possible action on Ordinance approving a Specific Use Permit to allow a TNMP Electrical Power Distribution Substation (White Oak Substation) on a 15.70-acre site, and a TNMP Electrical Power Distribution Substation (CenterPoint) on a 16.72-acre site, out of a 41.8759 acre tract of land within the "C-G", Commercial-General District, located adjacent and north of 3343 E Mulberry St/ HWY 35, Angleton, TX 77515 (PID No. 168906) and legally described as A0318 T S LEE BLOCK 42 TRACT 39A-40-41-41C-41D-46A1-47A (OLIVER & BARROW SD) ACRES 41.8759, Brazoria County, Texas.**

Staff: Kandice Haseloff-Bunker presented this item informing

The applicants appeared in a predevelopment meeting at the end of last year and we discussed the conditions of the property, along with a 20-foot easement that's needed along the SH-35 right-of-way. Requirements for the sidewalks were discussed, and staff suggested annexation, because part of the property is within the city, and the rear portion is in Brazoria County and the ETJ.

Kandice Haseloff-Bunker added that for the portion within the city, the applicants agreed to move forward and submit their special use permit (SUP) for the two substations. Staff has reviewed all the requirements and conditions and has determined consistency is achieved within the commercial general area (for about 8.46 acres).

Ms. Haseloff-Bunker described the boundary of trees along the property line and the area that would be buffered toward the Windrose Subdivision or abutting properties.

Public Hearing:

A motion was made by Commission Member Regina Bieri, seconded by Commission Member Andrew Heston to open the public hearing. The motion carried unanimously with all ayes. The public hearing was opened.

Mr. Felder, asked if the substation would be “Cogent Plant” that will generate power when production is down, or distribution off of the main lines? The noise concern was raised. He also asked if there would be a power generation plant running.

De Jaune' Bickham, P.E., Pape-Dawson, Project Manager and Engineer for the site, appeared before the commission and noted she is representing both Texas and Mexico power and Center Point projects. She added that CenterPoint intends to purchase the more southern parcel to supply the production and generation of power to the existing grid via those 2-existing towers.

Vincent Roberts, TNMP, This will not be a generation facility. Why do we have a TNMP and a CenterPoint substation plant back-to-back? Chair Garwood inquired.

Vincent Roberts explained that the CenterPoint inner-connection facility require that a CenterPoint station be built to bisect an existing CenterPoint transmission line, and the CenterPoint Station will be the TNMP station that distribute electricity to the consumers. The TNMP station is a step-down station with transformers to distribute electricity to end-users.

De Jaune' Bickham addressed the noise concern question. Noted that she has walked the site, and stated that it is non-noise producing. It is electrical equipment mounted on a pad. There is also not an excessive light production. Regarding screening and fencing, TNMP and CenterPoint Energy both have their own mandated fencing requirements at 6-8ft. in height to screen of these properties for security and safety purposes.

Public Hearing Closed: Motion was made by Commission Member Andrew Heston, seconded by Commission Member Deborah Spoor to close the public hearing. The motion carried unanimously with all ayes. The public hearing was closed.

City Manager Chris Whittaker asked what's the value of the project for site improvements and also asked for a clarification on the annexation question. The City would prefer adding that value to the City. Ms. De Jaune' Bickham explained that the client was informed of the annexation potential beyond the small sliver City acreage of site. It came down to owner's values and whether there is a benefit to do that in terms of the construction process.

Michael Bryant, TNMP, commented that to provide the capacity for the growth of the area is the overall benefit. Whiteoak substation project costs would be \$10-15 million, Centrepont: The same. (\$22 million for transmission and substation was later clarified)

Mr. Spriggs gave further reasoning behind the annexation consideration. The Comprehensive Land Use Plan was referenced, and the objective is our concern would be our focus on the nearby commercial node and this planning area of the city, as well as the area just outside of the City Limits from a future planning perspective. Staff typically tries to avoid creating any cavities (island of land) in the county within the City Limits. A reference point would be - once Windrose Green development is annexed into the city per the Strategic Partnership Agreement, a possible island could exist on the western portion of this site. Staff is hoping that the question of annexation could be addressed and presented by the next public hearing at Council on July 23, 2024 for clarity purposes.

Ms. De Jaune' Bickham requested the list of benefits that could be explained to her client regarding the option of annexation.

Note: Ms. Reginal Bieri left the meeting (Min. 36:35)

Commission Action:

Motion was made by Commission Member Will Clark to approve the SUP for the 2 substations with the recommended conditions (and no conditions on annexation) and forward it to Council for final action. Motion was seconded by Commission Member Deborah Spoor.

Roll Call Vote: Commission Member Deborah Spoor- Aye, Commission Member Will Clark, Commission Member Michelle Townsend, and Commission Member Andrew Heston. (4-0) Approved.

REGULAR AGENDA

Items 5-10: No action was taken; an update was provided to the Commission by DS Director Otis Spriggs. Final Plats will be submitted at a later time. A 30-Day waiver letter has been submitted regarding the shot-clock.

5. Discussion and possible action on Ashland Section 3 Final Subdivision Plat
6. Discussion and possible action on Ashland Section 4 Final Subdivision Plat
7. Discussion and possible action on Ashland Section 5 Final Subdivision Plat
8. Discussion and possible action on Ashland Section 6 Final Subdivision Plat
9. Discussion and possible action on Ashland Street Dedication 1 Final Plat
10. Discussion and possible action on Ashland Street Dedication 2 Final Plat

Meeting was adjourned at 12:40 PM.