



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 5, 2023

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

AGENDA CONTENT: Discussion and possible action on a request by R.B. Stewart Petroleum for approval of an ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North and S. Front Street to the West.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request by Pete Petrosky, Jr. on behalf of RB Stewart Petroleum Products to rezone approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4.

The applicant's primary purpose of this request to rezone the subject property is to promote conformity to the spirit and intent of the Comprehensive and Land Use Plan as well as cause a nonconforming use within the CBD to be brought into land use conformance with the Zoning Ordinance.

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 appropriateness is achieved, the corporate enterprise has maintained contributing headquarter business to the area for many years under a legal non-conforming use for their fleet services).***
- 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 or any negative impacts to 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 development are adequate in the surrounding area; the nonconforming status limits any needed code or upgrade improvements to only 10% expansion of the existing 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 (***Positive and consistent downtown growth and promotion is occurring***).
- 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 be a catalyst for other downtown reinvestment and for other users to contribute to the promotion of downtown economic development advances***).
- 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 Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property requested to be zoned for downtown activity. The downtown category is described in the plan as:

The downtown land use category represents a substantial blend of uses found only in the central core of a community including residential, office/retail and public/institutional. The category is recognition that a myriad of uses are both appropriate and necessary for success of the Downtown District. The appropriate mix of uses may include government facilities and offices, retail, office and low to medium density residential activity. Places of worship, meeting halls and other public/semi-public facilities are equally appropriate to this particular category. The dynamic mix of uses will continue to provide downtown Angleton a character that is unique in comparison to other areas of the community.

The subject site is also part of the footprint highlighted as part of the Angleton Livable City Center Study which was adopted as part of the Comprehensive Plan by City Council. Action item 13 of the Economic Recommendations facilitates downtown commercial and redevelopment opportunities in this area of downtown Angleton. The employee parking lends for additional overflow parking for the downtown area if approved by the ownership.

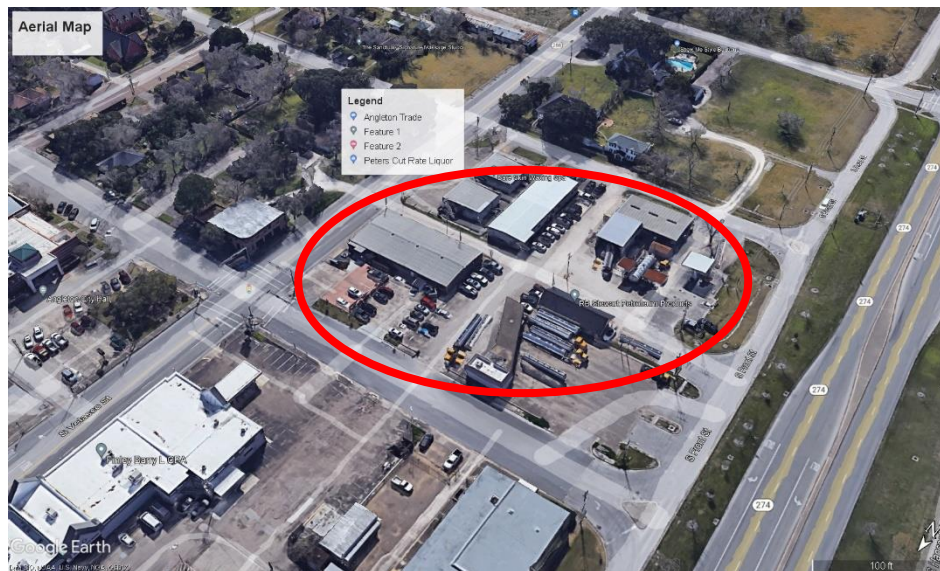
Existing Land Use and Zoning

North: Southwestern Bell Building, Old Prosperity Bank/zoned CBD, Central Bus. District

West: Business 288/SF 6.3 Residential across the major arterial.

South: Attorney offices; Converted and vacant Single Fam./Commercial-General (C-G)

East: Bareskin Spa, zoned Commercial-General, Office/(C-G)/CBD Central Bus. District.





Property location Map

Staff Analysis:

In reviewing the application and after meeting with the applicants during the D.A.W.G. predevelopment meeting, Staff concluded that the initial request to rezone the property to Light Industrial would have not be in good compatibility with the CBD, Central Business District vicinity. Having the PD, planned district overlay zoning designation would afford the Planning and Zoning Commission and City Council, an opportunity to limit future uses on the property to which the initial intent of corporate headquarters for fleet services has been for a number of years. Any further uses to more intensive commercial activity would require an amendment to an ordinance establishing the PD District.

RB Stewart Petroleum hopes to remain in the area and would like to bring some of their buildings up to current standards in terms of fleet servicing, professional offices, storage and related uses. This change would facilitate their needs in compliance with the LDC and Zoning Ordinance.

The planned development district if approved shall be continuously used in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations and restrictions as follows:

- A. Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this CBD District regulations. The following uses may only be located within the approved PD District No. 4 boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

1. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SITE PHOTOS



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING NORTH ON S. VELASCO



VIEW LOOKING WEST TOWARD SITE



VIEW LOOKING S. VELASCO SITE ON LEFT



VIEW LOOKING WEST @ SITE

P&Z RECOMMENDATION:

The Planning and Zoning Commission voted (7-0) and adopt this as its final report and recommends approval of the ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4. to City Council.

SUGGESTED MOTION:

I move that we accept staff's and the P&Z Commission's recommendation and approve the ordinance adopting this as the final report rezoning of 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4.