



Planning and Zoning Commission

City of Angleton, Texas
Meeting Minutes
Wednesday, July 13, 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 (Absent)

Michael Stoldt - City Manager
Patti Worfe - Assistant City Manager, Economic Development Director
Karen Barclay - Building Services Department Director
Alyssa Deaton - Assistant City Secretary

Larry Shaefer - Citizen
Barry Coleman - Appraiser
Mike Kaatz - Citizen

AGENDA

1. Declaration of Quorum and Call to Order at **12:02 pm**.
2. Discussion and Possible Action on approving the June 1, 2016 meeting minutes.

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

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

3. Public Hearing on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500.

Commissioner Garwood states that this item has been withdrawn from the agenda at the request of the applicant, but asks if anyone would like to speak on the item. No one wished to speak.

4. Discussion and Possible Action on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500.

Item was withdrawn.

5. Public Hearing on the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.

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

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

Mike Kaatz, 152 Bastrop: Why are we putting a cul-de-sac in instead of a through street? I mean, it's probably going to be the only one in Angleton when there's a possibility for it to go straight through.

Bill Garwood: So basically, you don't mind this, but you'd rather see that road go all the way through?

Mike Kaatz: Right.

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

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

6. Discussion and Possible Action on the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.

Chairman Garwood: I have the same question as Mr. Kaatz. Why are we not putting that all the way through?

Doug Roesler, Engineer, explained that it had been discussed a lot with the developers and the thought was that it would be best to keep the traffic inside the townhome development and not put the additional load of traffic on the other streets. He added that the developers are putting

in an emergency access for emergency vehicles.

Mike Kaatz: All those people on Austin are coming down that one lane road, and you've got people coming into that one lane road. Some gentlemen were here before; they said there had been quite a few near misses. My thinking was if the city is not going to make it a two-lane road, they should cut Austin all the way through and take some of the traffic off Bastrop Street.

Doug Roesler: I really don't think the developer cares one way or the other. He just did not want to build the other half of Angleton Blvd between Bastrop and Austin.

Michael Stoldt: I thought the developer preferred the cul-de-sac... the closed in subdivision/neighborhood. My preference would be for it to be open, but either way; on Angleton Blvd, I think it needs to be increased in size whether this stays as a cul-de-sac or not.

Chairman Garwood: Am I correct in assuming that if we recommend that the eastern end is open, that that doesn't necessarily imply that the developer would have to improve Angleton Blvd.

Michael Stoldt: We would not. The offsite part would not be his responsibility, which would require some city involvement.

Chairman Garwood: Aside from the issue of the cul-de-sac, does the City have any concerns with the plat itself?

Michael Stoldt: Yes.

Michael Stoldt goes over the comments with Commissioners. The comments are attached to the minutes.

**Motion by Commissioner Bieri to recommend to Council that the street is through to Angleton Boulevard with staff comments;
Second by Commissioner Hernandez.**

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

7. Discussion and Possible Action on the Preliminary Plat, which is a replat, of Tract 5 of the Angleton Commercial Subdivision No. 4, in the J De J Valderas Survey, Abstract 380, Brazoria County, Texas, According to the Plat of Said Subdivision Recorded in Volume 24, Pages 109-110, of the Plat Records of Brazoria County, Texas, located on the southwest corner of Highway 288B and FM 523.

Michael Stoldt explained that it is a simple replat of the large tract into two three-acre tracts and then went over the comments for the plat with commissioners. Comments are attached to the minutes.

**Motion by Commissioner Bieri to recommend approval of the Preliminary Plat subject to staff comments;
Second by Commissioner Spoor.**

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

8. Public Hearing on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.

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

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

Larry Shaefer: I am an affected party. We have an existing residential dwelling in a CG zone. I think it's a good idea. The real possibility you have right now is if you have a fire, and you're more than 50% destroyed, you can't rebuild. Apparently, the amendment allows you to rebuild if you're more than 50% destroyed.

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

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

9. Discussion and Possible Action on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.

Michael Stoldt: We tried to address this when we first made this amendment about a year ago. We had several houses that are in areas zoned commercial that is considered to be a transition zone, and when the people got older or wanted to move, they couldn't sell their house because the house was grandfathered and financing companies won't finance it. We thought we had solved the problem with the first one saying that we added existing residential structures as a permitted use in every zoning district. Well, recently we ran into someone trying to sell their house, and the financing company brought up, what if it burns down? It's no longer an existing residential structure, and I've lent money on it and it can't be rebuilt. The whole idea of doing this the first time was to allow people to continue to live in those houses as the area transitioned until the market got to the point where it really wanted to move those areas to commercial. There's a sentence we added that would allow people to easily attain financing that want to buy existing structures.

Barry Coleman: I am in this situation. What are you stating with that? We

can rebuild if we do live there? So, if I'm more than 50% destroyed, I can rebuild with this new ordinance?

Michael Stoldt: Yes, and you would still be considered an existing residential dwelling.

Barry Coleman: Thank you.

**Motion by Commissioner Hernandez to recommend approval of Ordinance No. 2016-O-7A;
Second by Commissioner Spoor.**

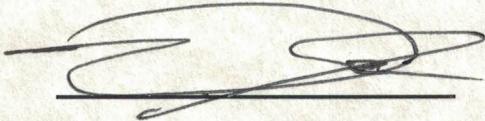
Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

10. Adjourned at 12:39 pm.

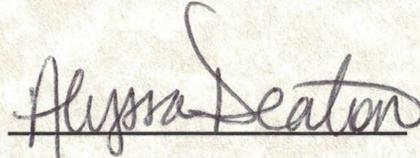
**Motion by Commissioner Spoor to adjourn;
Second by Commissioner Bieri.**

Motion carries 4 for; 0 against; 3 absent (Munson, Perez, Townsend)

CERTIFICATION



Bill Garwood, Chairman



Alyssa Deaton, Asst. City Secretary

Zion Townhomes Preliminary Plat
Staff Comments

Zoning Ordinance Review:

Area Regulations

1. Size of lots
 - a. Minimum Lot Area (2,500sqft)
Ok - except lot 46, which is 1.09sqft small (room to adjust with lot 47 & Reserve A - avoids a variance and possible protest)
2. Size of Yards
 - a. Minimum Front Yard
Needs to be at least 20 feet with front entry garage
 - b. Minimum Side Yard
Lots 47 & 48 need 15 foot side yard on Angleton Blvd.
 - c. Minimum Rear Yard
OK, but may reduce to 15 feet to make up for larger front yard
3. Minimum Parking Spaces
 - a. Visitor Parking Spaces (25 spaces required)
Plans only show 22, need 3 more (could fit on "Reserve A")
4. Minimum Floor Area
N/A for plat approval but 800sqft of conditioned space required
5. Special Requirements
 - a. Maintenance of Common Areas
Property owners association required
 - b. Single Family Detached
Lot 47? Must comply with SF-6.3.
Other zoning requirements not applicable to plat review/approval but developer should review all requirements before developing lots

Public Improvements/Infrastructure

1. Streets
Rename Street since it does not actually connect through to back part of Austin Street (eliminates confusion with public trying to access existing Austin Street)
2. Emergency Access
Cul-de-sac must include emergency access to Angleton Blvd
3. Fire Hydrants
Add two more fire hydrants; one at beginning of lots and one in or near cul-de-sac (600 ft. spacing).
4. Water Lines
 - a. Scale for water line is incorrect on page C3.
 - b. Water service taps should be 1.5 inches and serve to 1 inch taps.
 - c. Show size of casing for water lines.
5. Drainage
 - a. Verify flow lines of proposed swales. It appears some of them are higher than the adjacent natural ground.
 - b. Adjust the depth of the proposed swales to a minimum depth of 4 inches.
 - c. Verify the required detention calculations.
 - d. Verify the available detention provided in the plans.

Dedicatory Statement

1. Dedicatory statement must dedicate easements & R.O.W. to the public – use following sentence in dedicatory statement: "...hereby dedicate to the public all easements and rights-of-way shown hereon for their use forever..."
2. Acreage in dedicatory statement does not match other acreage statement

Replat of Angleton Commercial Subdivision No. 4 Replat
Staff Comments on Preliminary Plat

1. Label Common Access Area
2. Provide engineering for extension of water and sewer lines. Water line must be 8 inches for commercial fire protection purposes.
3. Add sentence to Note 4 (page 2) stating storm water detention plans and calculations will be provided at time building permit is requested.