



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** September 19, 2023

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

**AGENDA CONTENT:** Discussion and possible action on Ashland Section Three Preliminary Plat

**AGENDA ITEM SECTION:** Regular Agenda Item.

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**BUDGETED AMOUNT:** None **FUNDS REQUESTED:** None

**FUND:** None

### EXECUTIVE SUMMARY:

An application for approval of the Preliminary Plat of Ashland Section 3 has been submitted and reviewed by staff. (Attachment 1). A development agreement is in place to establish standards for the Ashland Project. The subject property is 19.42 acres located within the City of Angleton ETJ between SH 521 and SH 288 and north of SH 523, for 75 lots, 4 blocks, 8 reserves. The reserve land use is restricted for school and related uses. The City Engineer comments have been provided (Attachment 2).

Pursuant to Section II County Regulatory Authority of the existing interlocal agreement between the City of Angleton and Brazoria County, the County shall have exclusive jurisdiction in the following matters: Subsection (b): Regulate the construction of any and all roads located within a subdivision of property that will be located within the City's ETJ, including but not limited to, planning, review, construction, bonding, inspection and acceptance of any newly constructed road or street. County authority shall also apply to the improvement, removal, relocation, or abandonment of any existing road or streets in City's ETJ. County's oversight of roads shall be performed using the most current and applicable construction standards adopted by County. For roads, the construction of which are governed by a development agreement between City and developer, County and City shall jointly coordinate and cross-reference construction standards to verify that the roads are constructed to meet or exceed County standards.

As the Commission is aware, there is no zoning or land use control in the ETJ except for that allowed by the Texas Local Government Code and the executed development agreement. Those regulations that the LGC permits the City to extend into the ETJ are the subdivision regulations (Chapter 23 Land Development Code) and sign regulations. As such there is no City regulation of lot size, setbacks, maximum height, etc., except as detailed in a development agreement.

A Traffic Impact Analysis has also been submitted and reviewed for the entirety of the project. That TIA has been submitted to both TxDOT and Brazoria County for review and approval as well.

## **Planning and Engineering Review:**

Note that the Development Agreement has been executed with the City for this development. Per the executed Development Agreement (6/6/2023), the Developer may develop the residential sections to any residential lot size without limitation subject to the terms of and lot sizes set out below. The Developer has agreed to develop traditional single-family lots in at least three different lot sizes as set out in the table below, and the lot sizes for traditional single-family homes will not include any lot size smaller than fifty (50) feet. The Developer will also develop lots for Non-Traditional Homes to provide an additional mix of product types within the community, for which the fifty (50) foot lot minimum does not apply. The Developer agrees that the mix of housing product at ultimate build out will meet the following:

Lot Size/Product Type	Minimum Percentage of Lots
50-54 feet	10%, provided, however, not more than 50% of the number of lots will be within this lot size
55-59 feet	10%
60+ feet (includes 60s,65s, 70s, 75s, 80s)	10%
Non-Traditional Homes	10%

**Staff concludes that Section 3 complies with the executed development approved percentages on lot mixes.**

The City Engineer has reviewed the preliminary plat for the above referenced subdivision and offered (9) comments. The responses to the comments have not been resubmitted and addressed by the applicant prior to this agenda posting. Staff expects all comments to be cleared prior to City Council's final approval. Staff will update the Commission during the meeting.

Sheet 1 of 2

1. Verify all P.U.E. requirements (e.g. locations) are met with private utility companies including interior/side lot easements.
2. Verify and update bearing information shown in the metes and bounds description (Typical):
  - Metes and Bounds - Bearing does not match line table (L1)
  - Metes and Bounds - Bearing does not match curve table (C13)
  - Metes and Bounds - Bearing does not match curve table (C6)
  - Metes and Bounds - Show information noted in an inset on the plat in connection to the point of commencement.

Sheet 2 of 2

1. Verify and update associated dedication of proposed P.U.E. with this plat to be 7.5'. The 15' dimensioning can be placed as reference
2. Verify and update label to read Proposed Ashland Section Four, Five and Six respectively.
3. Line L1 does not match metes and bounds description.
4. Curves C6 and C13 do not match metes and bounds description.
5. Label point of beginning.

6. Recommend providing contours in grayscale lineweight so other plat information is legible.
7. Verify and update to be a separate block (per block length requirements) (LDC Sec. 23-11).

Staff recommends approval of the Preliminary Plat for Ashland Section 3, conditioned to all outstanding comments are satisfied by the applicants prior to City Council's final action on September 26, 2023.

While the project meets the applicable conditions of the local government authority, staff recommends the conditional approval or the Ashland Section 3 Preliminary Plat subject to the completion of correction of all city engineer comments, provision of additional information, and resubmittal prior to the City Council meeting to be held on September 26, 2023.

**SUGGESTED MOTION:**

I move that we recommend the approval subject to the condition that all comments are cleared, subject to final approvals of all referral agencies, of the Preliminary Plat for Ashland Section 3 and forward it to City Council for final consideration and approval.