



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** April 25, 2023

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

**AGENDA CONTENT:** Discussion and possible action on a response to the Final Plat for Windrose Green Section 3 Subdivision disapproval on 4/11/2023 by City Council. The subject property consists of 23.70 acres, 122 Lots, 3 Blocks, 4 Reserves, in the T.S. Lee Survey, Abstract #318, is in the City of Angleton ETJ and is located on the south side of FM 523 approximately 2,500 feet west of the FM 523/SH 35 intersection.

**AGENDA ITEM SECTION:** Regular Agenda

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**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

### EXECUTIVE SUMMARY:

This is a request for approval of the final plat of Windrose Green Section 3 Subdivision. The subject property consists of 23.70 acres, 122 Lots, 3 Blocks, 4 Reserves, in the T.S. Lee Survey, Abstract #318, is in the City of Angleton ETJ and is located on the south side of FM 523 approximately 2,500 feet west of the FM 523/SH 35 intersection. Except as otherwise noted in the City Engineer's memo which are textual and general note corrections, the proposed final plat meets all City of Angleton requirements.

The City Council discussed and acted upon the request for approval of the Windrose Green Section 3 Final Plat in their regular session on Tuesday, April 11, 2023 (Agenda Item #4). The City Council voted (2 in-favor/3-opposed) to disapprove the filed Windrose Green Section 3 Final Plat. The following reasons and conditions were quoted that needed addressing:

1. Correction is needed on references of 2 adjoining properties, i.e. Good Shepherd Lutheran Church (SW) and the Angleton Drainage District ditch on the west side, drainage ditch 1986 acquired deed references should be referenced to "Deeds filed for record in Brazoria County". Please insure this coordinated on metes and bounds description and the drawing showing the area.
2. The final plat shall conform substantially to the approved preliminary plat and phasing plan and any conditions imposed. Questions and drainage concerns over grading were raised, including final grading/drainage and dirt materials currently being stored are handled due to staging and hauling. This final construction needs to be completed to

avoid any negative impact as it relates to Section 3 and any future sections. (Questions were asked by City Council of where the water would outfall in relationship to the associated ditch and detention pond).

The applicant's engineer has submitted a response with noted corrections (attached) to the noted (2) conditions of disapproval. Corrections were made to the metes and bounds description and the plat. The applicant has also clarified how the final plat conforms to the preliminary plat, phasing plan, and development agreement. The concerns and complaints filed on the grading of the lots adjacent to the Good Shepherd Lutheran Church are also addressed. The drawings have been revised and attached, as well as forwarded to the Angleton Drainage District (ADD) and the proposed grading, swale and storm sewer have been reviewed and approved by ADD. Progress of the stockpiled dirt (which is temporary in nature) has been photographed and copied to the Council. The applicants will appear before Council to clarify how the drainage impacts have been dealt with to ensure no negative impacts on future sections and/or adjacent properties. Engineering has reviewed the revised Final Plat and has noted additional textual corrections and notations, which have all been addressed and cleared.

The City Engineer has noted that the following items are to be required as part of the improvements coordinated with the City and Angleton Drainage District for the Item No. 2 on the Applicant's response:

- Grading and drainage improvements noted in Item No. 2 of the response package include the installation of storm sewer and drainage improvements within Reserve B, which will be owned and maintained by Rancho Isabella MUD. **This storm utility and associated drainage improvements within the easement shall remain clean and free of debris and silt that may cause unsanitary conditions or obstruct the flow of water.**

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#### **PREVIOUS P&Z COMMISSION ACTION ON APRIL 6, 2023:**

Motion was made by Commission Member Bonnie McDaniel to approve approves of the proposed final plat and recommends it to the City Council for final action. Motion was seconded by Commission Member Michelle Townsend.

Roll call vote:

Chair William Garwood, Aye; Commission Member Deborah Spoor, Nay; Commission Member Regina Bieri- Nay; Commission Member Ellen Eby, Aye; Commission Member Bonnie McDaniel- Aye; and Commission Member Henry Munson- Nay and Commission Member Michelle Townsend- Aye.

Motion carried with a 4 -3 vote.

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RECOMMENDATION:

The City Engineer reviewed the plat and offered 7 comments of which the applicants have resubmitted and addressed each comment.

The Planning and Zoning Commission voted 4-3 to approve the proposed final plat and Staff recommends it to the City Council for final approval subject to satisfaction of all Engineering comments.