

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.

Staff has verified 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 has cleared the textual comments on the first review. The responses to the comments have been submitted and addressed by the applicant prior to this agenda posting. A no objection letter is attached with the referral agencies condition.

Record of Proceedings

Planning and Zoning Commission Meeting

TUESDAY, SEPTEMBER 19, 2023 , AT 12:00 P.M.,

ROLL CALL:

Present were: Deborah Spoor, Ellen Eby, Michelle Townsend, and Henry Munson (presiding)

Absent were: Shawn Hogan, Regina Bieri, and William Garwood.

3. Discussion and possible action on Ashland Section Three Preliminary Plat

D.S. Director Otis Spriggs presented the item before the commission.

Section 3 preliminary plat consists of 75 lots, four blocks, eight reserves on 19.42 acres. For Section 3. As you know, the development agreement has been approved for the property. The plat is subject to the development agreement in terms of lot sizes and configurations. Staff recognized that Section 3 has an average 55' product; however, in some instances such as corner lots you'll see bigger lots typically, and on some of the curvature areas, there are 80' lots. Section 3 will access from Almandine Drive, which is off of Sapphire Dr. (Section 3 Street Dedication Plat), which the school is also served off of. The City Engineers review is copied for your reference, reflecting comments from the city Engineer, which were textual in nature. The applicant has responded to the comments.

As you recall, they are still under review with ADD and Brazoria County Engineering in terms of the mass drainage approval. After speaking with the school district, we learned that they are considering the approvals in in phases. Including the agencies

having authority of drainage issues, they are considered the referral agencies such as the Angleton Drainage District, Brazoria Flood Control and the Drainage. Mr. Spriggs commented on the State highway department's review of any access off of FM 521, as you know would have to be approved by TxDOT regarding drive tie-ins, signalization, turn lanes, deceleration lanes, etc. The internal streets are subject to Brazoria County in terms of maintenance. Hence, the condition remains for those needed approvals being met prior to construction and/or recordation of these plats which would require signatures of certification.

Staff is recommending that P&Z forwards this plat to council with a positive recommendation, conditioned that all referral agency requirements and conditions be met and that the City Engineers final sign-off of all requirements is done in the end.

Commission Member Michelle Townsend asked about the lot mix.

Applicant: Caitlin King, META Planning/Design : Addressed the Commission's question about the influx of the smaller lots and when are we going to see like the 70 and 80 foot wide lots.

Ms. King replied that those will come a little bit later in the development. I believe our next sections, 7 through 9 and there are 60s. Usually, the larger products come a little bit later. From a financial perspective, the smaller lots come first typically, but they are slated to come in the next round of plats.

Commission Member Deborah Spoor asked, why don't we just take the whole development in as one? Instead of a motion on each section. I don't understand why we're looking at this section by section by section.

Mr. Spriggs responded, to answer the question of whether or not it can be approved all at once, noting that we have to treat them as separate applications in the manner the subdivision process works. You can combine your actions into one, but we must comply with state law, city ordinances and the L.D.C. The Planning Commission has the authority to forward a recommendation of approval or denial to Council on these plats (or approval with conditions). You act as a technical advisor to Council, as a Planning and Zoning Commission member.

Since it's in the E TJ, there are things that are beyond our control. Mr. Spriggs added that in so many ways, the development agreement becomes your zoning code or guiding document for this development.

Commission Action:

1st Motion. Commission Member Ellen Eby made a motion to deny the Ashland Section 3 Preliminary Plat; the motion was seconded by Commission Member Deborah Spoor

Roll Call Vote: Commission Member Henry Munson- Nay; Commission Member Michelle Townsend- Nay; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Vote was 2-2.

2nd Motion. Commission Member Michelle Townsend restated a second motion to approve the Ashland Section 3 Preliminary Plat with the noted conditions of the City Engineers final approval and the final approval of the referral agencies; the motion was seconded by Commission Member Henry Munson.

Roll Call Vote: Commission Member Henry Munson- Aye; Commission Member Michelle Townsend- Aye; Commission Member Ellen Eby- Nay; Commission Member Deborah Spoor- Nay; Vote was 2-2, the Preliminary Plat was denied.

RECOMMENDATION:

The Planning and Zoning Commission voted 2-2, to deny the application for the Preliminary Plat for Ashland Section 3. Staff recommends approval by City Council based on the findings and cleared corrections of the subject plat deficiencies, subject to final referral agency approvals and final sign-off by the City Engineer.