



DRAFT MEETING MINUTES

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 WEDNESDAY MARCH 1, 2023, 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

With a quorum present, Chair Garwood called the Commission Meeting to order at 12:00 P.M.

PRESENT

Chair William Garwood
Commission Member Deborah Spoor
Commission Member Michelle Townsend
Commission Member Regina Bieri
Commission Member Ellen Eby (Arrived at Item 3)

ABSENT

Commission Member Bonnie McDaniel
Commission Member Henry Munson

DECLARATION OF A QUORUM AND CALL TO ORDER AT 12:00 PM NOON BY CHAIR WILLIAM GARWOOD.

Chair William Garwood introduced Grace Garcia, the new Planning Clerk who will be with us indefinitely.

1. Discussion and possible action on the minutes for the Planning and Zoning Commission meeting on February 2, 2023.

Motion was made by **Commission Member Regina Bieri** to approve the minutes; Motion was seconded by **Commission Member Deborah Spoor**.

Commission Action: Minutes were **Approved**. Motion carried unanimously, **6-0 vote**.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and take possible action on a request for approval of a Text Amendment, modifying various subsections of the City of Angleton Code of

Ordinances, Chapter 23, Land Development Code. In addition to other minor changes to the chapter pertaining to cross references, duplications, clarifications, terminologies, reorganizations, and similar, the following sections are proposed to be amended: Sec. 23-5; Sec. 23.10; Sec. 23-12; Sec. 23-14; Sec. 23.37; Sec. 23-38; Sec. 23-60; Sec. 23.75; Sec. 23-81; Sec. 23-87; Sec. 23.95; Sec. 23-94 through Sec. 23-98.

DS Director Otis Spriggs appeared before the Planning and Zoning Commission virtually on audio feed, stating that Staff has been working with the Consultant-Gunda and Legal Counsel on Chapter 23 and 28, regarding the public improvement process and requirements. We coordinated the most recent ordinance that corrected the amount of the maintenance bond as required with expirations and extensions of which would certify the improvements before finalization of the public improvements.

Mr. Spriggs added that the adopted ordinance is currently being coordinated within the proposed text amendments in terms of references to previous sections that will affect these text amendments. Legal is continuing to focus on the later parts of the redlines and our projection is to have everything finalized soon. We are requesting that the Commission leave the public hearing open, and we ask for any comments today and possibly move for a continuance to your next meeting.

Chair William Garwood at the request of Kyle Reynolds recognized the public hearing as already being opened and if anyone wanted to speak about the changes to the city of Angleton Code of Ordinances Chapter 23 Land Development Code. Nothing further, Chair noted that we are going to continuing the public hearing until our next meeting which is tentatively scheduled for the first Thursday of April, 2023.

Commission Member Michelle Townsend requested that a workshop be held with City Council regarding the Code of Ordinances and coordinate with Legal for review.

REGULAR AGENDA

3. Discussion and possible action on a request for approval of a variance of the sidewalk requirement of Chapter 23, Section 23-14.A. Sidewalks, for Titan Snow Crush Food Truck Park located on SH35, South of Hospital Drive.

Staff: Mr. Kyle Reynolds recognized the owner Mr. Jose Calzada, is asking for a waiver of the sidewalks for property that is a little over an acre, in the Commercial-General Zoning District, located West of Hospital Drive and SH35, for the frontage length of the property. Photographs were shown of the property of the Titan Snow Food Truck Court, and as shown there are no sidewalks on Highway 35, which has a shallow ditch. Future widening of SH35 would affect anything he were to place there. Staff recommends the waiver of the sidewalks; the City Engineer had no objection to the variance request.

Chair William Garwood mentioned that when he was reviewing the agenda with Otis Spriggs, yesterday, He expressed to him that we've had this issue come up before there were cases and we've had a mixed of split votes on it. I also noted that if we don't start now, then when are we going to start to address this important item. Otis Spriggs explained to me that staff or council is

considering in the future options to address getting the sidewalks on Highway 35 and other areas. I think he said perhaps owners could pay fees in-lieu.

Mr. Kyle Reynolds stated that we were looking at other similar cities that run into this where landowners who could not do the sidewalks, would pay fees in lieu which would provide funds to do the sidewalks in alternative locations when the time is right.

Questions of the right of way ownership and maintenance of SH35 were discussed by the Commission.

Commission Member Michelle Townsend asked for the timeline for the new ordinance.

Mr. Spriggs added that regarding the fee-in lieu proposal, staff is almost complete with a draft of the text, which would have to be vetted by legal. We received the square-footage costs, for the sidewalk installation this week, right at \$8.75 per square-foot from Public Works. We are awaiting a sidewalk inventory map from the consultants, which will be used for prioritization. The map will be used to show current connectivity on the sidewalks, and will show the parks, schools, and other important incentive locations that need to be connected for pedestrian safety reasons. We will utilize that map to basically prioritize where the sidewalks could be placed as an alternative when they cannot be placed in areas with topographical challenges and other issues. We are projecting probably two months of getting that ordinance out for review.

Chair William Garwood asked the applicants if other food trucks will be invited. The owner appeared and noted that would be the long-term plan. He is just testing the water and would place a small building there. He noted that he is spacing and extra space there.

Commission Action:

Motion was made by **Commission Member Deborah Spoor** to approve the variations and recommend it to Council for final action; Motion was seconded by **Commission Member Regina Bieri**.

Motion carried unanimously; the variance/waiver was Approved (5-0 vote).

4. Discussion and possible action on the preliminary plat of the Ashland Project Street Dedication #3.

Mr. Spriggs gave the updated staff report pending 5 comments and condition of approval. He noted the comments were resubmitted and revised by the applicant. The majority of the Engineering comments have been cleared by the applicant and the following conditions were read.

1. The certificates (Dedication Statement and maintenance and operation of the Drainage Easements) will be updated to reflect the DA at the final plat stage/once the DA has been approved.
2. Subject to the Development Agreement receiving final approval by City Council.
3. The pipeline abandonment and shown documentation shall be submitted prior to approving any Construction Plans for the affected areas/reserves shown.

Caitlin King with the project was recognized and clarified for Commissioner Ellen Eby that the Angleton ISD School (High School/Jr. High) is northwest of the street dedication. The school will be handling their own plat.

Commission Action: Motion was made by Commission Member Regina Bieri to approve the street dedication Preliminary Plat, subject to the staff conditions and engineering's comments with the assumption that the details of this project can be ironed out possibly through execution of development agreement and recommended to City Council for final action; Motion was seconded by Commission Member Michelle Townsend.

Roll Call: Chair William Garwood, Aye; Commission Member Deborah Spoor, Nay; Commission Member Michelle Townsend, Aye; Commission Member Regina Bieri, Aye; and Commission Member Ellen Eby, Aye;

Motion carried; The preliminary plat was Approved (4-1 vote).

ADJOURNMENT: 12:31 PM.