CITY OF ANGLETON, TEXAS

PLANNING & ZONING COMMISSION

Meeting @ 12 p.m., Wednesday, June 1, 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 May 4, 2016 meeting minutes.

3.) Public Hearing on a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

4.) Discussion and Possible Action on a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

5.) Public Hearing on ORDINANCE NO. 2016-O-6A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS LAND USE THAT MAY BE APPROVED WITH A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS.

6.) Discussion and Possible Action on ORDINANCE NO. 2016-O-6A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS LAND USE THAT MAY BE APPROVED WITH A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS.

7.) Public Hearing on a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, with a legal description of A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas.

8.) Discussion and Possible Action on a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas, with an effective date after June 24, 2016.

9.) Public Hearing on a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

10.) Discussion and Possible Action on a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

11.) Public Hearing on a request to extend the current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business).

12.) Discussion and Possible Action on a request to extend the current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business).

13.) Public Hearing on a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

14.) Discussion and Possible Action on a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

15.) Discussion and Possible Action on the Final Plat for the Tropoli Townhomes, a Subdivision Plat of a 1.8878 acre tract situated in the J de J Valderas Survey, A-380, Brazoria County, Texas, located at the northeast corner of Henderson Road and Valderas Street.

16.) Public Hearing on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS.

17.) Discussion and Possible Action on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105,

28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS.

18.) Public Hearing on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

19.) Discussion and Possible Action on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

20.) 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

ANGLETON
Where the Heart is

Planning and Zoning Commission

City of Angleton, Texas
Meeting Minutes
Wednesday, May 4, 2016

COMMISSIONERS, STAFF & GUESTS

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

Michael Stoldt – City Manager
Mary Kay Fischer – City Attorney
Patti Worfe – Assistant City Manager, Economic Development Director
Karen Barclay – Building Services Department Director
Shelly Deisher – City Secretary
Alyssa Deaton – Assistant City Secretary

James (Art) Dannhaus – Property Owner requesting rezone
Artie Tropoli – Property Owner requesting preliminary plat approval
Doug Roesler – Baker and Lawson Engineer
Josh McGinn - Baker and Lawson Surveyor

Those listed on the registry.

AGENDA

1. Declaration of Quorum and Call to Order at **12:02pm**.

2. Discussion and Possible Action on Approving the April 6, 2016 meeting minutes.

   Motion by Commissioner Spoor to approve the minutes; Second by Commissioner Bieri.

   Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

3. Public Hearing on a request to rezone Lot One (1), in Block Two (2), of NORTHVIEW SUBDIVISION, SECTION ONE (1), located at the southwest corner of Buchta Road and Hospital Drive from C-O/R –

Commercial-Office/Retail District to 2F – Two-Family Residential District (Duplex Homes).

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

Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

James Dannhaus, Property Owner explained that he wishes to have it rezoned to 2F in order to build two duplexes.

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

Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

4. Discussion and Possible Action on a request to rezone Lot One (1), in Block Two (2), of NORTHVIEW SUBDIVISION, SECTION ONE (1), located at the southwest corner of Buchta Road and Hospital Drive from C-O/R – Commercial-Office/Retail District to 2F – Two-Family Residential District (Duplex Homes).

Bill Garwood, Chairman: Was there any opposition indicated?

Alyssa Deaton, Assistant City Secretary: No.

Michael Stoldt, City Manager explained that staff is recommending approval and that there has been some difficulty with finding any prospective buyers to move on the property given the constraints of setbacks and it being on a corner lot.

Motion by Commissioner Bieri to approve the requested rezone of Lot One (1) in Block Two (2) of the Northview Subdivision, Section One (1), located at the southwest corner of Buchta Road and Hospital Drive;
Second by Commissioner Hernandez.

Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

5. Discussion and Possible Action on the Preliminary Plat for the Tropoli Townhomes, a Subdivision Plat of a 1.8878 acre tract situated in the J de J Valderas Survey, A-380, Brazoria County, Texas, located at the northeast corner of Henderson Road and Valderas Street.

Michael Stoldt, City Manager went over the staff and engineer

comments with the Commissioners.

Doug Roesler, Baker and Lawson engineer explained that they do not have any issues with the comments and that they will all be addressed.
He does however have concerns with the ability to install the sidewalks to ADA standards and retain proper drainage. This will be something that will have to be worked out with the city before the final plat is brought back.

Motion by Commissioner Townsend to recommend approval of the plat subject to staff comments;
Second by Commissioner Spoor.

Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

6. Discussion and Possible Action on re-appointing Bill Garwood, Dorothy Hernandez, Deborah Spoor and Travis Townsend to the Planning and Zoning Commission.

Motion by Commissioner Bieri to recommend approval of the four Planning and Zoning reappointments;
Second by Commissioner Hernandez.

Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

7. Adjourned at **12:22pm**.

Motion by Commissioner Bieri to adjourn;
Second by Commissioner Hernandez.

Motion carries 5 for; 0 against; 2 absent (Munson, Perez)

CERTIFICATION

Bill Garwood, Chairman	Alyssa Deaton, Asst. City Secretary

PLANNING AND ZONING
AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Public Hearing on a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

__ Consent item __ Discussion item
__ Discussion and possible action _X_ Public Hearing

REQUESTED BY: Christi Beard, Designated Agent for David McDowell, Property Owner

Budgeted amount: N/A **Funds requested: N/A** **Fund: N/A**

Attachments: (Attachment description)
Public Hearing notice to Facts and Property Owners within 200ft

Executive Summary:
Published in The Facts Newspaper on May 15, 2016. Letters sent to property owners on May 11th, 2016.

Recommendation:
Staff recommends approval.

Alyssa Deaton May 5, 2016
Name **Date**

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, June 14, 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: May 3, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, May 15th, 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.

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Roger Collins
Position 5

Council Members
Hardwick Bieri
Position 1

Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

City Manager
Michael Stoldt

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

www.angleton.tx.us

May 11, 2016

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, June 14, 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

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 proposed change 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.

Sincerely,
Alyssa Deaton
Assistant City Secretary

PLANNING AND ZONING
AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Discussion and Possible Action on a request for a Specific Use Permit to operate a Child Day Care (Business) at the southwest corner of East Cedar Street and North Downing Street, with a legal description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

__ Consent item __ Discussion item
__X Discussion and possible action __ Public Hearing

REQUESTED BY: Christi Beard

Budgeted amount: N/A **Funds requested: N/A** **Fund: N/A**

Attachments: (Attachment description)
Application, maps, site plan

Executive Summary:
The property is currently zoned C-O/R – Commercial-Office/Retail. Child Day Care (Business) is an allowable use with an SUP. Ms. Beard operates under the name Happy Faces and has other Child Day Care businesses in Texas, including one in Lake Jackson.

Recommendation:
Staff recommends approval.

Alyssa Deaton May 5, 2016
Name **Date**

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 517 N Downing Angleton, TX 77515

PROPERTY DESCRIPTION (Legal description): A0375 I T Tinsley Tract 9B1 Acres .9204 Angleton

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER: David McDowell
~~Christi~~

DESIGNATED REPRESENTATIVE. ADDRESS AND PHONE NUMBER: Christi Beard LJ 77566

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED ABOVE: Childcare

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: Christi Beard
DATE: 5-3-16

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: $150.00 due upon submittal

OFFICE USE ONLY
Date received: 5/3 Admin Fee Received: ✓
P&Z Public Hearing date: 6/1
Date to send cert. letters: 5/10 Date to publish: 5/15
Site Plan submitted: Yes____ No____
Site Plan received & evaluated by City Staff: Yes ____ No____
Proof of taxes paid: ✓ Date verified: 5/5

ANGLETON

CITY OF ANGLETON
APPOINTMENT OF AGENT

As owner of the property described as 517 N. Downing St., Angleton, Tx 77515
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: CBDB Properties in care of Christi Beard

Mailing Address: _____ Email: _____

City: Lake Jackson State: TX Home _____ Zip: _____ - 77566

Phone: _____ Business Phone: (_____

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.

Signature of owner David McDowell Title owner

Printed/Typed Name of owner DAVID McDOWELL Date 4-26-16

*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~~ Georgia §

COUNTY OF Gwinnett §

Before me, Susan Lewis, on this day personally appeared David McDowell known to me (or proved to me on the oath of Verbal Oath or through (Georgia DL) 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 26 day of April 2016

SUSAN LEWIS
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires Apr. 19, 2018
(SEAL)

Notary Public Signature

April 19, 2018
Commission Expires

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

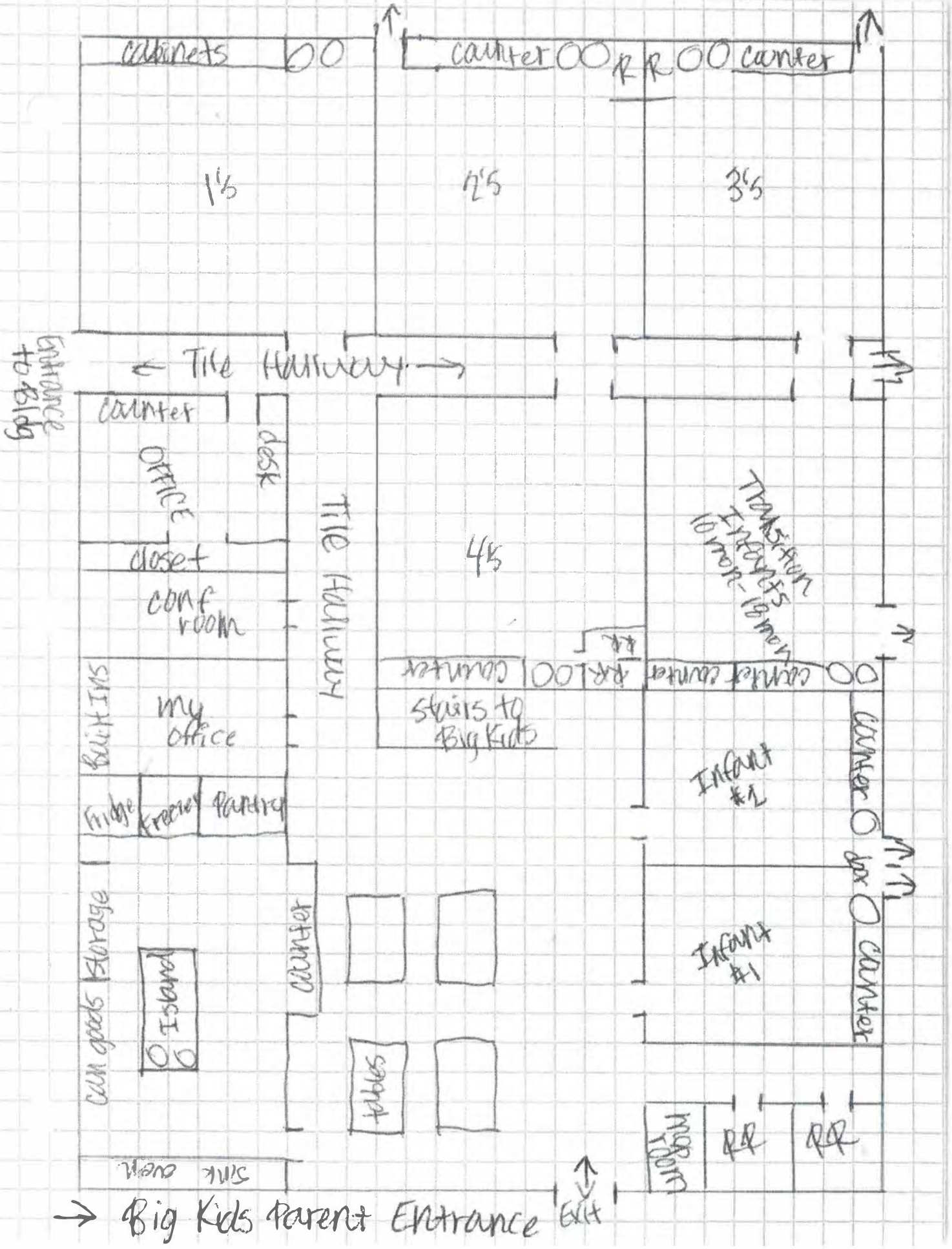
City of Angleton

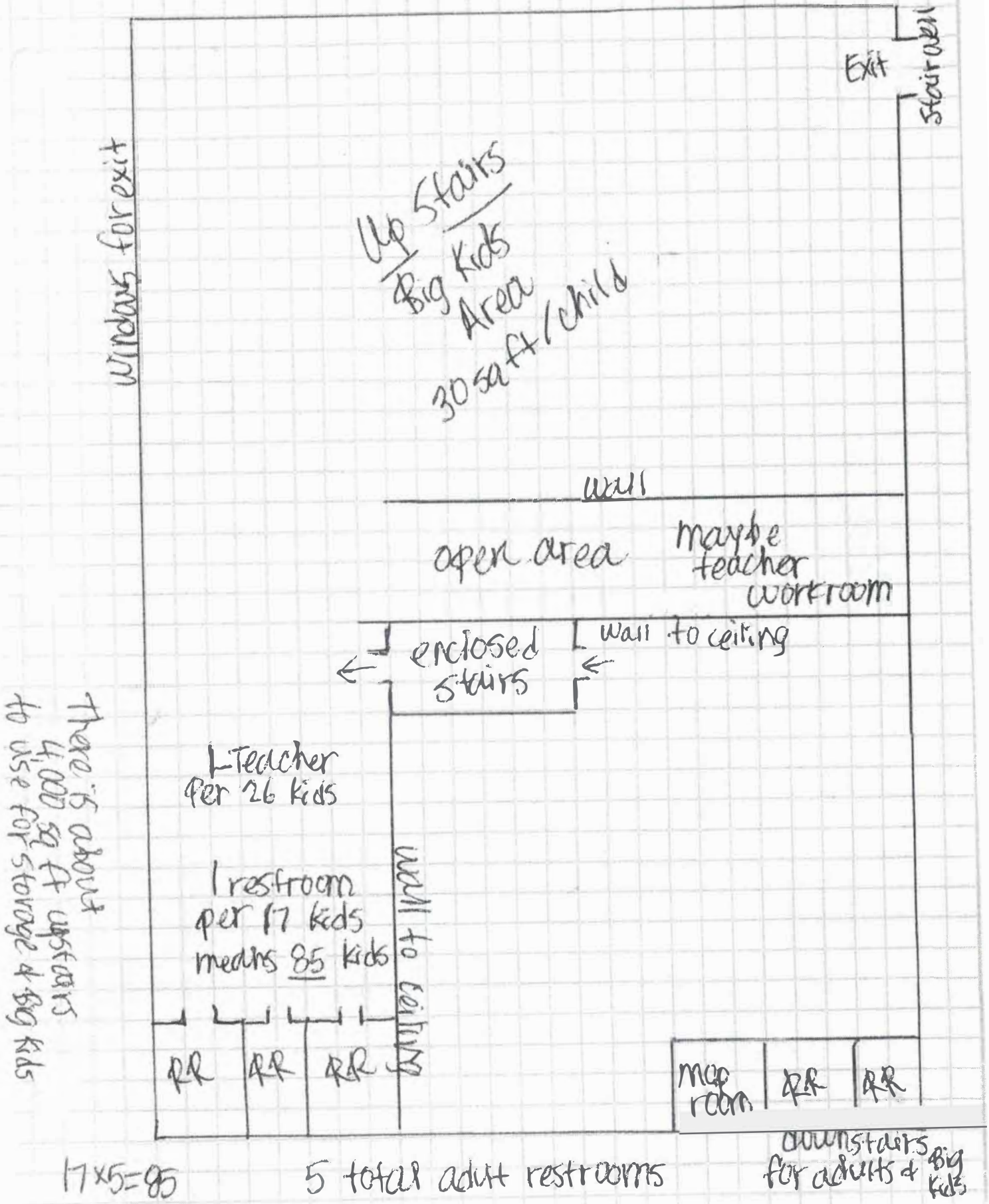
Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

1 " = 213 '

N Downing St
Angleton, Texas
Street View - May 2013
Hide imagery
E Cedar St
Earth
492 North Downing Street, Angle...
Google


cabinets
counter
counter
RR
1's
2's
3's
Tile Hallway
Entrance to Bldg
counter
office
desk
closet
conf room
built ins
my office
fridge
freezer
pantry
storage
can goods
Island
Tile Hallway
counter
tables
sink
oven
4's
counter
counter
counter
RR
stairs to Big Kids
Transition Infants to non-ambulatory
Infant #2
Infant #1
counter
door
counter
nap room
RR
RR
Exit
Big Kids Parent Entrance


Exit
stairwell
windows for exit
Up stairs
Big Kids
Area
30 sq ft/child
wall
open area
maybe
teacher
workroom
enclosed
stairs
wall to ceiling
1 Teacher
per 26 kids
1 restroom
per 17 kids
means 85 kids
wall to ceiling
There is about
4,000 sq ft upstairs
to use for storage & Big Kids
RR
RR
RR
mop
room
RR
RR
downstairs
for adults & Big
Kids
17x5=85
5 total adult restrooms

Parent Parking
Exit only
Plants
entrance only
Handicap parking
Sidewalk
Entrance #1
Sidewalk
Parent parking
9x18 vehicles dimensions
Exit
Entrance #2
Gate
Gate
Fenced in play area
van
van
10x20 van dimensions for parking
employee parking 9x18
light pole
Extra Land
Extra Land

PLANNING AND ZONING COMMISSION AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: PUBLIC HEARING ON AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS.

__ Consent item __ Discussion item
__ Discussion and possible action _x_Public Hearing

REQUESTED BY: Michael Stoldt

Attachments: (Attachment description)
Public Hearing Notice for newspaper
(For Ordinance and Supporting Info see "Discussion and Possible Action" Agenda Item)

Executive Summary:

The attached Ordinance addresses two issues that have recently surfaced. The first concerns a "Micro Winery". The City has recently been approached by a local individual that would like to open a Micro Winery inside the City. Unfortunately our Zoning Ordinance does not list a "Micro Winery" as an acceptable land use. This amendment will add the Micro Winery as an acceptable use through a special use permit in areas zoned Commercial General, Commercial Office/Retail and Light Industrial. It also defines a Micro Winery as a facility producing up to 5,000 gallons of wine annually.

The Ordinance also addresses conflicting regulations for visibility obstructions along streets and intersections. The Code of Ordinances includes regulations for visibility obstructions in Chapter 22 (Streets, Sidewalks, and Public Places) and Chapter 28 (Zoning). The Ordinance will remove the conflicting regulations by referring to Chapter 22 in the Zoning Ordinance for visibility regulations. The most significant difference between the two regulations involves how the visibility triangle is measured. Under Chapter 22 the visibility triangle is measured along the curb line. Under Chapter 28 the visibility triangle is measured along the property line. Historically the City has measured the visibility triangle along the curb line, in accordance with Chapter 22.

Michael Stoldt May 4, 2016
Name **Date**

Public Hearing Notice

Public Hearing on ORDINANCE NO. 2016-O-6A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS. The Planning and Zoning Commission will conduct a Public Hearing on Wednesday, June 1, 2016 at 12:00 pm. The City Council will conduct a Public Hearing on Tuesday, June 14, 2016 at 6:00 pm. The Public Hearings will be held in City Council Chambers located at 120 South Chenango Street, Angleton, Texas, 77515. 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 the proposed Ordinance, please contact Shelly Deisher at (979) 849-4364 ext. 2115.

Date: May 5, 2016

To: The Facts – Legal Notices

From: City of Angleton

To be published once on: Sunday, May 15, 2016

Please provide publisher's affidavit.

If you have any questions, please contact Shelly Deisher at 979-849-4364 ext. 2115 or Alyssa Deaton @ 979-849-4364 ext. 2114.

PLANNING AND ZONING COMMISSION AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS.

__ Consent item __ Discussion item
_x_ Discussion and possible action __Public Hearing

REQUESTED BY: Michael Stoldt

Attachments: (Attachment description)
Ordinance
Visibility Obstructions – Chapter 22
Sight Visibility – Chapter 28 (Zoning)

Executive Summary:

The attached Ordinance addresses two issues that have recently surfaced. The first concerns a "Micro Winery". The City has recently been approached by a local individual that would like to open a Micro Winery inside the City. Unfortunately our Zoning Ordinance does not list a "Micro Winery" as an acceptable land use. This amendment will add the Micro Winery as an acceptable use through a special use permit in areas zoned Commercial General, Commercial Office/Retail and Light Industrial. It also defines a Micro Winery as a facility producing up to 5,000 gallons of wine annually.

The Ordinance also addresses conflicting regulations for visibility obstructions along streets and intersections. The Code of Ordinances includes regulations for visibility obstructions in Chapter 22 (Streets, Sidewalks, and Public Places) and Chapter 28 (Zoning). The Ordinance will remove the conflicting regulations by referring to Chapter 22 in the Zoning Ordinance for visibility regulations. The most significant difference between the two regulations involves how the visibility triangle is measured. Under Chapter 22 the visibility triangle is measured along the curb line. Under Chapter 28 the visibility triangle is measured along the property line. Historically the City has measured the visibility triangle along the curb line, in accordance with Chapter 22.

Michael Stoldt May 4, 2016
Name **Date**

ORDINANCE NO. 2016-O-6A

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS; 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.

WHEREAS, Ordinance 2009-O-4A and Chapter 28 of the Code of Ordinances authorizes the City Council to amend, supplement, or change the regulations of the Zoning Ordinance or the boundaries of zoning districts specified in the zoning map; and

WHEREAS, any amendment to the zoning ordinance text or to zoning district boundaries may be initiated by the Planning and Zoning Commission, who shall then make a recommendation to the City Council; and

WHEREAS, the City has received a request to open a Micro Winery, which is not listed as an approved land use in the City of Angleton; and

WHEREAS, the City desires to include "Micro Winery" as an approved land use in certain districts; and

WHEREAS, the Code or Ordinances contains different regulations governing Sight Visibility or Obstructions in two separate Chapters; and

WHEREAS, the City desires to eliminate conflicting regulations governing Sight Visibility or Obstructions; and

WHEREAS, pursuant to state law, notice was published in the newspaper advising that the Planning and Zoning Commission was conducting a public hearing on Wednesday, June 1, 2016, at 12:00 p.m. and the City Council was conducting a public hearing on Tuesday, June 14, 2016, at 6:00 p.m. to discuss adding "Micro Winery" as a specific use permit to certain zoning districts, adding a definition of "Micro Winery"; and amending the requirements for "Sight Visibility" at intersections; and

WHEREAS, after conducting a public hearing, the Planning and Zoning Commission recommended adding "Micro Winery" as a specific use permit in areas zoned Commercial-General, Commercial-Office/Retail and Light Industrial; adding a Definition for "Micro Winery"; and amending the requirements for "Sight Visibility" at intersections on June 1, 2016;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1: That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2: That Section 28-81 (b) Use Charts of the Code of Ordinances, is hereby amended to read as follows:

Legend
P – The land use is permitted by right in the zoning district indicated.
☐ – The land use is prohibited in the zoning district indicated.
S – The land use may be approved as a specific use permit (SUP) in the zoning district indicated.

Types of Land Uses	Residential Zoning Districts													Non-Residential Zoning Districts						
	AG	SFE-20	SF-10	SF-7.2	SF-6.3	SF-5	SF-PH	2F	SFA	MFR-14	MFR-29	MFR-36	MH	C-N	C-MU	C-G	C-O/R	CBD		LI
Light Industrial/Manufacturing Uses																				
Micro Winery																S	S			S

SECTION 3: That Section 28-112 DEFINITIONS is amended to include Micro Winery.

MICRO WINERY – a facility in which up to 5,000 gallons of wine is annually produced for distribution and sale, and which possesses the appropriate license from the State of Texas. Tasting rooms for the consumption of on-site produced wine is permitted.

SECTION 4: That Section 28-106(h) is amended to read:

(h) Sight Visibility: Visual Clearance shall be provided in all zoning districts in accordance with Section 22 (Streets, Sidewalks and other Public Places), Division 2 (Obstructions - Paragraphs 22-31 through 22-34).

SECTION 5: That Section 28-114 (Illustrations) is amended by removing Illustration 18.

SECTION 6: That the Use Chart, Definitions, and Sight Visibility Sections noted above are hereby amended in accordance with the provisions of this Ordinance.

SECTION 7: That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 8: That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 9: That this ordinance shall be effective not less than 10 days from the date of its passage and in accordance with the time set forth in the City Charter and the City Secretary is directed to cause the descriptive caption of this Ordinance to be published in the official newspaper of the City, at least once within ten days after the passing of the Ordinance.

SECTION 10: That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding $2,000 for each and every day that the provisions of this Ordinance are violated and shall constitute a separate and distinct offense.

SECTION 11: That this Ordinance shall be effective from and after June 25, 2016.

PASSED AND ADOPTED THIS 14TH DAY OF JUNE, 2016.

_____
RANDY RHYNE, Mayor

ATTEST:

_____
SHELLY DEISHER, City Secretary

APPROVED AS TO FORM:

_____
MARY KAY FISCHER, City Attorney

CHAPTER 22

Visibility Obstruction

ARTICLE II. STREETS*

DIVISION 1. GENERALLY

Sec. 22-16. Signs prohibited on street right-of-way; exceptions.

It shall be unlawful for any person to place a sign on any public street right-of-way or parkway in the city except street signs and traffic-control signs and other signs specifically authorized by the city council.
(Code 1965, § 14-14)

Cross reference—Handbills prohibited on streets, § 13-5.

Secs. 22-17—22-30. Reserved.

DIVISION 2. OBSTRUCTIONS

Sec. 22-31. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Visibility triangle shall mean a triangle sign area at all intersections, which shall include that portion of the public right-of-way and any corner lot within the adjacent curblines and a diagonal line intersecting such curblines at points 35 feet back from their intersection, such curblines being extended if necessary to determine the intersection point as shown in Exhibit A which is available for inspection in the office of the city secretary.

Parkway area shall mean that area between the curbline or grade line of any public street and the abutting private property line.
(Code 1965, § 18A-2(a))

Cross reference—Definitions and rules of construction generally, § 1-2.

***Cross references**—Handbills and posters prohibited on street right-of-way, § 13-5; obstruction of streets by trains for longer than five minutes prohibited, § 25-7; speed regulations on certain streets, § 25-106 et seq.; regulations for turning in certain streets, § 25-121; one-way streets designated, § 25-136; authority of police chief to regulate parking on certain streets, § 25-166 et seq.

Sec. 22-32. Obstructions prohibited within visibility triangle.

(a) It shall be unlawful to set out, maintain or permit or cause to be set out or maintained, any tree, shrub, plant, sign or other view obstruction having a height greater than two feet as measured from the top of the curb of the adjacent streets within the visibility triangle.

(b) This restriction shall not apply to permanent structures authorized by the zoning ordinance or to traffic-control signs and signals, street signs or utility poles placed within such area by authority of the city council.
(Code 1965, § 18A-2(b))

Sec. 22-33. View obstructions in parkway.

(a) It shall be unlawful to set out, maintain or permit or cause to be set out or maintained, any tree, shrub, plant, sign or other view obstruction within any parkway area, which exceeds two feet in height above curb level.

(b) This prohibition shall not apply to trees within the parkway area which are trimmed at all times so that no branches are less than six feet above curb level and which are planted no less than 25 feet apart. Such trees shall not interfere with the free passage of vehicles on the street or pedestrians on the public right-of-way or obscure the view of motor vehicle operators of any traffic-control device or street sign or otherwise create a traffic hazard.
(Code 1965, § 18A-2(c))

Sec. 22-34. Enforcement.

(a) It shall be the duty of the code enforcement officer to cause a written notice to be served upon the owner of any property upon which any of the above violations exist, or upon any owner or occupant of any property which abuts any parkway area upon which any of the above violations exist to correct such violations within ten days after service of such notice.

(b) Such notice shall be given personally or by letter addressed to such owner at his post office address, or, if the owner's address be not known and personal service not possible, by publication at least twice within ten consecutive days.

(c) If such violation is not corrected within a ten-day period, the code enforcement officer is hereby authorized and directed to cause a tree, plant, structure or obstruction constituting such violation to be trimmed, pruned or removed to eliminate such prohibited condition.

(d) The cost of such trimming, pruning or removal shall be assessed against the property owner or abutting property owner, as the case may be. The minimum fee for such service shall be $10.00.
(Code 1965, § 18A-2(d))

Secs. 22-35—22-45. Reserved.

DIVISION 3. ARTERIAL STREETS*

Sec. 22-45.1. Reconstruction of arterial streets.

(a) "Arterial street," as used in any part of this division shall mean concrete streets with curbs, concrete or asphalt streets with curbs and gutters, and concrete or asphalt rural section (roadside ditches) roadways, in the absence of any further designation by the city council. However, the city council shall have the authority to deem that any street is or is not an "arterial street" within the meaning of this division.

(b) Sidewalks, curbs and gutters meeting the standards herein stated shall be required as part of the reconstruction of any arterial street in the city. The city council may decide that sidewalks, curbs and gutters are not necessary in some cases, considering the amount of pedestrian traffic and other safety factors.

(c) Sidewalks, curbs and gutters under this section shall be financed in the same manner as the reconstruction of the adjacent arterial street.
(Ord. No. 2144, § 2, 4-19-88)

***Editor's note**—Sections 2—7 of Ord. No. 2144, adopted April 19, 1988, being not specifically amendatory of the Code, have been included herein as Div. 3, §§ 22-45.1—22-45.6, of Ch. 22, Art. II, at the discretion of the editor.

Sec. 22-45.2. Sidewalks without street reconstruction on arterial streets.

The city may choose to place on the capital projects list sidewalks, curbs and gutters adjacent to arterial streets that are not being reconstructed. In evaluating the need for such improvements on the capital projects list, the city shall consider, among other factors, safety, need (especially school-related pedestrian traffic), priorities, estimated costs and available means of financing. The city may also establish a liaison with the Angleton Independent School District to consider needs for school pedestrian traffic and sharing of costs.
(Ord. No. 2144, § 3, 4-19-88)

Sec. 22-45.3. Construction standards.

All sidewalks constructed or reconstructed within the city after the effective date of the ordinance from which this division is derived shall comply with the standards attached to this ordinance as Appendix A and incorporated herein in full, except as otherwise provided in section 23-70(b).
(Ord. No. 2144, § 4, 4-19-88)

Sec. 22-45.4. Public and private cooperation.

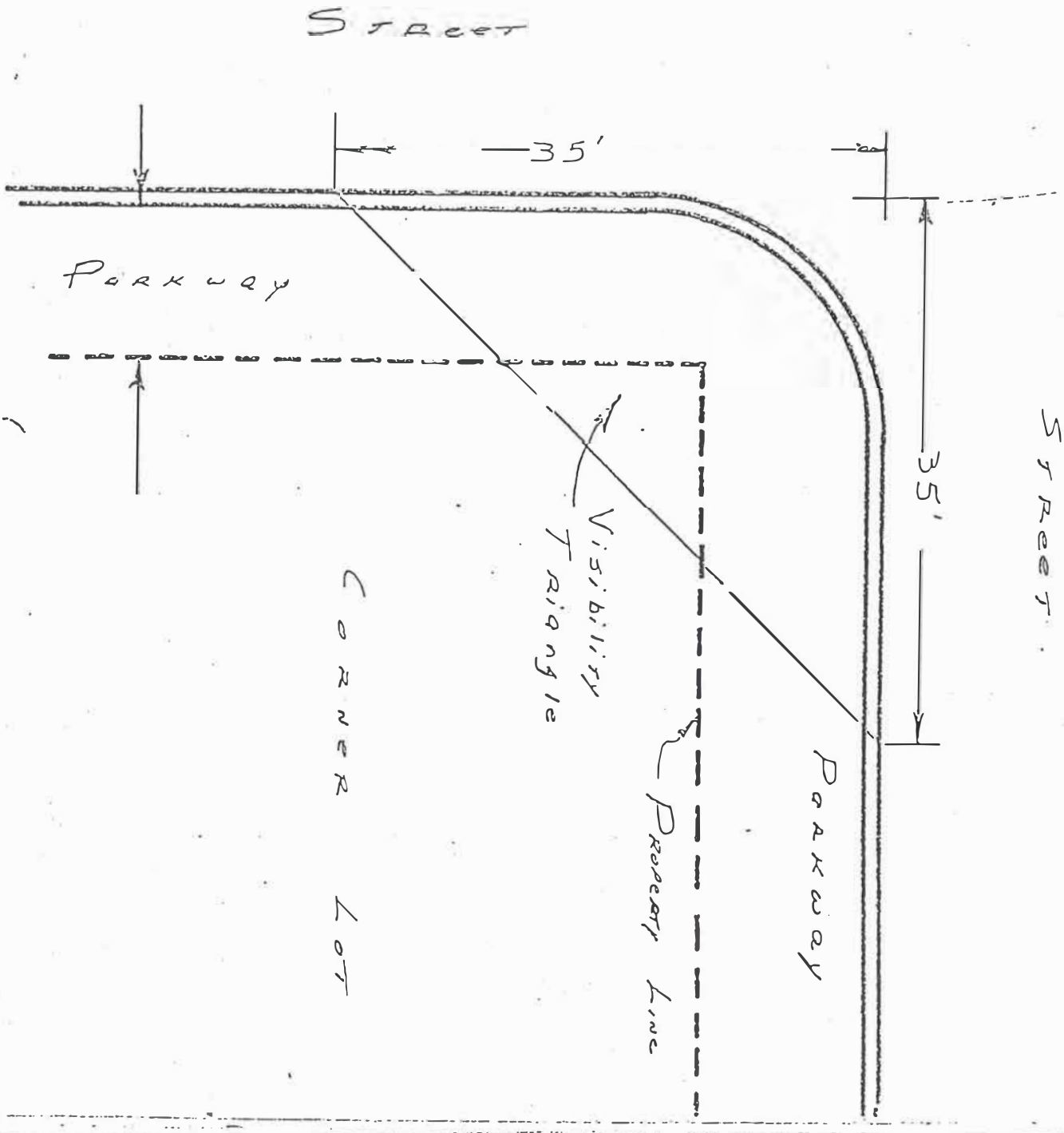
(a) *Unit price contract.* The City of Angleton shall enter into a unit price contract for the construction, reconstruction, repair and realignment of sidewalks, curbs and gutters in connection with this division.

(b) *Individual tracts.* The city shall use the unit price contract for the construction, reconstruction, repair and realignment of sidewalks, curbs and gutters along any tract abutting a public street at the written request of the owner of the tract and at the owner's sole cost. The owner shall repay the city 100 percent of the cost of said improvements under the unit price contract, upon payment terms acceptable to the city. Construction shall not begin until the owner has agreed in writing to do so.

(c) *Block construction:*

(1) Request: The city shall construct, reconstruct, repair and realign sidewalks, curbs

Exhibit A - Chapter 22



CHAPTER 28

Sight Visibility

front, side and rear yard setback requirements of the zoning district in which it is located.

e. *Modification of building size requirements.* The requirements of subsections (8)a. through (8)d. may be modified by the code enforcement officer in the case of administratively approved uses or by the city council after recommendation from the planning and zoning commission in the case of uses permitted by special use to encourage collocation.

(9) *Removal of abandoned antennas and towers.* Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of receipt of notice from the city notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90 days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(10) *Nonconforming uses.*

a. *Not expansion of nonconforming use.* Towers that are constructed and antennas that are installed, in accordance with the provisions of this article shall not be deemed to constitute the expansion of a nonconforming use or structure.

b. *Preexisting towers.* Preexisting towers shall be allowed to continue their usage as they presently exist subject to the requirements set out in subsection (3)c. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this article.

c. *Rebuilding damaged or destroyed nonconforming towers or antennas.* Not withstanding subsection (9), bona fide nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to first obtain a special use permit but shall meet all current Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned as specified in subsection (9).

(f) *Minimum dwelling unit area:* Minimum dwelling unit areas specified in this chapter shall be computed exclusive of breezeways, garages, open porches, carports and accessory buildings.

(g) *Open storage areas:* Open long-term storage of materials, commodities or equipment (where allowed in the specific zoning district) shall be located behind the front building line and observe all setback requirements for the main structure or building. This standard does not apply to short-term outside display (see definition of outside display in section 28-112; see screening requirements in section 28-104.

(h) *Sight visibility:*

(1) Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding, landscaping or other feature obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection. Whenever an intersection of a street(s), alley, and/or driveway occurs, a triangular visibility area shall be created. Landscaping, fences, walls, earthen berms and other features within the triangular visibility area shall be designed so as to provide unobstructed cross-visibility at a level between 30 inches and eight feet above the ground. The triangular areas are defined as follows:

a. Alley intersects a public street right-of-way: The areas on both sides of

the intersection of an alley and a public street shall have a triangular visibility area with two sides of each triangle being a minimum of 20 feet in length from the point of intersection, and the third side being a line connecting the ends of the other two sides (see illustration 18).

b. Street intersection or intersection of private driveway onto a public street: These areas shall have a triangular visibility area with two sides of each triangle being a minimum of 35 feet in length along the right-of-way lines (or along the driveway curb line and the street right-of-way line) from the point of the intersection, and the third side being a line connecting the ends of the other two sides (see illustration 18).

(2) Shrubs and plant materials that are typically less than 30 inches in height at maturity may be located within sight visibility areas provided that they are kept maintained at a maximum height of 30 inches.

(3) A limited number of single-trunked trees having a clear trunk (i.e., branching) height of at least eight feet may be located within sight visibility areas provided that they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area defined above, and provided that they are spaced and positioned such that their trunks will not produce a visibility inhibiting, "picket-fence" effect when they attain mature size.

(i) *Nonresidential structures in residential districts:*

(1) Nonresidential structures (e.g., churches, schools, day care centers, etc.) which are permitted in any residential zoning district (including AG) shall be designed and constructed such that they conform to the development standards set forth in the commercial-neighborhood (C-N) zoning district (i.e., with respect to maximum height, minimum lot size, minimum front/side/rear setbacks, screening, exterior building construction, etc.) unless otherwise stated in this chapter or in an ordinance establishing a PD.

(j) *Access standards for nonresidential and multi-family lots:*

(1) All nonresidential lots (including pad sites) shall share driveway curb openings via mutual access easements from one lot to adjacent lots (for fire and emergency access, as well as for public convenience).

(2) All nonresidential and multi-family lots (including pad sites) shall have either direct or indirect (via mutual access/fire lane easements on adjacent property) access to a median opening if located on a median-divided roadway (existing or planned in the future). Driveways for all nonresidential and multi-family lots (including pad sites) shall align, to the greatest extent possible, with any existing or proposed driveways on the other side of any type of roadway.

(Ord. No. 2009-O-4A, §§ (V)(43)(43.1—43.10), 4-14-09)

Sec. 28-107. Performance standards.

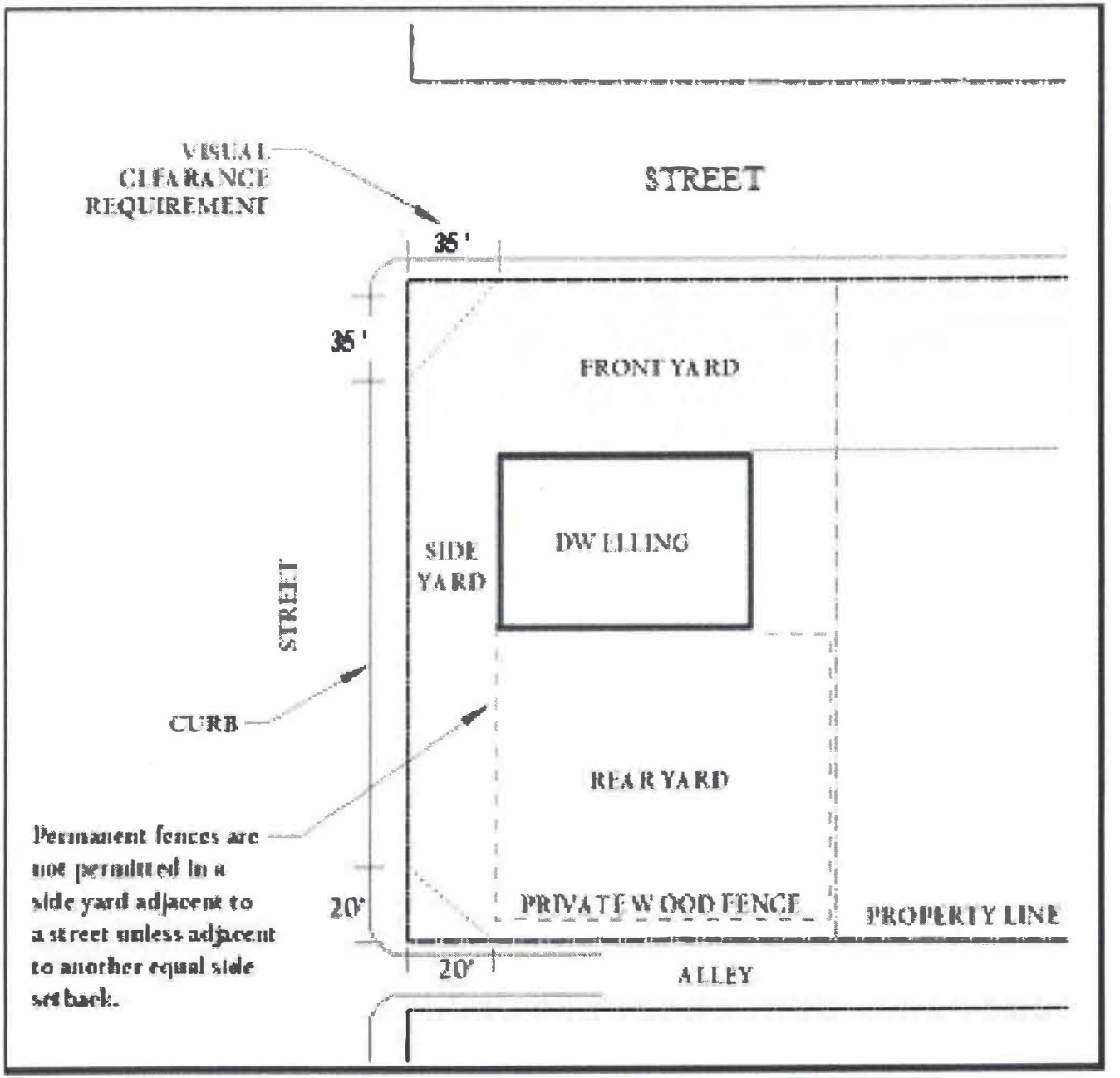
(a) *Performance standards—general:*

(1) *Compliance required:* No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazards; noise or vibration; smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other substance, condition, or element in such a manner or in such an amount as to adversely affect the surrounding area or adjoining the premise. Any use permitted or not expressly prohibited by this chapter may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of determination of their existence.

Illustration 18: Fence & Sight Requirements for Corner Lots

Chapter 28

Sight Visibility



PLANNING AND ZONING
AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Public Hearing on a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, with a legal description of A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas.

__ Consent item ___ Discussion item
__ Discussion and possible action _x_ Public Hearing

REQUESTED BY: Darrell Schwebel, Designated Agent for Kenneth Nugent, Property Owner

Budgeted amount: N/A **Funds requested: N/A** **Fund: N/A**

Attachments: (Attachment description)
Public Hearing notice to Facts and Property Owners within 200ft

Executive Summary:
Published in The Facts Newspaper on May 15, 2016. Letters sent to property owners on May 11th, 2016.

Recommendation:

Staff recommends approval with no special requirements.

Alyssa Deaton May 5, 2016
Name **Date**

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, with a legal description of A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, June 14, 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: May 3, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, May 15th, 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.

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Roger Collins
Position 5

Council Members
Hardwick Bieri
Position 1

Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

City Manager
Michael Stoldt

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

www.angleton.tx.us

May 11, 2016

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, with a legal description of A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, June 14, 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

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 proposed change 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.

Sincerely,
Alyssa Deaton
Assistant City Secretary

PLANNING AND ZONING
AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Discussion and Possible Action on a request for a Specific Use Permit to operate a Micro Winery at 1014 North Velasco Street, with a legal description of A0380 J de J Valderas, Tract 99E2, Acres 0.210, in Brazoria County, Texas.

__ Consent item ___ Discussion item
__X Discussion and possible action __ Public Hearing

REQUESTED BY: Property Owner

Budgeted amount: N/A **Funds requested: N/A** **Fund: N/A**

Attachments: (Attachment description)
Application, maps

Executive Summary:
If approved by the Commission and Council, this will not take effect until the day the Ordinance goes into effect. Council has the ability to decide when an SUP will be effective. The property is currently zoned C-G Commercial General and will be an allowable land use with an SUP once the ordinance takes effect.

Recommendation:

Staff recommends approval with no special requirements.

Alyssa Deaton May 5, 2016
Name **Date**

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 1014 N. Velasco St., Angleton TX 77515

PROPERTY DESCRIPTION (Legal description): A0380 J. DE. J. Valderas Tract 99E2, Acres 0.210

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER: Kenneth W. Nugent, Texas 77515

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER: Darrell H. Schwebel,

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED ABOVE: Micro-winery production and bottling facilities only. No public tastings will be provided on site.

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: Darrell H. Schwebel
DATE: 5/5/2016

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: $150.00 due upon submittal

OFFICE USE ONLY
Date received: 5/5/16 Admin Fee Received: $150.00
P&Z Public Hearing date: 6/1/16
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: yes Date verified: _____

ANGLETON

CITY OF ANGLETON
APPOINTMENT OF AGENT

As owner of the property described as 1014 N. Velasco St. Angleton,
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Darrell H. Schwebel
Mailing Address:

City: State: TX Zip:
Home Phone: (Business Phone: (

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.

Signature of owner KW Nugent Title 130 Pm
Printed/Typed Name of owner KW Nugent Date 5-5-16

*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, Shelly Deisher, on this day personally appeared KW Nugent, 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 5th day of May, 2016

SHELLY DEISHER
Notary Public, State of Texas
My Commission Expires 03-29-2017

Shelly Deisher
Notary Public Signature

3-29-2017
Commission Expires

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

ANGLETON Where the Heart is

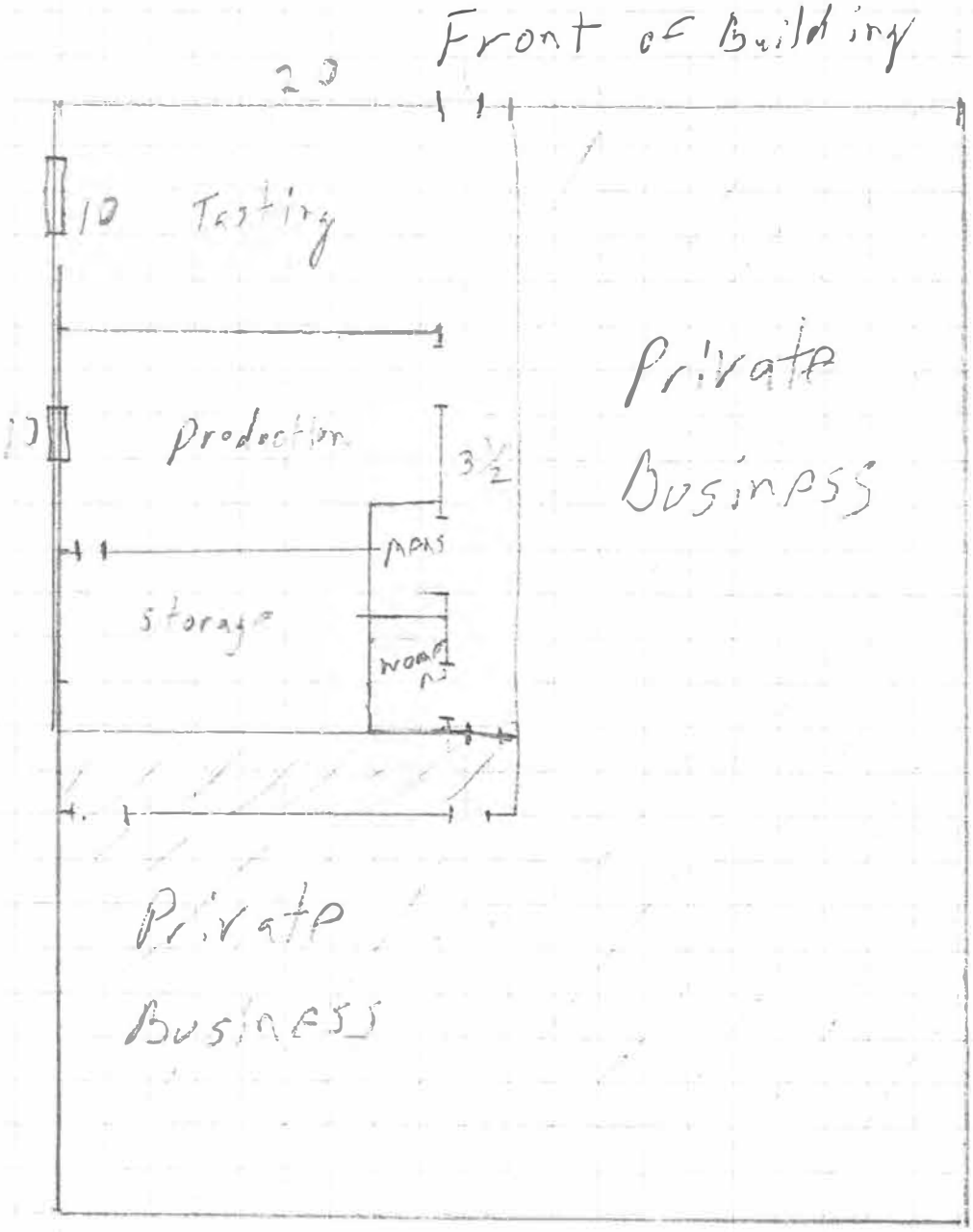
City of Angleton

Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

1 " = 107 '

N Velasco St
Angleton, Texas
Street View - Jun 2015
Allstate
WASH TERIA
CITGO
Hide imagery
S Kaysie St
N Lorrain St
N Chenango St
N Arcola St
48
W Wilkins St
E Wilki
Earth
1016 North Velasco Street, Angle...
Google


Front of Building
20
10
Tasting
10
Production
3 1/2
Private
Business
Mens
storage
Womens
Private
Business

Each □ = 2 foot

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016 12:00 PM

SUBJECT: Public Hearing on a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

__ Consent item __ Discussion item
__ Discussion and possible action _X Public Hearing

REQUESTED BY: Jaenikque Griggs, Designated Agent for Property Owner of 921 East Mulberry and Carl Bertoncelj, Property Owner of 911 East Mulberry

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

Attachments: (Attachment description)
Public Hearing notice for the Facts and for property owners within 200' of subject property.

Executive Summary:
Notices were combined but two applications have been attached. Mr. Bertoncelj did not wish to give Mrs. Griggs the authority to act on behalf of him for the SUP.
Published in The Facts Newspaper on May 15, 2016. Letters sent to property owners on May 11th, 2016.

Recommendation:

Alyssa Deaton **May 6, 2016**
_____ _____
Name **Date**

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on Tuesday, June 14, 2016 at 6:00pm. 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 this 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 hearing, 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: May 3, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, May 15th, 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.

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Roger Collins
Position 5

Council Members
Hardwick Bieri
Position 1

Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

City Manager
Michael Stoldt

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

www.angleton.tx.us

May 11, 2016

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on Tuesday, June 14, 2016 at 6:00pm. 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 this 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 hearing, comments may be sent to:

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 proposed change 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.

Sincerely,
Alyssa Deaton
Assistant City Secretary

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016 12:00 PM

SUBJECT: Discussion and Possible Action on a request for a Specific Use Permit to operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

__ Consent item __ Discussion item
_X_ Discussion and possible action __ Public Hearing

REQUESTED BY: Jaenikque Griggs, Designated Agent for Property Owner of 921 East Mulberry and Carl Bertoncelj, Property Owner of 911 East Mulberry

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

Attachments: (Attachment description)
Application and supporting documents

Executive Summary:
Mr. and Mrs. Griggs currently operate the Kingdom Class Academy (Child Day Care (Business)) at 938 East Myrtle Street, which lies behind the subject properties. She wishes to use the building at 921 E. Mulberry as an extension of her existing daycare and 911 E. Mulberry for overflow parking. There is a star loans property in-between 921 and 911; however, each of the two lots provides access to the existing Myrtle Street Day Care, which she will tie into. Please refer to site plan for visual.

Recommendation:
1. All of the 911 E. Mulberry property must be owned by the daycare and reserved for the daycares use.
2. No pickup and drop off at the 921 E. Mulberry property.
3. Provide a 15 foot wide access easement for emergency purposes on the north side of the 921 E. Mulberry property.
4. Parking lots and internal roads must be paved and spaces striped prior to issuance of Certificate of Occupancy.

Alyssa Deaton **May 6, 2016**

_____ _____
Name **Date**

ANGLETON
Where the Heart is

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: ①921 E. Mulberry St. Angleton, TX 77515 & ② 911 E Mulberry St Angleton, TX 77515

PROPERTY DESCRIPTION (Legal description): ① Wilshire (Angleton) Block 4 LOT 20 (W/46.98') - NE/30.26' LOT 21 ② Wilshire (Angleton), Block 4, LOT 23-24-W/12.5' LOT 22-E/53.61' LOT 5

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER:
① Robin W. Curry
② Carl & Nancy Bertoncel 3201 CR 36 Angleton, TX 77515-9520

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER: Jeanique Briggs P.O. Box 2204 Angleton, TX 77515

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED ABOVE: The named properties will be used to expand our current daycare facility. Kingdom Class Academy is located in the rear of the 2 properties. The expansion that includes these two properties will increase our enrollment, parking and storage space.

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: Jeanique Briggs
DATE: 5/6/2016

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: $150.00 due upon submittal

OFFICE USE ONLY
Date received: 5/6/16 Admin Fee Received: ✓
P&Z Public Hearing date: 6 – 1 – 16
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 921 E Mulberry St. Angleton TX 77515
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Jaenikque K Griggs

Mailing Address: PO Box 2204 Email: Kingdomclass Kids@yahoo.com

City: Angleton State: TX Zip: 77516-

Home Phone: (979) 235-9640 Business Phone: (979) 549-0123

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.

Signature of owner Robin Caudle Title Independent Executrix of Estate of Laure Alice Curry

Printed/Typed Name of owner Robin W Caudle Date 5-26-16

*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 Harris §

Before me, Margie Shaffer, on this day personally appeared Robin W Caudle known to me (or proved to me on the oath of _____ or through Texas Driver's Lic) 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 26 day of May, 2016

Margie W. Shaffer
Notary Public Signature

(SEAL)

MARGIE W. SHAFFER
Notary Public, State of Texas
My Commission Expires
July 22, 2016

ANGLETON
Where the Heart is

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 911 EAST MULBERRY ST, ANGLETON, TX 77515

PROPERTY DESCRIPTION (Legal description): WILLSHIRE (ANGLETON), Block 4, LOT 23-24-W/12.5' LOT 22-E/53.61' LOT 5 DR 1

RECORD PROPERTY OWNER NAME. ADDRESS AND PHONE NUMBER:
CARL BERTONCELJ
NANCY BERTONCELJ

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER:

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED ABOVE: DAY CARE FACILITY

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: 5/16/16

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: $150.00 due upon submittal

OFFICE USE ONLY
Date received: 5-16-16 Admin Fee Received: ✓
P&Z Public Hearing date: June 1
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: _____

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

City of Angleton

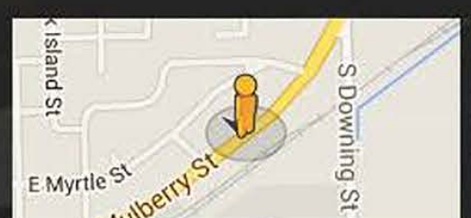
Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

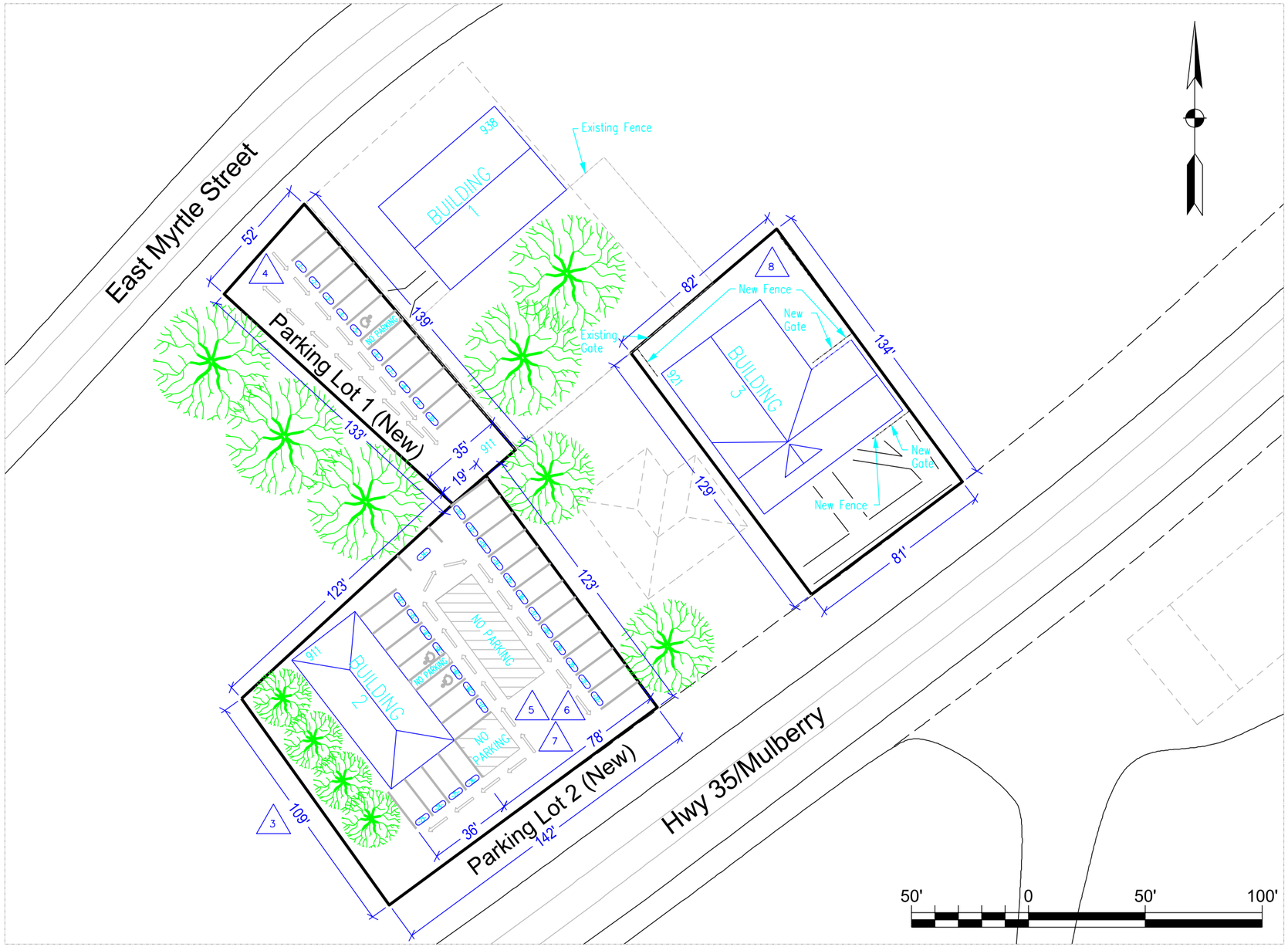
1 " = 107 '

E Mulberry St
Angleton, Texas
Street View - Oct 2015

Hide imagery



REV#:	DESCRIPTION:	BY:	DATE:
0	FOR CONSTRUCTION	CCH	05/23/16



NOTES:

1. Units are feet and inches.
2. Landscape shown around Plot/Area of Concern may vary in the field.
3. Dimensions shown are REFERENCE, and should be checked by an official "Survey" Service Provider.
4. Parking Lot 1 shall accommodate Nine (9) Parking Spaces @ 9' x 20' each, and one (1) Handicap Space @ 9' x 20', with a 5' x 20' Loading Zone, Parallel to the space.
5. Parking Lot 2 shall accommodate Twenty-two (22) Parking Spaces @ 9' x 20' each, and two (2) Handicap Space @ 9' x 20', with a 5' x 20' Loading Zone, between to the Handicap spaces.
6. Parking Spaces and Acces Aisles shall be level with surface Slopes, not exceeding 1:50 (2%) in all directions
7. Parking Lot 1 shall be paved with Concrete or Asphalt
8. New Privacy Fence at building 921 shall be 5' or 6' high.

COMPANY:
Kingdom Class Academy

DRAWING TITLE:		DRAWN BY: CCH	DATE: 05/25/16
PARKING LOT & FENCE CONSTRUCTION PLAN		CHECKED BY: CCH	DATE: 05/25/16
		APPROVED BY: EG	DATE: 05/25/16
DRAWING NUMBER: EG-PLP-001	REVISION: 0	SCALE: 1":50'-0"	SHEET: 1 OF 1

Kingdom Class Academy
Expansion Plans

1) 921 E. Mulberry
   a) Total Square Feet: ~2944 sq ft
   b) Capacity of Children to serve at the location: 51
      i) Ages of children: > 2 years
2) Indoor Space:
   a) 1 Office Space
   b) Staff Lounge
   c) 5 Classrooms
   d) 3 Restrooms
3) Outdoor plays pace:
   a) Under covered area: 625 Sq Ft (25' x 25')
      (1) A chain link fence will separate play space from handicap parking
   b) Around the back and behind the covered area: 2,030 Sq Ft (REAR PLAYGROUND) 1,175 (SIDE PLAYGROUND)
   c) How much space is connected to existing KCA playground? 30 ~~Sq~~ Ft
   d) Parking
      i) (1) Handicapped Parking - 1
      ii) (6) 9x18 Parking Spaces - 6
4) Food Service
   a) Food will be transported from our existing kitchen to this facility to serve our childre
5) Modifications to the building
   a) Add Exit door
   b) Install Fire Alarm and Monitoring System
   c) Install 7ft fence between 921 location and adjacent buildings
   d) Gate to adjoin 921 and 938 playgrounds to allow transitioning between the 2 buildin
6) 911 E. Mulberry Street
   a) We are not using the existing building
   b) Overflow parking will be available for the 921 and 938 locations
   c) Hard cover the parking that is adjacent to Kingdom Class Academy as requested by K. Barclay
   D) PARKING LOT DIMENSIONS 72' x 120'

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016 12:00 PM

SUBJECT: Public Hearing on a request to extend the current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business).

__ Consent item __ Discussion item
__ Discussion and possible action _X Public Hearing

REQUESTED BY: Elroy Griggs, Designated Agent for Property Owner

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

Attachments: (Attachment description)
Public Hearing notice for the Facts and for property owners within 200' of subject property.

Executive Summary:
Published in The Facts Newspaper on May 15, 2016. Letters sent to property owners on May 11th, 2016.

Recommendation:

Alyssa Deaton **May 6, 2016**

Name **Date**

Public Hearing Notice

The City of Angleton has received a request to extend the current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business). The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on Tuesday, June 14, 2016 at 6:00pm. 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 this 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 hearing, comments may be sent to:

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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: May 3, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, May 15th, 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.

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Roger Collins
Position 5

Council Members
Hardwick Bieri
Position 1

Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

City Manager
Michael Stoldt

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

www.angleton.tx.us

May 11, 2016

Public Hearing Notice

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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 proposed change 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.

Sincerely,

Alyssa Deaton
Assistant City Secretary

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016 12:00 PM

SUBJECT: Discussion and Possible Action on a request to extend the current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E, to include an 'Outdoor Activity Space' at the rear of the Child Day Care (Business).

__ Consent item __ Discussion item
_X_ Discussion and possible action __ Public Hearing

REQUESTED BY: Elroy Griggs, Designated Agent for Property Owner

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

Attachments: (Attachment description)
Application and supporting documents

Executive Summary:
Mr. and Mrs. Griggs were previously approved for an SUP at 1100 East Mulberry, Suites, B, C, D, and E. At the time the SUP was brought to P&Z, they were questioned on having an outdoor activity space for the children and at the meeting they said they were not going to have an outdoor space. Since then, they have discovered that the state is requiring them to have an outdoor activity space. This SUP will only be for the outdoor yard as there is an existing SUP on the building to expire on April 4, 2017.

Recommendation:

Past P&Z special conditions have included:

1. **Hours of operation; 8am-12am**
2. **Duration; to expire on the same date as the daycare and one year renewals thereafter.**

Alyssa Deaton **May 6, 2016**
_____ _____
Name **Date**

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 1100 E. MULBERRY SUITE E
ANGLETON, TX 77515

PROPERTY DESCRIPTION (Legal description): A0375 I T TINSLEY, TRACT 16B-16B2-16B4-16C1

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER: HARRY GREEN,
1 ANGLETON INVESTMENTS, LTD

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER: ELROY GRIGGS,

PROPOSED USE FOR THE PROPERTY ADDRESS INDICATED ABOVE: INSTALL A 40' x 20' FENCE TO DESIGNATE A PLAY AREA FOR THE CHILDREN. THE FENCE WILL BE ATTACHED TO THE BUILDING, 4' TALL, 1 EXIT GATE, ALL OBSTRUCTIONS WILL BE FREE FROM DESIGNATED PLAY AREA. SEE ATTACHED DRAWING. Chain link w/ Private Screen meshing.

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: 5/6/2016

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

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: _____

ANGLETON
Where the Heart is

CITY OF ANGLETON
APPOINTMENT OF AGENT

As owner of the property described as 1100 B,C,D,E E. Mulberry Angleton, TX, 77515
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Elroy Griggs

Mailing Address: _____ Email: _____

City: Angleton State: TX Zip: 77515-

Home Phone: (_____) _____ Business Phone: (

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.**

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Signature of owner _____ Title VP

Printed/Typed Name of owner Harry Green Date 5-12-16

*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 Harris §

Before me, Shannon Springer, on this day personally appeared Harry Green, known to me (or proved to me on the oath of Drivers License 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.

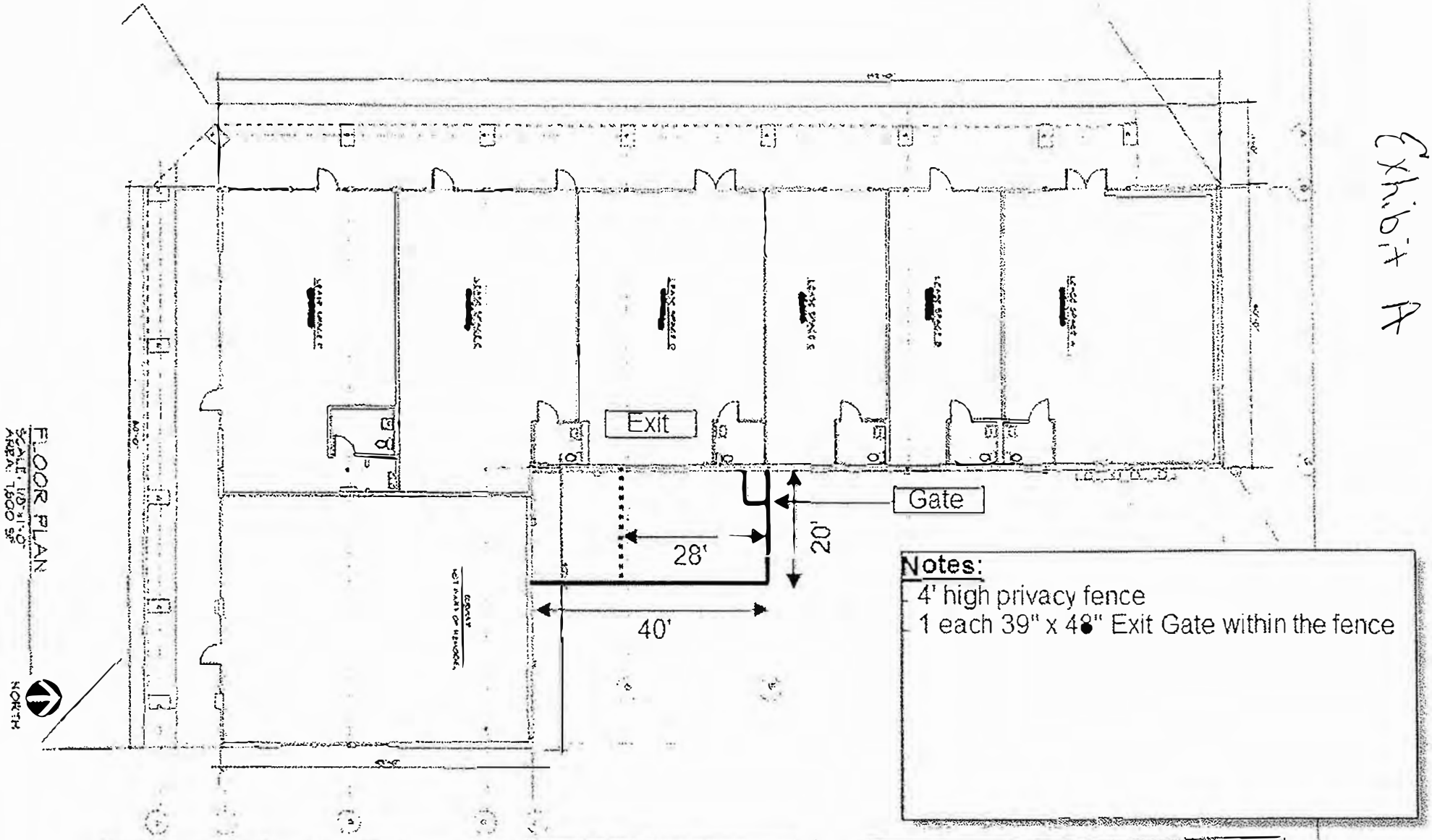
Given under my hand and seal of office this 12 day of May, 2016

NOTARY PUBLIC (SEAL) STATE OF TEXAS
SHANNON LEA SPRINGER
My Commission Expires
May 10, 2018

Shannon Lea Springer
Notary Public Signature

5-10-18
Commission Expires

Exhibit A



Notes:

- 4' high privacy fence
- 1 each 39" x 48" Exit Gate within the fence

REVISIONS:

SHEET:
A2

ANGLETON PLAZA
1100 E. MULBERRY STREET
ANGLETON, TEXAS 77515

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

City of Angleton

Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

1 " = 107 '

S Downing St
Angleton, Texas
Street View - May 2013
SUBWAY
ONLY
Downing St
Hide imagery
E Cedar St
Earth
East Mulberry Street, Angleton, T...
Google

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016 12:00 PM

SUBJECT: Public Hearing on a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

__ Consent item __ Discussion item
__ Discussion and possible action _X Public Hearing

REQUESTED BY: Jeannine Riney, Designated Agent for Julio Vargas, Property Owner

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

Attachments: (Attachment description)
Public Hearing notice for the Facts and for property owners within 200' of subject property.

Executive Summary:
Published in The Facts Newspaper on May 15, 2016. Letters sent to property owners on May 11th, 2016.

Recommendation:

Alyssa Deaton **May 6, 2016**
_____ _____
Name **Date**

Public Hearing Notice

The City of Angleton has received a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on Tuesday, June 14, 2016 at 6:00pm. 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 this 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 hearing, 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: May 3, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, May 15th, 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.

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Roger Collins
Position 5

Council Members
Hardwick Bieri
Position 1

Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

City Manager
Michael Stoldt

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

www.angleton.tx.us

May 11, 2016

Public Hearing Notice

The City of Angleton has received a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, June 1, 2016 at 12:00 pm and the City Council will conduct a public hearing on Tuesday, June 14, 2016 at 6:00pm. 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 this 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 hearing, comments may be sent to:

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 proposed change 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.

Sincerely,

Alyssa Deaton
Assistant City Secretary

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016 12:00 PM

SUBJECT: Discussion and Possible Action on a request for renewal of a Specific Use Permit to operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

__ Consent item __ Discussion item
_X_ Discussion and possible action __ Public Hearing

REQUESTED BY: Jeannine Riney, Designated Agent for Julio Vargas, Property Owner

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

Attachments: (Attachment description)
Application and supporting documents

Executive Summary:
Jeannine Riney (designated agent of Julio Vargas, property owner) is requesting approval of a Specific Use Permit to Operate an Amusement Redemption Machine Game Room at 1501 S. Velasco. This property currently has a Specific Use Permit that expired May 22, 2016. The Specific Use Permit was previously applied for by Matthew Ha, designated agent.

Recommendation:

Past P&Z special conditions have included:

1. **Hours of operation; 8am-12am**
2. **Duration; previous SUP was for one year.**

Alyssa Deaton **May 6, 2016**

Name **Date**

CITY OF ANGLETON
APPOINTMENT OF AGENT

As owner of the property described as Lot Number 37 E of Hwy 288 out of FX line + Kiber S/D
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: JEANNINE RINEY

Mailing Address: _____ Email: _____

City: Freeport State: Tx Zip: 77541

Home Phone: (____) _____ Business Phone: (____) _____

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.

Signature of owner _____ Title Owner

Printed/Typed Name of owner Julio Vargas Date 5-5-16

*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, _____, on this day personally appeared _____, 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 6 day of MAY, 2016

Harry Waddy
Notary Public Signature

(SEAL)

HARRY WADDY
My Commission Expires
July 10, 2016

7-10-2016
Commission Expires

CITY OF ANGLETON
SPECIFIC USE PERMIT APPLICATION

PROPERTY ADDRESS: 1501 S. Velasco, Angleton Tx 77515

PROPERTY DESCRIPTION (Legal description): Lot Number 37 E. of Hwy 288 out of the Exline + Kiber S/D of Lots 4, 5 + 6 of the E. 1/2 of the Edwin Waller Leagu

RECORD PROPERTY OWNER NAME, ADDRESS AND PHONE NUMBER: Julio Vargas, Sr. 77583, K. Jay

DESIGNATED REPRESENTATIVE, ADDRESS AND PHONE NUMBER: Jeannine Riney

PROPOSED USE— FOR— THE PROPERTY ADDRESS INDICATED ABOVE: Game Room

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: Jeannine Riney
DATE: May 5, 2016

PLEASE PROVIDE PROOF OF TAXES PAID ON THIS PROPERTY.

ATTACHMENT: SECTION 35 SUP – SPECIFIC USE PERMIT

APPLICATION FEE: $150.00 due upon submittal

OFFICE USE ONLY

Date received: 5/6/16 Admin Fee Received: ✓
P&Z Public Hearing date: June 1
Date to send cert. letters: _____ Date to publish: 5-15-16
Site Plan submitted: Yes ✓ No_____
Site Plan received & evaluated by City Staff: Yes ✓ No_____
Proof of taxes paid: ✓ Date verified: 5-6-16

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

City of Angleton

Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

1 " = 198 '

S Velasco St
Angleton, Texas
Street View - Aug 2015
Hide imagery
Harley-Davidson
Earth
1499 South Velasco Street, Angle...
Google

PLANNING AND ZONING COMMISSION AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Discussion and Possible Action on the Final Plat for the Tropoli Townhomes, a Subdivision Plat of a 1.8878 acre tract situated in the J de J Valderas Survey, A-380, Brazoria County, Texas, located at the northeast corner of Henderson Road and Valderas Street.

__ Consent item
_x Discussion and possible action
__ Discussion item
__ Public Hearing

REQUESTED BY:

Attachments: (Attachment description)
Tropoli Final Plat Recording Page
Application
Area Map (zoning)

Executive Summary:
The Tropoli Townhomes Subdivision is located at the intersection of Valderas Street and Henderson Road. The subdivision involves the development of 16 townhome lots on a 1.89 acre tract. City Staff and Engineer have reviewed the final plat and identified the following comments.

1. Recording page must be signed and sealed by the surveyor and owner of the property.
2. Sidewalk requirement and location need to be determined.
3. Storm and storage capacity for the existing drainage ditch on Valderas Road, along with erosion protection for the culverts, are currently under review by City Staff. The City and Developer will be meeting Tuesday (May 31st) morning to resolve outstanding questions.

Recommendation:
To be presented at meeting.

Michael Stoldt
Name

May 26, 2015
Date

APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 7-15-15

TYPE OF APPLICATION: _____ SHORT FORM
✓ PRELIMINARY/FINAL PLAT
_____ COMMERCIAL
_____ RESIDENTIAL

Address of property 1.8878 Acre Tract Situated in the J de J Valderas Survey, A-380, Brazoria County

Name of Applicant: Artie P. Tropoli Phone: _____

Name of Company: _____ Phone: _____

E-mail: _____

Name of Owner of Property: Artie P. Tropoli, Trustee

Address: PO Box _____

Phone: _____ E-mail: _____

I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant) _____

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 15th day of July, 2015.

(SEAL)

ROBIN RUTH CROUCH
Notary Public, State of Texas
My Commission Expires 01-11-2019

Robin R. Crouch
Notary Public for the State of Texas
Commission Expires: 1-11-2019

APPLICATION, ALL REQUIRED DOCUMENTATION AND PLATS MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 15 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. (Note – Any form that is not completely filled out may be delayed, may result in a denial or may be returned to the Applicant).

PROJECT SUMMARY FORM

Address of property 1.8878 Acre Tract Situated in the J de J Valderas Survey, A-380, Brazoria County

The subject property fronts 524.06 feet on the East side of Valderas St.

Depth: 156.76 Area: _____ Acres: 1.8878 square feet

INDICATE THE PURPOSE OF THE REQUESTED PLAT APPROVAL (BE SPECIFIC):

Subdivision Plat for Townhome Site

Is this platting a requirement for obtaining a building permit? ✓ YES ____ NO

INDICATE ADDITIONAL INFORMATION THAT WILL ASSIST WITH THE REVIEW OF THIS APPLICATION.

Name: Arte Troppoli Date: 7-15-15

BRAZORIA COUNTY, TEXAS

TROPOLI TOWNHOMES

STATE OF TEXAS
COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS, THAT:
I, ARTIE P. TROPOLI OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING TROPOLI TOWNHOMES SUBDIVISION PLAT, BEING A 1.8878 ACRE TRACT IN THE J. DE JESUS VALDERAS SURVEY, ABSTRACT NO. 380, AN ADDITION TO THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID PROPERTY IN ACCORDANCE WITH THE LINES, LOTS, EASEMENTS AND DRAINAGE RIGHTS-OF-WAY SHOWN HEREON AND DO HEREBY DEDICATE TO THE PUBLIC ALL EASEMENTS SHOWN HEREON FOR THEIR USE FOREVER, AND DO BIND OURSELVES, OR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE SO DEDICATED.

WITNESS MY HAND THIS THE _____ DAY OF _____, 2016.

ARTIE P. TROPOLI

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY APPEARED ARTIE P. TROPOLI, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2016.

NOTARY PUBLIC
STATE OF TEXAS

CITY PLANNING COMMISSION

I CERTIFY THAT THE ABOVE AND FOREGOING TROPOLI TOWNHOMES SUBDIVISION PLAT, WAS APPROVED

THIS THE _____ DAY OF _____, 2016

BY THE CITY PLANNING COMMISSION OF ANGLETON, TEXAS.

CHAIRMAN

WITNESS MY HAND THIS THE _____ DAY OF _____, 2016.

CITY SECRETARY

CITY COUNCIL

I CERTIFY THAT THE ABOVE AND FOREGOING TROPOLI TOWNHOMES SUBDIVISION PLAT, WAS APPROVED

THIS THE _____ DAY OF _____, 2016

BY THE CITY COUNCIL OF ANGLETON, TEXAS.

MAYOR

SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS.

WITNESS MY HAND THIS THE _____ DAY OF _____, 2016.

CITY SECRETARY

ANGLETON DRAINAGE DISTRICT

ACCEPTED, THIS THE _____ DAY OF _____, 2016.

THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.

2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.

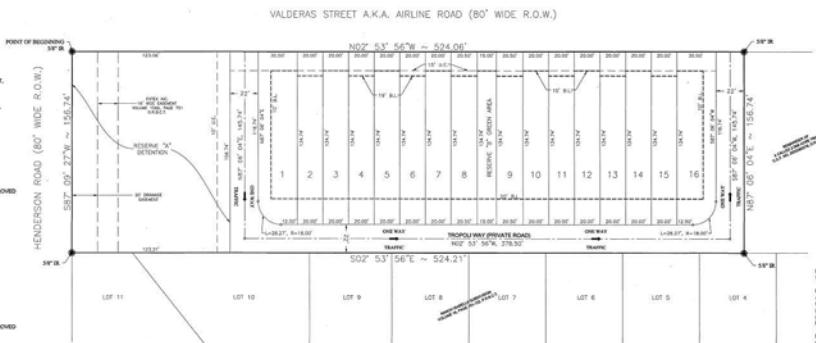
3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.

4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.
THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

CHAIRMAN _____ MEMBER _____

MEMBER _____



NOTES:

1. SURVEY PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE PRESENT ON IT.
2. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY DESCRIBED HEREON.
3. THE DOCUMENTS REFERRED TO HEREON, WHETHER THOSE OF PUBLIC RECORD OR OTHERWISE, WERE OBTAINED BY THE SURVEYOR AND/OR PROVIDED BY THE CLIENT. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE ON THE GROUND AT THE TIME OF MAKING THIS SURVEY; RESTRICTIVE COVENANTS, SUBDIVISION REGULATIONS, ZONING OR OTHER LAND USE REGULATIONS, AND OTHER FACTS OTHER THAN THOSE WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. FEET.
5. FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HEREON HAS EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY; MAP NUMBER 48039C0435 H, WITH EFFECTIVE DATE OF JUNE 05, 1996, AND THAT MAP INDICATES THAT THE PROPERTY SURVEYED IS WITHIN ZONE "X" (WHITE), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
6. THE PROPERTY SURVEYED IS WITHIN THE CITY LIMITS OF THE CITY OF ANGLETON.
7. BENCH MARK - 60D NAIL IN SOUTH FACE OF POWER POLE IN THE SOUTHWEST CORNER OF TRACT. ELEV. = 28.98'

Lot Area Table #1	
Lot #	Area (sq.ft)
1	4,039.97
2	2,694.76
3	2,694.76
4	2,694.76
5	2,694.76
6	2,694.76
7	2,694.76
8	2,762.12
9	2,762.12

Lot Area Table #2	
Lot #	Area (sq.ft)
10	2,694.76
11	2,694.76
12	2,694.76
13	2,694.76
14	2,694.76
15	2,694.76
16	4,039.97
RES. "A"	19,300.02
RES. "B"	2,021.07

SCALE: 1" = 30'

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

SIGNED: _____
JOSHUA A. MCGINN DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6467

B&L
BAKER & LAWSON, INC.
SURVEYING & MAPPING
300 EAST CEDAR ST.
ANGLETON, TEXAS 77515
OFFICE: (979) 849-6681
TBPLS No. 10052500

SCALE:	1"=30'	REVISION NO.	REVISION DESCRIPTION	DRAWN BY:	JP
DATE:	07/29/16			CHECKED BY:	AC
PROJECT NO.:	11519			DRAWING NO.:	1 OF 1

VICINITY MAP

MAP NOT TO SCALE

LEGEND

C.C.F.NO = COUNTY CLERK'S FILE NO.
D.R.B.C. = DEED RECORDS OF BRAZORIA COUNTY
O.R.B.C. = OFFICIAL RECORDS OF BRAZORIA COUNTY
P.R.B.C. = PLAT RECORDS OF BRAZORIA COUNTY
B.L. = BUILDING LINE
E.L. = BUILDING LINE
⊙ = SET 5/8" IRON ROD RCAP MARKED "BAKER & LAWSON"
● = FOUND IMPLIEMENT (AS NOTED)
——— = FENCE
I.R. = IRON ROD
■ = POWER POLE

FIELD NOTES DESCRIPTION OF A
1.8878 ACRE TRACT

BEING A 1.8878 ACRE TRACT SITUATED IN THE J. DE J. VALDERAS SURVEY, ABSTRACT - 380, BRAZORIA COUNTY, TEXAS, AND BEING OUT OF A PORTION OF A CALLED 2.068 ACRE TRACT OF LAND DESCRIBED IN COUNTY CLERKS FILE NO. (C.C.F.NO.) 2002042016, IN THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS (D.R.B.C.). SAID 1.8878 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron rod with cap stamped "Damian & Associates" found at the northeast intersection of the north right-of-way (R.O.W.) line of Henderson Road and the east R.O.W. line of Valeras Street marking the southwest corner of the herein describer tract;

THENCE N 02° 53' 56" E, a distance of 524.06 feet to a 5/8-inch iron rod with cap stamped "Damian & Associates" found marking the northwest corner of the herein described tract;

THENCE N 87° 06' 04" E, a distance of 156.74 feet to a 5/8-inch iron rod with cap stamped "Damian & Associates" found marking the northeast corner of the herein described tract;

THENCE S 02° 53' 56" E, a distance of 524.21 feet to a 5/8-inch iron rod with cap stamped "Damian & Associates" found marking the southeast corner of the herein described tract;

THENCE S 87° 09' 27" W, a distance of 156.74 feet to the POINT OF BEGINNING of the herein described tract, and containing 1.8878 acres (or 82,223 square feet) of land.

All bearings and distances are based on the Texas Plane Coordinate System, South Central Zone (4204), NAD-83, U.S. Survey feet.

TROPOLI TOWNHOMES SUBDIVISION PLAT

OF A
1.8878 ACRE TRACT
SITUATED IN THE
J. de J. VALDERAS SURVEY A-380, BRAZORIA COUNTY, TEXAS

OWNER DEVELOPER
ARTIE P. TROPOLI, TRUSTEE
C.C.F. NO. 2015002585 O.P.R.B.C.T.

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

City of Angleton

Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

1 " = 233 '

ANGLETON DRAINAGE DISTRICT

A Political Subdivision of the State of Texas
P.O. Box 2469, Angleton, Texas 77516-2469
Phone: (979) 849-2414 Fax: (979) 848-8160

May 14, 2015

Mr. Artie Tropoli
P. O. Box 37223
Houston, Texas 77237

Re: Drainage and Detention Plan
Tropoli Townhomes @ Henderson & Valderas
Angleton, Texas

Mr. Tropoli:

During the regular public meeting of the Angleton Drainage District, the Board of Supervisors unanimously approved the drainage and detention plan for the proposed Tropoli Townhomes located at the northeast corner of Valderas Street and Henderson Road.

As presented, this development will consist of sixteen (16) townhomes. There will be on-site detention adequate for this development. The detention will have a berm on its south side between the pond and 13 Ditch. There will be a 15-inch outlet pipe from the pond into 13 Ditch. Where the outlet pipe enters 13 Ditch, slope paving will be constructed.

Should you have any questions, please feel free to contact the District office at 979.849.2414, Monday through Thursday, 7:00 a.m. to 5:30 p.m.

Sincerely,

David B. Spoor, Chairman
Angleton Drainage District Board of Supervisors

cc: Karen Barclay, City of Angleton, 121 S. Velasco, Angleton

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Public Hearing on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

__ Consent item __ Discussion item
_X Discussion and possible action __ Public Hearing

REQUESTED BY: Mary Kay Fischer, City Attorney

Budgeted amount: N/A **Funds requested: N/A** **Fund: N/A**

Attachments: (Attachment description)
Public Hearing notice to Facts, Ordinance No. 2016-O-6B

Executive Summary:
Throughout the years, City Staff has found various inconsistencies between the heading of a section and the body of that same section, grammatical errors and the need to reorganize charts and alphabetize definitions. This ordinance addresses those issues.

Recommendation:
Staff recommends approval.

Mary Kay Fischer May 5, 2016
Name **Date**

Public Hearing Notice

Public Hearing on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS. The Planning and Zoning Commission will conduct a Public Hearing on Wednesday, June 1, 2016 at 12:00 pm. The City Council will conduct a Public Hearing on Tuesday, June 14, 2016 at 6:00 pm. The Public Hearings will be held in City Council Chambers located at 120 South Chenango Street, Angleton, Texas, 77515. 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 the proposed Ordinance, please contact Shelly Deisher at (979) 849-4364 ext. 2115.

Date: May 5, 2016

To: The Facts – Legal Notices

From: City of Angleton

To be published once on: Sunday, May 15, 2016

Please provide publisher's affidavit.

If you have any questions, please contact Shelly Deisher at 979-849-4364 ext. 2115 or Alyssa Deaton @ 979-849-4364 ext. 2114.

PLANNING AND ZONING AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Discussion and Possible Action on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

__ Consent item __ Discussion item
_X Discussion and possible action __ Public Hearing

REQUESTED BY: Mary Kay Fischer, City Attorney

Budgeted amount: N/A **Funds requested: N/A** **Fund: N/A**

Attachments: (Attachment description)
Ordinance No. 2016-O-6B

Executive Summary:
Throughout the years, City Staff has found various inconsistencies between the heading of a section and the body of that same section, grammatical errors and the need to reorganize charts and alphabetize definitions. This ordinance addresses those issues.

Recommendation:
Staff recommends approval.

Mary Kay Fischer May 5, 2016
Name **Date**

ORDINANCE NO. 2016-O-6B

AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, in April, 2009, a new comprehensive Zoning Ordinance was adopted and throughout the years, City Staff has found various inconsistencies between the heading of a section and the body of that same section, grammatical errors and the need to reorganize charts and alphabetize definitions; and

WHEREAS, the City Council of the City of Angleton, Texas deems it necessary to make these corrections and clarifications to the Zoning Ordinance;

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct.

SECTION 2. That the following Sections of the Code of Ordinances, City of Angleton, Texas, are hereby amended to read as follows:

Section 28-24 (d) (1) b. Written notice of the public hearing before the planning and zoning commission, and before the city council, shall also be sent to all owners of property <u>within the city limits</u>, as indicated by the most recently approved city tax roll, that is located within the area of application and within 200 feet of any portion of the subject property, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll, and by depositing the notice, postage paid, in the United States mail.

Section 28-41. (a) The City of Angleton, Texas is hereby divided into the following zoning districts. The use, height, area regulations, and other standards, as set out herein apply to each district. The districts established herein shall be known as:

MFR-14 Multifamily Residential -14 (apartments-maximum 14 units/acre)
(Corrected from MFR<u>R</u> -14)

MFR-29 Multifamily Residential -29 (apartments-maximum 29 units/acre)
(Corrected from MFR<u>R</u> -29)

MFR-36 Multifamily Residential -36 (apartments-maximum 36 units/acre)
(Corrected from MFR<u>R</u> -36)

Section 28-46. SF-6.3 – Single-family residential-6.3 district.

Section 28-47. SF-5 – Single-family residential 5 district.

Section 28-52. MFR-29 – Multifamily residential-29 district (Apartments).
(a) General purpose and description: The MFR-29 – Multifamily Residential-29 district is an attached residential district intended to provide high residential density of up to 29 dwelling units per acre. The principal permitted land uses will include low-rise multiple-family dwellings and garden apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between nonresidential development or heavy automobile traffic and medium-or low-density residential development. Areas zoned for the MFR-29 district shall have, or shall make provision for City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved drive aisles with logical and efficient vehicular circulation patterns; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) Permitted uses:
(1) Those uses listed for the MFR-29 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

Section 28-53. MFR-36 – Multifamily residential-36 district (Apartments).
(a) General purpose and description: The MFR-36 – Multifamily Residential-36 district is an attached residential district intended to provide the highest residential density of up to 36 dwelling units per acre. The principal permitted land uses will include low-rise multiple-family dwellings and garden apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between nonresidential development or heavy automobile traffic and medium-or low-density residential development. Areas zoned for the MFR-36 district shall have, or shall make provision for City of Angleton water and sewer services. They shall be designed to adequately accommodate storm drainage; they shall have paved drive aisles with logical and efficient vehicular circulation patterns; they shall be properly buffered from nonresidential uses; and they shall be protected from pollution and undesirable environmental and noise impacts.

(b) Permitted uses:
(1) Those uses listed for the MFR-36 district in section 28-81 as "P" or "S" are authorized uses permitted by right, or by specific use permit which must be approved utilizing procedures set forth in section 28-63.

Section 28-81. Use regulations (Charts).
(b) Use charts.

Bank/Credit Union
(Add "Credit Union" to "Bank" with Permitted Uses in same Nonresidential Zoning Districts)

Remove Italics from "Communication Equipment Sales/Service" and move it into line below to read:

Communication Equipment Sales/Service
(Installation and/or Repair – No outdoor sales or storage or towers/antennae)

Remove Italics from "Extended Stay Hotels/Motels" and move it into line below to read:

Extended Stay Hotels/Motels
(Residence hotels)

Section 28-105. Exterior construction and design requirements.
(c) Minimum exterior construction standards:
Change the first sentence to read as follows:

(3) Nonresidential structures: All exterior wall surfaces of all new nonresidential structures that have frontage on, or are visible from Highway 288 or Business 288 north of Loop 274, shall be of 90 percent masonry construction.
Section

Section 28-106. Supplemental regulations.
(e) Communications antennas and support structures/towers:

(4) General Requirements:
Change the first sentence to read as follows:
c. Inventory of existing sites. Each application for an antenna and/or tower shall provide to the code enforcement office an inventory of its existing towers.

Change the first sentence to read as follows:
k. Public notice. For purposes of this article, a special use request, variance request, or appeal of an administratively approved use or special use shall require public notice to all abutting property owners and all property owners of properties that are located within the corresponding separation distance listed in subsection (7)b.5.(ii), Table 2, in addition to any notice otherwise required by the zoning ordinance.

(6) Administratively approved uses:
a. General. The following provisions shall govern the issuance of administrative approvals for towers and antennas:
3. The code enforcement officer shall review the application for administrative approval and determine if the proposed use complies with subsections (4), (7)b.4. and (7)b.5. of this section.

Section 28-112. Definitions.

Rearrange the definitions so that they are in alphabetical order by placing "Home improvements center" before "Home occupation" and by placing "Manufactured home park (also trailer park or RV park):", "Manufactured home space:" and "Manufactured home subdivision:" after "Manufactured home display or sales (used):" and before "Manufactured housing:".

SECTION 3. That if any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Angleton in adopting, and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 5. That the City Council has found and determined that the meeting at which this Ordinance is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 6. That this Ordinance shall be effective not less than ten (10) days from the date of its passage in accordance with the City Charter and the City Secretary is hereby directed to cause the caption to be published in the official newspaper of the City at least once within ten (10) days after the passage of the Ordinance.

SECTION 7. That this Ordinance shall be in full force and effect from and after June 3, 2016.

PASSED AND APPROVED on this the 14th day of June, 2016.

_____
RANDY RHYNE, MAYOR

ATTEST:

_____
SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

_____
MARY KAY FISCHER, CITY ATTORNEY

PLANNING & ZONING AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Public Hearing on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

__ Consent item __ Discussion item
__ Discussion and possible action X Public Hearing

REQUESTED BY: Michael Stoldt

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

Attachments: (Attachment description)

Public Hearing Notice

Executive Summary:
Published in The Facts Newspaper on May 15, 2016.

Recommendation:

Alyssa Deaton **May 3, 2016**
Name **Date**

Notice of Public Hearings
City of Angleton

Due to the number of changes made to the Official Zoning Map of The City of Angleton, City Council will adopt a new official zoning map by ordinance which shall update the Zoning Map to include all subsequent amendments approved by City Council since they last approved the Official Zoning District Map.

A public hearing concerning the adoption of the new official zoning map is scheduled to be held at the regularly scheduled meeting of the Planning & Zoning Commission on June 1, 2016 at 12:00 p.m. and at the Regular City Council meeting on June 28, 2016 at 6:00 p.m. in the City Council Chambers located at 120 S. Chenango St., Angleton, Texas. The purpose of the public hearings will be to solicit citizen input on the map changes.

All citizens are encouraged to attend these hearings and present their views to the city. The Council Chamber is accessible to the disabled; disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office to arrange for special assistance. If anyone interested in attending the hearings requires a translator, please contact the City Secretary's Office prior to the hearings so arrangements can be made. If you cannot attend in person, written comments may be submitted and will be accepted by the City until these public hearings are concluded.

A copy of the proposed Zoning Map and Zoning Ordinance are available for review during normal business hours at City Hall, 121 S. Velasco St., Angleton, Texas. For further information, please contact Michael Stoldt, City Manager, City of Angleton, at (979) 849-4364.

PLANNING & ZONING AGENDA ITEM
Meeting Date: June 1, 2016

SUBJECT: Discussion and Possible Action on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

__ Consent item __ Discussion item
X Discussion and Possible Action __ Public Hearing

REQUESTED BY: Michael Stoldt

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

Attachments: (Attachment description)
A copy of the map will be provided for you to review at your request.

Executive Summary:
The last update was April of 2014. We have made several changes to zoning and specific use permits, therefore it is time to adopt a new official zoning map.

Recommendation:

Staff recommends approval.

Alyssa Deaton **May 3, 2016**
Name **Date**

ORDINANCE NO. 2016-O-6C

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, ADOPTING A NEW OFFICIAL ZONING DISTRICT MAP TO SUPERSEDE AND REPLACE THE ORIGINAL OFFICIAL ZONING MAP REFERRED TO IN SECTION 3 OF THE ZONING ORDINANCE, ORDINANCE NO. 2009-O-4A OF THE CITY OF ANGLETON, TEXAS, ADOPTED ON THE 14TH DAY OF APRIL, 2009 AND AMENDED AND ADOPTED ON APRIL 8, 2014; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 2009-O-4A and Chapter 28 of the Code of Ordinances provides that in the event that the official Zoning District Map becomes difficult to interpret due to the nature or number of changes or additions, the City Council may adopt, by ordinance following a public hearing, a new official Zoning District Map which shall replace and supersede the prior Zoning Map, but which shall not in effect, amend or otherwise change the original official Zoning Map or any subsequent amendments thereto; and

WHEREAS, any amendment to the zoning ordinance text or to zoning district boundaries may be initiated by the Planning and Zoning Commission, who shall then make a recommendation to the City Council; and

WHEREAS, pursuant to state law, notice was published in the newspaper advising that the Planning and Zoning Commission was conducting a public hearing on Wednesday, June 1, 2016, at 12:00 p.m. and the City Council was conducting a public hearing on Tuesday, June 28, 2016, to discuss the adoption of the new Official Zoning District Map; and

WHEREAS, on June 1, 2016, after conducting a public hearing, the Planning and Zoning Commission recommended by a 6 for; 0 against; 1 absent vote to adopt a new Official Zoning District Map to supersede and replace the original Official Zoning Map adopted on April 14, 2009, and amended and adopted April 8, 2014;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1: That the City Council of the City of Angleton, Texas, adopts a new Official Zoning District Map attached hereto as Exhibit "A" and incorporated herein for all purposes.

SECTION 2: That the new official Zoning Map shall bear the signature of the Mayor, attested by the City Secretary and shall bear the seal of the City under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the original Official Zoning Map referred to in Section 3 of the Zoning Ordinance, Ordinance No. 2009-O-4A of the City of Angleton, Texas, adopted on the 14th day of April, 2009."

SECTION 3: That the prior official Zoning Map or any significant parts there of remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

SECTION 4: That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no wise affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 5: That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 6: That this Ordinance shall be effective immediately.

PASSED AND ADOPTED THIS 28th DAY OF JUNE, 2016.

_____
RANDY RHYNE, Mayor

ATTEST:

_____
SHELLY DEISHER, City Secretary

APPROVED AS TO FORM:

_____
MARY KAY FISCHER, City Attorney

ZONING CHANGES SINCE LAST MAP ADOPTION BY CITY COUNCIL

Ord No	Date	From Zone	To Zone	Description	Specific Use
2014-O-5E	5/27/2014			1501 S Velasco	Amusement Redemption Machine Game Room
2014-O-5F	5/27/2014	AG	SF-7.2	Heritage Court Subdivision area	N/A
2014-O-6B	7/3/2014			2040 E Mulberry St Hwy 35	Heavy Equipment Repair Business
2014-O-8B	9/5/2014	C-OR	SF-6.3	Angleton Blk 50, Lots 15-18	N/A
2014-O-10C	10/24/2014			135½ E Hospital Dr	Nursing / Convalescent Home
2014-O-10E	10/28/2014	PD	Disannexed	5.46 acre portion of Lots 61 and 62 of the New York and Texas Land Company Subdivision, Abstract 380	N/A
2014-O-11D	11/28/2014	SF-7.2	LI	617 E Peach St	N/A
2015-O-1C	1/23/2015	PD	C-G	SE corner CR 341 & Hwy 288 Feeder	N/A
2015-O-1D	1/23/2015			613 E Orange St	Ambulance Station
2015-O-1E	1/23/2015	C-G	SFA	2.06 acre tract on NE corner of N Valderas St & E Henderson Rd	N/A
2015-O-1F	1/23/2015			SE corner CR 341 & Hwy 288 Feeder	Heavy Machinery Sales & Storage
2015-O-5F	5/22/2015			621 W Mulberry	Sale of Portable Buildings
2015-O-5I	5/22/2015	AG	C-G	21.02 acre tract in the Jose de Valderas League, Abtract 380, at the SW corner of St Hwy 288 and FM 523	N/A
2015-O-5K	5/22/2015	C-OR	SF-7.2	325 E Miller St	N/A
2015-O-6B	6/19/2015	C-OR	SF-5	517 E Mulberry	N/A
2015-O-6C	6/19/2015	C-OR	SF-5	523 E Mulberry	N/A
2015-O-7B	7/24/2015	C-G	SF-7.2	132 E Peach	N/A
2015-O-7C	7/24/2015	SF-6.3	C-G	512 W Mulberry	N/A
2015-O-7D	7/24/2015	C-OR	LI	Western portion of 1404 Cedar	N/A
2015-O-7E	7/24/2015			1805 E Mulberry	Wireless Communication Tower
2015-O-7F	7/24/2015			1100 E Mulberry	Child Day Care (Business)
2015-O-11B	11/20/2015	C-OR	SF-6.3	Angleton Blk 43, Lots 12-13 (Community Food Pantry)	N/A
2015-O-11C	11/20/2015	C-OR	SF-7.2	Texian Subd Commercial Reserve A	N/A
2016-O-1B	1/22/2016	SF-7.2	C-G	2851 N Downing	N/A
2016-O-1C	1/26/2016	SF-7.2	SFA	9.99 acre tract being the S 1/2 of Tract 45 of the Bryan and Kiber Subd of the I.T. Tinsley Survey, Abstract 375	N/A
2016-O-2H	3/4/2016	AG	C-G	2916 N Velasco	N/A