

**CITY OF ANGLETON, TEXAS
PLANNING & ZONING COMMISSION**

Meeting @ 12 p.m., Wednesday, November 2, 2016
Located at 120 S. Chenango in the Council Chambers,
Angleton, Texas 77515

- 1.) Declaration of Quorum and Call to Order.
- 2.) Discussion and Possible Action on approving the October 5, 2016 meeting minutes.
- 3.) Public Hearing on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.
- 4.) Discussion and Possible Action on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.
- 5.) Adjourn.

In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending Planning and Zoning Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Shelly Deisher, City Secretary, at 979-849-4364, extension 2115.

CERTIFICATION

I certify that copies of this agenda of items to be considered by the Planning and Zoning Commission were posted in the following locations:

City Hall Bulletin Board: Date: _____ Time: _____

City of Angleton Website: Date: _____ Time: _____

Alyssa Deaton, Assistant City Secretary



Planning and Zoning Commission

City of Angleton, Texas
Meeting Minutes
Wednesday, October 5, 2016

COMMISSIONERS, STAFF & GUESTS

Bill Garwood - Chairman
Henry Munson - Vice-Chairman
Regina Bieri - Commissioner
Dorothy Hernandez - Commissioner
Jason Perez - Commissioner (Absent)
Deborah Spoor - Commissioner
Travis Townsend - Commissioner

Martha Eighme - Economic Development & Tourism Director
Karen Barclay - Building Services Department Director
Shelly Deisher - City Secretary
Alyssa Deaton - Assistant City Secretary

Travis Smith, Rector - Holy Comforter Episcopal Church

AGENDA

1. Declaration of Quorum and Call to Order at **12:00 pm**.
2. Discussion and Possible Action on approving the September 7, 2016 and September 13, 2016 meeting minutes.

**Motion by Vice-Chairman Munson to approve the minutes;
Second by Commissioner Bieri.**

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

3. Public Hearing on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA) PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**Motion by Commissioner Hernandez to open the Public Hearing;
Second by Commissioner Spoor.**

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

No one wished to speak.

**Motion by Vice-Chairman Munson to close the Public Hearing;
Second by Commissioner Hernandez.**

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

4. Discussion and Possible Action on ORDINANCE NO. 2016-O-10B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE USE CHART FOR MARKET (PUBLIC, FLEA) PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Alyssa Deaton, Assistant City Secretary explained that the City was approached by Peach Street Farmers Market to open a Farmers Market, but the current use chart only provided for public and flea. This ordinance adds farmers as a use under market and allows for markets in MFR and AG districts with an SUP.

**Motion by Vice-Chairman Munson to approve Ordinance 2016-O-10B;
Second by Commissioner Spoor.**

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

5. Public Hearing on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

**Motion by Commissioner Spoor to open the Public Hearing;
Second by Hernandez.**

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

Travis Smith, Rector at Holy Comforter and Board Member for Peach Street Farmers Market: We are asking for a Specific Use Market to have the Farmers Market. We'd like to use it as a means of improving our area, but also doing our part to improve health and wellness, and general living for Angleton and the surrounding community.

**Motion by Commissioner Spoor to close the Public Hearing;
Second by Commissioner Hernandez.**

Motion carries 6 for; 0 against; 1 absent (Jason Perez)

6. Discussion and Possible Action on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335

South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

Item was tabled because one property owner within 200 feet did not receive a public hearing notice due to an error on the BCAD mapping system.

***Vice-Chairman Munson exits the room for item #7 because this is his property.**

- 7. Discussion and Possible Action on approving the plat for the H.W. Munson 2nd Subdivision, a plat of a 1.00 and 1.68 acre tract being out of a 2.68 acre tract, all being out of Tract 13 of the H. H. Cornwall Survey, Abstract 180, Brazoria County, Texas.

**Motion by Commissioner Spoor to approve the plat subject to staff comments;
Second by Commissioner Bieri.**

Motion carries 5 for; 0 against; 1 absent (Jason Perez); 1 abstain (Henry Munson)

- 8. Adjourned at 12:09 pm.

**Motion by Commissioner Spoor to adjourn;
Second by Commissioner Bieri.**

Motion carries 5 for; 0 against; 1 absent (Jason Perez); 1 not voting

***Vice-Chairman Munson had not re-entered the room before the adjournment voting took place.**

CERTIFICATION

Bill Garwood, Chairman

Alyssa Deaton, Asst. City Secretary



PLANNING & ZONING AGENDA ITEM
Meeting Date: November 2, 2016

SUBJECT: Public Hearing on a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Travis Smith, Designated Agent

Budgeted amount: **Funds requested:** **Fund:**

Attachments: (Attachment description)
Notice to Facts and to owners within 200 feet of each property

Executive Summary:

Alyssa Deaton

9/12/16

Name

Date

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, November 2, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, November 8, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested Specific Use Permit. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

For additional information concerning this Specific Use Permit, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

Date: 10-3-16
To: The Facts – Public Hearing
From: City of Angleton
To be published once on: Sunday, October 16, 2016

Please provide publisher's affidavit and total amount to be billed
If you have any questions, please contact Alyssa @ 979-849-4364 ext. 2114.



October 10, 2016

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Farmers Market at 234 South Arcola Street; 218, 227, and 335 South Chenango Street; and 212 and 216 East Peach Street; in the City of Angleton, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, November 2, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, November 8, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested Specific Use Permit. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Hardwick Bieri
Position 1

Council Members
Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

Cody Vasut
Position 5

City Manager
Michael Stoldt

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

This notice has been sent to you as it has been determined that the property you own possibly lies within 200 feet of the above-referenced property. Property owners within 200 feet of this property have the legal right to protest the request by filing a written protest signed by the property owner. In such event, the City will have a surveyor determine which properties are within exactly 200 feet of the subject property. Property owners should be aware that if they oppose or protest the requested Specific Use Permit, such opposition must be submitted in written form, with the property owner's signature and address included.

For additional information concerning this Specific Use Permit, please contact Alyssa Deaton at 979-849-4364, ext. 2114.

Cordially,

Alyssa Deaton
Assistant City Secretary

121 S Velasco
Angleton, TX 77515
Phone: 979-849-4364
Fax: 979-849-5561

www.angleton.tx.us



Masterson Park

E Orange St

S Arcola St

S Arcola St

S Arcola St

Holy Comforter
Episcopal Church

E Peach St



Angleton
Municipal Court

S Chenango St



E Plum St

E Orange St

E Peach St

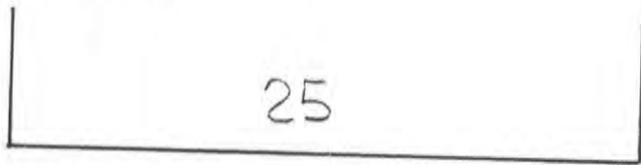
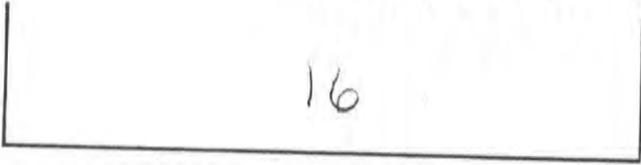
S Velasco St

COUNTY, TEXAS

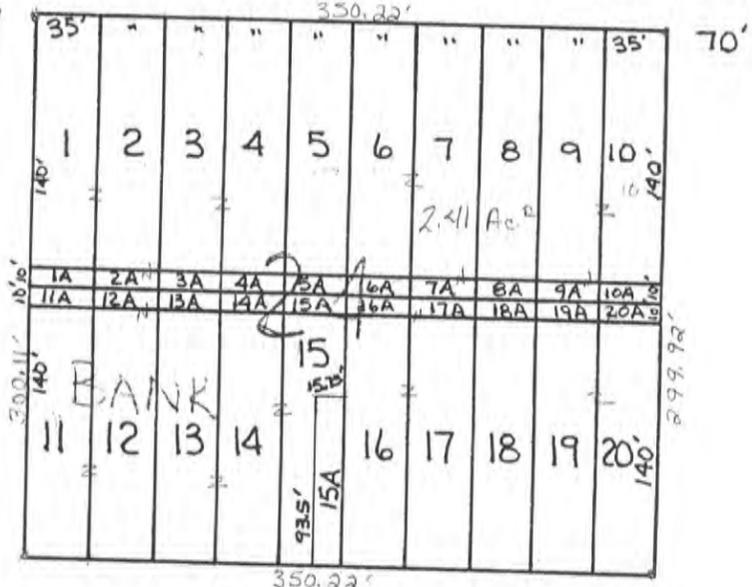
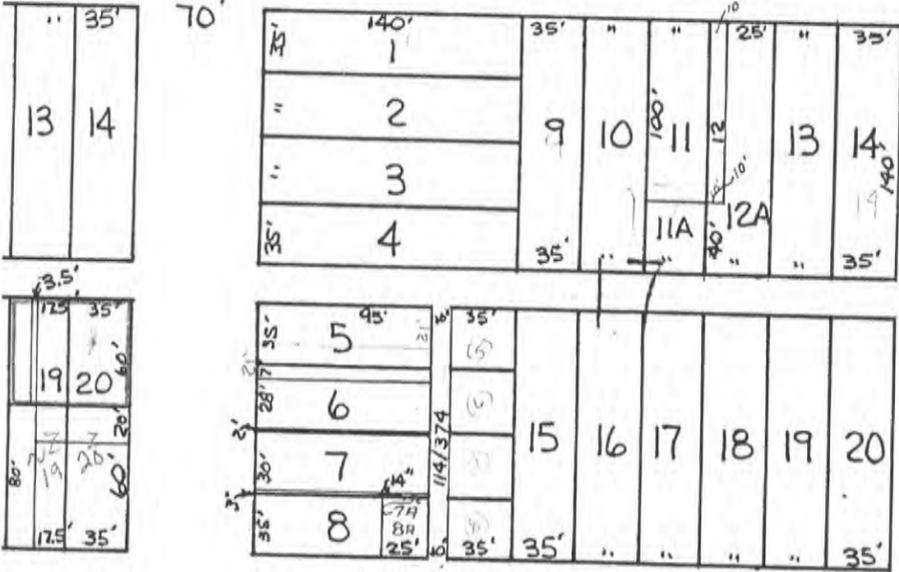
SCALE: 1" = 100'

SCHOOL DIST. ANGLETON
NAVIGATION DIST. N
DRAINAGE DIST. ANGLETON
ROAD DIST. 20

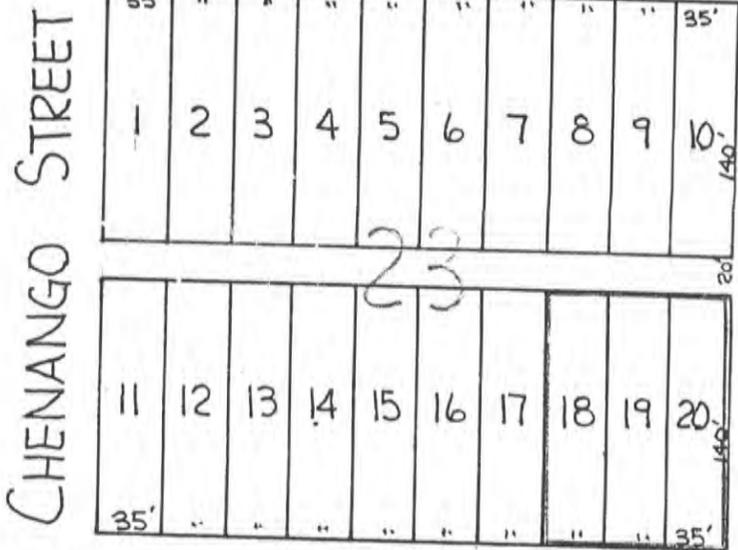
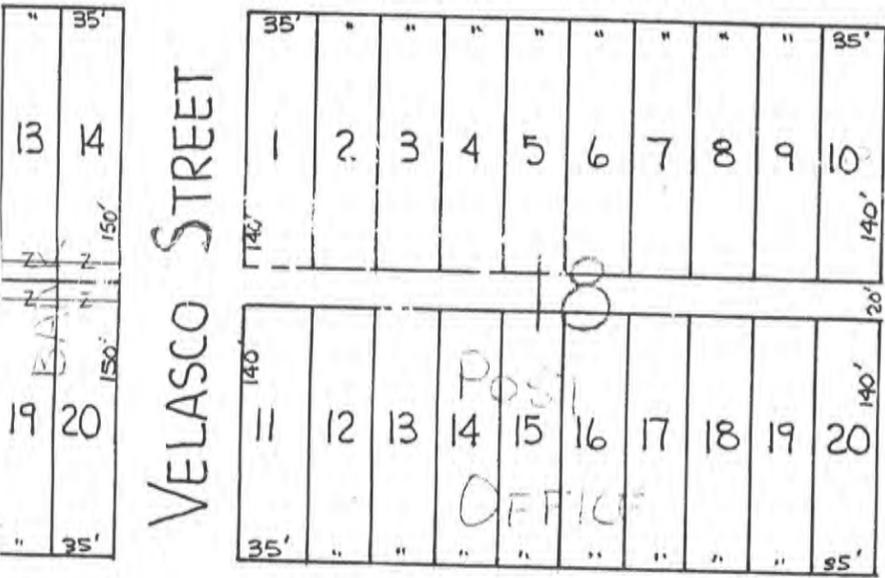
ANGLETON TOWNSITE



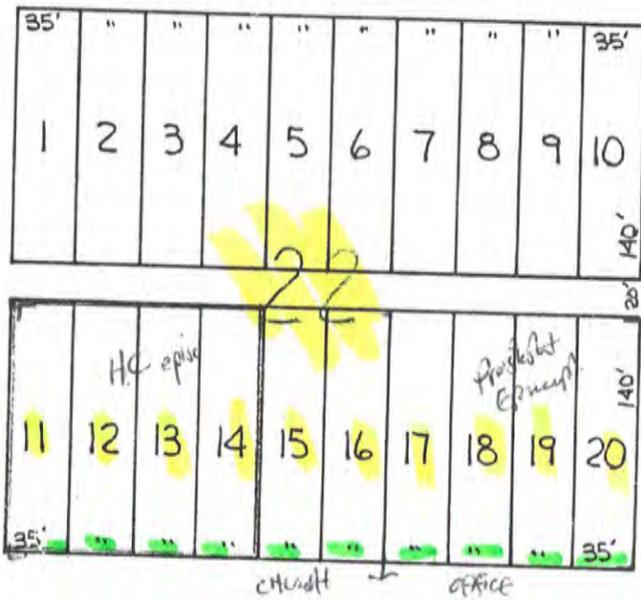
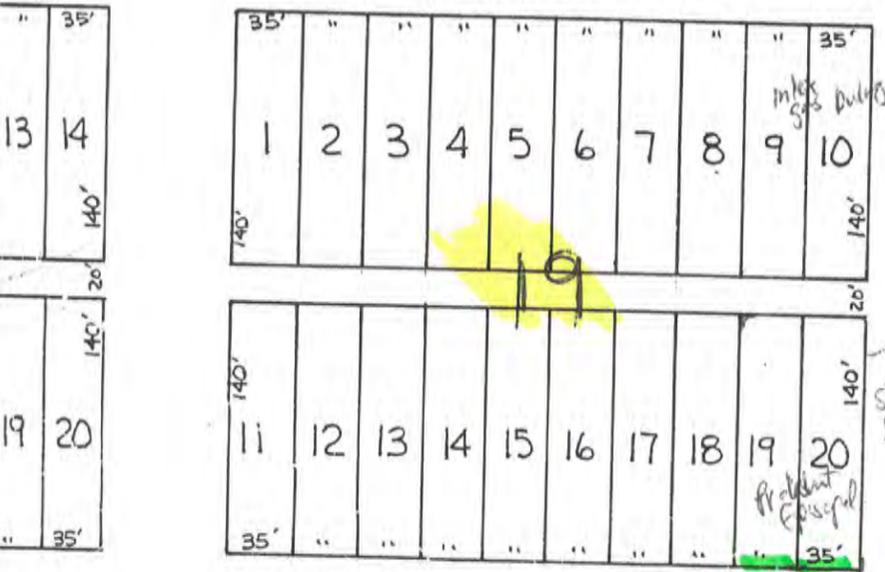
MYRTLE STREET



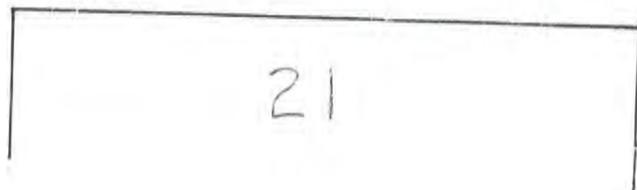
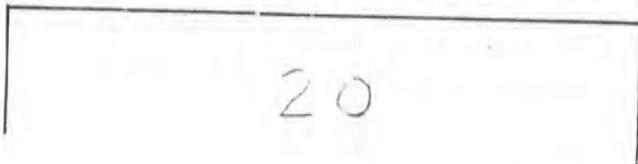
MULBERRY STREET



ORANGE STREET



PEACH STREET



see page 10
for bottom





CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 234 S. ARCOLA ST., 227 S. CHENANGO,
212 E. PEACH, 218 S. CHENANGO, 335 S. CHENANGO

PROPERTY DESCRIPTION (Legal description): BLOCK 22-LOTS 17-20; BLOCK 22, LOTS 11-16,
BLOCK 21-LOTS 4-5; BLOCK 19-LOTS 19-20; BLOCK 21-LOTS 16-14
Block 21-Lots 1-3 & Lot 6

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER:
HOLY COMFORT EA EPISCOPAL CHURCH, P.O. Box 786, ANGLETON, TX
77516, 979-849-1269

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER:
THE REV. TRAVIS SMITH, RECTOR, 234 S. ARCOLA, 979-849-1260

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED
ABOVE: PEACH STREET FARMERS MARKET: SATURDAY MORNING
MARKET SELLING FRESH PRODUCE AND CRAFTS AND FOOD
FROM LOCAL VENDORS

A site plan (prepared and approved) in accordance with Section 35.4 of the City of Angleton Code of Ordinances (City Code) must be attached to the application. If a base zoning district amendment is required or requested, such rezoning application shall accompany the application for a Specific Use Permit. If the proposed use requires a division of land, an application for subdivision approval must be submitted with this application for a Specific Use Permit.

SIGNATURE: [Signature]
DATE: SEPTEMBER 2, 2016

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY. N/A

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: \$150.00 due upon submittal

OFFICE USE ONLY	
Date received: _____	Admin Fee Received: _____
P&Z Public Hearing date: _____	
Date to send cert. letters: _____	Date to publish: _____
Site Plan submitted: Yes _____ No _____	
Site Plan received & evaluated by City Staff: Yes _____ No _____	
Proof of taxes paid: _____	Date verified: _____



**CITY OF ANGLETON
APPOINTMENT OF AGENT**

As owner of the property described as HOLY COMFORTER EPISCOPAL CHURCH
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: THE REV. TRAVIS SMITH - RECTOR

Mailing Address: P.O. Box 786, ANGLETON, TX 77516 Email: holycomforterangleton@gmail.com

City: ANGLETON State: TX Zip: 77516

Home Phone: _____ Business Phone: (979) 849-1260

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, **I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter.** If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

HOLY COMFORTER EPISCOPAL CHURCH

Signature of owner By: [Signature] Title Sr. Warden

Printed/Typed Name of owner Barbara J. Marin Date 9/2/16

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

STATE OF TEXAS §
COUNTY OF Brazoria §

Before me, Susie A. Devens, on this day personally appeared Barbara J. Marin, known to me ~~(or proved to me on the oath of _____)~~ or through ~~(_____)~~ to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

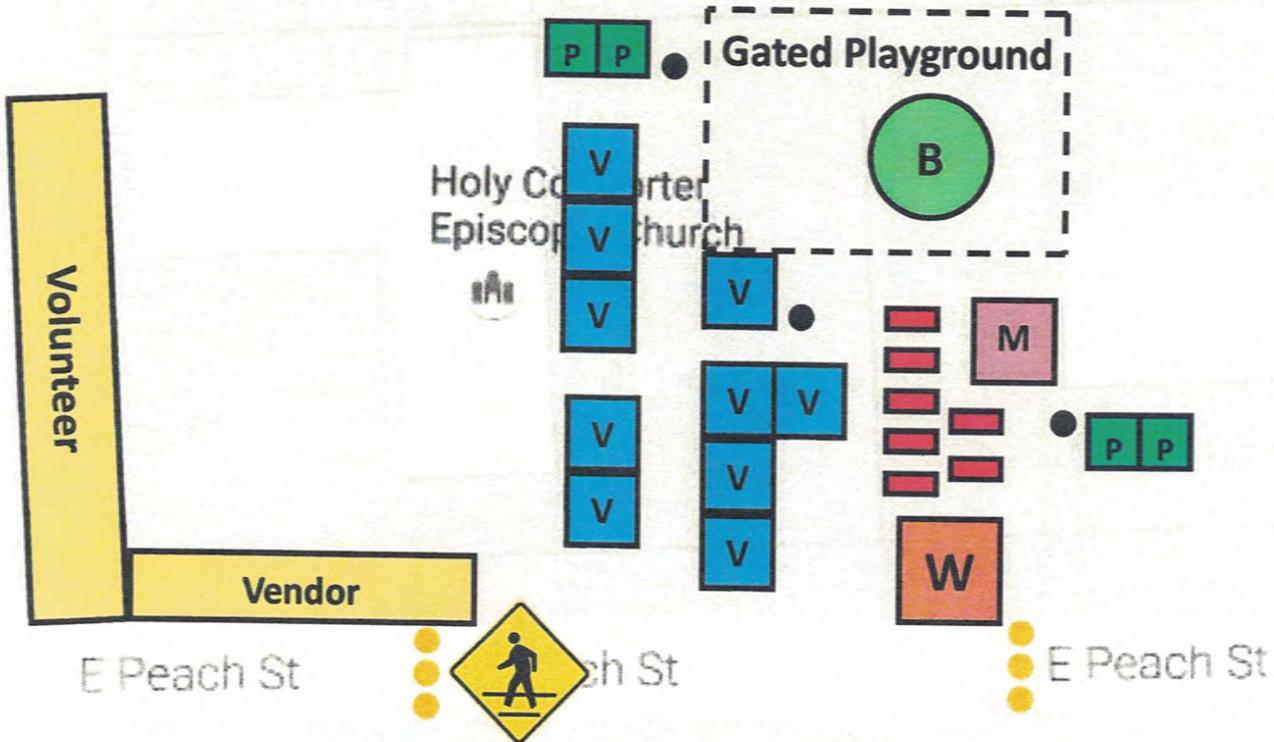
Given under my hand and seal of office this 2nd day of September, 2016



[Signature]
Notary Public Signature
11-29-2017
Commission Expires

Chenango St

Arcola St



Volunteer

Vendor

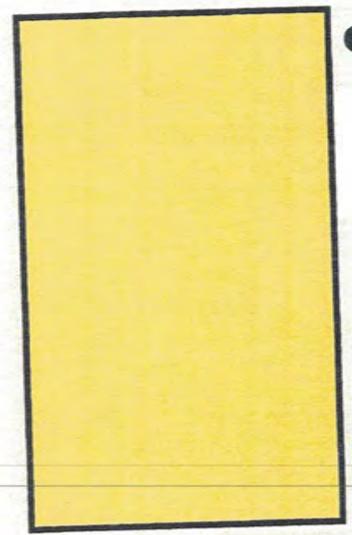
E Peach St

ch St

E Peach St

S Chenango St

S Arcola St



Vendor

S Chenan

S Arcola St

- Bounce House
- Lavatories
- Musician/Bandstand
- Parking
- Safety Cones
- Seating/Picnic Tables
- Vendor Stalls
- Waste/Recycling Receptacles
- Welcome Tent

