



Draft

CITY OF ANGLETON
PLANNING AND ZONING
COMMISSION
120 S. CHENANGO STREET,
ANGLETON, TEXAS 77515
THURSDAY, DECEMBER 1, 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, DECEMBER 1, 2022, 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 (Entered meeting later)
Commission Member Regina Bieri

ABSENT

Commission Member Bonnie McDaniel

1. Approval of Meeting Minutes for November 3, 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, 5-0 vote.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance rezoning 0.3937 acres from the Commercial General District to the Central Business District, for property located at the Southeast corner of E. Peach St. at S. Velasco St., Hwy 288B, Angleton, TX; situated on Lot(s) One (1), Two (2), Three (3), and the west ½ of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas.

Staff Presentation: Mr. Otis Spriggs introduced the case and presented the staff report findings. He noted that the downtown region covers this tract. The Land Use Plan was shown illustrating consistency. The area is typically recommended for governmental, entertainment districts, housing, public spaces and gathering areas.

The applicants are proposing to work within the recommendations of some our prepared plans such as the Comprehensive Plan and the Land Use Plan. The Angleton Livable City Centers Plan was also referenced which also promotes some of the recommendations just described.

Staff is recommending approval of the rezoning from Commercial General which is typically catered to big box retailing; however, some of the restrictions will not fit into our typical downtown areas. This request would be more in keeping and in the spirit and intent of the mentioned adopted plans. Photographs of the surrounding areas were shown.

Chair Garwood opened the Public Hearing, with no objection.

Applicant Ms. Megan Mainer appeared before the Commission and stated that she and her husband live in Angleton and are asking the Commission to consider the rezoning of the property because it is in line with the Comprehensive Plan and the Livable City Centers Study. It will hopefully bring some additional businesses to the area, if developed in this way. The current zoning does provide some restrictions like parking, for this is a small lot. In the CBD, this allows for offsite parking in agreement with other properties that could provide parking in that area. It will open this up to be developed and contribute to the downtown district.

Public Hearing was closed with no objections.

Commission Member Bieri commented that her questions were answered, and the difference is this would be more pedestrian oriented than the other district.

Commission Action:

Motion was made by Commission Member Ellen Eby to approve the request of an ordinance rezoning 0.3937 acres of land from the Commercial General District to the Central Business District, and to forward it to City Council for adoption. Motion was 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. Motion carried unanimously, 5-0 vote.

3. Discussion and possible action on an Ordinance amending the Code of Ordinances of the City of Angleton, Texas, by amending and revising Chapter 8.5 Food and Food Establishments Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required,

Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally, and Sec.8.5-63. Unrestricted And Restricted Mobile Food Unit Regulations as contained in “Exhibit A”; Adopting Sec 8.5-66. Mobile Food Courts as contained in “Exhibit B”; providing for the regulation of food and food establishments; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

Staff Presentation: Mr. Otis Spriggs introduced the case and presented the summary of the staff report. He presented the redlined changes in Exhibits A&B, which includes the following noted areas:

- Defined: Food Courts involving food trucks.
- Allowance for flexibility in business hours.
- Roadside food vendor was defined.
- Section 8.5-10: A permit is not required for a beverage stand for a child age 17 or under.
- Operating on (M-S); Sundays was considered and added.
- Restroom written agreement if business is within 150 ft., during hours of operation.
- New regulations for Mobile Food Courts are proposed.
- Hookups for electricity and potable water.
- Restroom provision.
- Units are not allowed on blocks.
- Subject to the Noise Requirements.
- Trash/Waste disposal.
- Parking lots must be concrete or asphalt.
- Unit separation by 10 Feet including seating areas.
- Food Court use has to be within allowable restaurant zoning district
- Site Plan requirements.
- MFU will be inspected and permitted. (6 months)
- Alcohol sales within a permit building per TABC requirements.

The surface parking requirements were discussed. City Manager Chris Whitaker appeared and noted that the need exists for the option of compacted crushed stone or pervious pavers, with the requirement of the apron within the public right of way being paved. Staff noted that the additional option “a.”: Allowance for a waiver will be added in the text.

Commission Member Ellen Eby asked what the impact of the new regulations would have on the farmers markets. Mr. Spriggs explained that the farmers markets are typically processed as a special event, or in the case of the Peach Street Market, the process was a Specific Use Permit.

Mr. Spriggs noted that staff sent out invitation emails to a number of food truck business owners of the hearing and will continue to do so for the Council hearing as well. Staff is recommending approval by the Planning and Zoning Commission, and forwarding it to City Council for final consideration.

Chair Garwood opened the Public Hearing with no objection.

No public comment.

Chair Garwood closed the Public Hearing with no objection.

Commission Member Henry Munson asked about the 1-year permit versus the 6 month expiration date. Mr. Spriggs clarified that the 1-year option is available; however, there is a twice per year inspection required.

Commission Action:

Motion was made by Commission Member Bieri to approve the proposed Mobile Food amendments and the recommended changes, seconded by Commission Member Ellen Eby.

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. Motion carried unanimously, 5-0 vote.

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