



AGENDA ITEM SUMMARY FORM

MEETING DATE: September 27, 2022

PREPARED BY: Walter E. Reeves, Jr, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action on a proposed concept plan for 879.9 acres located in the City's ETJ between SH 521 and SH 288 approximately 2,500 feet north of SH 523

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY: Section 23-104. B. 3 allows any person desiring to subdivide or develop land to submit a concept plan, master plan, or land study to obtain limited vesting rights to proceed with development applications in accordance with the specific conditions of approval of the plan that is approved by the city. To that end, a possible developer of 879.9 acres located in the city's ETJ between SH 521 and SH 288 approximately 2,500 feet north of SH 523 (Attachment 1) has made such a submission. The several conceptual plans include the following: 1. Attachment 1 Conceptual Plan 2. Attachment 2 Parks and Recreational Facilities "B" 3. Attachment 3 Parks and Recreational Facilities "B1" 4. Attachment 4 Amenity Area Renderings

This project will not be connecting to either City of Angleton water or sewer services. No agreements of any kind are in place between the city and the developer regarding applicable regulation governing the development nor potential future annexation of the property. No specific details are provided with this concept plan regarding the maximum square footage of commercial development within the project, nor for what will be proposed as park development. However, the developer has submitted the following as a parkland dedication statement for the five (5) preliminary plats that have been submitted: "Fees in lieu of parkland dedication will be paid upon approval of the corresponding final plat. The improvement value of private parks shall be applied as credit to the fees-in-lieu of parkland dedication. Please see included Parks Plan and Parks Phasing Plan for how these fees and credits shall apply to the Ashland Development."

The two biggest issues for the commission/council to consider and make a recommendation upon are the lot sizes/mix of those lot sizes, and the park dedication/amenities. As the commission will recall, a presentation was made to the commission on this project at its October 2021 regular meeting.

The plan presented to the commission had a total of 2,650 residential lots broken out as: 1. 50' X 120' typical lots = 980 lots 2. 60' X 120' typical lots = 1,020 lots 3. "Specialty Residential Lots" (assume all to be less than 50' in width) = 650 lots 4. Total number of lots = 2,650 lots 61.5% of the lots proposed on that land plan would have been less the 50 feet in width.

The land plan proposed in the concept plan under consideration has the following lot mix: 1. 50' X 120' typical lots = 848 lots (41% of total lots. 2. 60' X 120' typical lots = 919 lots (45% of total lots). 3. 70' X 120' typical lots = 112 lots (5% of total lots) . 3. "Specialty Residential Lots" (assume all to be less than 50 feet in width) = 188 lots (9% of total lots) . 4. Total number of lots = 2,067 lots.

The park concept plans lack details on what constitutes park improvements that the city would be willing to accept for credit against payment of parks dedication "fee-in-lieu." Pursuant to Section 23-14.A.1.a "Sidewalks shall be required in all locations that adjoin public streets on both sides of streets in all new plats, excluding minor plats, in the city and the ETJ." The park concept plans attempt to present the provision of sidewalks, which are required by city code as part of the park improvements that the developer is going to seek credit for against payment of the park dedication "fee-in-lieu." Without details it is impossible to recommend the sparse details of the parks concept plan that is the basis for the parkland dedication statement that the developer is attempting to apply to the submitted preliminary plats.

There have been adjustments made to the land plan of this project since October 2021. The priority for the council is to determine if those adjustments are sufficient for approval of the proposed lot sizes and lot mix. Staff is unable to provide a recommendation in this regard. Staff is recommending that the park concept plan be accepted only with the assurance that an agreed upon development agreement (D.A.) will be submitted with details on the land proposed for dedication and the improvements to those lands.

Action taken by the planning and zoning commission. The planning and zoning commission voted to approve this application as a general concept plan with details to be discussed and possibly addressed in a development agreement executed between the developer and the city. Such agreement should contain all elements of the project: lot sizes, parkland (public/private amenities), annexation, agreed upon architectural design standards for the residential and commercial improvements, signage, etc. and would accrue major benefits to the city and the developer as illustrated on the concept plan.

Recommendation. The planning and zoning commission forwarded this application to the city council for consideration and appropriate action.