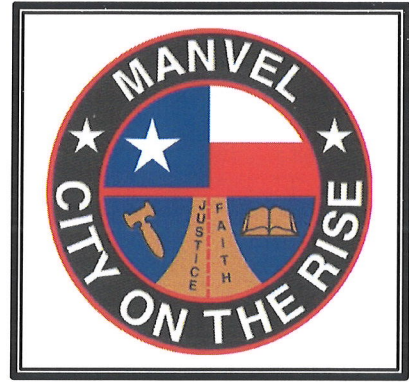


June 2, 2025 CITY COUNCIL MEETING AGENDA

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

KEITH BONNER, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
CARMYN ROBINSON, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DAN DAVIS, MAYOR
DAN JOHNSON, CITY MANAGER
TAMMY BELL, CITY SECRETARY



NOTICE OF A CITY COUNCIL MEETING OF THE CITY OF MANVEL June 2, 2025

NOTICE IS HEREBY GIVEN 5:00 P.M. WORKSHOP – 6:00 P.M. REGULAR SESSION

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Manvel City Council will convene a regular meeting at the Manvel City Hall, located at **20031 Hwy 6, Manvel Tx 77578** for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The City Council of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. The City Council may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 x6 for further information.

CITY OF MANVEL MISSION STATEMENT

The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.

Workshop Session

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: Consultation with Attorney, and Texas Government Code, Section 551.072: "Deliberation Regarding Real Property" to discuss the following:

Russell Street ROW Abandonment (Big Horn Cantina)

City Council will convene into Executive Session pursuant to Texas Government Code, Section. 551.087 "deliberation regarding economic development negotiation" and Texas Government Code, Section 551.071: "Consultation with Attorney" to discuss the following:

Memorandum of Understanding with MUD 83 and Hillwood Enterprises, L.P.

Workshop Session Continued

Discussion on Public Safety Salary Adjustments.

Discussion on any topic as listed on the agenda.

Regular Session

Call To Order

Invocation Inspirational Reading – Council Member Opliger

Pledge

Pledge of Allegiance and Texas Pledge: “Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Presentations

Proclamation:

- Juneteenth - June 19, 2025

Staff Tenure Recognition:

- April Beeler - 5 Years
- Nathan Peters - 10 years

Public Safety Staffing Update.

Staff Presentation on Public Hearing Item(s)

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING A PROPOSED ORDINANCE (2025-0-18) OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF 35.3 ACRES OF LAND GENERALLY LOCATED AT 9825 S MASTERS (PIDS: 537539 & 619349), SITUATED WEST OF CHOCOLATE BAYOU AND AT THE NORTHEAST CORNER OF INTERSECTION OF CUMULUS DRIVE AND MASTERS ROAD, FROM OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR INCLUSION IN THE MERIDIANA PLANNED UNIT DEVELOPMENT; PROVIDING FOR THE AMENDMENT OF THE CITY’S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Public Comments: "Comment Card" Required

o Members of the public with business before the board, NOT scheduled on the agenda as a public hearing (that have submitted a public comment card) may have three (3) minutes to address the board. o The board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

City Manager Update

Update on current events and city issues.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Consideration and possible action to approve the second and final reading of Ordinance 2025-O-20;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 62 "SUBDIVISIONS," ARTICLE II. SUBDIVISION AND DEVELOPMENT PROCESS, FOR PROVISIONS PERTAINING TO MASTER PLANS, FINAL PLATS AND DEVELOPMENT PLATS; AMENDING CHAPTER 62 "SUBDIVISIONS," ARTICLE IV. MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RE-SUBDIVISION, FOR PROVISIONS PERTAINING TO LOTS AND LOT DIMENSIONS, PERIMETER STREETS, SIDEWALKS, AND REQUIREMENTS FOR SUBDIVISIONS IN THE OLD MANVEL TOWNSITE AREA; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND PROVIDING FOR SEVERABILITY. (Forwarded with favorable recommendation by PD&Z on 5/12/2025).
3. Acceptance of infrastructure improvements for Detention Basin, Lake Amenity, and Storm Sewer to serve Foxtail Palms for Brazoria County Municipal Utility District 29 and City of Manvel, Texas to begin the Two-Year Maintenance Period.
4. Acceptance of infrastructure improvements for Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana Section 10 for Brazoria County Municipal Utility District 57, Brazoria County, Texas to begin the Two-Year Maintenance Period.

Items Removed from Consent Agenda

Regular Agenda

1. Consideration and possible action to approve a Memorandum of Understanding between The City of Manvel, Brazoria County Municipal Utility District No. 83, and Hillwood Enterprises, L.P.
2. Consideration and possible action to approve the second and final reading of Ordinance 2025-O-13;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF A 0.4073 ACRE TRACT OF LAND IN THE MARY V. O'DONNELL SURVEY, ABSTRACT NO. 470, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS, BEING THAT PORTION OF RUSSELL STREET LOCATED BETWEEN SH 6 AND LARGE AVENUE; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS; RETAINING AN EASEMENT FOR CENTERPOINT FACILITIES CURRENTLY OCCUPYING SAID RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

3. Consideration and possible action to approve the first of two readings of Ordinance 2025-O-18;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING CLASSIFICATION OF 35.3 ACRES OF LAND GENERALLY LOCATED AT 9825 S MASTERS (PIDS: 537539 & 619349), SITUATED WEST OF CHOCOLATE BAYOU AND AT THE NORTHEAST CORNER OF INTERSECTION OF CUMULUS DRIVE AND MASTERS ROAD, FROM OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR INCLUSION IN THE MERIDIANA PLANNED UNIT DEVELOPMENT.
(Motion to forward with favorable recommendation by PD&Z failed with a 2-3 vote).
4. Consideration and possible action to approve and authorize the Mayor to execute the Development Agreement;
A SUBDIVISION VARIANCE REQUEST SEEKING TO VARY THE REQUIREMENTS OF CHAPTER 62, SECTION 108 (B)(4), TO ALLOW MEASUREMENT OF LOT WIDTH AT FRONT SETBACK LINE AND CHAPTER 62, SECTION 104 (5), TO ALLOW FEWER NUMBER OF ACCESS POINTS THAN THE MINIMUM REQUIREMENT FOR OAKWOOD TRAILS, A RESIDENTIAL SUBDIVISION OF 175.2 ACRES OUT OF THE H.T.& B.R.R.CO. SURVEY, SECTION 71, A-291, BRAZORIA COUNTY, TEXAS.
(Forwarded with favorable recommendation by PD&Z with a 5/0 vote).
5. Consideration and possible action to approve Oakwood Trails Master Plan;
BEING A SUBDIVISION OF 175.2 ACRES OUT OF THE H.T. & B. R.R. CO. SURVEY, SECTION 71, A-291, CITY OF MANVEL ETJ, BRAZORIA COUNTY, TEXAS.
(Forwarded with favorable recommendation by PD&Z with a 5-0 vote).
6. Development Update - Provided by Department of Development Services.
7. Consideration and possible action to approve Resolution 2025-R-11;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR ZONING, PLATTING, BUILDING, UTILITIES, AND FIRE SAFETY AND PREVENTION AND OTHER RELATED MATTERS; AND REPEALING ALL RESOLUTIONS IN CONFLICT HERE WITH; AND OTHER RELATED MATTERS.
8. Consideration and possible action to approve Resolution 2025-R-12;
A RESOLUTION OF THE CITY OF MANVEL, TEXAS, AS HEREINAFTER REFERRED TO AS "APPLICANT," DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT," FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITE FOR PERMANENT PUBLIC PARK AND RECREATIONAL USES.

9. Consideration and possible action to approve Resolution 2025-R-13;
A RESOLUTION OF THE CITY OF MANVEL, TEXAS, SUPPORTING CITY OF MANVEL'S APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2025 TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) CALL FOR PROJECTS.
10. Consideration and possible action on Almost Heaven Park as recommended by the Parks and Recreation Board.

Mayor and Council Comments

Update on current events and city issues.

Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

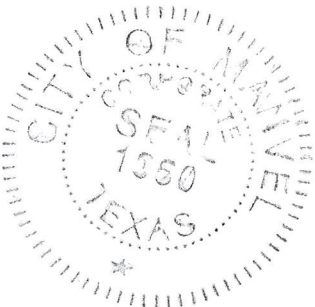
Adjourn

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel City Council is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public on May 30, 2025 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.



TAMMY BELL, CITY SECRETARY,
CITY OF MANVEL, TEXAS





MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Public Hearing followed by consideration of a request to rezone an approximate 35.3-acre tract of land, generally located at 9825 Masters (PIDs: 537539 & 619349), situated west of Chocolate Bayou and at the northeast corner of intersection of Cumulus Drive and Masters Road, from Open Single-Family Residential district (OSFR) to Planned Unit Development (PUD) District.

BACKGROUND:

- The approximate 35.3-acre subject site is situated west of Chocolate Bayou and north of intersection of Cumulus Rd and Meridiana Pkwy. The subject site is accessed from Masters Road and was developed as a single-family home with a horse ranch.
- The applicant, Brad Sweitzer of EHRA Engineering, representing the property owners Dorothy Wynne & Ralph Wayne Eubank, is requesting to rezone the property to a PUD District for inclusion into Meridiana PUD (Ordinance No. 2024-O-13) to allow the development of Garden Home lots (50-foot-wide, 6,300 sq.ft).
- Per the most recently approved PUD, new tracts may be added through the rezoning process and classified under Garden Home category without amending the existing Meridiana PUD. However, the General Development Plan is required to be amended and is included as a separate agenda item.
- Additionally, per the most recently approved PUD, the Meridiana PUD does not require full reapproval by City Council if tracts are added and designated as Garden Home through a rezoning process.
- The Notice of Public Hearing was published in the newspaper of general circulation and all property owners within 200 feet of the property were notified. At the time of writing this report, no information inquiries have been received, and staff is not aware of any opposition.
- Additional details and staff analysis are included in the attached staff report.

STAFF RECOMMENDATION: City staff recommends approval of the requested rezoning of the subject site from Open Single-Family Residential district (OSFR) to Planned Unit Development (PUD) District to be developed under the provisions of Meridiana PUD (Ordinance No. 2024-O-13).

PD&Z RECOMMENDATION: The Planning, Development, and Zoning (PD&Z) Commission held a public hearing on May 27, 2025, to receive public input regarding the proposed rezoning. The property owner living across from the subject site on Masters Road expressed concerns pertaining to traffic and drainage related impact. The Commission also raised questions regarding impact of the proposed section on drainage and traffic along Masters Rd. Staff clarified that the applicant submitted the traffic memo on the day of the meeting and noted that the drainage plans had already been submitted to the drainage district. Staff further explained that both the TIA and drainage plans will undergo detailed review during the platting process.

A motion to recommend approval of the requested rezoning to the City Council failed with a vote of two (2) "Yea" to three (3) "Nays." Therefore, the PD&Z Commission is not recommending approval of the requested rezoning.

ATTACHMENTS: Final Report, Traffic Memo, and Proposed Ordinance No. 2025-O-18

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER

Ellie Roohbakhsh,
Senior Planner

FINANCE DIRECTOR APPROVAL __NA__

CITY MANAGER APPROVAL __YES__





STAFF REPORT TO CITY COUNCIL

Rezoning

Agenda of:	June 2, 2025	Initiated By:	Jose Abraham Director, Development Services
Subject:	Rezoning, O-SFR to PUD	Presented By:	Ellie Roohbakhsh Senior Planner
Recommended Action:	Consideration And Possible Action to Approve Ordinance No. 2025-O-18		
<u>SUMMARY</u> The proposed rezoning involves an approximate 35.3-acres tract of land located at 9825 Masters (PIDs: 537539 & 619349), situated west of Chocolate Bayou and at the northeast corner of intersection of Cumulus Drive and Masters Road. The subject site is currently zoned Open-Single Family Residential District (O-SFR). O-SFR district requires minimum 1-acre lots. The subject site abuts Meridiana development on three sides. The applicant, Brad Sweitzer of EHRA Engineering, representing the property owners Dorothy Wynne & Ralp Wayne Eubank, is requesting to rezone the property to a PUD District for inclusion into Meridiana PUD (Ordinance No. 2024-O-13) to allow the development of Garden Home lots (50-foot-wide and 6,300 sq.ft).			
<i>Staff Recommendation:</i> Approval <i>PD&Z Recommendation:</i> Motion to Approve Failed			

EXHIBITS

Aerial Vicinity Map, Zoning Vicinity Map, Major Thoroughfare Plan Map, Application, Letter of Authorization, Letter of Request, Survey, Proposed Meridiana General Development Plan, and Public Hearing Notice.

GENERAL SITE INFORMATION

The following is a summary of general site information.

Surrounding Property Zoning	North: Planned Unit Development (PUD) South: Brazoria County (BC) East: Planned Unit Development (PUD) / Open-Single-Family Residential (OSFR) West: Planned Unit Development (PUD)
Surrounding Land Use	North: Single Family Residential (Meridiana) / Wastewater Treatment Plant South: Residential across Meridiana Pkwy / Undeveloped land East: Detention, Drainage, Landscape, Open Space, Recreation, and Utility Purposes / Single Family Residential West: Single Family Residential (Meridiana)

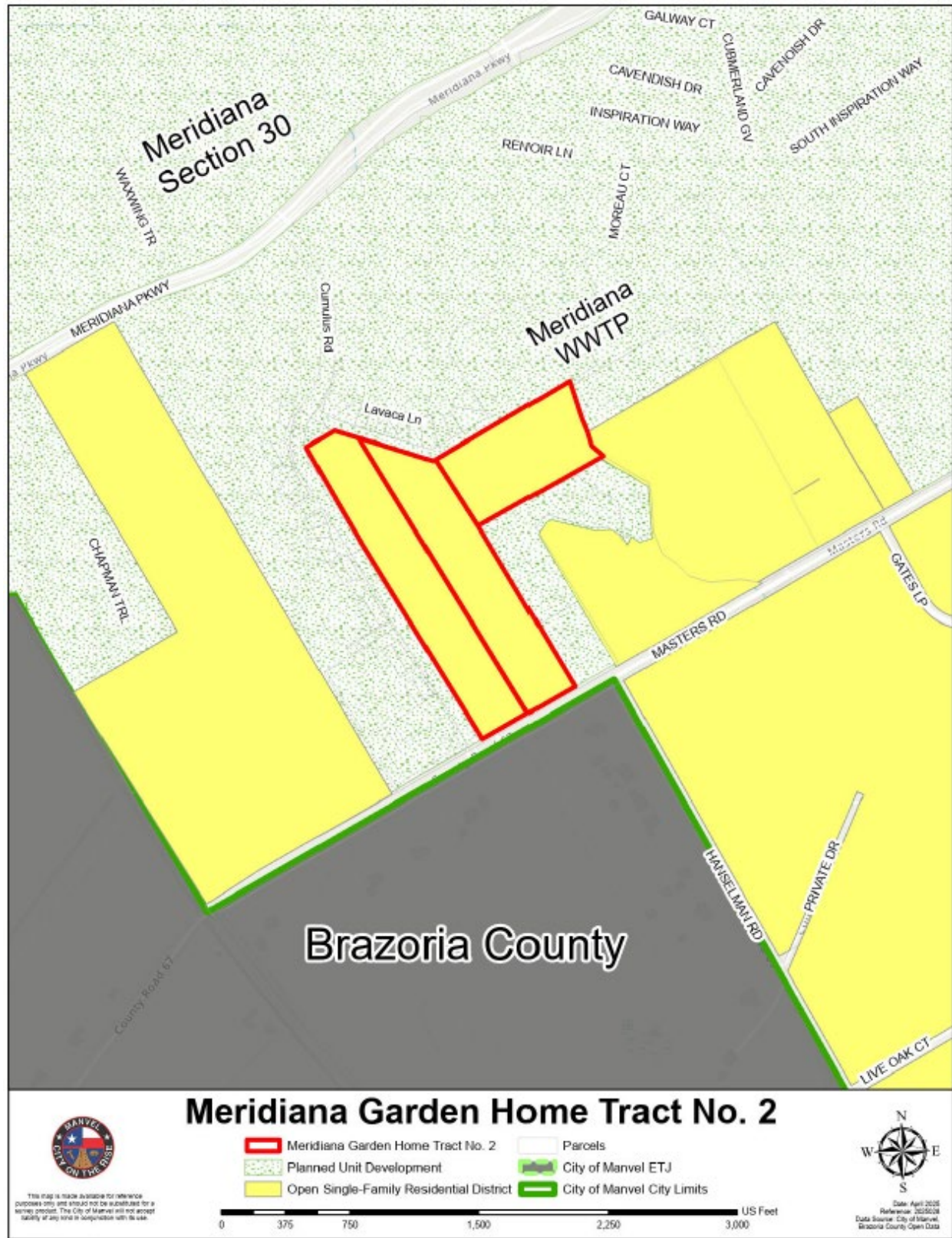


AERIAL VICINITY MAP





ZONING VICINITY MAP





STAFF ANALYSIS/ KEY POINTS TO CONSIDER

The applicant intends for the subject property to be incorporated into the Meridiana PUD (Ordinance No. 2024-O-13) and designated as Garden Home land use category which allows 50-foot-wide and 6,300 sq.ft lots. Per the most recently approved PUD, any new tracts added through rezoning process and classified under Garden Home must be reflected in an updated Preliminary Land Use Plan (General Development Plan or GDP). Therefore, the applicant has submitted a GDP amendment, which is included as a separate agenda item. Additionally, per the most recently approved PUD, the Meridiana PUD does not require full reapproval of the PUD document by City Council if tracts are added and designated as Garden Home through a rezoning process. The proposed rezoning with approximately 35.3-acre tract of land, would increase the total Meridiana development area within the City of Manvel to 1,770 acres. About 29 acres of the subject site is designated for Garden Homes and the remaining acreage for parks and open spaces.

The following sections provide staff's analysis of the requested rezoning and some key points to consider.

1. *Land use Compatibility with surrounding uses and zoning districts:*
The proposed Garden Home use is compatible with adjacent residential uses in the Meridiana PUD. The west, north, and east of the site are already zoned PUD, creating a seamless zoning transition.
2. *Infrastructure, Utility Availability, and Environmental Considerations:*
For utility services, the subject site is proposed to be annexed into the Meridiana MUD. Drainage and detention infrastructure is proposed to be consistent with the existing Meridiana development. Please note that drainage and civil plans will be reviewed as part of platting process. A drainage impact analysis shall be reviewed as part of the platting process.
3. *Impact of Traffic and conformance to Major Thoroughfare Plan:* The subject site is proposed to be accessed from Cumulus Drive which is designated as a collector street. Applicant shall provide a Traffic Impact Analyzes (TIA) to indicate no significant increase in traffic volume is anticipated beyond what is expected for residential development as part of the platting process. Internal street layout and access points will be evaluated as part of the plat review process. Preliminary review of the plat related application material does not indicate any significant concerns.
4. *Conformance to Comprehensive Plan Vision and Goals:*
The proposed rezoning to PUD supports the *City of Manvel's 2015 Comprehensive Plan*, which emphasizes preserving the city's rural character and small-town values while managing growth. This request aligns with several key vision statements, including:
 - "Benefiting from our strategic location by encouraging well-planned quality retail, commercial, and residential development that reflects and enhances our small-town quality of life." The subject property being located along a major thoroughfare, makes it an appropriate location for the proposed use and suggests general alignment with the Comprehensive plan goals.
 - "Promoting a strong and diverse economic base that supports efficient high-quality public infrastructure, municipal services, education, and collaborative governance." The subject property via constructing public infrastructures and getting annexed to the MUD will promote quality of life.



- “Offering a variety of housing choices that reinforce our small-town values.”

Additionally, the rezoning proposal directly supports Goal Statements No. 2 and 5 from the Land Use section of the Comprehensive Plan:

- Goal 2: “Provide a variety of lot size options to offer opportunities for all lifestyles and life stages, avoid a large number of small lots, and require more open space to retain the history of the rural character.” While the proposed Garden Home lots are smaller than the minimum one-acre lots found in the O-SFR district, the inclusion of significant open space and parkland helps offset this shift by maintaining community character and recreational opportunities.
- Goal 5: “Include more and a wider variety of park and recreational amenity uses and options.”

5. Other considerations:

The applicant has followed proper procedures for authorization and submittal. The addition of parks and open space shall be aligned with the most recently approved PUD. Additionally, as stated in the most recently approved PUD, the density within the City of Manvel shall not exceed 2.329 units per gross acre which shall be reviewed at the platting stage.

STAFF RECOMMENDATION

City staff recommends approval of the requested rezoning of the subject site from Open Single-Family Residential district (OSFR) to Planned Unit Development (PUD) District to be developed under the provisions of Meridiana PUD (Ordinance No. 2024-O-13).

Planning, Development and Zoning Commission Discussion and Recommendation

The Planning, Development, and Zoning (PD&Z) Commission held a public hearing on May 27, 2025, to receive public input regarding the proposed rezoning. The property owner living across from the subject site on Masters Road expressed concerns pertaining to traffic and drainage related impact. The Commission also raised questions regarding impact of the proposed section on drainage and traffic along Masters Rd. Staff clarified that the applicant submitted the traffic memo on the day of the meeting and noted that the drainage plans had already been submitted to the drainage district. Staff further explained that both the TIA and drainage plans will undergo detailed review during the platting process.

A motion to recommend approval of the requested rezoning to the City Council failed with a vote of two (2) “Yea” to three (3) “Nays.” Therefore, the PD&Z Commission is not recommending approval of the requested rezoning.

PUBLIC HEARING

The Notice of Public Hearing was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. At the time of writing this report, no written opposition have been received. At the PD&Z meeting, the property owner living across from the subject site on Masters Road expressed his opposition and concerns pertaining to traffic and drainage related impact.



MAJOR THOROUGHFARE PLAN MAP





APPLICATION



DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

REZONING APPLICATION

PROJECT INFORMATION

Project Name: Meridiana Garden Home Tract No. 2
Project Location/Address: A portion of lots 7, 8, & 9, of Lulling Stone Section 3 Located at 9825 Masters Road,
Manvel, TX 77578
Legal Description: 35.31 Acres of Land in The Oliver Hall Survey, Abstract No. 203, Brazoria County, Texas
Current Zoning: O-SFR Proposed Zoning: PUD
Parcel/Tax ID# (s): 619349, 537539 Total Acreage: 35.31 ac. Proposed Land Use: PUD

APPLICANT INFORMATION

Applicant Name: Brad Sweitzer
Company Name: EHRA Engineering
Address: 10011 Meadowglen Lane City: Houston State: TX Zip: 77042
Phone #: 713-784-4500 Email: bsweitzer@ehra.team

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

Brad Sweitzer

04/14/2025

Applicant Signature (REQUIRED)

Date

PROPERTY OWNER INFORMATION

Owner(s) Name: Dorothy Wynne & Ralph Wayne Eubank
Address: 9825 Masters Road City: Manvel State: TX Zip: 77578
Phone #: 281-585-8145 Email: sundanceranch04@sbcglobal.net

PROPERTY OWNER'S AUTHORIZATION (Required – If owner is also the applicant, must sign as both):

I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application ~~on my behalf~~.

Dorothy Wynne Eubank

4-14-25

Owner's Signature (REQUIRED)

Date



APPLICATION



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project **before** submitting an application. Answers to rezoning applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

REZONING SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Rezoning Application (with all signatures)	✓
One (1) Legal Description of Property (metes & bounds description if not platted)	✓
One (1) Copy of Recorded Plat (if platted)	N/A
One (1) Applicant Letter of Request	✓
Traffic Impact Analysis, if applicable	N/A
Paid Application Fee	✓

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Brad Smitz

04/14/2025

Applicant Signature

Date



LETTER OF AUTHORIZATION

March 25, 2025

City of Manvel
20025 Highway 6
Manvel, TX 77578

I, Dorothy Wynne, property owner of the 13.739 acres of Lot 7 of Lulling Stone Section 3, located at 9825 Masters Road, Manvel, TX 77578, hereby consent for this letter to serve as authorization for EHRA Engineering to submit any necessary plats, permit requests, and construction plans on my behalf to incorporate this tract into the Meridiana PUD.

Notwithstanding the foregoing, however, this instrument shall not constitute my consent to any request for zoning change, incorporation of my property into the Meridiana PUD or to any other action of the City of Manvel that would in any way be final or binding upon my property until after GR-M1, Ltd.'s closing of the purchase thereof.

Sincerely,

Ms. Dorothy Wynne
Property Owner



LETTER OF AUTHORIZATION

March 25, 2025

City of Manvel
20025 Highway 6
Manvel, TX 77578

I, Ralph Wayne Eubank, property owner of 21.57 acres of Lots 8 & 9 of Lulling Stone Section 3, located at 9825 Masters Road, Manvel, TX 77578, hereby consent for this letter to serve as authorization for EHRA Engineering to submit a zoning change request and any necessary plats, permit requests, construction plans on my behalf to incorporate this tract into the Meridiana PUD.

Notwithstanding the foregoing, however, this instrument shall not constitute my consent to any request for zoning change, incorporation of my property into the Meridiana PUD or to any other action of the City of Manvel that would in any way be final or binding upon my property until after GR-M1, Ltd.'s closing of the purchase thereof.

Sincerely,

Mr. Ralph Wayne Eubank
Property Owner



REQUEST LETTER



TBPE No. F-726
TBPLS No. 10092300

April 14, 2025

City of Manvel
20025 Highway 6
Manvel, TX 77578

Re: Meridiana Garden Home Tract No. 2 Planned Unit Development District

To whom it may concern,

On behalf of our client, Rise Communities (the developer of Meridiana), I respectfully request the City of Manvel considers approval for the rezoning of the +/- 35 acre parcel located at 9825 Masters Road from Open Single-Family Residential District to Planned Unit Development District.

The intent for this rezoning is for the +/-35 acres is to in essence be a part of Meridiana and to be classified under the Garden Home land use. The addition of this new parcel will produce development that is cohesive with the surrounding Meridiana land uses and will help the City of Manvel achieve its goal of a well-planned and designed infrastructure system, which will benefit the city and its residents for many years to come.

The intent of the previous PUD amendment was that if adjacent tracts of land are added to the project, the Meridiana PUD would not be amended and the new tracts would be regulated as Garden Home. (See below).

"If additional tracts are added to the PUD through the rezoning process these tracts shall be considered as Garden Home land use, and a new preliminary land use plan shall be submitted to the City showing the change." – Pg 15 of Meridiana PUD Amendment No. 3

"If additional tracts of land are added to the PUD through a rezoning process with the intention to be designate as Garden Home, this specific document shall not be require to be and re-approved by City Council." – Pg 106 of Meridiana PUD Amendment No. 3



REQUEST LETTER

If there are any questions or any additional supporting documentation is needed, please feel free to reach out to me and I would be happy to assist.

Thank you for your consideration,

Regards,

Brad Sweitzer, AICP, PLA
Associate | Director of Planning & Visioning
EHRA Engineering

Attachments : Pg . 70-72 Meridiana PUD Amendment No. 3 (Garden Homes Land Use).

Attachments : Pg . 88-89 Meridiana PUD Amendment No. 3 (Parks & Open Space Land Use).



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

****One Story accessory structures may be setback three (3) feet from the rear or side property lines provided that they do not encroach into any utility easement. Accessory structures greater than one story in height must comply with the minimum setback requirements.**

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

Maximum Building Height: Three (3) stories

Parking Requirement: Shall comply with the parking standards established in this section.

2. Garden Homes (GH)

Purpose: The Garden Homes category is intended for the development of detached, single family dwelling units and compatible uses on the perimeter of the overall Project boundary.

Permitted uses:

- Accessory structures
- Community centers
- Drill sites
- Entry features & monuments
- Garden homes
- Institutional uses
- Minor utilities
- Open space
- Parks
- Recreational facilities
- Religious assembly
- Single family homes
- Temporary uses



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

Tree farms

Minimum Lot Area: 6,300 square feet

Minimum Lot width: 50 feet at the front building setback line

Minimum Setbacks:

Front: 20 feet*

Rear: 15 feet**

Side: 5 feet**

Corner: 10 feet*

* Porches (if provided) may encroach into the front setback up to ten (10) feet provided they have a minimum depth of six (6) feet. On corner lots, porches may encroach into the side setback up to five (5) feet provided they have a minimum depth of six (6) feet. Where garages face directly onto a street with the garage door parallel to the street, the garage must meet the minimum setback requirement. Side-entry garages where the garage door is perpendicular to the street may be set back a minimum of ten (10) feet. (see lot diagram below)

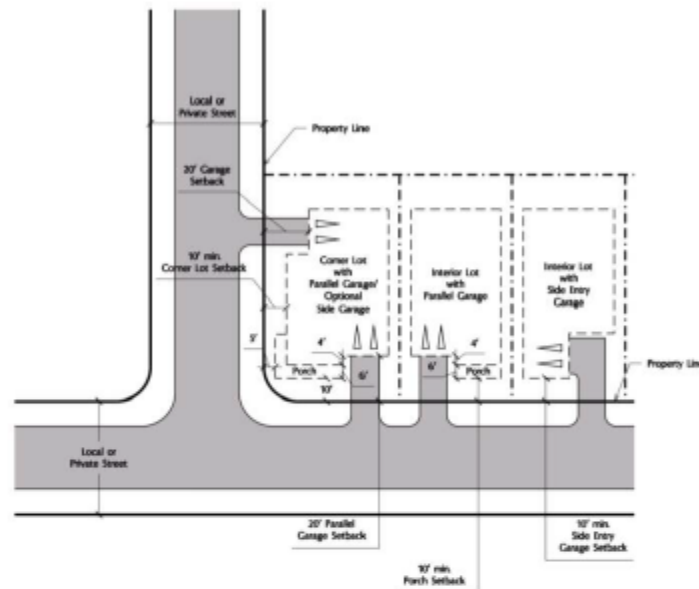


REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

GARDEN HOME LOT DIAGRAM



****One Story accessory structures may be setback three (3) feet from the rear or side property lines provided that they do not encroach into any utility easement. Accessory structures greater than one story in height must comply with the minimum setback requirements.**

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

Maximum Building Height: Three (3) stories

Parking Requirement: Shall comply with the parking standards established in this section.



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

Architectural features may encroach into the setback area a maximum of three (3) feet.

Maximum Building Height: Sixty (60) feet

Parking Requirement: Shall comply with the parking standards established in this section

Additional Requirements: Telecommunication towers may not exceed 80 feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.

8. Parks & Open Space (P-OS)

Purpose: The Parks & Open Space category is intended to provide for the development of recreation and open space areas within the community.

Permitted uses:

- Community centers
- Drill site
- Entry features & monuments
- Institutional uses
- Maintenance facility
- Minor utilities
- Open space
- Parks
- Public facilities, excluding major utilities
- Recreational facilities
- Telecommunication towers
- Temporary uses
- Tree farms



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

Minimum Lot Area: None

Minimum Lot width: None

Minimum Lot depth: None

Minimum Setbacks:

Along Major Thoroughfares: 25 feet

Along other streets: 10 feet

Rear: 10 feet

Side: 10 feet

Architectural features may encroach into the setback area a maximum of three (3) feet.

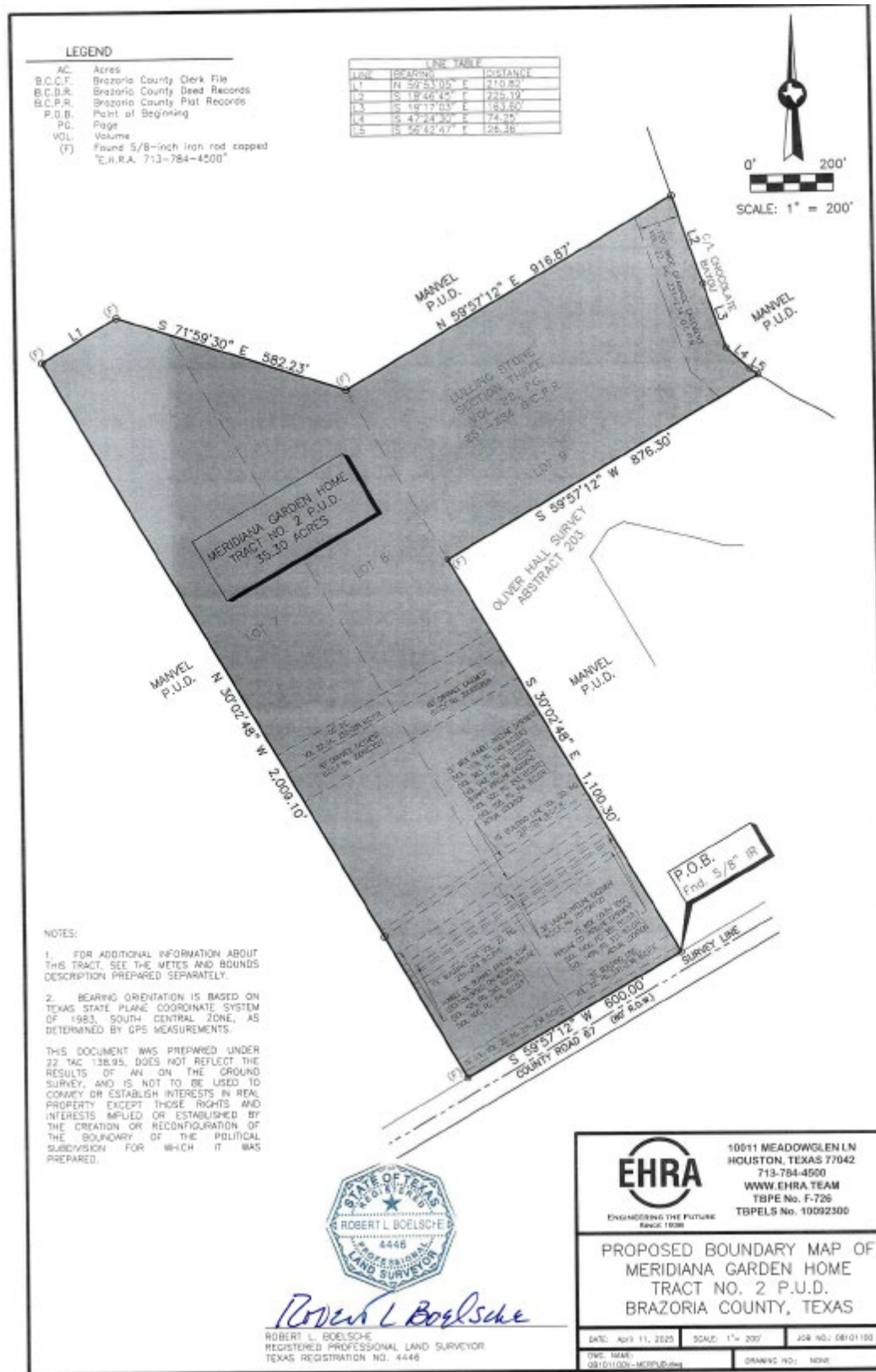
Max. Building Height: 34 feet

Parking Requirement: Shall comply with the parking standards established in this section

Additional Requirements: Telecommunication towers may not exceed 80 feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.



Survey





Public Hearing notice to run on Sunday 05/11/2025

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 6:00 P.M. ON TUESDAY, MAY 27, 2025 BEFORE THE MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION AND AT 6:00 P.M., ON MONDAY, JUNE 2, 2025 BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING A PROPOSED ORDINANCE (2025-0-18) OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF 35.3 ACRES OF LAND GENERALLY LOCATED AT 9825 S MASTERS (PIDS: 537539 & 619349), SITUATED WEST OF CHOCOLATE BAYOU AND AT THE NORTHEAST CORNER OF INTERSECTION OF CUMULUS DRIVE AND MASTERS ROAD, FROM OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR INCLUSION IN THE MERIDIANA PLANNED UNIT DEVELOPMENT; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. /S/ TAMMY BELL, CITY SECRETARY.



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: May 19, 2025

TOPIC: Public hearing and consideration of text amendment to the *Manvel Code of Ordinances*, Chapter 62, *Subdivisions* (The subdivision Ordinance) to amend various provisions including certain requirements for platting process, measurement of lot width within City's Extra Territorial Jurisdiction (ETJ), and boundaries of the Original Manvel Townsite area.

BACKGROUND: Staff is proposing an amendment to the Subdivision Ordinance to address the following:

- Original Manvel Townsite area: Currently, the Original Manvel Townsite (OMT) area is bounded by Cemetery Road on the east, Large Drive on the north, McCoy Road on the west, and the railroad tracks (sitting just north of Bissell Road), on the south. This area was established to allow the following regulations to be less restrictive than other areas:
 - (1) *Streets:* Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
 - (2) *Drainage:* Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
 - (3) *Water:* Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.
 - (4) *Wastewater:* Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.
 - (5) *Detention/mitigation:* In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

Please note that the OMT area allowances currently apply only to properties zoned Light Commercial (LC) or Planned Unit Development (PUD).

Staff is proposing to:

- a) Expand the north and south boundaries to Lewis Lane and Jordan Road respectively. This would include properties that are zoned for residential use as well.
- b) Increase the size of applicable properties from five (5) acres to ten (10) acres.
- c) Regarding well and septic, staff proposed to allow continuation of existing well and septic but not allow new well and septic within the OMT Area. Based on discussion and input from PD&Z Commission, staff finds it beneficial to allow new well and septic for individual residential lots that do not have existing water and sewer lines to connect (on the abutting right-of-way).

- Other amendments: Staff is also proposing amendments to certain provisions and requirements needed to allow for an efficient development process and ensure clarity. More details in the attached report.

STAFF RECOMMENDATION: Staff is recommending approval of this proposed text amendment to the *Manvel Code of Ordinances, Manvel Code of Ordinances, Chapter 62, Subdivisions* (The subdivision Ordinance).

PD&Z RECOMMENDATION: PD&Z Commission is forwarding a final report recommending approval of this proposed text amendment to the *Manvel Code of Ordinances, Manvel Code of Ordinances, Chapter 62, Subdivisions* (The subdivision Ordinance).

ATTACHMENTS: Redline version of the proposed amendment, Staff Report, OMT Exhibit, and Proposed Ordinance.

FUNDING ISSUES

- ☒ **Not applicable**
☐ **Not budgeted**
☐ **Full amount already budgeted**
☐ **Funds to be transferred from Acct.#**



SUBMITTING STAFF MEMBER
 Jose Abraham
 Director of Development Services

FINANCE DIRECTOR APPROVAL _____
CITY MANAGER APPROVAL _____

At the First reading of the Ordinance, the following changes pertaining to Old Manvel Townsite proposed by staff was removed by Council.

- (3) Water. Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements. Existing water wells shall be allowed to continue. For non-residential development, subdivider/developer must tie on to the nearest city water line. New water wells shall not be installed for individual residential lots that abut a right-of-way with existing city waterline. For individual residential lots that do not abut a right-of-way with existing city waterline, subdivider/developer may install a new well. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.
- (4) Wastewater. Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems. Existing on-site sewage (septic) systems shall be allowed to continue. For non-residential development, subdivider/developer must tie on to the nearest city sewer line. New on-site sewage (septic) systems shall not be installed for individual residential lots that abut a right-of-way with existing city sewer line. For individual residential lots that do not abut a right-of-way with existing city sewer line, subdivider/developer may install a new on-site sewage (septic) systems. Subdivider/developer must still comply with all laws and regulations concerning septic systems.

Chapter 62 SUBDIVISIONS¹

ARTICLE I. GENERAL PROVISIONS

Sec. 62-1. Findings and purpose.

The city hereby adopts these subdivision regulations to provide for the orderly, safe and healthful development of the lands within the city limits and within the city's extraterritorial jurisdiction as provided for in V.T.C.A., Local Government Code §§ 42.001 et seq. and 212.001 et seq., and for the following additional purposes:

- (1) To implement and give effect to the city's plans, including but not limited to: the comprehensive plan, master drainage plan, master water plan, master wastewater plan, master parks plan, and master thoroughfare plan;
- (2) To preserve and protect the public health, safety, and general welfare, and to preserve and protect property values within the city limits and extraterritorial jurisdiction;
- (3) To ensure that adequate public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed development;
- (4) To provide for adequate light, air and privacy, to secure safety from fire, flood, and other dangers, and to prevent overcrowding of the land and undue congestion of population;
- (5) To protect the character and the social and economic stability of all parts of the municipality and to encourage the orderly and beneficial development of the community through appropriate grown management techniques, to assure proper open space separation of urban areas, to protect environmentally critical areas and areas premature for urban development;
- (6) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewer, schools, parks, playgrounds, recreation, and other public amenities and facilities;
- (7) To establish reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land, and to ensure proper legal descriptions and monumenting of subdivided land; and
- (8) To preserve the natural beauty and topography of the municipality and extra territorial jurisdiction and to ensure appropriate development with regard to these natural features.

(Ord. No. 2004-0-17, § 1, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Terms not defined herein shall

¹State law reference(s)—Municipal regulation of subdivisions and property development, V.T.C.A., Local Government Code § 212.001 et seq.; minimum requirements for subdivisions, 31 Tex. Admin. Code § 364.91.

be construed in accordance with the ordinances of the city or the customary usage and meaning in municipal planning and engineering practices.

Administratively complete application means any application containing all of the required documents listed on any application in the appropriate format, the correct number of copies, paid fees, and any required signatures when submitted to the city, in final form to be deemed complete for processing.

Alley means minor ways that are used primarily for vehicle service access to the back or the side of properties otherwise abutting a street.

Applicant means any developer or subdivider that submits an administratively complete application.

Building means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, or property of any kind.

Building line means a line parallel or approximately parallel to the street line and beyond which buildings may not be erected. The building line is measured from the frontage road right-of-way.

City means the City of Manvel, Texas.

City engineer means an appointed official by the city, or their designated representative.

City secretary means the person appointed by the city council of the city pursuant to section 5.04 of the City Charter, or their designated representative.

Civil site work means any work performed upon the ground of a specific tract of land or property for the purposes of installing, constructing, or completing the water, sanitary sewer, or storm sewer lines, roadways and/or streets, and the grading and/or construction of the subdivision lots, detention ponds or any other infrastructure.

Council means the city council of the city.

Design criteria means the city's approved design criteria manual for wastewater collection systems, water lines, streets, sidewalks, and storm drainage facilities, as such manual may be amended from time to time by council.

Developer means any person or entity that develops land within the city, whether or not a subdivision of land is required by this chapter. This term shall be synonymous with the term "subdivider" in cases where the subdivision of land is involved.

Development means the preparation of land for building, including subdivision of land, new construction of any building, structure, or improvement, or the enlargement of any exterior dimension of any building, structure or improvement.

Development review committee means the development application technical review body for the city which include but are not limited to the zoning official, building official, city engineer, public works department, fire marshal, and code enforcement. Other staff from various local, county, state, or federal agencies may participate in the development review process as needed from time to time.

Extraterritorial jurisdiction (ETJ) means the unincorporated area that is contiguous to and located within one mile of the corporate boundaries of the city, and as such area may be expanded following annexation of other land into the city limits.

Family means no more than two one or more persons unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit with a single kitchen facility. The term "single kitchen facility" shall not exclude one outdoor kitchen facility per single housekeeping unit with one kitchen.

Frontage means that side of a lot where the lot is assigned an address.

Gathering lines means all pipelines operated incidentally to the development and operation of any oil and/or gas wells, or out and/or gas fields and/or secondary recovery projects.

Infrastructure means streets, sidewalks, drainage facilities or improvements, water and sanitary sewer facilities, utilities, parks, and any other improvements for which the city may ultimately assume responsibility for maintenance and operation.

Lot means a physically undivided tract or parcel of land having frontage on a public or private street, which is, or in the future may be offered for sale, conveyance, transfer or improvement, and which is designated as a separate and distinct tract and identified by numerical or letter identification on a duly and properly recorded subdivision plat.

Lot, flag-shaped or key-shaped means a lot with frontage on and access to the public or private street right-of-way, which is provided by a narrow driveway(s), access easement(s), or other parcel of land, referred to as the "staff" of such flag lot, and the largest portion of the lot is situated behind adjoining lots which front on a public or private street.

Lot, frontage means that side of a lot where the lot is assigned an address.

Low pressure distribution system means a distribution system in which the gas pressure in the main is substantially the same as the pressure provided to the customer.

Main means a distribution line that serves as a common source of supply for more than one service line.

Master plan means the development of subdivision that constitutes a tract consisting of a minimum of 50 acres or more in size, and which is intended to be subsequently subdivided as additional units of the same subdivision as required by this subdivision ordinance and in accordance with section 62-39, Master Plan.

Person means an individual, duly formed partnership, firm, association, corporation, or any other entity howsoever formed and shall include any officer, agent, employee, trustee, or servant thereof.

Pipeline or pipeline system means all or parts of a pipeline facility through which gas, hazardous liquid or carbon dioxide moves in transportation, connected to line pipe compressor units, pumping units, fabricated assemblies unassociated with compressor units, metering and delivery stations, holders, and fabricated assemblies therein and breakout tanks, including, but not limited to, high pressure pipelines, trendline pipelines and gathering lines as defined herein.

Planning commission means the duly appointed city planning commission of the city.

Plat means an instrument prepared by a registered professional land surveyor in conformity with the provisions of this chapter used to describe subdivided land, with ties to permanent landmarks or monuments, approved by the city or a governmental entity with jurisdiction of the land in accordance with Texas Local Government Code § 212.023, and recorded in the Brazoria County Property Records.

Plat, amending means a replat addressing minor changes, correction of clerical errors, or limited modifications affecting a limited number of property owners or lots, as defined by Texas Local Government Code § 212.016.

Plat, development means a plat required prior to development (e.g., any new construction or the enlargement of any exterior dimension of any building, structure, or improvement), in accordance with Texas Local Government Code Section 212, Subchapter B (212.045), in lieu of other subdivision plats (established in Tx Local Gov't Code 212, Subchapter A) required by this subdivision ordinance and in accordance with section 62-46, Development Plat.

Plat, final means a complete and exact subdivision plat prepared by a registered professional land surveyor in conformity with the provisions of this chapter, state law, and the state board of professional land surveying regulations, and in a manner suitable for recording with the county clerk.

Plat, preliminary means a plat of a proposed subdivision prepared in accordance with the provisions of this chapter illustrating the features of the development for purpose of review and preliminary approval by the planning commission and the city.

Plat, minor means a complete and exact subdivision plat prepared by a registered professional land surveyor in conformity with the provisions of section 62-42, Minor Plat, and Texas Local Government Code § 212.0065, and in a manner suitable for recording with the county clerk.

Plat, subdivision means a plat (e.g., preliminary plat, final plat, minor plat, replat, or amending plat) established in Texas Local Government Code § 212, Subchapter A, involving the subdividing of land into two or more parts or the amending of a recorded plat.

Public improvements means dedications that include public water, public sewer, public drainage, public street frontage, street access, public parks and public facilities.

Replat means a redesign of all or a part of a recorded plat or subdivision of land, which substantially changes the elements of the plat.

Reserve means undeveloped property within an appropriate plat or master plan, as defined in this chapter, that provides for phased or sequential development, and where the intended purpose for the reserve is outlined in a recorded plat for the intended future purpose for detention, infrastructure, open space, landscaping, easements, rights-of-way, utilities, and or dedications. Reserve parcels that do not abut a public street shall be connected by a minimum 40-foot wide by 175-foot deep piece of land.

Restricted reserve means the designations for those individual parcels of land created within a subdivision, which are established to accommodate a site for dedication of a specific area of land. Reserve parcels that do not abut a public street shall be connected by a minimum 40-foot wide by 175-foot deep piece of land.

Setback means the distance between a wall or any projection of a building and the property line excluding steps and unenclosed porches.

Setback, street side means the open space extending from the front yard to the rear yard and lying between the street side lot line adjacent to the public right-of-way or easement and the closest point of the building or structure on a lot at the junction of and abutting two or more intersecting streets.

State means the State of Texas.

Street, private means a non-public street. Private streets shall meet all requirements of public streets, but shall be maintained by a private entity.

Street, public means a public right-of-way dedicated for public use, which provides vehicular access to the adjacent land. Included in this definition are the following general classifications of streets:

- (1) Major thoroughfares or arterial streets are principal traffic arteries, more or less continuous across the city, which are intended to connect remote parts of the city and which are used primarily for fast or heavy volume traffic;
- (2) Secondary arterial streets are streets that carry traffic from minor streets to major thoroughfares or arterial streets and highways, including the principal entrance streets of a residential development and streets designed for circulation within such development;
- (3) Minor streets are streets that are used primarily used for access to abutting properties and are intended to serve traffic within a limited area;
- (4) Marginal access streets are minor streets, which are parallel to and adjacent to arterial streets and highways and provide access to abutting properties and protection from through-traffic;
- (5) Boulevards are streets utilizing two 24-foot, minimum width, paved roadway sections, which are divided by a median and which serve to separate traffic moving in opposite directions.

Structure means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

Subdivider means any person who performs or participates in the performance of any act relating to the subdivision of land within the intent, scope and purview of this chapter. The terms "subdivider" and "developer" are synonymous and are used interchangeably for purposes of this chapter in connection with subdivision of land.

Subdivision or *subdivide* means the division of any lot, tract or parcel of land by plat, or map for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership. Any dedication and the laying out (or realignment) of new streets, or other public or private accessways, with or without the creation of lots, is a subdivision. An "addition" is a subdivision as defined herein. The term "subdivision" or "subdivide" includes the division of land, whether by plat or by metes and bounds description, and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Substantial improvement means any reconstruction, rehabilitation, addition, or improvement of structure, the cost of which equals or exceeds 50 percent of the market value of the structure before start of construction, of the improvement. This includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Title certificate means a certificate prepared and executed by a title company authorized to do business in the state or an attorney licensed in the state certifying the true owner or owners of the property and describing all encumbrances of record which affect the property. Such certificate shall include all property within the platted area, and such certificate shall not have been executed more than 45 days prior to the submission of same to the council.

Trendline pipeline means common carrier pipelines and other main pipelines not included in the definition of gathering lines, expressly including their rights-of-way as defined and established by instruments of record in the office of the county clerk.

Well means any hole or bore to any sand, horizon, formation, strata or depth for the purpose of producing any oil, gas, liquid hydrocarbon, brine water, sulfur water or use as an injection well for secondary recovery, or any of them.

(Ord. No. 2004-0-17, § 2, 9-13-2004; Ord. No. 2006-O-03, § 2, 3-27-2006; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-3. Application and compliance with chapter.

- (a) *Application.* The rules and regulations of this chapter shall apply to and govern the approval and requirements of subdivisions and property development within the corporate limits and extraterritorial jurisdiction of the city.
- (b) *Compliance.* Any person who subdivides any tract, lot or parcel of land within the city or its extraterritorial jurisdiction must submit to the city, for its approval, a preliminary, final, amending, minor plat or replat, as applicable. No subdivision of any tract, lot or parcel of land shall be lawful until such time that the plat has been approved in accordance with the terms of this chapter. Unless and until a preliminary and final, minor, or amending plat or replat of a subdivision shall have been first approved by the city, in the manner provided herein, no person shall construct or cause to be constructed any street, utility, facility, building, structure, or

any other improvement on any lot, tract, or parcel of land within such subdivision, except as specifically permitted in this chapter.

- (c) *Nonissuance.* No permit shall be issued by the city for the new construction or substantial improvement to any building, structure or improvement on a lot, tract, or parcel of land for which a plat has not been approved by the city and filed of record or certificate of exemption issued. No building, plumbing, electrical, or mechanical permit shall be issued by the city for the construction or repair of any structure on a lot, tract, or parcel of land within a subdivision in which the required storm drainage improvements have not been constructed and the permanent public improvements have not been approved and accepted by the city. This section applies to the placement or construction of a permitted structure, included manufactured homes as allowed in chapter 38, Manufactured Housing, other city ordinances, or by state law.
- (d) *Delegation of approval responsibility.*
- (1) Per Texas Local Government Code § 212.0065, the approval of the following plats are hereby delegated to the city manager, or his/her designee:
 - a. Amending plats;
 - b. Minor plats; and
 - c. Replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.
 - (2) The city manager may, for any reason, elect to present the plat for approval to the planning commission.
 - (3) Any plat not approved by the city manager shall be referred to the planning commission within the time period specified in Texas Local Government Code § 212.009.
- (e) *Exception to platting.*
- (1) *Greater than five acres.* An exception to platting may be granted under this section in accordance with Texas Local Government Code § 212.004. Where a division of land into parts greater than five acres, each part is five acres and larger, has access to a public street (as identified by profile in the design criteria manual), and no public improvement is required or being dedicated, the city may issue a certification of exception. A developer wanting to file for a certificate of exception to platting must submit:
 - a. A letter requesting an exception under this section.
 - b. A copy of the deed for the tract being divided.
 - c. A current survey (within one year of the application) by a registered land surveyor showing the division and description of each tract.
 - d. Upon approval by the planning commission, the city will supply the property owner with a certificate of exception.
 - e. The survey shall be filed with the county clerk at the owner's expense prior to obtaining a building permit.
 - (2) *Court order.* A division of land created by order of a court of competent jurisdiction.

(Ord. No. 2004-0-17, § 3, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-4. Fees.

The council may, from time to time, adopt fees for the review and processing of applications required by this chapter. Such fees shall be adopted by resolution and may be revised as often as council deems necessary. Fees and inspection charges shall be paid in advance of any review by city staff, and whether the plat is approved or denied. All plats and construction plan reviews will not be accepted or processed until fees are paid.

(Ord. No. 2004-0-17, § 4, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-5. Variance.

- (a) The rules and regulations provided herein or incorporated hereby are the minimum standards and requirements of the city. Variances from this chapter are not anticipated, and there is no entitlement to a variance, except in extreme and unusual circumstances, variances from the technical terms of this chapter may be requested. A variance from any such rule or regulation may be granted by the city council, only upon a good and sufficient showing by the applicant that:
 - (1) There are special circumstances or conditions affecting the property in question;
 - (2) Enforcement of the provisions of this chapter will deprive the applicant of a substantial property right; and
 - (3) If a variance is granted it will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity.
- (b) Each and every application for a variance shall be decided solely and entirely on its own merits, and the disposition of any prior or pending application for a variance shall not be allowed to enter into or affect any decision on the application in question. Financial interests shall not be considered as a basis for the granting of a variance. No application for a variance shall be considered, unless submitted to the council, in writing, no later than the date the application for final plat approval is submitted.
- (c) All variance requests shall first go to the planning commission for a recommendation to city council. Applications may also be submitted concurrent with proposed plats.

(Ord. No. 2004-0-17, § 5, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-6. Enforcement.

The city shall not issue permits, furnish city services, or issue certificates or plat compliance to any developer who violates the terms of this chapter or prior subdivision regulations, and, in addition, shall have the right to prohibit or correct violation by writs of injunction, prosecution, or other legal process. The city will withhold improvements of any nature whatsoever, including issuance of building permits, maintenance of streets, and provision of water and sewer services, if applicable, to all additions until a final plat has been approved, all infrastructure improvements have been formally accepted by the city, and final construction plans have been provided to the city. The city may revoke a permit for noncompliance with the section.

(Ord. No. 2004-0-17, § 6, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-7. Compliance with city's plans.

All applications submitted under this chapter shall comply with city's plans, as adopted or amended from time to time. The city plans include, but are not limited to:

-
- (1) Comprehensive plan;
 - (2) Master drainage plan;
 - (3) Master water plan;
 - (4) Master wastewater plan;
 - (5) Master parks plan; and
 - (6) Major thoroughfare plan.

(Ord. No. 2004-0-17, § 7, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-8. Offenses.

- (a) It shall be unlawful to construct, install, place, or locate two single-family dwellings upon a single lot, parcel, or tract of land.
- (b) It shall be unlawful to construct or install, or cause to be constructed or installed, a building or structure across or over a lot line or property line.
- (c) It shall be unlawful to subdivide any tract, lot or parcel of land without complying with the terms of this chapter and the Texas Local Government Code.

(Ord. No. 2004-0-17, § 8, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Sec. 62-9. Effective date.

All administratively complete applications for preliminary plat approval, which have been filed on or after the effective date of the ordinance from which this chapter is derived, shall be subject to these regulations. A complete subdivision application that has been filed, or that has received preliminary approval prior to the effective date of the ordinance from which this chapter is derived shall be subject to the subdivision regulations in effect at the time of filing of such application for preliminary plat approval.

(Ord. No. 2004-0-17, § 9, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

Secs. 62-10—62-36. Reserved.

ARTICLE II. SUBDIVISION AND DEVELOPMENT PROCESS²

Sec. 62-37. Subdivision and development meetings.

A predevelopment meeting between the developer and the planning commission, or its designee, such as the city manager, building official, fire marshal, zoning official, and/or city engineer, may be held to discuss the development's concepts and approval procedures. This is an informal process to allow an exchange of information

²Editor's note(s)—Ord. No. 2019-O-24, § 2, adopted August 5, 2019, repealed the former art. II, §§ 62-37—62-46, and enacted a new art. II as set out herein. The former art. II pertained to similar subject matter and derived from Ord. No. 2004-0-17, §§ 20—29, adopted Sept. 13, 2004; Ord. No. 2008-O-14, § 1, adopted June 23, 2008; Ord. No. 2009-O-24, § 1, adopted Oct. 26, 2009; Ord. No. 2011-O-26, § 1, adopted Jan. 23, 2012.

between the developer and city staff. No approval will be issued for any conceptual plans discussed at such meeting, and such plans are not binding on the developer or the city.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-38. Preliminary plat.

- (a) Following the predevelopment meeting, all persons desiring to subdivide a tract of land within the city limits, or within the city's extraterritorial jurisdiction, shall prepare, or cause to be prepared, a preliminary plat according to the following requirements:
- (1) The proposed name of the subdivision;
 - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, full date, and vicinity map drawn to a scale of one-inch equals 2,640 feet;
 - (3) The names, addresses and telephone numbers of the subdivider, the owner of record, the registered professional civil engineer responsible for the design, and the registered professional land surveyor responsible for the land survey;
 - (4) The boundary line (accurate in scale) of the tract to be subdivided;
 - (5) The proper adjoiner information, including the names of adjacent subdivisions, with recording information;
 - (6) The location, widths, and names of all existing or platted streets or other public rights-of-way on-site and adjacent to the tract and within 200 feet of the tract, as circumstances require;
 - (7) The existing pavement, sewers, water mains, culverts, or other underground structures adjacent to and within 200 feet of the tract, with pipe sizes, grades and locations indicated;
 - (8) All parcels of land intended to be dedicated for public use or reserved in deeds for the use of all property owners within the proposed subdivision, together with the purpose of conditions or limitations of such reservations, if any;
 - (9) The layout, names, and widths of proposed streets and easements, the radius of all arcs, length of the tangents, and the length of tangents between curves;
 - (10) The layout, numbers, dimensions and size of the proposed lots with building setback lines shown;
 - (11) All other important features such as section lines, boundaries of other political subdivisions, or corporation lines and school district boundaries;
 - (12) A preliminary drainage plan, which has been submitted to the appropriate drainage district and meets the requirements as set forth in the "City of Manvel Design Criteria Manual" (as amended from time to time) and the flood damage prevention ordinance shall be submitted with each preliminary plat (at the same scale), and shall include the following:
 - a. Overall layout of lots or parcels;
 - b. Contours;
 - c. Any existing waterways on or adjacent to the site;
 - d. Drainage area map showing on-site and offsite areas draining across or adjacent to the site with preliminary calculations of flows;
 - e. Flood zones and floodways, as determined by the applicable FEMA maps. The base flood elevation (BFE) shall be indicated on the preliminary plat as shall the flood zone;

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- f. Proposed drainage improvements, including detention areas and depths with preliminary calculations; and
 - g. Proposed easements, including all drainage and maintenance easements.
 - (13) A traffic study for all development located along all major thoroughfares shall be submitted to the city;
 - (14) A preliminary utility plan and utility availability letter shall be provided with the preliminary plat; and
 - (15) A master plan, where applicable.
 - (b) Three copies of the preliminary plat and supporting data required by this article shall be submitted to the city, along with the required fees established by council. The preliminary plat shall be reviewed by the development review committee for compliance with state law, this article, and all other applicable ordinances, policies, rules, and regulations.
 - (c) Following certification of compliance with the regulations listed in subsection (a), above, 11 folded copies and one electronic (.pdf) copy of the preliminary plat, including any corrections and supporting documentation, shall be provided to city staff.
 - (d) In cases where the subdivider desires to have the preliminary plat placed on a planning commission agenda, such preliminary plat and the required supporting data must be submitted according to the city's plat submittal schedule. However, no agenda action will be scheduled until the application is administratively complete. The planning commission shall render a decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission review. The planning commission's action shall consist of approval, disapproval, or conditional approval.
 - (e) Following approval of the preliminary plat, and prior to actual construction of any water and sanitary sewer facilities, the state commission on environmental quality (TCEQ) shall be notified, if required, in accordance with 30 Tex. Admin. Code § 317.1 et seq. or state law.
 - (f) Approval of the preliminary plat does not constitute acceptance of the subdivision, but is merely an authorization to proceed with the preparation of the final plat. Approval of the preliminary plat shall expire 12 months after planning commission approval, unless the final plat has been submitted to the planning commission for final approval during that time. Upon written request of the subdivider, an extension of time may be given, at the discretion of the planning commission, for a single extension period of six months, provided the subdivider has shown good faith in proceeding to complete the work necessary prior to filing the final plat.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-39. Master plan.

- (a) Where the proposed subdivision constitutes a tract or tracts consisting of a minimum of 50 acres or more in size, and which is intended to be subsequently subdivided as additional units of the same subdivision, a master plan shall be submitted. The master plan shall show the proposed layout of the streets, blocks, public parks land, school site purposes, and drainage of the entire area. The over-all layout, if approved by the council after recommendation by the planning commission, shall attach and file with a copy of the approved subdivision plat in the permanent files of the city. Thereafter, fractional preliminary and final plats of subsequent units of such subdivision may be submitted provided no significant changes are made to the master plan. If a master plan is prepared to conform to the requirements of section 62-38, Preliminary Plat, a separate Preliminary Plat approval is not required. Any request for change to the master plan must be submitted according to the procedures prescribed in section 62-38, Preliminary Plat.

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- (b) A phasing schedule shall be submitted as part of the master plan. The phasing schedule shall indicate the timing of each phase of development. All lands to be dedicated for public right-of-way, public park land, public use, trails, or school site purposes shall be dedicated in the first phase of the development. The council may allow the dedication of said public improvements in another phase of development where due cause is shown.
 - (c) Approval of the master plan shall expire three years after council approval, unless within the three-year period, the subdivider has commenced construction of the improvements in the final construction plans approved by the city.
 - (d) A master plan shall be approved by council resolution unless council approves an amended planned unit development (PUD) or development agreement.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-40. Construction plans.

After approval of the preliminary plat by the planning commission, construction plans meeting the requirements of the city's design criteria manual, adopted plans, and other applicable ordinances, rules, policies and regulations shall be submitted for all improvements proposed on the preliminary plat. Engineering standards and standard details shall be contained in the design criteria manual, as amended from time to time. After a plat has been approved by the planning commission, the final construction plans have been approved by the city engineer, and all required fees have been paid, the subdivider or developer may proceed with construction of the public infrastructure after participating in a pre-construction meeting and obtaining all necessary building permits from the city.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-41. Final plat.

- (a) No final plat shall be considered unless and until a preliminary plat has been submitted and approved, unless a minor plat is used, and a set of final construction plans has been approved by the city engineer for the public infrastructure improvements.
- (b) After compliance with the foregoing procedure and preliminary plat approval by the planning commission, the subdivider shall prepare, or cause to be prepared, a final plat or plats, together with other supplemental information as specified herein. The final plat shall conform substantially to the preliminary plat as approved and shall reflect any conditions or requirements for final approval imposed by the planning commission, together with the following additional requirements, which must be shown on or accompany the final plat:
 - (1) The name of the subdivision;
 - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
 - (3) The name, address and telephone number of the subdivider;
 - (4) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face of the plat;
 - (5) A certificate of ownership of the land from a title company;
 - (6) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way within to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all

persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;

- (7) A field note description of the subdivided tract of land;
- (8) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
- (9) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
- (10) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
- (11) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
- (12) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
- (13) The exact layout shall include the following:
 - a. Streets and street names;
 - b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
 - c. All easements or rights-of-way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
 - d. All lot and block numbers;
 - e. All lot lines with accurate dimensions;
 - f. All alleys;
 - g. Location and description of monuments;
 - h. Building setback lines from all adjacent streets; and
 - i. Point of beginning, including Northing and Easting.
- (14) Boundary closure calculations, the minimum of which shall be 1:15,000;
- (15) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances. For subdivisions including common areas, reserves, and restricted reserves, documentation indicating ownership and maintenance responsibility shall be provided and the information shall be reflected on the plat;
- (16) A waiver of claim for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;

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- (17) A current original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
 - (18) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
 - (19) A certificate of approval on face of the plat, with signatures for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
 - (20) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
 - (21) A current title policy or title commitment from an insured title company reflecting the current owner of the tract of land;
 - (22) A notation that sidewalks shall be constructed as part of the issuance of a building permit for each tract;
 - (23) For residential subdivisions, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
 - (24) A notation that the final plat will expire two years after final approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
 - (25) Construction drawings of the proposed infrastructures improvements, which must be approved by the city engineer prior to planning commission approval of the final plat;
 - (26) Two original mylar copies of the final plat and supporting data shall be submitted to the city secretary. Said copies shall be submitted to city staff, according to the city's plat submittal schedule, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules and regulations. On receipt by city staff of an administratively complete application, the final plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. According to the city's plat submittal schedule, the subdivider shall provide to the planning commission 1 folded copy accompanied by an electronic (.pdf) copy, and two original mylar copies of the final plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. Should the final plat be disapproved by the planning commission, note its disapproval thereon, and attach thereto a statement of the reasons for such disapproval. A disapproved final plat may be resubmitted with correcting changes according to the city's plat submittal schedule. No final plat shall be processed until final construction plans are approved;
 - (27) Approval of the final plat shall expire two years after planning commission approval unless, within such two-year period, the subdivider has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the final plat will expire;
 - (28) In the event the tract of land being subdivided is adjacent to a street or road that does not meet the city's design criteria manual specifications, the subdivider shall be required to improve all such streets

or roads (frontage and perimeter) to meet those specifications from the point where such street or road does meet the city's requirements, to the farthestmost boundary of the subdivision;

- (29) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction of the city; and
- (30) A master plan, where applicable.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-42. Minor plat.

- (a) When all requirements of this section are satisfied, the requirement of preliminary plat submittal may be eliminated from the development or subdivision process in accordance with the provisions of this section. The subdivider shall be required only to comply with the final plat provisions and procedures of this article for a minor plat submittal.
- (b) To qualify for a minor plat, the proposed subdivision must meet all of the following requirements:
 - (1) All lots of the proposed subdivision must front on a public street or on streets that meet the following criteria:
 - a. The street must have been previously dedicated to and accepted by the city, county or state, as applicable, must be maintained by the entity with jurisdiction, and must be traveled by the public; and
 - b. The street must exist within a right-of-way with a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
 - (2) No additional dedication or construction of streets, alleys, or extensions of existing streets or alleys are required for the proposed subdivision;
 - (3) A drainage plan, covering all land to be improved, must be prepared in accordance with the "City of Manvel Design Criteria Manual" (as amended from time to time), the master drainage plan, and submitted to the appropriate drainage district. Construction plans for each improvement must have been approved by the city prior to approval of the minor plat;
 - (4) All necessary easements and/or public dedications are either existing or will be dedicated by the owner/subdivider. All such easements and/or public dedications must be of an acceptable width and configuration.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-43. Vacating plat.

- (a) The developer of a tract covered by a plat may vacate such plat at any time before any lot within the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring such plat vacated is approved and recorded in the manner prescribed for the original plat.
- (b) If lots within the plat have been sold, such plat, or any part thereof, may be vacated by application of all owners of lots within said plat, with approval obtained in the manner prescribed for the original plat.
- (c) The county clerk shall write legibly on the vacated plat the word "vacated" and shall enter on the plat a reference to the volume and page at which a vacating instrument is recorded.

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- (d) Upon execution and recording of a vacation instrument, the vacated plat has no effect.
 - (e) The procedure for vacating a plat shall conform to the provisions of the Texas Local Government Code in effect at the time of such vacation, and shall be subject to the same approval process as required in section 62-40, Final Plat.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-44. Replatting without vacating preceding plat.

- (a) The same procedures shall be followed as for those for a preliminary plat, final plat, or minor plat. The replat must be designed in accordance with the provisions of the Texas Local Government Code in effect at the time of such vacation. A replat of a subdivision or any part of a subdivision may be recorded and is controlling over a preceding plat, without vacation of such preceding plat, if the replat:
 - (1) Is signed and acknowledged by only the owners of the property being replatted;
 - (2) Is approved by the planning commission;
 - (3) Does not attempt to amend or remove any covenants or restrictions; and
 - (4) Identifies the lots or portions of lots being replatted and provides a reason for the replat.
- (b) A replat without vacation of the preceding plat must also conform to the requirements of this subsection if any of the area being replatted was limited by deed restrictions to residential use or an interim or permanent zoning classification to residential use for not more than two residential units per lot. These requirements are:
 - (1) Notice of the public hearing required by this section shall be given in accordance with subsection (c), below;
 - (2) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat, in order to be approved, must receive the affirmative vote of at least three-fourths of the members present at the planning commission meeting. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat, and extending 200 feet from such area, but within the original subdivision, must be filed with the city prior to the close of the public hearing. In computing the percentage of land area above, areas of the streets and alleys shall be included. Compliance with this subsection is not required for approval of a replat or part of a preceding plat if the area to be replatted was designated or reserved for other than single- or duplex-family residential use by a notation on the last legally recorded plat.
- (c) Notice of the public hearing required under this section hereof shall be given before the 15th day before the date of the public hearing by:
 - (1) Publication in the official newspaper of the city;
 - (2) Written notice, with a copy of subsection 62-44(b)(2), above, forwarded by the city to the owners of lots within the original subdivision and within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or, in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. Such written notice may be delivered by depositing same, properly addressed with postage prepaid, with a United States post office or by depositing same into a United States postal depository within the boundaries of the city; and
 - (3) Developer paying all costs for the preparation and mailing of such notices, letters, and copies.

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- (d) The replat shall meet the requirements of and be subject to the approval process in section 62-40, Final Plat.
(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-45. Amending plat.

- (a) The city manager may approve an amending plat, which may be recorded and shall then be controlling over a preceding plat, without vacation of such preceding plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:
- (1) To correct an error in a course or distance shown on the preceding plat;
 - (2) To add a course or distance omitted on the preceding plat;
 - (3) To correct an error in a real property description shown on the preceding plat;
 - (4) To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
 - (5) To show the location or character of a monument that has been changed in location or character, or that is shown incorrectly as to location or character on the preceding plat;
 - (6) To correct any other type of surveyor, scrivener, clerical error, or omission previously approved by the planning commission, which may include lot numbers, acreage, street names, and identification of adjacent recorded plats;
 - (7) To correct an error in courses and distances of lot lines between two adjacent lots if:
 - a. Both lot owners join in the application for amending the plat;
 - b. Neither lot is abolished;
 - c. The amendment does not attempt to remove recorded covenants or restrictions; and
 - d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat;
 - (8) To relocate or remove a lot line to eliminate an inadvertent encroachment of a building or other improvement upon a lot line or easement;
 - (9) To relocate or remove one or more lot lines between one or more adjacent lots if:
 - a. The owners of all those lots join in the application for amending the plat;
 - b. The amendment does not attempt to remove recorded covenants or restrictions; and
 - c. The amendment does not increase the number of lots;
 - (10) To make necessary changes to the preceding plat to create six or fewer lots within the subdivision or any part of the subdivision covered by the preceding plat if:
 - a. The changes do not affect applicable zoning and other city regulations;
 - b. The changes do not attempt to amend or remove any covenants or restrictions; and
 - c. The area covered by the changes is located within an area that the planning commission has approved, after a public hearing, as a residential improvement area; or
 - (11) To replat one or more lots fronting on an existing street if:
 - a. The owners of all such lots join in the application for amending the plat;

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- b. The amendment does not attempt to remove recorded covenants or restrictions;
 - c. The amendment does not increase the number of lots; and
 - d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
 - (b) An amending plat may be forwarded to the planning commission and shall be in accordance with the Texas Local Government Code and section 62-41, final plats.
 - (c) The amending plat shall contain all the informational requirements set forth in this article and section 62-41, final plats.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-46. Development plat.

- (a) The term "development" in this section means new construction of any building or structure of any nature both residential and nonresidential. "Development" does not include construction of any building or improvement used for agriculture purposes. This section shall apply to any land in the city or within its extraterritorial jurisdiction, as follows:
 - (1) The development of any lot, tract, or parcel that has not been platted or replatted prior to the effective date of this section;
 - (2) The development of any lot, tract, or parcel of land which the owner claims a certificate of exception from these subdivision regulations, including requirements to replat, which the exception is not expressly provided in section 62-3, application and compliance with chapter, subsection (e), exception to platting;
 - (3) The development of a lot, tract, or parcel of land for which the only access is a private easement or street; and/or
 - (4) The division of a lot, tract, or parcel of land resulting in parcels or lots each of which is greater than five acres in size, and where no public improvement is proposed to be dedicated or constructed.
- (b) Development plats shall be required where:
 - (1) The lot, tract, or parcel to be developed has not received final plat or replat approval or was created prior to the effective date of this chapter; or
 - (2) A subdivision plat is also required under city ordinances; or
 - (3) The issuance of a building permit does not exceed the substantial improvement of an existing principal structure.
- (c) The developer shall prepare, or cause to be prepared, a development plat, together with other supplemental information as specified herein. The development plat shall illustrate the following:
 - (1) The name of the development;
 - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
 - (3) The name, address, and telephone number of the developer;
 - (4) Each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;

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- (5) The dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to the public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part;
 - (6) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face the plat;
 - (7) A current title policy or title commitment from an insured title company reflecting the current owner for the tract of land;
 - (8) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;
 - (9) A field note description of the development tract of land;
 - (10) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
 - (11) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
 - (12) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
 - (13) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
 - (14) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
 - (15) The exact layout shall include the following:
 - a. Streets and street names;
 - b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
 - c. All easements or rights-of way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
 - d. All lot and block numbers;
 - e. All lot lines with accurate dimensions;
 - f. All alleys;
 - g. Location and description of monuments;
 - h. Building setback lines from all adjacent streets; and
 - i. Point of beginning, including Northing and Easting.
 - (16) Boundary closure calculations, the minimum of which shall be 1:15,000;

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- (17) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances;
 - (18) A waiver for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;
 - (19) An original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
 - (20) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
 - (21) A certificate of approval on the face of the plat, with signature for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
 - (22) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
 - (23) A notation that sidewalks shall be constructed, if required, as part of the issuance of a building permit for each tract;
 - (24) For residential plats, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
 - (25) A notation that the development plat will expire two years after approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
 - (26) Construction drawings of the proposed infrastructure improvements, which must be approved by the city engineer prior to planning commission approval of the development plat;
 - (27) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction (where applicable) of the city;
 - (28) A master plan, if applicable; and
 - (29) Two original mylar copies of the development plat and supporting data shall be submitted to the city secretary.
- (d) Said copies shall be submitted to city staff, at least 21 days prior to the scheduled meeting date, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules, and regulations. On receipt by city staff of an administratively complete application, the development plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. At least seven days prior to such meeting date, the developer shall provide to the planning commission 15 copies and two original mylar copies of the development plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. A disapproved development plat may be resubmitted with correcting changes within 30 days of planning commission action. No development plat shall be processed until final construction plans are approved;
- (e) Approval of the development plat shall expire two years after planning commission approval unless, within such two-year period, the developer has commenced construction of the improvements identified in the

final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the development plat will expire;

- (f) In the event the tract of land being platted is adjacent to a street or road that does not meet the city design criteria manual specifications, the developer shall be required to improve all such public/private streets (frontage and perimeter) to meet those specifications from the point where such street does meet the city's requirements, to the farthestmost boundary of the plat;
- (g) A development plat is not required when:
 - a. A single one-acre or larger lot, tract, or parcel is proposed for single-family detached development. However, a public or private street shall be dedicated with a minimum 60-foot right-of-way for access to the lot, tract, or parcel and sidewalks constructed in accordance with section 62-104, Streets. Singular access to the subdivided lot, tract, or parcel by easement shall be prohibited. A single-family detached developed lot, tract, or parcel shall only be exempt from the requirements of this section one time; and
 - b. Accessory structures related to the single-family detached development.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Sec. 62-47. Filing of final plat.

Upon approval of the final plat, compliance with all conditions, and submission of all required documentation, the council will consider the acceptance of the improvements. A two-year maintenance bond in the amount of 100 percent of the total cost of the infrastructure improvements or a one-year letter of credit in the amount of 50 percent of the total cost of the infrastructure improvements shall be required for the public improvements being dedicated to the city. Additionally, an updated original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property shall be provided before the plat can be filed with the county. Once such paperwork is submitted, and the improvements approved by the city engineer and accepted by the council, the city shall file the plat with county. The city shall be listed as an owner on all required documentation. The acceptance of the improvements by the council is valid from the date of council acceptance.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

Secs. 62-48—62-65. Reserved

ARTICLE III. RESERVED³

Secs. 62-66—62-102. Reserved

³Editor's note(s)—Ord. No. 2019-O-24, § 3, adopted Aug. 5, 2019, repealed art. III, §§ 62-66—62-72, which pertained to pro rata cost sharing for public improvements and derived from Ord. No. 2004-O-17, §§ 30—36, adopted Sept. 13, 2004.

ARTICLE IV. MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION

Sec. 62-103. Established minimum requirements.

The subdivider shall comply with the minimum requirements of section 62-104, Streets, and section 62-111, Additional street requirements, before consideration will be given to any final plat of any subdivision of land within the city limits of the city or within the extraterritorial jurisdiction of the city. All major thoroughfare streets, perimeter streets, trails, and parks shall be constructed with the first final plat, unless council approves a phasing plan for development. The provisions of this article that do not conflict with section 62-40, construction plans, shall apply to minor plats.

(Ord. No. 2004-0-17, § 40, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-104. Streets.

Street design shall conform to all applicable planning tools, such as the Texas Manual on Uniform Traffic Control Devices, Comprehensive Plan, Transportation Corridor Plan, Major Thoroughfare Plan, and Design Criteria Manual. All paving and construction plans shall be approved by the city for all streets within the city.

- (1) *Major thoroughfare, major arterial, and collector streets.* The arrangement, character, extent, width, grade, and location of all thoroughfare, arterial, and collector streets shall provide for the continuation or appropriate projection to existing and planned streets, for topographical conditions, for public convenience and safety, and for appropriate relation to the proposed uses of the land to be served by such streets, as provided by the city's major thoroughfare plan;
- (2) *Minor or residential street.* These streets shall be designed so that their use by through traffic will be discouraged;
- (3) *Marginal access streets; reverse frontage streets.* Where a subdivision abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage with screen planting contained in a non-cross reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic;
- (4) *Right-of-way parallel streets.* Where a subdivision borders on or contains a railroad or highway right-of-way, the city may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, for park purposes within residential districts, or for commercial or industrial purposes within appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations;
- (5) *Multiple access points.*
 - a. *Two point of access.* There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots.
 - b. *Three points of access.* There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.

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- c. *Four points of access.* There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.
 - d. *Points of access and existing conditions.* The council may require additional points of access from a collector street due to existing conditions (e.g., pipelines, floodplain, body of water, etc.) in addition to requirements set forth in this section to protect the health, safety, and welfare of the city and its extraterritorial jurisdiction. This access point shall not be located over the potential hazard.
 - e. *Boulevard entries.* A boulevard entry may only be considered as two points of access when a fourth point of access is triggered under subsection c. Four points of access, above;
- (6) *Street jogs.* Street jogs, with centerline offsets of less than 125 feet, shall be prohibited;
 - (7) *Reverse curves.* A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial and collector streets;
 - (8) *Connecting street lines.* When connecting street lines deflect from each other at any one point by more than 10 degrees, such streets shall be connected by a curve with a radius adequate to ensure sight distances of not less than 60 feet for minor and collector streets and of such greater radii as council shall determine for special cases;
 - (9) *Intersections.* Streets shall be designed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees;
 - (10) *Property lines at street intersections.* Property lines at street intersections shall be rounded with a radius of 15 feet, or of a greater radius where large truck traffic is anticipated;
 - (11) *Rights-of-way widths.* The minimum right-of-way width for all streets in the city and its extraterritorial jurisdiction is 60 feet or otherwise specified in the city's thoroughfare plan, as amended from time to time.
 - (12) *Half streets.* Half streets shall be prohibited, except where such streets are essential to the reasonable development of a subdivision in conformity with other requirements of this chapter, and where the planning commission finds it would be practicable to require the dedication of the other half of such street when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of such street shall be dedicated;
 - (13) *Dead-end streets.* Dead-end streets, designated to be so permanently, shall not be longer than 1,200 feet and, at the closed end of such street, shall provide a turn-around having an outside roadway diameter of at least 100 feet and a street property line right-of-way diameter of at least 120 feet;
 - (14) *Street names.* No street name shall be used that duplicates, or that may be confused with, the name of an existing street. All street names dedicated by plat shall be subject to approval of the planning commission. All other street name changes shall be subject to approval of the council. The planning commission may recommend street names not dedicated by plat for approval by council.
 - (15) *Street design.* The details of all street designs shall conform to the city's engineering standards and standard details of the design criteria manual. The street design shall conform to the functional classification of the thoroughfare plan, if applicable.

(Ord. No. 2004-0-17, § 41, 9-13-2004; Ord. No. 2008-O-14, § 2, 6-23-2008; Ord. No. 2012-O-10, § 1, 4-9-2012; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-105. Alleys.

- (a) Generally, alleys may be provided within subdivisions and, in the case of commercial and industrial districts and/or uses, may be required, when other definite and assured provisions are not made for service access, such as offstreet loading, unloading, and parking, consistent with an adequate space for the uses proposed.
- (b) The width of alleys within commercial and industrial districts and/or uses shall be at least 20 feet. The width of alleys within residential districts and/or uses shall be at least 20 feet where possible; however, a minimum width of 16 feet may be allowed.
- (c) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut sufficiently to allow safe vehicular movement.
- (d) Dead-end alleys shall be avoided where possible but when unavoidable, adequate turn-around facilities at such dead end shall be provided.

(Ord. No. 2004-0-17, § 42, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-106. Easements.

- (a) *Generally, easements for utilities shall be provided across lots.* Easements which do not contain wet utilities shall have a minimum width of 14 feet. Easements which contain wet utilities shall have a minimum width of 20 feet. Easements located along the side of a lot may be ten feet in width. Utility easements should be centered on property lines. For purposes of this section, wet utilities shall be those designed to convey water, wastewater, or stormwater.
- (b) *Stormwater easements or drainage right-of-way.* Where a subdivision is traversed by a watercourse, drainage way, channel, detention mitigation facility, or stream, there shall be provided a stormwater easement or drainage right-of-way, which substantially conforms to the lines of such watercourse, and such further width for maintenance and construction, or both, as will be adequate for such purpose. The easement for the maintenance/construction berm shall not be less than 20 feet on each side of the watercourse.

(Ord. No. 2004-0-17, § 43, 9-13-2004; Ord. No. 2009-O-24, § 3, 10-26-2009; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-107. Lengths, widths and shapes of blocks.

The lengths, widths, and shapes of blocks shall be determined with due regard to the following:

- (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (2) Needs for convenient access, circulation, control and safety of street traffic;
- (3) Limitations and opportunities of topography;
- (4) No block shall exceed 1,200 feet in length within residential or commercial developments.

(Ord. No. 2004-0-17, § 44, 9-13-2004)

Sec. 62-108. Lots.

- (a) *One acre and larger.*

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- (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line (measured from the frontage road right-of-way) shall be a minimum of 25 feet;
 - b. Street side building setback line shall be a minimum of 25 feet;
 - c. Side and rear building setback lines shall be 10 feet; and
 - d. Lots that abut across walkways shall be treated as street side lots.
 - (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line shall be 25 feet;
 - b. Street side building setback line shall be 25 feet;
 - c. Side and rear building setback lines shall be 10 feet;
 - d. Lots that abut across walkways shall be treated as street side lots.
 - (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
 - (4) Lot dimensions shall be a minimum of 120 feet in width at the front building setback line and of a depth so as to provide an area of not less than one acre or 43,560 square feet.
 - (5) Residential lots not served by a public sewer system shall be not less than 120 feet in width at the building setback line and shall have an area of not less than one acre or 43,560 square feet. Existing conforming lots that become non-conforming due to reduced lot area resulting from required right-of-way dedication for development shall be considered a conforming lot if the resulting reduced lot area is not less than 0.85 acres.
 - (6) The depth and width of properties reserved or designed for business and industrial purposes shall be of adequate distances to provide for off-street service and parking facilities, as required by the type of use and development contemplated.
 - (7) In an approved subdivision, lot sizes may be increased in order to secure privacy within such lots or to allow improvement upon such lots to conform to the building requirements. However, in no instance shall lot size changes be allowed if such changes in the creation of one or more lots that are less than the minimum area requirements of this article.
 - (8) Any subdivision of land shall provide each lot with access to a public street or a private street as specified in the design criteria manual and this subdivision ordinance. The public street shall have a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
 - (9) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
 - (10) Side lot lines shall be at substantially right angles or radial to street lines.
 - (11) Flag or key-shaped lots are not allowed.
 - (b) *Lots smaller than one acre.*
 - (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line shall be 25 feet (measured from the frontage road right-of-way);

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- b. Street side building setback line shall be ten feet; and
 - c. Side and rear building setback lines shall be five feet.
- (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
- a. Front building setback line shall be 25 feet. An exception to this requirement is minimum setback lines shall be increased to a total of 35 feet from a 60 foot right-of-way, where a minor or major thoroughfare is set forth in the city's thoroughfare plan;
 - b. Street side building setback line shall be 15 feet; and
 - c. Side and rear building setback lines shall be five feet.
- (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
- (4) Lot dimensions shall be not less than 60 feet in width at the front building setback line and of a depth so as to provide an area of not less than 6,300 square feet.
- (5) Depth and width of properties reserved or designed for business and industrial purposes shall provide for off-street service and parking facilities, as required by the type of use and development proposed.
- (6) In an approved subdivision, lot sizes may be permitted to be increased in order to secure privacy within such lots or to allow improvement on such lots to conform to the building requirements. However, in no case shall lot size changes be allowed if such changes result in the creation one or more lots of a size that is less than the minimum area requirements of this article.
- (7) Any subdivision of land shall provide each lot with access to a public street as specified in the design criterial manual.
- (8) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
- (9) Side lot lines shall be at substantially right angles or radial to street lines.
- (10) Flag or key-shaped lots are not allowed.

(Ord. No. 2004-0-17, § 45, 9-13-2004; Ord. No. 2006-O-03, § 3, 3-27-2006; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-109. Public sites and open spaces.

In conformity with the city's master plan, where a proposed park, school, playground, or other public facility is located in whole or in part within a subdivision, the subdivider may dedicate such land to public use or shall provide the appropriate political entity with a one-year purchase option on such land.

(Ord. No. 2004-0-17, § 46, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-110. Monuments.

- (a) Monuments set as exterior boundary markers shall be a five-eighth-inch iron rod or a three-fourth-inch iron pipe of at least 36 inches in length and encased in concrete for a minimum depth of 18 inches below the surface of the ground.
- (b) Permanent reference monuments shall be set at all boundary line angle points, block corners, points of curvature, and at intervals of not more than 1,000 feet. All permanent reference monuments shall conform

to the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying.

- (c) All monuments shall be set to the standards of the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying, and shall bear reference caps as indicated.
- (d) Interior lot corner monuments shall be, at a minimum, a five-eighth-inch iron rod of at least 36 inches in length.

(Ord. No. 2004-0-17, § 47, 9-13-2004)

Sec. 62-111. Additional street requirements.

- (a) All streets shall be constructed in accordance with the city's design criteria manual.
- (b) The developer shall be responsible for construction of all roadways within the development in accordance with the city's design criteria manual. Where the thoroughfare plan requires street widths over and above the local street requirements, the developer shall dedicate the amount of right-of-way required for the larger street and shall construct such street with a pavement width of up to 38 feet. If the city requires a pavement width of more than 38 feet, the city shall provide funding for such increased width, subject to the availability of funds and within legal limitations.
- (c) The developer shall be responsible for construction of necessary improvements on all perimeter streets in order to bring the pavement and curbing up to minor street standards for the one-half of the street abutting the development. This requirement does not apply to roads and rights-of-way owned and maintained by the County or State unless specifically required by the controlling authority.

(Ord. No. 2004-0-17, § 48, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-112. Water and wastewater facilities.

- (a) Water and wastewater facilities shall conform to the city's design criteria manual.
- (b) If the city's master plan requirements dictate a larger line size, or a greater sewer line depth, than that required for a subdivision, the city shall pay the difference, subject to the availability of funds and the legal requirements.

(Ord. No. 2004-0-17, § 49, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-113. Sidewalks.

Sidewalks shall be constructed at a minimum of five feet wide or as determined by the city's thoroughfare plan and in accordance with the city's design criteria profile. Sidewalks shall be installed in accordance with the city's design criteria manual. For non-residential development with frontage on rights-of-way owned and maintained by the County or State, a sidewalk shall be made part of the site development, if controlling authority does not permit construction of sidewalk within the right-of-way.

(Ord. No. 2004-0-17, § 50, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-114. Street lighting and signage.

The developer shall provide a layout of the location of proposed streetlights and shall also provide easements for power lines, where required, as part of the infrastructure construction plans and final plat submittal. The city will make arrangements with the power company for installation of streetlights for those subdivisions located within the city limits. The developer shall provide street name signs and traffic control devices all in accordance with the requirements of the Texas Manual on Uniform Traffic Control Devices.

(Ord. No. 2004-0-17, § 51, 9-13-2004)

Sec. 62-115. Drainage and drainage structures.

- (a) The subdivider shall furnish and install all necessary drainage improvements in accordance with the "City of Manvel Design Criteria Manual" and the appropriate drainage district's drainage criteria; and
- (b) The subdivider must provide for maintenance of all improvements, in a form satisfactory to the city, prior to the filing of the final plat.

(Ord. No. 2004-0-17, § 52, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-116. Proximity of structures to pipelines.

- (a) No residential, commercial, or industrial structure, other than structures necessary to operate the pipeline, shall be erected or moved to a location nearer than 50 feet to any pipeline, except for low pressure distribution system pipeline as defined in section 62-2, Definitions.
- (b) No residential, commercial, or industrial structure shall be permitted to be erected nearer than 150 feet from any well or related facility other than structures necessary to operate the well or facility.

(Ord. No. 2006-O-03, § 4, 3-27-2006; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-117. Additional requirements for subdivisions in the State Highway 6 overlay district.

- (a) *Applicability.* The regulations in this section shall apply to all subdivisions of land within the State Highway 6 overlay district.
- (b) *Electric, phone, utility and cable line location.*
 - (1) When determined by the utility provider as physically possible, all new three-phase (primary) overhead power lines will be located at the rear of new developed property.
 - (2) Secondary power connections for new development from existing power poles located within the right-of-way of State Highway 6 will be placed underground.
 - (3) Electrical panel boxes will not be located on a building façade facing State Highway 6.
- (c) *Vehicular access and circulation.*
 - (1) All developments must provide public access easements (PAE) allowing reciprocal travel between adjacent parcels that meet the following minimum standards:
 - a. The PAE must be a minimum 25 feet in width;
 - b. The PAE must be continuous between property lines;

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- c. The PAE must be paved;
 - d. No parking or loading activity within, or with direct access to, the 25-foot minimum PAE is permitted; and
 - e. All PAEs within a property must connect to each other and a connection must also be made to any existing PAE located on the property line of an adjacent development.
- (2) Perpendicular PAEs (providing circulation and access perpendicular to State Highway 6):
- a. All developments located within the State Highway 6 overlay district must provide at least one PAE, approximately perpendicular to State Highway 6, from the front property line to the rear property line if any part of the proposed development is more than 1,000 feet from either an existing perpendicular PAE that intersects State Highway 6 or an existing paved public street that intersects State Highway 6.
 - b. Perpendicular PAEs must not be more than 1,000 feet apart.
- (3) Parallel PAEs (providing circulation and access parallel to State Highway 6):
- a. All developments within the State Highway 6 overlay district must provide at least one PAE, approximately parallel to State Highway 6; from one side property line to the opposite side property line located no more than 700 feet from State Highway 6.
 - b. Parallel PAEs are not required on parcels less than 300 feet deep from State Highway 6, but an access easement is required to connect abutting properties.

(Ord. No. 2010-O-30, § 1, 12-13-2010; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-118. Additional requirements for private gated subdivisions.

(a) *Intent and purpose.*

- (1) It is the intent and purpose of these private street regulations to:
 - a. Allow private street developments to occur within the city on a limited and restrictive basis;
 - b. Provide for private street developments as one type of residential development mechanism to allow the city to continue to be competitive in the development market; and
 - c. Provide a broader variety of residential areas to meet the needs of the residents of the city.
- (2) The location of each private street development will be subject to the approval of the city as part of the platting process, based on, among other matters, the criteria described in this chapter. The approval shall be evidenced by a notation on the approved final plat.
- (3) The term private street shall include alleys, if provided.

(b) *Design and construction standards.*

- (1) Private streets shall be designed in accordance with the city's comprehensive plan, thoroughfare plan, this subdivision chapter, design standards and all other applicable development standards as prescribed and utilized by the city. Private streets shall be constructed to public street standards.
- (2) The development plan shall not impede the current or future street circulation needs of the area, especially any needed collector or arterial street route, or adequate access to any adjoining tract.
- (3) All streets, alleys, sidewalks, drainage ways, water and sewer line and improvements shall be designed, placed and constructed in accordance with the general design standards of the city. Private streets may be used for public utilities.

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- (4) Name(s) of new street(s) shall not duplicate or cause confusion within the name(s) of existing street(s) unless the new street(s) are a continuation of or in alignment with existing street(s), in which the case, the name(s) of the existing street(s) shall be used.
 - (5) Streets designated in the comprehensive plan and the thoroughfare plan as an arterial or collector shall not be used, maintained, or constructed as private streets.
 - (6) The city may deny the creation of a private street development if it makes a finding of fact, based upon the evidence provided, that it would:
 - a. Negatively affect traffic circulation on public streets;
 - b. Impair access to property either on-site or off-site of the subdivision;
 - c. Impair access to or from public facilities including schools, parks, trails, and libraries;
 - d. Delay the response time of emergency vehicles; or
 - e. Other good cause.
- (c) *Homeowners association.*
- (1) Residential subdivisions developed with private streets shall establish a mandatory homeowners association. The association shall own and be responsible for the maintenance of the private streets and sidewalks. Lot deeds shall reference deed restrictions which provide for a mandatory membership ownership in the association and provide for deed covenants that shall include provisions for the payment of dues and assessments required by the association the affirmative due of the association to maintain the private streets and sidewalks, and the other requirements of this section.
 - (2) Every owner of a lot within the private street development shall be a member of the homeowners association.
 - (3) The manager or president of the homeowners association shall be required to maintain and file a fidelity bond. The name of the association's president shall be submitted to the city and updated annually.
 - (4) The following notice shall appear in bold print on each deed to property in the subdivision, on the plat of the subdivision and on each contract on the sale of land within the subdivision:

NOTICE: THE LOTS WITHIN THIS SUBDIVISION ARE GOVERNED BY A HOMEOWNERS ASSOCIATION REQUIRING THE PAYMENTS OF FEES. FAILURE TO PAY SUCH FEES SUBJECTS YOU TO ATTACHMENT OF A LIEN ON YOUR PROPERTY BY THE ASSOCIATION OR THE CITY OF MANVEL.
 - (5) The association documents shall establish a reserve fund for the maintenance of the private streets and other improvements, and contain provisions for reliable access to provide city services and to other utility service providers with appropriate identification. The association may not be dissolved, and no portion of the association documents pertaining to this section may be amended without the written consent of the city. The association documents shall expressly state this requirement.
 - (6) A reserve fund balance report shall be submitted to the city annually to ensure that adequate fund reserves are being maintained for future repairs and/or replacement costs of the private streets and sidewalks.
 - (7) In the event the association fails to maintain the streets, sidewalks, and streetlights in accordance with city standards, the city may repair and maintain and charge the cost to the association. If the association fails to pay for the maintenance cost, after notice to the property owners, the city may assess adjacent property owners in the manner of regular city street assessment costs. The association shall post and maintain a performance bond, in form and amount to the satisfaction of the city, to guarantee this maintenance requirement.

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- (8) The association documents shall indicate that the streets are private, owned and maintained by a homeowners association, and the city has no obligation to maintain or reconstruct the private streets.
 - (9) The association documents shall indicate that the city may, but is not obligated to, inspect private streets, and require repairs necessary to ensure that the same are maintained to the city's standards.
 - (10) No portion of the association documents pertaining to the maintenance of the private streets shall be amended without the written consent of the city.
 - (11) The association documents shall be reviewed and approved by city to ensure that they conform to this and other applicable city ordinances, and shall be filed of record prior to the approval of the final plat.
- (d) *Private streets.*
- (1) Private streets shall be constructed within a designated separate "private street reserve," which shall be owned by the homeowners association. Every lot shall have frontage on, and access to, said private street reserve in lieu of a public street.
 - (2) An easement encompassing the private street reserve shall be granted to the city providing unrestricted use of the property for utilities and their maintenance. The right shall extend to all utility providers, including telecommunication companies operating within the city. The easement shall also provide the city with the right of access for any purpose related to the exercise of a governmental service or function, including, but not limited to, fire and police protection, inspection, animal control and code enforcement. The easement shall permit the city to remove any vehicle or obstacle within the private street reserve that impairs emergency access.
- (e) *Construction and maintenance cost.* The city shall not pay for any portion of the cost of constructing or maintaining a private street, sidewalk, roadside drainage, or other improvements of this chapter, with the exception of those applying to street construction.
- (f) *Utilities.*
- (1) Water, sewer, drainage facilities, and water meters shall be placed within the "private street reserve," or other publicly dedicated utility easements, and shall be dedicated to the public upon final plat approval by the city.
 - (2) Installation of approved water meters shall be required.
 - (3) The location of all drainage, water, and sewer easements shall be shown on the approved final plat by the city.
- (g) *Improvements and inspections.*
- (1) Developments proposed with private streets shall comply with sections 62-103. Established minimum requirements through 62-118. Additional requirements for private gated subdivisions and sections 62-37. Subdivision and development meetings through 62-47. Filing of final plat of this chapter.
 - (2) The city may periodically inspect and collect soil samples of private streets and require repairs necessary to ensure emergency access and to ensure that the streets are being maintained to the satisfaction of the city.
- (h) *Signs.* All private traffic signs and marking shall conform to the Texas Manual on Uniform Traffic-Control Devices, as approved and directed by the city. The entrances to all private streets shall be marked with a sign stating that it is a private street and that the street maintenance and liability are the responsibility of the association and not the city. Cost of signage shall be the responsibility of the association.
- (i) *Access provisions.*

-
- (1) Guard houses, access control gates, and cross arms may be constructed within a "private street reserve." All restricted access entrances must be in operation 24 hours every day, either:
 - a. Manned, or
 - b. Provided with an alternative means of ensuring access to the subdivision by the city, U.S. Postal Service, government employees in pursuit of the official duties, and other utility service providers with appropriate identification. Alternate access must be approved by the city.
 - (2) Residential access gates shall be maintained in accordance with standards approved by the city to ensure continuous and unimpeded ingress and egress by emergency vehicles at all times. If the association fails to maintain reliable access as required to allow city services, the city may enter the subdivision and remove any gate or device that is a barrier to access at the sole expense of the association, which shall be provided for in the association documents.
 - (3) The subdivision shall provide a minimum of two points of access, and all but the primary access point may be used for emergency access only as approved by the city.
- (j) *Entrance design standards.*
- (1) Any private street with an access control gate shall have a minimum uninterrupted pavement width of 30 feet at the location of the access control device. All restricted access gates shall be approved by the fire marshal, public works department and police department and meet access requirements for emergency vehicles. Entry codes for gates shall be provided to the police department and other emergency personnel and updated as necessary. Construction plans for access gates must be submitted for review and approval by the city in accordance herewith.
 - (2) There shall be neither exposed gears nor overhead electrical wiring in any gate system. Electric gates shall be equipped with a single key, city-approved emergency access system designed to open and lock open both the entry and exit gates. The key switch shall be installed in a location approved by the fire marshal. In addition, a system key controlled "fail safe" mechanism shall be installed to allow the gate to be manually opened in the event of a power or mechanical failure. All fittings for system padlocks shall have a minimum one-half inch diameter hole. The city-approved control access system shall be operational and pass inspections of both the chief building official as well as the fire marshal before the gate may be placed in operation.
 - (3) Secondary emergency access gates shall be equipped with city-approved emergency access system padlocks and shall be unobstructed at all times. These gates shall be equipped with a positive mechanical latch to lock them in the open position. All fire lane width, turning radius, setback and turnaround requirements of this chapter shall apply to the portion of the private street where the gate is installed.
 - (4) Overhead barriers shall not be allowed.
 - (5) Internal storage for three vehicles shall be provided between the adjacent public street right-of-way line at the primary entrance to the subdivision and the point of the access control device. An additional setback between the point of the access control device and the access gate shall be required to allow a vehicle that is denied access to safely turn around and exit onto the public street.
 - (6) On lots adjacent to access gates, screening walls are permitted to a maximum of eight feet within the front yard setback of the adjacent lot. Such wall shall be constructed of wrought iron with brick columns, provided the city may approve an alternative wall if appropriate for the subdivision. Solid wood fencing panels shall not be allowed in front yards.
- (k) *Waiver of services.* The final plat, deeds and homeowner association documents shall note that certain city services shall not be provided on private streets. Among the services that the city will not provide are: street maintenance, traffic pavement markings and signs, roadside ditch and drainage maintenance and mowing,

and driveway culvert maintenance. Depending on the characteristics of the proposed development, other services may not be provided.

(l) *Petition to convert to public streets.*

- (1) The association documents shall allow the association to request the city to accept private streets and alleys and the associated property as public streets and right-of-way upon written notice to all association members and upon the favorable vote of 51 percent of the membership.
- (2) Acceptance of the dedication of the private street shall be at the sole discretion of the city. In no event shall the city accept the dedication of a private street as public unless said street has been constructed and maintained to city standards. Should the city elect to accept a private street as public, the city may inspect the private street and assess the lot owners for the expense of needed repairs concurrent with the city's acceptance of the streets and alleys.
- (3) The city shall be the sole judge of whether repairs are needed. The city may also require, at the association's expense, the removal of guardhouses, access control devices, landscaping or other aesthetic amenities located within the street lot at the homeowners association's expense.

(m) *Hold harmless.*

- (1) Language shall be placed on the final plat whereby the homeowners association, as owner of the private streets and appurtenances, agrees to release, indemnify, defend and hold harmless the city, any governmental entity and public utility for damages to the private street occasioned by the reasonable use of the private street by the city, governmental entity or public utility; for damages and injury (including death) arising from the condition of the private streets on the plat; for damages and injury (including death) arising out of the use by the city, governmental entity or public utility of any restricted access gate or entrance; and for damages and injury (including death) arising out of any use of the subdivision by the city, government entity or public utility.

- (2) Further, such language shall provide that all lot owners, by a purchase of a lot identified in the plat, be deemed to release the city, governmental entities and public utilities for such damages and injuries. Such language shall include the statement:

THE INDEMNIFICATION CONTAINED IN THIS PARAGRAPH SHALL APPLY REGARDLESS OF WHETHER OR NOT SUCH DAMAGES AND INJURY (INCLUDING DEATH) ARE CAUSED SOLELY BY THE NEGLIGENT ACT OR OMISSION OF THE CITY, GOVERNMENTAL ENTITY OR PUBLIC UTILITY, OR THEIR REPRESENTATIVE OFFICERS, EMPLOYEES OR AGENTS.

(Ord. No. 2015-O-20, § 2, 6-22-2015; Ord. No. 2019-O-24, § 4, 8-5-2019)

Editor's note(s)—Ord. No. 2015-O-20, § 2, adopted June 22, 2015, set out provisions intended for use as § 62-117. To avoid duplication of section numbers, and at the editor's discretion, these provisions have been included as § 62-118.

Sec. 62-119. Additional requirements for subdivisions in the Original Manvel Townsite area.

- (a) Original Manvel Townsite area. The regulations in this section shall apply to all applicable subdivisions and development of land within the Original Manvel Townsite (OMT) area. The Original Manvel Townsite area shall be bounded by Cemetery Road on the east, Lewis Lane on the north, McCoy Road on the west, and Jordan Road, on the south.
- (b) Applicability. The regulations in this section shall apply to lots that are ten acres or less.
- (c) These regulations are specific to subdivisions and development in the Original Manvel Townsite area, and supersede any conflicting regulations in other sections of the City Code.

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- (d) The following regulations shall apply to subdivisions and development in the Original Manvel Townsite area:
- (1) *Streets*. Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
 - (2) *Drainage*. Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.

- (3) *Detention/mitigation*. In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

(Ord. No. 2016-O-10, § 1, 4-25-2016; Ord. No. 2019-O-24, § 4, 8-5-2019)

Sec. 62-120. Exceptions for certain Manvel residents.

- (a) "Certain Manvel residents" are defined as individuals who are seeking construction of a single-family residential structure that the resident intends to occupy as his/her residence.
- (b) The following provisions do not apply to certain Manvel residents:
 - (1) Provisions regarding the construction of public infrastructure in section 62-104;
 - (2) Provisions regarding the construction of public infrastructure in section 62-105;
 - (3) Provisions regarding the construction of public infrastructure in section 62-111, except that all right-of-way and drainage dedication requirements specified in the city's master thoroughfare plan and master drainage plan still apply;
 - (4) Provisions regarding the construction of public infrastructure in section 62-113;
 - (5) Provisions regarding the construction of public infrastructure in section 62-114; and
 - (6) Provisions regarding the construction of public infrastructure in section 62-115, except that nothing herein shall be construed to exempt compliance with chapter 32, Flood Damage Prevention.
- (c) For purposes of this section, certain Manvel residents seeking construction of a residential accessory building that is an accessory to a residential structure described by subsection (a) is entitled to the same exceptions as a residential structure described by subsection (a).
- (d) Notwithstanding section 62-4, the maximum fee for certain Manvel residents described by this section shall not exceed \$0.00 if the fee is to request a variance to this chapter, appeal to the zoning board of adjustments, or submit any plats requiring review or approval. A fee, rate, deposit, or other charge inconsistent with this section that was adopted by resolution prior to the effective date of this section is hereby repealed.
- (e) The city shall establish a fee schedule that clearly distinguishes the fees established by subsection (c) from the fees applicable to all other developers not covered under this section.

(Ord. No. 2023-O-05, § 1, 5-6-2023)

Secs. 62-121—62-145. Reserved.

ARTICLE V. REQUIRED IMPROVEMENTS FOR OPEN DITCH DRAINAGE SYSTEMS

Sec. 62-146. Exception to storm drainage requirements.

While the requirement for the city is to have enclosed stormwater drainage systems, the city council will consider a subdivision with an open ditch drainage system on a case-by-case basis. A subdivider may develop a subdivision and construct an open ditch drainage system as part of the subdivision within the city and its extraterritorial jurisdiction under the conditions set forth in this article and the city's design criteria manual.

- (1) The lot configuration shall conform to the following minimum requirements:
 - a. Minimum lot size shall be one acre or 43,560 square feet.
 - b. Minimum lot width, measured at the right-of-way shall be 120 feet.
 - c. Tangential or curved right-of-way with radius greater than 80 feet: 140 feet.
 - d. Curved right-of-way with radius of 80 feet or less: 50 feet.
 - e. No flag or key-shaped lots will be allowed.
- (2) The roadway section shall conform to the requirements of the city's engineering standards and standard details. The right-of-way shall be adequate to contain the pavement and ditches with the minimum width of 60 feet.

(Ord. No. 2004-0-17, § 60, 9-13-2004; Ord. No. 2019-O-24, § 5, 8-5-2019)

Sec. 62-147. Replat of an existing subdivision with an open roadside drainage system.

In all cases where a request is made to replat a subdivision with an open roadside drainage system in existence on the date of enactment of the ordinance from which this article is derived, the following requirements shall apply:

- (1) The subdivision must have been legally platted and recorded according to the ordinances and criteria in effect at the time of the subdivision;
- (2) The open roadside drainage system must be in existence at the time of enactment of the ordinance from which this article is derived;
- (3) The replatting of existing lots cannot result in the reduction of lot sizes if the size of the existing lots are already smaller than this allows;
- (4) The criteria set forth in section 62-42, Minor Plat, must be met;
- (5) The resulting reconfiguration of lots will not affect the approved drainage plan for the original subdivision on file with the city or, with minor modification to existing drainage plans, it can be demonstrated to the city engineer that the reconfiguration of existing lots will not have an adverse impact on drainage; and
- (6) The procedure set forth for replats in section 62-44, Replatting without vacating preceding plat, are met.

(Ord. No. 2004-0-17, § 61, 9-13-2004; Ord. No. 2019-O-24, § 5, 8-5-2019)

Sec. 62-148. Violation and penalty.

Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

(Ord. No. 2004-0-17, 9-13-2004)

Secs. 62-149—62-167. Reserved.***ARTICLE VI. DEVELOPMENT AGREEMENTS IN EXTRATERRITORIAL JURISDICTION*****Sec. 62-168. Development agreements in extraterritorial jurisdiction.**

- (a) This article applies to a development in the city's extraterritorial jurisdiction that is subject to the master plan procedure of section 62-39, Master Plan.
- (b) The council, after consideration and recommendation by the planning, development and zoning commission, may approve a development agreement with the owner of land in the extraterritorial jurisdiction.
- (c) The development agreement shall specify the land uses and development of the land, and address regionalization of utilities, where feasible.
- (d) The development agreement shall authorize enforcement by the city of land use and development regulations in the same manner the regulations are enforced within the boundaries of the city. Development regulations shall mean the city's zoning ordinance, subdivision ordinance and design criteria manual, and the sign ordinance.
- (e) The development agreement may, upon agreement by the city and landowner, contain land use and development regulations that vary and are different from development regulations that apply within the boundaries of the city.

(Ord. No. 2013-O-20, § 1, 9-9-2013; Ord. No. 2019-O-24, § 6, 8-5-2019)

ORDINANCE NO. 2025-O-20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE II. - SUBDIVISION AND DEVELOPMENT PROCESS, FOR PROVISIONS PERTAINING TO MASTER PLANS, FINAL PLATS AND DEVELOPMENT PLATS; AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE IV. MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RE-SUBDIVISION, FOR PROVISIONS PERTAINING TO LOTS AND LOT DIMENSIONS, PERIMETER STREETS, SIDEWALKS, AND REQUIREMENTS FOR SUBDIVISIONS IN THE OLD MANVEL TOWNSITE AREA; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Manvel has adopted an ordinance governing the subdivisions/re-subdivisions of land pursuant to chapter 212 of the Texas Local Government Code; and

WHEREAS, staff and PD&Z have considered and recommended amendments to the city’s subdivision ordinance regarding subdivision/re-subdivision and development of land; and

WHEREAS, on May 12th, 2025, the PD&Z conducted a public hearing on the proposed amendments as required by section 212.002 of the Texas Local Government Code;

WHEREAS, on May 19th, 2025, the City Council conducted a public hearing on the proposed amendments as required by section 212.002 of the Texas Local Government Code;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The Code of Ordinances of the City of Manvel, Texas, is hereby amended by amending Article II. *Subdivision and Development Process* of Chapter 62 “Subdivisions,” to read and provide as follows:

“CHAPTER 62 – SUBDIVISIONS

...

ARTICLE II. - SUBDIVISION AND DEVELOPMENT PROCESS

...

Sec. 62-39. - Master Plan

- (a) Where the proposed subdivision constitutes a tract or tracts consisting of a minimum of 50 acres or more in size, and which is intended to be subsequently subdivided as additional units of the same subdivision, a Master Plan shall be submitted. The Master Plan shall show the proposed layout of the streets, blocks, public parks land, school site purposes, and drainage of the entire area. The over-all layout, if approved by the council after recommendation by the Planning Commission, shall attach and file with a copy of the approved subdivision plat in the permanent files of the city. Thereafter, fractional preliminary and final plats of subsequent units of such subdivision may be submitted provided no significant changes are made to the Master Plan. If a master plan is prepared to conform to the requirements of section 62-38, Preliminary Plat, a separate Preliminary Plat approval is not required. Any request for change to the Master Plan must be submitted according to the procedures prescribed in Section 62-38, *Preliminary Plat*.
- (b) A phasing schedule shall be submitted as part of the Master Plan. The phasing schedule shall indicate the timing of each phase of development. All lands to be dedicated for public right-of-way, public park land, public use, trails, or school site purposes shall be dedicated in the first phase of the development. The council may allow the dedication of said public improvements in another phase of development where due cause is shown.
- (c) Approval of the Master Plan shall expire three years after council approval, unless within the three-year period, the subdivider has commenced construction of the improvements in the final construction plans approved by the city.
- (d) A Master Plan shall be approved by council resolution unless council approves an amended Planned Unit Development (PUD) or development agreement.

Sec. 62-40. Construction plans.

After approval of the preliminary plat by the planning commission, construction plans meeting the requirements of the city's design criteria manual, adopted plans, and other applicable ordinances, rules, policies and regulations shall be submitted for all improvements proposed on the preliminary plat. Engineering standards and standard details shall be contained in the design criteria manual, as amended from time to time. After a plat has been approved by the planning commission, the final construction plans have been approved by the city engineer, and all required fees have been paid, the subdivider or developer may proceed with construction of the public infrastructure after participating in a pre-construction meeting and obtaining all necessary building permits from the city.

Sec. 62-41. Final plat.

- (a) No final plat shall be considered unless and until a preliminary plat has been submitted and approved, unless a minor plat is used, and a set of final construction plans has been approved by the city engineer for the public infrastructure improvements.
- (b) After compliance with the foregoing procedure and preliminary plat approval by the planning commission, the subdivider shall prepare, or cause to be prepared, a final plat or plats, together with other supplemental information as specified herein. The final plat shall conform

substantially to the preliminary plat as approved and shall reflect any conditions or requirements for final approval imposed by the planning commission, together with the following additional requirements, which must be shown on or accompany the final plat:

- (1) The name of the subdivision;
- (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
- (3) The name, address and telephone number of the subdivider;
- (4) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face of the plat;
- (5) A certificate of ownership of the land from a title company;
- (6) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way within to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;
- (7) A field note description of the subdivided tract of land;
- (8) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
- (9) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
- (10) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
- (11) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
- (12) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
- (13) The exact layout shall include the following:
 - a. Streets and street names;
 - b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
 - c. All easements or rights-of-way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
 - d. All lot and block numbers;
 - e. All lot lines with accurate dimensions;

- f. All alleys;
 - g. Location and description of monuments;
 - h. Building setback lines from all adjacent streets; and
 - i. Point of beginning, including Northing and Easting.
- (14) Boundary closure calculations, the minimum of which shall be 1:15,000;
 - (15) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances. For subdivisions including common areas, reserves, and restricted reserves, documentation indicating ownership and maintenance responsibility shall be provided and the information shall be reflected on the plat;
 - (16) A waiver of claim for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;
 - (17) ~~A~~ A current original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
 - (18) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
 - (19) A certificate of approval on face of the plat, with signatures for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
 - (20) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
 - (21) A current title policy or title commitment from an insured title company reflecting the current owner of the tract of land;
 - (22) A notation that sidewalks shall be constructed as part of the issuance of a building permit for each tract;
 - (23) For residential subdivisions, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
 - (24) A notation that the final plat will expire two years after final approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
 - (25) Construction drawings of the proposed infrastructures improvements, which must be approved by the city engineer prior to planning commission approval of the final plat;
 - (26) Two original mylar copies of the final plat and supporting data shall be submitted to the city secretary. Said copies shall be submitted to city staff, according to the city's plat submittal schedule, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules and regulations. On receipt by city staff of an administratively complete application, the final

plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. According to the city's plat submittal schedule, the subdivider shall provide to the planning commission [~~11 folded copies, one~~] 1 folded copy accompanied by an electronic (.pdf) copy, and two original mylar copies of the final plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. Should the final plat be disapproved by the planning commission, note its disapproval thereon, and attach thereto a statement of the reasons for such disapproval. A disapproved final plat may be resubmitted with correcting changes [~~within 30 days of planning commission action~~] according to the city's plat submittal schedule. No final plat shall be processed until final construction plans are approved;

- (27) Approval of the final plat shall expire two years after planning commission approval unless, within such two-year period, the subdivider has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the final plat will expire;
- (28) In the event the tract of land being subdivided is adjacent to a street or road that does not meet the city's design criteria manual specifications, the subdivider shall be required to improve all such streets or roads (frontage and perimeter) to meet those specifications from the point where such street or road does meet the city's requirements, to the farthestmost boundary of the subdivision;
- (29) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction of the city; and
- (30) A master plan, where applicable.

Sec. 62-42. Minor plat.

- (a) When all requirements of this section are satisfied, the requirement of preliminary plat submittal may be eliminated from the development or subdivision process in accordance with the provisions of this section. The subdivider shall be required only to comply with the final plat provisions and procedures of this article for a minor plat submittal.
- (b) To qualify for a minor plat, the proposed subdivision must meet all of the following requirements:
 - (1) All lots of the proposed subdivision must front on a public street or on streets that meet the following criteria:
 - a. The street must have been previously dedicated to and accepted by the city, county or state, as applicable, must be maintained by the entity with jurisdiction, and must be traveled by the public; and

- b. The street must exist within a right-of-way with a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
- (2) No additional dedication or construction of streets, alleys, or extensions of existing streets or alleys are required for the proposed subdivision;
- (3) A drainage plan, covering all land to be improved, must be prepared in accordance with the "City of Manvel Design Criteria Manual" (as amended from time to time), the master drainage plan, and submitted to the appropriate drainage district. Construction plans for each improvement must have been approved by the city prior to approval of the minor plat;
- (4) All necessary easements and/or public dedications are either existing or will be dedicated by the owner/subdivider. All such easements and/or public dedications must be of an acceptable width and configuration.

...

Sec. 62-46. Development plat.

- (a) The term "development" in this section means new construction of any building or structure of any nature both residential and nonresidential. "Development" does not include construction of any building or improvement used for agriculture purposes. This section shall apply to any land in the city or within its extraterritorial jurisdiction, as follows:
 - (1) The development of any lot, tract, or parcel that has not been platted or replatted prior to the effective date of this section;
 - (2) The development of any lot, tract, or parcel of land which the owner claims a certificate of exception from these subdivision regulations, including requirements to replat, which the exception is not expressly provided in section 62-3, application and compliance with chapter, subsection (e), exception to platting;
 - (3) The development of a lot, tract, or parcel of land for which the only access is a private easement or street; and/or
 - (4) The division of a lot, tract, or parcel of land resulting in parcels or lots each of which is greater than five acres in size, and where no public improvement is proposed to be dedicated or constructed.
- (b) Development plats shall be required where:
 - (1) The lot, tract, or parcel to be developed has not received final plat or replat approval or was created prior to the effective date of this chapter; or
 - (2) A subdivision plat is also required under city ordinances; or
 - (3) The issuance of a building permit does not exceed the substantial improvement of an existing principal structure.

- (c) The developer shall prepare, or cause to be prepared, a development plat, together with other supplemental information as specified herein. The development plat shall illustrate the following:
- (1) The name of the development;
 - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
 - (3) The name, address, and telephone number of the developer;
 - (4) Each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;
 - (5) The dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to the public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part;
 - (6) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face the plat;
 - (7) A current title policy or title commitment from an insured title company reflecting the current owner for the tract of land;
 - (8) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;
 - (9) A field note description of the development tract of land;
 - (10) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
 - (11) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
 - (12) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
 - (13) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
 - (14) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
 - (15) The exact layout shall include the following:
 - a. Streets and street names;

- b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
 - c. All easements or rights-of way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
 - d. All lot and block numbers;
 - e. All lot lines with accurate dimensions;
 - f. All alleys;
 - g. Location and description of monuments;
 - h. Building setback lines from all adjacent streets; and
 - i. Point of beginning, including Northing and Easting.
- (16) Boundary closure calculations, the minimum of which shall be 1:15,000;
 - (17) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances;
 - (18) A waiver for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;
 - (19) An original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
 - (20) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
 - (21) A certificate of approval on the face of the plat, with signature for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
 - (22) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
 - (23) A notation that sidewalks shall be constructed, if required, as part of the issuance of a building permit for each tract;
 - (24) For residential plats, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
 - (25) A notation that the development plat will expire two years after approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
 - (26) Construction drawings of the proposed infrastructure improvements, which must be approved by the city engineer prior to planning commission approval of the development plat;

- (27) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction (where applicable) of the city;
 - (28) A master plan, if applicable; and
 - (29) Two original mylar copies of the development plat and supporting data shall be submitted to the city secretary.
- (d) Said copies shall be submitted to city staff, at least 21 days prior to the scheduled meeting date, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules, and regulations. On receipt by city staff of an administratively complete application, the development plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. At least seven days prior to such meeting date, the developer shall provide to the planning commission 15 copies and two original mylar copies of the development plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. A disapproved development plat may be resubmitted with correcting changes within 30 days of planning commission action. No development plat shall be processed until final construction plans are approved;
 - (e) Approval of the development plat shall expire two years after planning commission approval unless, within such two-year period, the developer has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the development plat will expire;
 - (f) In the event the tract of land being platted is adjacent to a street or road that does not meet the city design criteria manual specifications, the developer shall be required to improve all such public/private streets (frontage and perimeter) to meet those specifications from the point where such street does meet the city's requirements, to the farthestmost boundary of the plat;
 - (g) A development plat is not required when:
 - a. A single one-acre or larger lot, tract, or parcel is proposed for single-family detached development. However, a public or private street shall be dedicated with a minimum 60-foot right-of-way for access to the lot, tract, or parcel and sidewalks constructed in accordance with section 62-104, Streets. Singular access to the subdivided lot, tract, or parcel by easement shall be prohibited. A single-family detached developed lot, tract, or parcel shall only be exempt from the requirements of this section one time; and
 - b. Accessory structures related to the single-family detached development.

Sec. 62-47. Filing of final plat.

Upon approval of the final plat, compliance with all conditions, and submission of all required documentation, the council will consider the acceptance of the improvements. A two-year maintenance bond in the amount of 100 percent of the total cost of the infrastructure improvements

or a one-year letter of credit in the amount of 50 percent of the total cost of the infrastructure improvements shall be required for the public improvements being dedicated to the city. Additionally, an updated original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property shall be provided before the plat can be filed with the county. Once such paperwork is submitted, and the improvements approved by the city engineer and accepted by the council, the city shall file the plat with county. The city shall be listed as an owner on all required documentation. The acceptance of the improvements by the council is valid from the date of council acceptance.

Secs. 62-48—62-65. Reserved”

Section 3. The Code of Ordinances of the City of Manvel, Texas, is hereby amended by amending Article IV. *Minimum Requirements for Subdivision and/or Resubdivision* of Chapter 62 “Subdivisions,” to read and provide as follows:

“CHAPTER 62 – SUBDIVISIONS

...

ARTICLE IV. MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION

Sec. 62-103. Established minimum requirements.

The subdivider shall comply with the minimum requirements of section 62-104, [~~streets~~] Streets, and section 62-111, Additional street requirements, before consideration will be given to any final plat of any subdivision of land within the city limits of the city or within the extraterritorial jurisdiction of the city. All major thoroughfare streets, perimeter streets, trails, and parks shall be constructed with the first final plat, unless council approves a phasing plan for development. The provisions of this article that do not conflict with section 62-40, construction plans, shall apply to minor plats.

Sec. 62-104. Streets.

Street design shall conform to all applicable planning tools, such as the Texas Manual on Uniform Traffic Control Devices, Comprehensive Plan, Transportation Corridor Plan, Major Thoroughfare Plan, and Design Criteria Manual. All paving and construction plans shall be approved by the city for all streets within the city.

- (1) *Major thoroughfare, major arterial, and collector streets.* The arrangement, character, extent, width, grade, and location of all thoroughfare, arterial, and collector streets shall

provide for the continuation or appropriate projection to existing and planned streets, for topographical conditions, for public convenience and safety, and for appropriate relation to the proposed uses of the land to be served by such streets, as provided by the city's major thoroughfare plan;

- (2) *Minor or residential street.* These streets shall be designed so that their use by through traffic will be discouraged;
- (3) *Marginal access streets; reverse frontage streets.* Where a subdivision abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage with screen planting contained in a [~~non-cross~~] non-cross reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic;
- (4) *Right-of-way parallel streets.* Where a subdivision borders on or contains a railroad or highway right-of-way, the city may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, for park purposes within residential districts, or for commercial or industrial purposes within appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations;
- (5) *Multiple access points.*
 - a. *Two point of access.* There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots.
 - b. *Three points of access.* There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.
 - c. *Four points of access.* There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.
 - d. *Points of access and existing conditions.* The council may require additional points of access from a collector street due to existing conditions (e.g., pipelines, floodplain, body of water, etc.) in addition to requirements set forth in this section to protect the health, safety, and welfare of the city and its extraterritorial jurisdiction. This access point shall not be located over the potential hazard.
 - e. *Boulevard entries.* A boulevard entry may only be considered as two points of access when a fourth point of access is triggered under subsection c. Four points of access, above;
- (6) *Street jogs.* Street jogs, with centerline offsets of less than 125 feet, shall be prohibited;
- (7) *Reverse curves.* A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial and collector streets;
- (8) *Connecting street lines.* When connecting street lines deflect from each other at any one point by more than 10 degrees, such streets shall be connected by a curve with a radius adequate to ensure sight distances of not less than 60 feet for minor and collector streets and of such greater radii as council shall determine for special cases;
- (9) *Intersections.* Streets shall be designed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees;

- (10) *Property lines at street intersections.* Property lines at street intersections shall be rounded with a radius of 15 feet, or of a greater radius where large truck traffic is anticipated;
- (11) *Rights-of-way widths.* The minimum right-of-way width for all streets in the city and its extraterritorial jurisdiction is 60 feet or otherwise specified in the city's thoroughfare plan, as amended from time to time.
- (12) *Half streets.* Half streets shall be prohibited, except where such streets are essential to the reasonable development of a subdivision in conformity with other requirements of this chapter, and where the planning commission finds it would be practicable to require the dedication of the other half of such street when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of such street shall be dedicated;
- (13) *Dead-end streets.* Dead-end streets, designated to be so permanently, shall not be longer than 1,200 feet and, at the closed end of such street, shall provide a turn-around having an outside roadway diameter of at least 100 feet and a street property line right-of-way diameter of at least 120 feet;
- (14) *Street names.* No street name shall be used that duplicates, or that may be confused with, the name of an existing street. All street names dedicated by plat shall be subject to approval of the planning commission. All other street name changes shall be subject to approval of the council. The planning commission may recommend street names not dedicated by plat for approval by council.
- (15) *Street design.* The details of all street designs shall conform to the city's engineering standards and standard details of the design criteria manual. The street design shall conform to the functional classification of the thoroughfare plan, if applicable.

...

Sec. 62-108. Lots.

(a) *One acre and larger.*

- (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line (measured from the frontage road right-of-way) shall be a minimum of 25 feet;
 - b. Street side building setback line shall be a minimum of 25 feet;
 - c. Side and rear building setback lines shall be 10 feet; and
 - d. Lots that abut across walkways shall be treated as street side lots.
- (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line shall be 25 feet;
 - b. Street side building setback line shall be 25 feet;
 - c. Side and rear building setback lines shall be 10 feet;

- d. Lots that abut across walkways shall be treated as street side lots.
- (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
 - (4) Lot dimensions shall be a minimum of 120 feet in width at the ~~[right-of-way]~~ front building setback line and of a depth so as to provide an area of not less than one acre or 43,560 square feet.
 - (5) Residential lots not served by a public sewer system shall be not less than 120 feet in width at the building setback line and shall have an area of not less than one acre or 43,560 square feet. Existing conforming lots that become non-conforming due to reduced lot area resulting from required right-of-way dedication for development shall be considered a conforming lot if the resulting reduced lot area is not less than 0.85 acres.
 - (6) The depth and width of properties reserved or designed for business and industrial purposes shall be of adequate distances to provide for off-street service and parking facilities, as required by the type of use and development contemplated.
 - (7) In an approved subdivision, lot sizes may be increased in order to secure privacy within such lots or to allow improvement upon such lots to conform to the building requirements. However, in no instance shall lot size changes be allowed if such changes in the creation of one or more lots that are less than the minimum area requirements of this article.
 - (8) Any subdivision of land shall provide each lot with access to a public street or a private street as specified in the design criteria manual and this subdivision ordinance. The public street shall have a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
 - (9) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
 - (10) Side lot lines shall be at substantially right angles or radial to street lines.
 - (11) Flag or key-shaped lots are not allowed.
- (b) *Lots smaller than one acre.*
- (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line shall be 25 feet (measured from the frontage road right-of-way);
 - b. Street side building setback line shall be ten feet; and
 - c. Side and rear building setback lines shall be five feet.
 - (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
 - a. Front building setback line shall be 25 feet. An exception to this requirement is minimum setback lines shall be increased to a total of 35 feet from a 60 foot right-of-way, where a minor or major thoroughfare is set forth in the city's thoroughfare plan;
 - b. Street side building setback line shall be 15 feet; and
 - c. Side and rear building setback lines shall be five feet.

- (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
- (4) Lot dimensions shall be not less than 60 feet in width at the ~~[right-of-way]~~ front building setback line and of a depth so as to provide an area of not less than 6,300 square feet.
- (5) Depth and width of properties reserved or designed for business and industrial purposes shall provide for off-street service and parking facilities, as required by the type of use and development proposed.
- (6) In an approved subdivision, lot sizes may be permitted to be increased in order to secure privacy within such lots or to allow improvement on such lots to conform to the building requirements. However, in no case shall lot size changes be allowed if such changes result in the creation one or more lots of a size that is less than the minimum area requirements of this article.
- (7) Any subdivision of land shall provide each lot with access to a public street as specified in the design criterial manual.
- (8) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
- (9) Side lot lines shall be at substantially right angles or radial to street lines.
- (10) Flag or key-shaped lots are not allowed.

Sec. 62-109. Public sites and open spaces.

In conformity with the city's master plan, where a proposed park, school, playground, or other public facility is located in whole or in part within a subdivision, the subdivider may dedicate such land to public use or shall provide the appropriate political entity with a one-year purchase option on such land.

Sec. 62-110. Monuments.

- (a) Monuments set as exterior boundary markers shall be a five-eighth-inch iron rod or a three-fourth-inch iron pipe of at least 36 inches in length and encased in concrete for a minimum depth of 18 inches below the surface of the ground.
- (b) Permanent reference monuments shall be set at all boundary line angle points, block corners, points of curvature, and at intervals of not more than 1,000 feet. All permanent reference monuments shall conform to the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying.
- (c) All monuments shall be set to the standards of the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying, and shall bear reference caps as indicated.
- (d) Interior lot corner monuments shall be, at a minimum, a five-eighth-inch iron rod of at least 36 inches in length.

Sec. 62-111. Additional street requirements.

- (a) All streets shall be constructed in accordance with the city's design criteria manual.
- (b) The developer shall be responsible for construction of all roadways within the development in accordance with the city's design criteria manual. Where the thoroughfare plan requires street widths over and above the local street requirements, the developer shall dedicate the amount of right-of-way required for the larger street and shall construct such street with a pavement width of up to 38 feet. If the city requires a pavement width of more than 38 feet, the city shall provide funding for such increased width, subject to the availability of funds and within legal limitations.
- (c) The developer shall be responsible for construction of necessary improvements on all perimeter streets in order to bring the pavement and curbing up to minor street standards for the one-half of the street abutting the development. This requirement does not apply to roads and rights-of-way owned and maintained by the County or State unless specifically required by the controlling authority.

Sec. 62-112. Water and wastewater facilities.

- (a) Water and wastewater facilities shall conform to the city's design criteria manual.
- (b) If the city's master plan requirements dictate a larger line size, or a greater sewer line depth, than that required for a subdivision, the city shall pay the difference, subject to the availability of funds and the legal requirements.

Sec. 62-113. Sidewalks.

Sidewalks shall be constructed at a minimum of [~~four~~] five feet wide or as determined by the city's thoroughfare plan and in accordance with the city's design criteria profile. Sidewalks shall be installed in accordance with the city's design criteria manual. For non-residential development with frontage on rights-of-way owned and maintained by the County or State, a sidewalk shall be made part of the site development, if controlling authority does not permit construction of sidewalk within the right-of-way.

Sec. 62-114. Street lighting and signage.

The developer shall provide a layout of the location of proposed streetlights and shall also provide easements for power lines, where required, as part of the infrastructure construction plans and final plat submittal. The city will make arrangements with the power company for installation of streetlights for those subdivisions located within the city limits. The developer shall provide street name signs and traffic control devices all in accordance with the requirements of the Texas Manual on Uniform Traffic Control Devices.

...

Sec. 62-119. Additional requirements for subdivisions in the Original Manvel Townsite area.

- (a) Original Manvel Townsite area. The regulations in this section shall apply to all applicable subdivisions and development of land within the Original Manvel Townsite (OMT) area. The Original Manvel Townsite area shall be bounded by Cemetery Road on the east, [~~Large Drive~~] Lewis Lane on the north, McCoy Road on the west, and [~~the railroad tracks (sitting just north of Bissell Road)~~] Jordan Road, on the south.
- (b) Applicability. The regulations in this section shall apply to lots [~~zoned light commercial (LC) district, or planned unit development (PUD) district allowing for commercial land use, where the lot is five~~] that are ten acres or less.
- (c) These regulations are specific to subdivisions and development in the Original Manvel Townsite area, and supersede any conflicting regulations in other sections of the City Code.
- (d) The following regulations shall apply to subdivisions and development in the Original Manvel Townsite area:
 - (1) *Streets*. Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
 - (2) *Drainage*. Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
 - (3) [~~Water. Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.~~]
 - (4) [~~Wastewater. Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.~~]
 - (5) (3) *Detention/mitigation*. In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

Sec. 62-120. Exceptions for certain Manvel residents.

- (a) "Certain Manvel residents" are defined as individuals who are seeking construction of a single-family residential structure that the resident intends to occupy as his/her residence.
- (b) The following provisions do not apply to certain Manvel residents:
 - (1) Provisions regarding the construction of public infrastructure in section 62-104;
 - (2) Provisions regarding the construction of public infrastructure in section 62-105;
 - (3) Provisions regarding the construction of public infrastructure in section 62-111, except that all right-of-way and drainage dedication requirements specified in the city's master thoroughfare plan and master drainage plan still apply;
 - (4) Provisions regarding the construction of public infrastructure in section 62-113;
 - (5) Provisions regarding the construction of public infrastructure in section 62-114; and

- (6) Provisions regarding the construction of public infrastructure in section 62-115, except that nothing herein shall be construed to exempt compliance with chapter 32, Flood Damage Prevention.
- (c) For purposes of this section, certain Manvel residents seeking construction of a residential accessory building that is an accessory to a residential structure described by subsection (a) is entitled to the same exceptions as a residential structure described by subsection (a).
- (d) Notwithstanding section 62-4, the maximum fee for certain Manvel residents described by this section shall not exceed \$0.00 if the fee is to request a variance to this chapter, appeal to the zoning board of adjustments, or submit any plats requiring review or approval. A fee, rate, deposit, or other charge inconsistent with this section that was adopted by resolution prior to the effective date of this section is hereby repealed.
- (e) The city shall establish a fee schedule that clearly distinguishes the fees established by subsection (c) from the fees applicable to all other developers not covered under this section.

Secs. 62-121—62-145. Reserved.”

Section 4. **Penalty.** Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 5. **Repealer.** All ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

Section 6. **Severability.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this ____ day of _____, 2025.

PASSED, APPROVED, AND ADOPTED on second and final reading this
_____, 2025.

Dan Davis, Mayor

Attest:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: April 2, 2025

TOPIC: Acceptance of infrastructure improvements for Detention Basin, Lake Amenity, and Storm Sewer to serve Foxtail Palms for Brazoria County Municipal Utility District 29 and City of Manvel, Texas to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

- ☒ Not applicable
- ☐ Not budgeted
- ☐ Full amount already budgeted
- ☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Acceptance of infrastructure improvements for Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana Section 10 for Brazoria County Municipal Utility District 57, Brazoria County, Texas to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

- ☒ Not applicable
- ☐ Not budgeted
- ☐ Full amount already budgeted
- ☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF MANVEL,
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 83 AND
HILLWOOD ENTERPRISES, L.P.**

This Memorandum of Understanding (this “MOU”) is effective as of June 2, 2025, by and between the CITY OF MANVEL, TEXAS (the “City”), a Texas home-rule city, BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 83 (the “District”), a conservation and reclamation district and political subdivision of the State of Texas, and HILLWOOD ENTERPRISES, L.P., a Texas limited partnership (the “Hillwood”).

RECITALS

WHEREAS, the City, District, and Hillwood entered into an Interlocal and Development Agreement dated October 15, 2021 (the “Agreement”), which pertained to the development of “Valencia” a commercial and residential development of approximately 440 acres, located within the boundaries of the City; and

WHEREAS, in the Agreement the parties provide for the design, financing, and construction of certain public improvements pursuant to Chapter 791.028 of the Texas Government Code and Chapter 552.014 of the Texas Local Government Code; and

WHEREAS, the Agreement contains a financial mechanism for the rebate of costs of the construction of certain improvements to the District, construction of valuable public improvements and to encourage and promote the development of the District, and to satisfy rough proportionality for the proportional cost of improvements that serve those outside of the District; and

WHEREAS, Article 5.3 of the Agreement provides that the parties would enter into a Memorandum of Understanding establishing the process for the City’s impact fee credit/reimbursement described therein, so that the requirements of the Agreement and state law regarding impact fees are followed;

WHEREAS, the parties are now able and willing to enter into this MOU, as required by Article 5.3 of the Agreement;

NOW, THEREFORE, for and in consideration of the promises and the mutual agreements set forth herein, the City, District and Hillwood hereby agree as follows:

ARTICLE 1
GENERAL TERMS

1.1 To satisfy Article 5.3 of the Agreement and state law regarding the credit/reimbursement of impact fees, the Parties agree to the following arrangement:

- 1) Through the combination of Impact Fees, Impact Fee Projects, and oversizing efforts, the District has secured the equivalent of 1,250 ESFCs. Any future connections requested or required above 1,250 ESFCs will be purchased at the then current Impact Fee rate.
- 2) The City will retain the impact fees collected for 400 ESFCs.
- 3) The City shall refund the \$1,700,000 deposit for the remaining 850 ESFCs within 30 days of the effective date of this Memo.
- 4) The City shall pay the District the amount of \$1,350,000 over the period of three years. This amount constitutes the remaining difference between impact fees paid, impact fee projects and oversizing projects completed or to be completed. The payment schedule is as follows: June 1, 2026 - \$350,000; June 1, 2027 - \$500,000; and June 1, 2028 - \$500,000. There shall be no penalty for early payment(s).
- 5) The Parties agree that there are no other Impact Fee Projects or oversizing projects eligible for reimbursement related to MUD 83 and the Valencia development.
- 6) The Parties agree that this Memorandum of Understanding shall in all aspects satisfy the requirement of the establishment of the process for the City's impact fee credit/reimbursement described in Article 5.3 of the Agreement.
- 7) The Parties agree that the costs of construction and financing and amounts of impact fee reimbursement stated herein shall be a final mutually agreed accounting of said amounts and settle and resolve any and all issues involving cost calculation and reimbursement. Additionally, the Parties agree and stipulate that this MOU resolves any additional issues between them regarding compliance with the impact fee provisions of Texas Local Government Code, Chapter 395 and the Agreement.

ARTICLE 2

REPRESENTATIONS

2.1 Representations of the District. The District hereby represents that:

(A) The District is duly authorized, created, and existing under the laws of the State of Texas, is qualified to do business in the State of Texas, and is duly qualified to do business wherever necessary to carry on the operations contemplated by this MOU.

(B) The District has the power, authority, and legal right to enter into and perform its obligations set forth in this MOU, and the execution, delivery, and performance hereof (i) has been duly authorized, (ii) will not, to the best of its knowledge, violate any judgment, order, law, or regulation applicable to the District or any provisions of the District's agreements or other governing documents, and (iii) does not constitute a default under, or result in the creation of, any lien, charge, encumbrance, or security interest upon any assets of the District under any agreement or instrument to which the District is a party or by which the District or its respective assets may be bound or affected.

2.2 Representations of the City. The City hereby represents that:

(A) The City is duly authorized, created, and existing as a home-rule municipality under the laws of the State of Texas and is duly qualified and authorized to carry on the governmental functions and operations as contemplated by this MOU.

(B) The City has the power, authority, and legal right to enter into and perform this Agreement and the execution, delivery, and performance hereof (i) has been duly authorized, (ii) will not, to the best of its knowledge, violate any applicable judgment, order, law, or regulation, and (iii) does not constitute a default under, or result in the creation of, any lien, charge, encumbrance, or security interest upon any assets of the City under any agreement or instrument to which the City is a party or by which the City or its respective assets may be bound or affected.

2.3 Representations of Hillwood. Hillwood hereby represents that:

(A) Hillwood is a Texas limited partnership duly authorized, created, and existing under the laws of the State of Texas, is qualified to do business in the State of Texas, and is duly qualified to do business wherever necessary to carry on the operations contemplated by this MOU.

(B) Hillwood has the power, authority, and legal right to enter into and perform its obligations set forth in this MOU, and the execution, delivery, and performance hereof (i) has been duly authorized, (ii) will not, to the best of its knowledge, violate any

judgment, order, law, or regulation applicable to Hillwood or any provisions of Hillwood's agreements or other governing documents, and (iii) does not constitute a default under, or result in the creation of, any lien, charge, encumbrance, or security interest upon any assets of Hillwood under any agreement or instrument to which Hillwood is a party or by which Hillwood or its respective assets may be bound or affected.

ARTICLE 3 **DEFAULT**

3.1 Default.

(A) If the City, District or Hillwood does not perform its obligations hereunder in substantial compliance with this MOU, then Article 6 of the original Agreement, as may be amended, shall control, including, but not limited to, default and cure provisions, force majeure, and mitigation of damages.

ARTICLE 4 **MISCELLANEOUS PROVISIONS**

4.1 Separate Status. None of the terms or provisions of this Agreement shall be deemed to create a partnership between or among the Parties in their respective businesses or otherwise, nor shall it cause them to be considered joint ventures or members of any joint enterprise.

4.2 Construction and Interpretation.

(A) Whenever required by the context of this Agreement, the singular shall include the plural, and vice versa, and the masculine shall include the feminine and neuter genders, and vice versa.

(B) The captions preceding the text of each article and section of this Agreement are included only for convenience of reference. Captions shall be disregarded in the construction and interpretation of this Agreement. Capitalized terms are also selected only for convenience of reference and do not necessarily have any connection to the meaning that might otherwise be attached to such term in a context outside of this Agreement.

(C) This Agreement may be executed in several counterparts; each of which shall be deemed an original. The signatures to this Agreement may be executed on separate pages, and when attached to this Agreement shall constitute one complete document.

4.3. Notice. Any notice or demand, which either the City or the District is required to or may desire to serve upon the other, must be in writing, and shall be sufficiently served if (i) personally delivered, (ii) sent by email, (iii) registered or certified mail, postage prepaid, or (iv) sent by commercial overnight carrier, and addressed to:

If to the City:

City of Manvel, Texas
P.O. Box 187
Manvel, Texas 77578
Attention: City Manager
Email: dan.johnson@cityofmanvel.com

If to the District:

Brazoria County Municipal Utility District No. 83
c/o The Muller Law Group, PLLC
202 Century Square Blvd.
Sugar Land, Texas 77478
Email: shima@mullerlawgroup.com

If to Hillwood:

Mr. Russell Bynum
3129 Kingsley Drive, Suite 1340
Pearland, TX 77584
Email: russell.bynum@hillwood.com

and

Mr. Brian Carlock
3000 Turtle Creek Blvd
Dallas, TX 75219
Email: brian.carlock@hillwood.com

or such other address or addresses any Party may be notified about in writing by any other Party to this Agreement. Such notice shall be deemed to have been served (a) upon receipt in the event of personal service; (b) the date of receipt by email; (c) four business days after the date such notice is deposited and stamped by the U.S. Postal Service, except when lost, destroyed, improperly addressed, or delayed by the U.S. Postal Service, or (d) the first business day after the date of deposit with an overnight courier, except when lost, destroyed, improperly addressed, or delayed by the courier; provided that should

such notice pertain to the change of address to either of the Parties hereto, such notice shall be deemed to have been served upon receipt thereof by the Party to whom such notice is given.

4.4. Term and Termination. This MOU shall remain in effect for as long as the original Agreement, as may be amended, remains in full force and effect.

Approved and executed as of the Effective Date.

CITY OF MANVEL

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

**BRAZORIA COUNTY MUNICIPAL
UTILITY DISTRICT NO. 83**

Todd Casper
Todd Casper (May 29, 2025 15:35 CDT)

President, Board of Directors

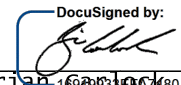
ATTEST:

 (May 29, 2025 15:15 CDT)

Secretary

**HILLWOOD ENTERPRISES, L.P., a
Texas limited partnership**

**By: AHB, LLC
a Texas limited liability company
its general partner**

By:  DS
RB
Name: Brian Carlock
Title: SVP
Date Executed: 5/29/2025

2025 MOU for Brazoria County MUD 83

Final Audit Report

2025-05-29

Created:	2025-05-29
By:	Mariah Bergstedt (mariah@mullerlawgroup.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAiABNKqq7r9nWW0_ts-gJo5iTqCAK-ior

"2025 MOU for Brazoria County MUD 83" History

-  Document created by Mariah Bergstedt (mariah@mullerlawgroup.com)
2025-05-29 - 8:10:48 PM GMT
-  Document emailed to Todd Casper (todd.casper@cbre.com) for signature
2025-05-29 - 8:10:51 PM GMT
-  Document emailed to Johnnie Wright (johnnieleahw@yahoo.com) for signature
2025-05-29 - 8:10:51 PM GMT
-  Email viewed by Todd Casper (todd.casper@cbre.com)
2025-05-29 - 8:11:00 PM GMT
-  Email viewed by Johnnie Wright (johnnieleahw@yahoo.com)
2025-05-29 - 8:14:38 PM GMT
-  Document e-signed by Johnnie Wright (johnnieleahw@yahoo.com)
Signature Date: 2025-05-29 - 8:15:43 PM GMT - Time Source: server
-  Document e-signed by Todd Casper (todd.casper@cbre.com)
Signature Date: 2025-05-29 - 8:35:46 PM GMT - Time Source: server
-  Agreement completed.
2025-05-29 - 8:35:46 PM GMT

ORDINANCE NO. 2025-O-13

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF A 0.4073 ACRE TRACT OF LAND IN THE MARY V. O'DONNELL SURVEY, ABSTRACT NO. 470, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS, BEING THAT PORTION OF RUSSELL STREET LOCATED BETWEEN SH 6 AND LARGE AVENUE; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS; RETAINING AN EASEMENT FOR CENTERPOINT FACILITIES CURRENTLY OCCUPYING SAID RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the JBB&D Family Partnership (west side) and 7303 Russell, LLC (east side) are the property owners of land located west and east of Russell Street, between SH 6 and Large Avenue (Applicants);

WHEREAS, the Applicants have petitioned the City of Manvel, Texas, to vacate, abandon, and close the hereinafter described right-of-way abutting their property; and

WHEREAS, said right-of-way is known as a 0.4073 acre tract of land in the Mary V. O'Donnell Survey, Abstract No. 470, City of Manvel, Brazoria County, Texas, being a portion of Russell Street located between SH 6 and Large Avenue; and

WHEREAS, Applicants have submitted the necessary application and information and fees to the City to review the request for abandonment, said application attached hereto as Exhibit A;

WHEREAS, the City Council has determined that such public right-of-way, being a portion of Russell Street located between SH 6 and Large Avenue, is no longer necessary for public convenience and

necessity and should be vacated, abandoned, and closed, and any interest in said right of way released; now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, STATE OF TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council of the City of Manvel, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of city right-of-way consisting of 0.4073 acre tract of land in the Mary V. O'Donnell Survey, Abstract No. 470, City of Manvel, Brazoria County, Texas, being a portion of Russell Street located between SH 6 and Large Avenue. Said right-of-way to be abandoned is more particularly described by metes and bounds, and shown by map, as attached as Exhibit B, attached hereto and incorporated herein.

Section 3. The right-of-way consisting of 0.4073 acre tract of land in the Mary V. O'Donnell Survey, Abstract No. 470, City of Manvel, Brazoria County, Texas, being a portion of Russell Street located between SH 6 and Large Avenue, is hereby vacated, abandoned, and closed, and any public right of way interest therein is released.

Section 4. This abandonment is subject to, and contingent upon, payment of all fees and consideration (as determined by the appraisal commissioned in connection with this abandonment request, as may be modified by city council) by the Applicant, or other satisfaction of said consideration requirement as may approved by Council and confirmed by letter from the city manager, as well as fulfillment of all other requirements of state law, city ordinances, and the City's abandonment policy. Until satisfactory completion of this requirement, this abandonment shall not be effective.

Section 5. Upon satisfaction of the above, this abandonment shall be effective and the Mayor and City Secretary are hereby authorized to execute and attest, respectively, a quitclaim deed, conveying the respective abandoned right of way interests to the abutting property owner(s), upon request.

Section 6. Utility Easements for facilities currently in place. Consistent with the franchise agreement(s) currently in place with Centerpoint Energy Houston Electric, LLC and Centerpoint Energy Texas Gas Operations (jointly or severally referred to herein as “Centerpoint”), the City of Manvel hereby retains 14-foot centerline utility easements for Centerpoint for any Centerpoint electrical or gas facilities currently occupying the abandoned right-of-way. The abandonment, sale, conveyance, or surrender of possession of this right-of-way shall be subject to any such easement right and continued use and occupancy thereof by Centerpoint.

Section 7. Repealer. All ordinances or parts of ordinances, or resolutions, official or unofficial policies, or practices inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

Section 8. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this _____ day of _____, 2025.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day
of _____, 2025.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

Exhibit A

Abandonment application

Exhibit B

Metes and bounds
Map of area to be abandoned



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Public Hearing followed by consideration of a request to rezone an approximate 35.3-acre tract of land, generally located at 9825 Masters (PIDs: 537539 & 619349), situated west of Chocolate Bayou and at the northeast corner of intersection of Cumulus Drive and Masters Road, from Open Single-Family Residential district (OSFR) to Planned Unit Development (PUD) District.

BACKGROUND:

- The approximate 35.3-acre subject site is situated west of Chocolate Bayou and north of intersection of Cumulus Rd and Meridiana Pkwy. The subject site is accessed from Masters Road and was developed as a single-family home with a horse ranch.
- The applicant, Brad Sweitzer of EHRA Engineering, representing the property owners Dorothy Wynne & Ralph Wayne Eubank, is requesting to rezone the property to a PUD District for inclusion into Meridiana PUD (Ordinance No. 2024-O-13) to allow the development of Garden Home lots (50-foot-wide, 6,300 sq.ft).
- Per the most recently approved PUD, new tracts may be added through the rezoning process and classified under Garden Home category without amending the existing Meridiana PUD. However, the General Development Plan is required to be amended and is included as a separate agenda item.
- Additionally, per the most recently approved PUD, the Meridiana PUD does not require full reapproval by City Council if tracts are added and designated as Garden Home through a rezoning process.
- The Notice of Public Hearing was published in the newspaper of general circulation and all property owners within 200 feet of the property were notified. At the time of writing this report, no information inquiries have been received, and staff is not aware of any opposition.
- Additional details and staff analysis are included in the attached staff report.

STAFF RECOMMENDATION: City staff recommends approval of the requested rezoning of the subject site from Open Single-Family Residential district (OSFR) to Planned Unit Development (PUD) District to be developed under the provisions of Meridiana PUD (Ordinance No. 2024-O-13).

PD&Z RECOMMENDATION: The Planning, Development, and Zoning (PD&Z) Commission held a public hearing on May 27, 2025, to receive public input regarding the proposed rezoning. The property owner living across from the subject site on Masters Road expressed concerns pertaining to traffic and drainage related impact. The Commission also raised questions regarding impact of the proposed section on drainage and traffic along Masters Rd. Staff clarified that the applicant submitted the traffic memo on the day of the meeting and noted that the drainage plans had already been submitted to the drainage district. Staff further explained that both the TIA and drainage plans will undergo detailed review during the platting process.

A motion to recommend approval of the requested rezoning to the City Council failed with a vote of two (2) "Yea" to three (3) "Nays." Therefore, the PD&Z Commission is not recommending approval of the requested rezoning.

ATTACHMENTS: Final Report, Traffic Memo, and Proposed Ordinance No. 2025-O-18

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER

Ellie Roohbakhsh,
Senior Planner

FINANCE DIRECTOR APPROVAL __NA__

CITY MANAGER APPROVAL __YES__





STAFF REPORT TO CITY COUNCIL

Rezoning

Agenda of:	June 2, 2025	Initiated By:	Jose Abraham Director, Development Services
Subject:	Rezoning, O-SFR to PUD	Presented By:	Ellie Roohbakhsh Senior Planner
Recommended Action:	Consideration And Possible Action to Approve Ordinance No. 2025-O-18		
<u>SUMMARY</u> The proposed rezoning involves an approximate 35.3-acres tract of land located at 9825 Masters (PIDs: 537539 & 619349), situated west of Chocolate Bayou and at the northeast corner of intersection of Cumulus Drive and Masters Road. The subject site is currently zoned Open-Single Family Residential District (O-SFR). O-SFR district requires minimum 1-acre lots. The subject site abuts Meridiana development on three sides. The applicant, Brad Sweitzer of EHRA Engineering, representing the property owners Dorothy Wynne & Ralp Wayne Eubank, is requesting to rezone the property to a PUD District for inclusion into Meridiana PUD (Ordinance No. 2024-O-13) to allow the development of Garden Home lots (50-foot-wide and 6,300 sq.ft).			
<i>Staff Recommendation:</i> Approval <i>PD&Z Recommendation:</i> Motion to Approve Failed			

EXHIBITS

Aerial Vicinity Map, Zoning Vicinity Map, Major Thoroughfare Plan Map, Application, Letter of Authorization, Letter of Request, Survey, Proposed Meridiana General Development Plan, and Public Hearing Notice.

GENERAL SITE INFORMATION

The following is a summary of general site information.

Surrounding Property Zoning	North: Planned Unit Development (PUD) South: Brazoria County (BC) East: Planned Unit Development (PUD) / Open-Single-Family Residential (OSFR) West: Planned Unit Development (PUD)
Surrounding Land Use	North: Single Family Residential (Meridiana) / Wastewater Treatment Plant South: Residential across Meridiana Pkwy / Undeveloped land East: Detention, Drainage, Landscape, Open Space, Recreation, and Utility Purposes / Single Family Residential West: Single Family Residential (Meridiana)

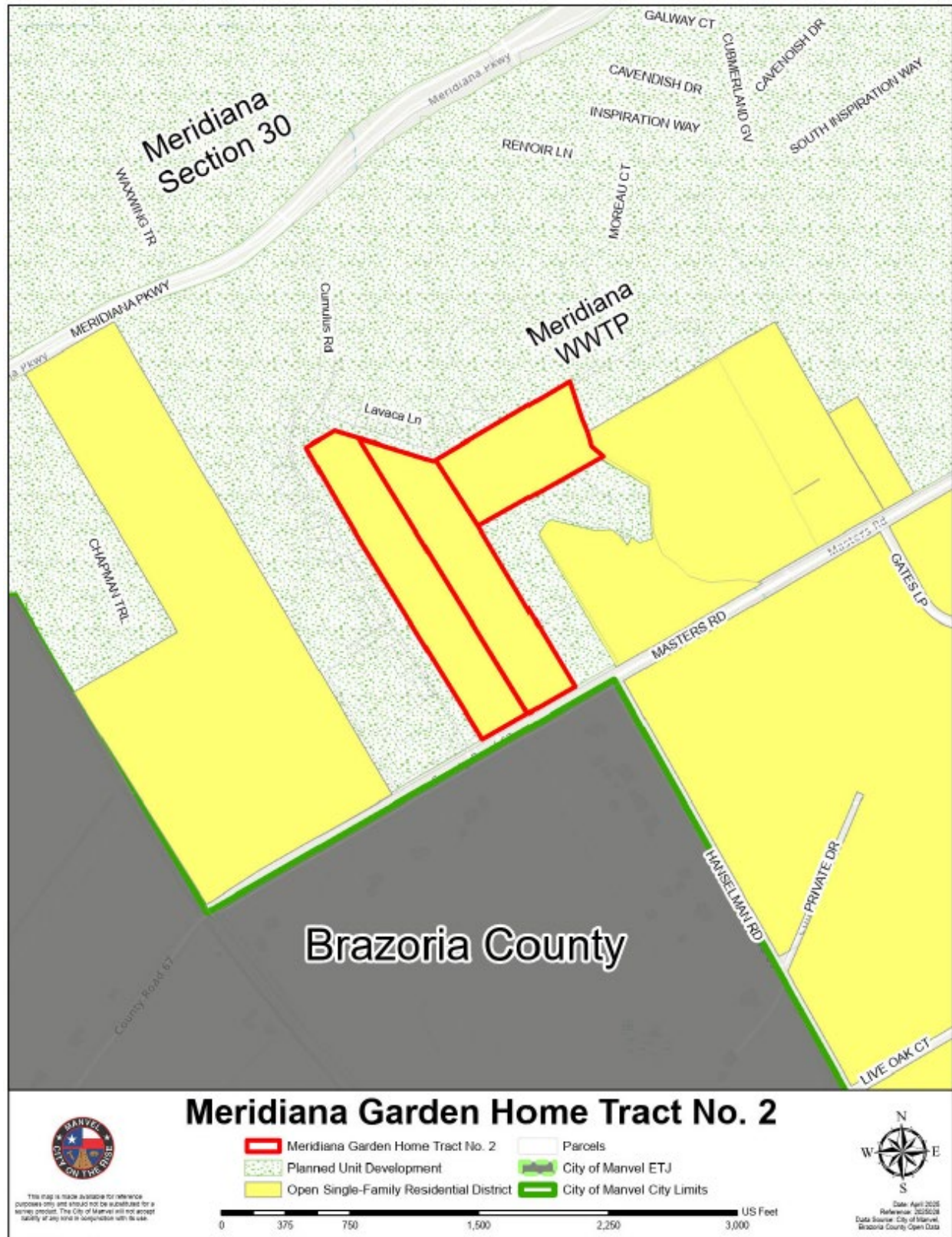


AERIAL VICINITY MAP





ZONING VICINITY MAP





STAFF ANALYSIS/ KEY POINTS TO CONSIDER

The applicant intends for the subject property to be incorporated into the Meridiana PUD (Ordinance No. 2024-O-13) and designated as Garden Home land use category which allows 50-foot-wide and 6,300 sq.ft lots. Per the most recently approved PUD, any new tracts added through rezoning process and classified under Garden Home must be reflected in an updated Preliminary Land Use Plan (General Development Plan or GDP). Therefore, the applicant has submitted a GDP amendment, which is included as a separate agenda item. Additionally, per the most recently approved PUD, the Meridiana PUD does not require full reapproval of the PUD document by City Council if tracts are added and designated as Garden Home through a rezoning process. The proposed rezoning with approximately 35.3-acre tract of land, would increase the total Meridiana development area within the City of Manvel to 1,770 acres. About 29 acres of the subject site is designated for Garden Homes and the remaining acreage for parks and open spaces.

The following sections provide staff's analysis of the requested rezoning and some key points to consider.

1. *Land use Compatibility with surrounding uses and zoning districts:*
The proposed Garden Home use is compatible with adjacent residential uses in the Meridiana PUD. The west, north, and east of the site are already zoned PUD, creating a seamless zoning transition.
2. *Infrastructure, Utility Availability, and Environmental Considerations:*
For utility services, the subject site is proposed to be annexed into the Meridiana MUD. Drainage and detention infrastructure is proposed to be consistent with the existing Meridiana development. Please note that drainage and civil plans will be reviewed as part of platting process. A drainage impact analysis shall be reviewed as part of the platting process.
3. *Impact of Traffic and conformance to Major Thoroughfare Plan:* The subject site is proposed to be accessed from Cumulus Drive which is designated as a collector street. Applicant shall provide a Traffic Impact Analyzes (TIA) to indicate no significant increase in traffic volume is anticipated beyond what is expected for residential development as part of the platting process. Internal street layout and access points will be evaluated as part of the plat review process. Preliminary review of the plat related application material does not indicate any significant concerns.
4. *Conformance to Comprehensive Plan Vision and Goals:*
The proposed rezoning to PUD supports the *City of Manvel's 2015 Comprehensive Plan*, which emphasizes preserving the city's rural character and small-town values while managing growth. This request aligns with several key vision statements, including:
 - "Benefiting from our strategic location by encouraging well-planned quality retail, commercial, and residential development that reflects and enhances our small-town quality of life." The subject property being located along a major thoroughfare, makes it an appropriate location for the proposed use and suggests general alignment with the Comprehensive plan goals.
 - "Promoting a strong and diverse economic base that supports efficient high-quality public infrastructure, municipal services, education, and collaborative governance." The subject property via constructing public infrastructures and getting annexed to the MUD will promote quality of life.



- “Offering a variety of housing choices that reinforce our small-town values.”

Additionally, the rezoning proposal directly supports Goal Statements No. 2 and 5 from the Land Use section of the Comprehensive Plan:

- Goal 2: “Provide a variety of lot size options to offer opportunities for all lifestyles and life stages, avoid a large number of small lots, and require more open space to retain the history of the rural character.” While the proposed Garden Home lots are smaller than the minimum one-acre lots found in the O-SFR district, the inclusion of significant open space and parkland helps offset this shift by maintaining community character and recreational opportunities.
- Goal 5: “Include more and a wider variety of park and recreational amenity uses and options.”

5. Other considerations:

The applicant has followed proper procedures for authorization and submittal. The addition of parks and open space shall be aligned with the most recently approved PUD. Additionally, as stated in the most recently approved PUD, the density within the City of Manvel shall not exceed 2.329 units per gross acre which shall be reviewed at the platting stage.

STAFF RECOMMENDATION

City staff recommends approval of the requested rezoning of the subject site from Open Single-Family Residential district (OSFR) to Planned Unit Development (PUD) District to be developed under the provisions of Meridiana PUD (Ordinance No. 2024-O-13).

Planning, Development and Zoning Commission Discussion and Recommendation

The Planning, Development, and Zoning (PD&Z) Commission held a public hearing on May 27, 2025, to receive public input regarding the proposed rezoning. The property owner living across from the subject site on Masters Road expressed concerns pertaining to traffic and drainage related impact. The Commission also raised questions regarding impact of the proposed section on drainage and traffic along Masters Rd. Staff clarified that the applicant submitted the traffic memo on the day of the meeting and noted that the drainage plans had already been submitted to the drainage district. Staff further explained that both the TIA and drainage plans will undergo detailed review during the platting process.

A motion to recommend approval of the requested rezoning to the City Council failed with a vote of two (2) “Yea” to three (3) “Nays.” Therefore, the PD&Z Commission is not recommending approval of the requested rezoning.

PUBLIC HEARING

The Notice of Public Hearing was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. At the time of writing this report, no written opposition have been received. At the PD&Z meeting, the property owner living across from the subject site on Masters Road expressed his opposition and concerns pertaining to traffic and drainage related impact.



MAJOR THOROUGHFARE PLAN MAP





APPLICATION



DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

REZONING APPLICATION

PROJECT INFORMATION

Project Name: Meridiana Garden Home Tract No. 2
Project Location/Address: A portion of lots 7, 8, & 9, of Lulling Stone Section 3 Located at 9825 Masters Road,
Manvel, TX 77578
Legal Description: 35.31 Acres of Land in The Oliver Hall Survey, Abstract No. 203, Brazoria County, Texas
Current Zoning: O-SFR Proposed Zoning: PUD
Parcel/Tax ID# (s): 619349, 537539 Total Acreage: 35.31 ac. Proposed Land Use: PUD

APPLICANT INFORMATION

Applicant Name: Brad Sweitzer
Company Name: EHRA Engineering
Address: 10011 Meadowglen Lane City: Houston State: TX Zip: 77042
Phone #: 713-784-4500 Email: bsweitzer@ehra.team

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

Brad Sweitzer

04/14/2025

Applicant Signature (REQUIRED)

Date

PROPERTY OWNER INFORMATION

Owner(s) Name: Dorothy Wynne & Ralph Wayne Eubank
Address: 9825 Masters Road City: Manvel State: TX Zip: 77578
Phone #: 281-585-8145 Email: sundanceranch04@sbcglobal.net

PROPERTY OWNER'S AUTHORIZATION (Required – If owner is also the applicant, must sign as both):

I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application ~~on my behalf~~.

Dorothy Wynne Eubank

4-14-25

Owner's Signature (REQUIRED)

Date



APPLICATION



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project **before** submitting an application. Answers to rezoning applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

REZONING SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Rezoning Application (with all signatures)	✓
One (1) Legal Description of Property (metes & bounds description if not platted)	✓
One (1) Copy of Recorded Plat (if platted)	N/A
One (1) Applicant Letter of Request	✓
Traffic Impact Analysis, if applicable	N/A
Paid Application Fee	✓

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Brad Smitz

04/14/2025

Applicant Signature

Date



LETTER OF AUTHORIZATION

March 25, 2025

City of Manvel
20025 Highway 6
Manvel, TX 77578

I, Dorothy Wynne, property owner of the 13.739 acres of Lot 7 of Lulling Stone Section 3, located at 9825 Masters Road, Manvel, TX 77578, hereby consent for this letter to serve as authorization for EHRA Engineering to submit any necessary plats, permit requests, and construction plans on my behalf to incorporate this tract into the Meridiana PUD.

Notwithstanding the foregoing, however, this instrument shall not constitute my consent to any request for zoning change, incorporation of my property into the Meridiana PUD or to any other action of the City of Manvel that would in any way be final or binding upon my property until after GR-M1, Ltd.'s closing of the purchase thereof.

Sincerely,

Ms. Dorothy Wynne
Property Owner



LETTER OF AUTHORIZATION

March 25, 2025

City of Manvel
20025 Highway 6
Manvel, TX 77578

I, Ralph Wayne Eubank, property owner of 21.57 acres of Lots 8 & 9 of Lulling Stone Section 3, located at 9825 Masters Road, Manvel, TX 77578, hereby consent for this letter to serve as authorization for EHRA Engineering to submit a zoning change request and any necessary plats, permit requests, construction plans on my behalf to incorporate this tract into the Meridiana PUD.

Notwithstanding the foregoing, however, this instrument shall not constitute my consent to any request for zoning change, incorporation of my property into the Meridiana PUD or to any other action of the City of Manvel that would in any way be final or binding upon my property until after GR-M1, Ltd.'s closing of the purchase thereof.

Sincerely,

Mr. Ralph Wayne Eubank
Property Owner



REQUEST LETTER



TBPE No. F-726
TBPLS No. 10092300

April 14, 2025

City of Manvel
20025 Highway 6
Manvel, TX 77578

Re: Meridiana Garden Home Tract No. 2 Planned Unit Development District

To whom it may concern,

On behalf of our client, Rise Communities (the developer of Meridiana), I respectfully request the City of Manvel considers approval for the rezoning of the +/- 35 acre parcel located at 9825 Masters Road from Open Single-Family Residential District to Planned Unit Development District.

The intent for this rezoning is for the +/-35 acres is to in essence be a part of Meridiana and to be classified under the Garden Home land use. The addition of this new parcel will produce development that is cohesive with the surrounding Meridiana land uses and will help the City of Manvel achieve its goal of a well-planned and designed infrastructure system, which will benefit the city and its residents for many years to come.

The intent of the previous PUD amendment was that if adjacent tracts of land are added to the project, the Meridiana PUD would not be amended and the new tracts would be regulated as Garden Home. (See below).

"If additional tracts are added to the PUD through the rezoning process these tracts shall be considered as Garden Home land use, and a new preliminary land use plan shall be submitted to the City showing the change." – Pg 15 of Meridiana PUD Amendment No. 3

"If additional tracts of land are added to the PUD through a rezoning process with the intention to be designate as Garden Home, this specific document shall not be require to be and re-approved by City Council." – Pg 106 of Meridiana PUD Amendment No. 3



REQUEST LETTER

If there are any questions or any additional supporting documentation is needed, please feel free to reach out to me and I would be happy to assist.

Thank you for your consideration,

Regards,

Brad Sweitzer, AICP, PLA
Associate | Director of Planning & Visioning
EHRA Engineering

Attachments : Pg . 70-72 Meridiana PUD Amendment No. 3 (Garden Homes Land Use).

Attachments : Pg . 88-89 Meridiana PUD Amendment No. 3 (Parks & Open Space Land Use).



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

****One Story accessory structures may be setback three (3) feet from the rear or side property lines provided that they do not encroach into any utility easement. Accessory structures greater than one story in height must comply with the minimum setback requirements.**

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

Maximum Building Height: Three (3) stories

Parking Requirement: Shall comply with the parking standards established in this section.

2. Garden Homes (GH)

Purpose: The Garden Homes category is intended for the development of detached, single family dwelling units and compatible uses on the perimeter of the overall Project boundary.

Permitted uses:

- Accessory structures
- Community centers
- Drill sites
- Entry features & monuments
- Garden homes
- Institutional uses
- Minor utilities
- Open space
- Parks
- Recreational facilities
- Religious assembly
- Single family homes
- Temporary uses



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

Tree farms

Minimum Lot Area: 6,300 square feet

Minimum Lot width: 50 feet at the front building setback line

Minimum Setbacks:

Front: 20 feet*

Rear: 15 feet**

Side: 5 feet**

Corner: 10 feet*

* Porches (if provided) may encroach into the front setback up to ten (10) feet provided they have a minimum depth of six (6) feet. On corner lots, porches may encroach into the side setback up to five (5) feet provided they have a minimum depth of six (6) feet. Where garages face directly onto a street with the garage door parallel to the street, the garage must meet the minimum setback requirement. Side-entry garages where the garage door is perpendicular to the street may be set back a minimum of ten (10) feet. (see lot diagram below)

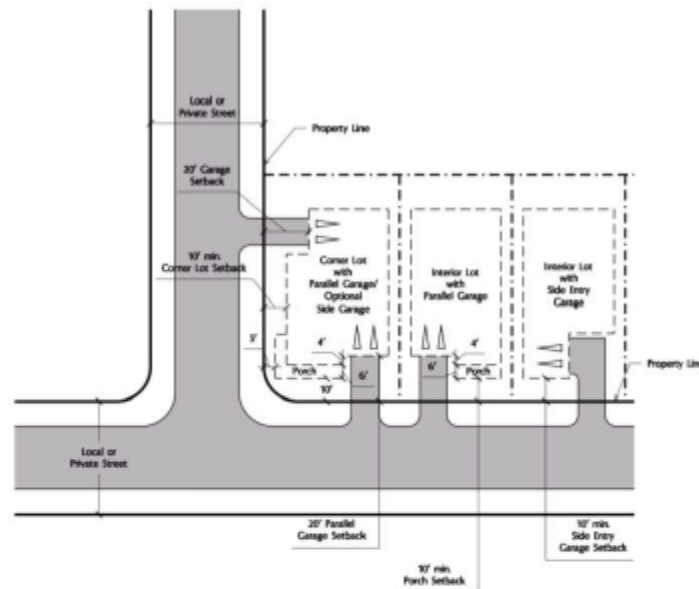


REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

GARDEN HOME LOT DIAGRAM



****One Story accessory structures may be setback three (3) feet from the rear or side property lines provided that they do not encroach into any utility easement. Accessory structures greater than one story in height must comply with the minimum setback requirements.**

Architectural features may encroach into the setback area a maximum of three (3) feet and may not extend more than five (5) feet above the principal structure.

Maximum Building Height: Three (3) stories

Parking Requirement: Shall comply with the parking standards established in this section.



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

Architectural features may encroach into the setback area a maximum of three (3) feet.

Maximum Building Height: Sixty (60) feet

Parking Requirement: Shall comply with the parking standards established in this section

Additional Requirements: Telecommunication towers may not exceed 80 feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.

8. Parks & Open Space (P-OS)

Purpose: The Parks & Open Space category is intended to provide for the development of recreation and open space areas within the community.

Permitted uses:

Community centers
Drill site
Entry features & monuments
Institutional uses
Maintenance facility
Minor utilities
Open space
Parks
Public facilities, excluding major utilities
Recreational facilities
Telecommunication towers
Temporary uses
Tree farms



REQUEST LETTER

Meridiana
Planned Unit Development District

City of Manvel

Minimum Lot Area: None

Minimum Lot width: None

Minimum Lot depth: None

Minimum Setbacks:

Along Major Thoroughfares: 25 feet

Along other streets: 10 feet

Rear: 10 feet

Side: 10 feet

Architectural features may encroach into the setback area a maximum of three (3) feet.

Max. Building Height: 34 feet

Parking Requirement: Shall comply with the parking standards established in this section

Additional Requirements: Telecommunication towers may not exceed 80 feet in height and shall be set back from property lines a distance equal to or greater than the height of the tower.



Public Hearing notice to run on Sunday 05/11/2025

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 6:00 P.M. ON TUESDAY, MAY 27, 2025 BEFORE THE MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION AND AT 6:00 P.M., ON MONDAY, JUNE 2, 2025 BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING A PROPOSED ORDINANCE (2025-0-18) OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF 35.3 ACRES OF LAND GENERALLY LOCATED AT 9825 S MASTERS (PIDS: 537539 & 619349), SITUATED WEST OF CHOCOLATE BAYOU AND AT THE NORTHEAST CORNER OF INTERSECTION OF CUMULUS DRIVE AND MASTERS ROAD, FROM OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR INCLUSION IN THE MERIDIANA PLANNED UNIT DEVELOPMENT; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. /S/ TAMMY BELL, CITY SECRETARY.



10011 Meadowglen Lane
Houston, Texas 77042
EHRAinc.com | 713.784.4500
TBPE No. F-726 | TBPLS No. 10092300

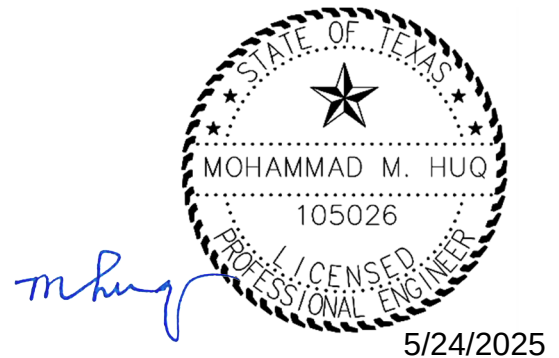
memorandum

To: Jose Abraham
Director of Development Services
City of Manvel, Texas

From: Mohammad Huq, P.E., PTOE

Date: May 24, 2025

Subject: Traffic Impact Analysis Memorandum for
Meridiana Section Twenty-Eight
City of Manvel, Brazoria County, TX



This memorandum summarizes the Level of Service (LOS) and turn lanes warrant analyses at the intersections of Meridiana Parkway/Cumulus Drive and Masters Road/Cumulus Drive in connection with existing/proposed Meridiana Section Twenty-Eight development, located east of Cumulus Drive between Masters Road and Meridiana Parkway in the City of Manvel, Brazoria County, Texas. The proposed development consists of approximately 104 single-family detached homes within this existing subdivision with a build-out Year 2026. **Figure 1 and Figure 2** show the project site with study intersections locations and proposed development site plan, respectively.

Existing Meridiana Parkway is a four-lane (two lanes in each direction) boulevard type roadway with a posted speed limit of 40 miles per hour (mph). For traffic analysis purposes, this roadway has been assumed as east-west directional near the project site. On the north end of the subdivision, Cumulus Drive intersects with Meridiana Parkway and forms a two-way stop controlled intersection with stop signs on Cumulus Drive/Sora Drive. The intersection of Meridiana Parkway at Cumulus Drive includes a westbound left turn lane. Existing Masters Road is a two-lane (one lane in each direction) undivided roadway (assumed as east-west directional) with a posted speed limit of 40 mph. On the south end of the subdivision, Cumulus Drive intersects with Masters Road and forms a one-way stop controlled T-intersection with stop sign on Cumulus Drive.

Turning movement counts during AM and PM peak hours (6 AM – 9 AM and 4 PM – 7 PM) at the study intersections of Meridiana Parkway at Cumulus Drive/Sora Drive and Masters Road at Cumulus Drive were collected on May 1, 2025. **Figure 3** shows the existing weekday AM and PM peak hour traffic data at the study intersections. The traffic count reports are attached to this memorandum. Existing year 2025 traffic counts were projected to the year 2026 by applying a three percent growth rate to establish background traffic conditions for the year 2026. Background traffic condition is defined as the condition of traffic at the time of project implementation without the project trips.

Based on the trip generation procedures recommended by the Institute of Transportation Engineers (ITE's) Trip Generation Manual (11th edition), it is anticipated that the development will generate a total of 77 trips in the AM peak

memorandum

hour (19 entering and 58 exiting) and 103 trips in the PM peak hour (65 entering and 38 exiting). Details of the trip generation computations are attached to this memorandum. Project generated trips were distributed and assigned to study intersections based on existing traffic patterns. Project generated traffic at the intersections of Meridiana Parkway at Cumulus Drive and Master Road at Cumulus Drive are presented in the same **Figure 3**. Project generated traffic were added to the background traffic to develop the project total traffic conditions in the Year 2026 and are presented in the same **Figure 3**.

Intersection Level of Service (LOS) analyses were performed in accordance with the procedures set forth and recommended by the Highway Capacity Manual 6th edition and by utilizing traffic analysis software SYNCHRO. **Table 1** summarizes the intersection LOS under existing, background and project total traffic conditions during AM and PM peak hours. Details LOS analysis for the study intersection are attached to this memorandum.

Intersection	Control	AM Peak		PM Peak	
		LOS	Delay (second/vehicle)	LOS	Delay (second/vehicle)
Existing Conditions (Year 2025)					
Meridiana Parkway at Cumulus Drive/Sora Drive	TWSC	B	14.1	C	15.5
Masters Road at Cumulus Drive	TWSC	B	10.5	B	10.1
Background Conditions (Year 2026)					
Meridiana Parkway at Cumulus Drive/Sora Drive	TWSC	B	14.4	C	15.9
Masters Road at Cumulus Drive	TWSC	B	10.6	B	10.2
Project Total Traffic Conditions (Year 2026)					
Meridiana Parkway at Cumulus Drive/Sora Drive	TWSC	B	14.9	C	18.2
Masters Road at Cumulus Drive	TWSC	B	10.8	B	10.3

Delay and LOS are reported for critical approach only

Table 1: LOS comparison for the study intersections

As shown in **Table 1**, both study intersections are currently operating at acceptable LOS C or better and are anticipated to operate at acceptable LOS C or better under background and project total traffic conditions during AM and PM peak hours. Therefore, the proposed project will not have any impacts to traffic operations at the intersections of Meridiana Parkway at Cumulus Drive/Sora Drive and Masters Road at Cumulus Drive.

Warrant analysis for an eastbound left turn lane at the intersection of Masters Road at Cumulus Drive was performed for AM peak hour (worst peak) and based on the guidelines presented in the NCHRP Report 457. The analysis revealed that, with estimated 9% eastbound left turn vehicles per hour (vph), 165 Advancing vehicles per hour, and 194 opposing traffic volumes per hour, along with a speed limit of 40 mph, an eastbound left turn lane is not warranted. The warrant criteria from the NCHRP report are attached to this memorandum.

Therefore, it can be concluded that the proposed project is expected not to have any impacts to traffic operations at the study intersections of Meridiana Parkway at Cumulus Drive and Masters Road at Cumulus Drive.

Jose Abraham
May 24, 2025
Page 3

memorandum

Should you need any further information, please do not hesitate to contact me.

Thank you,

A handwritten signature in blue ink, appearing to read 'mhuq', with a stylized flourish at the end.

Mohammad Huq, P.E., PTOE

Attachment:

Figure 1: Project Site location

Figure 2: Proposed Plan for additional 104 lots

Figure 3: Traffic Volume Data

Traffic Counts

Trip Generation

Level of Service Analysis

NCHRP Report 457

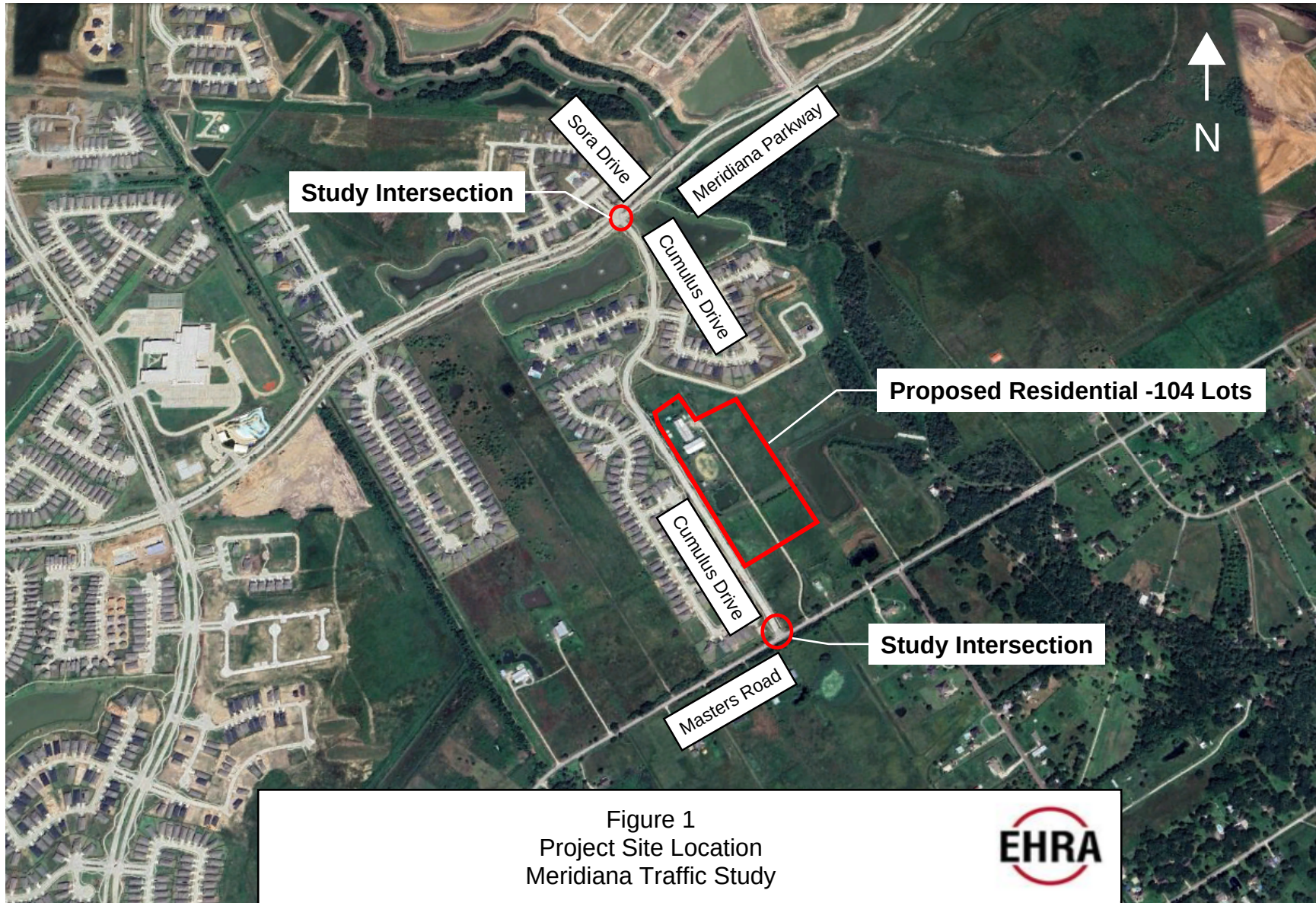
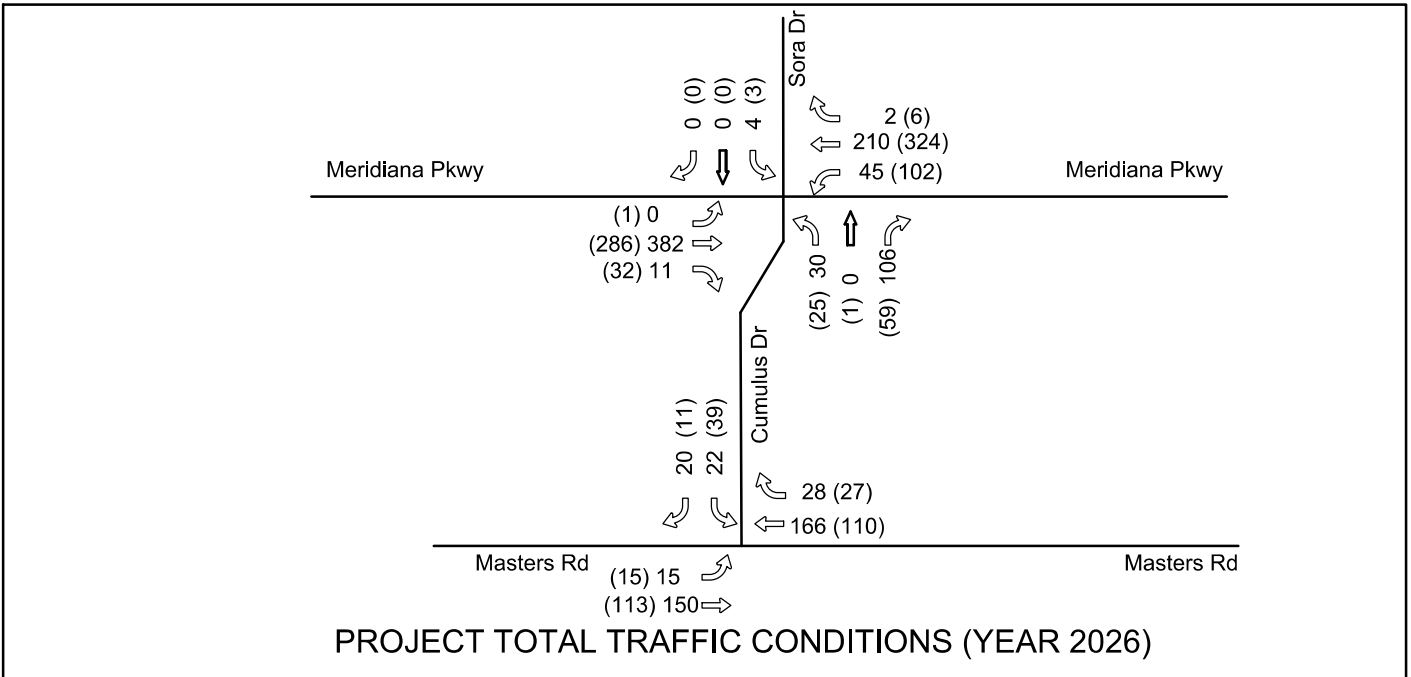
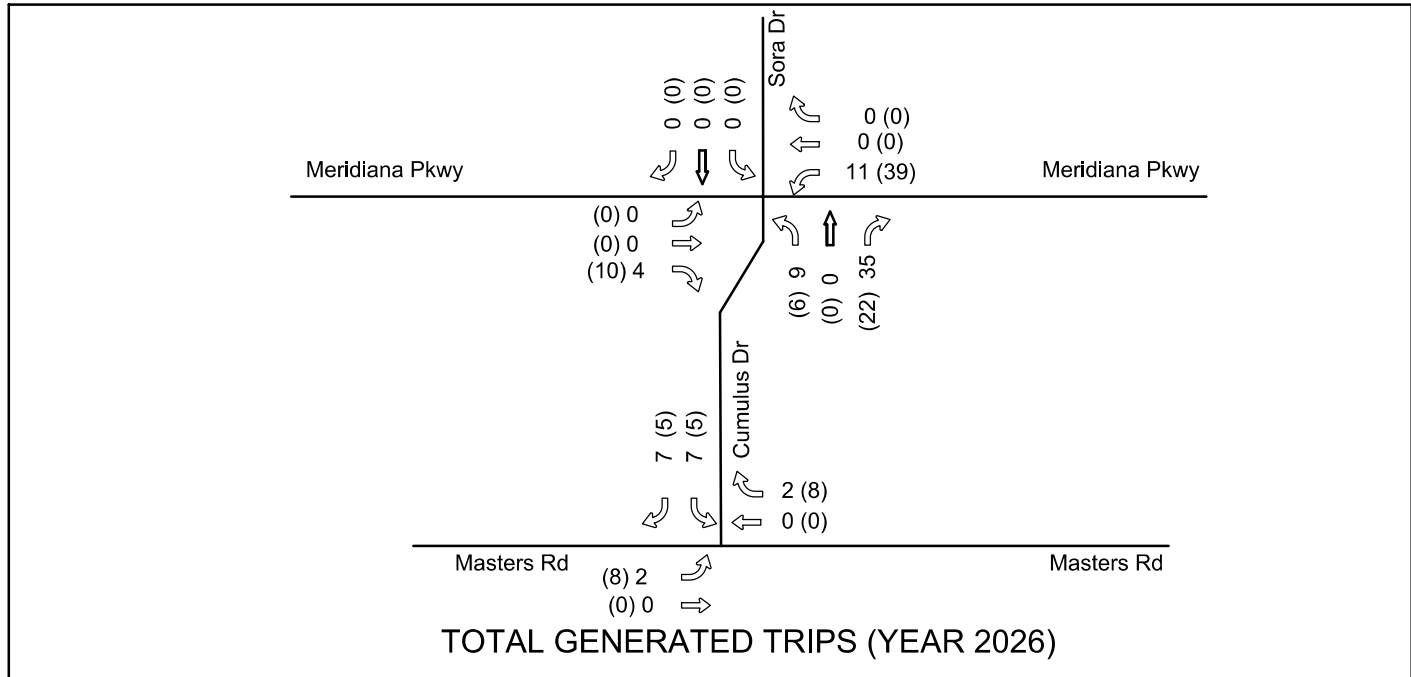
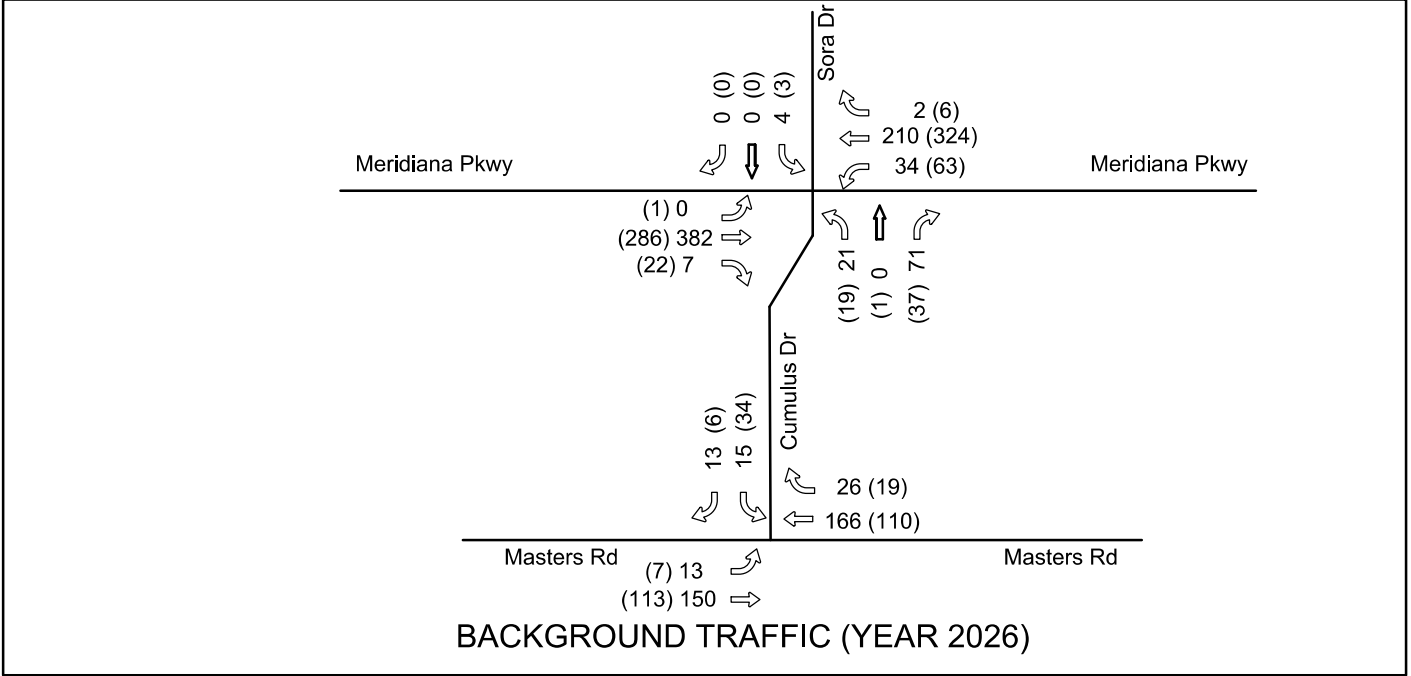
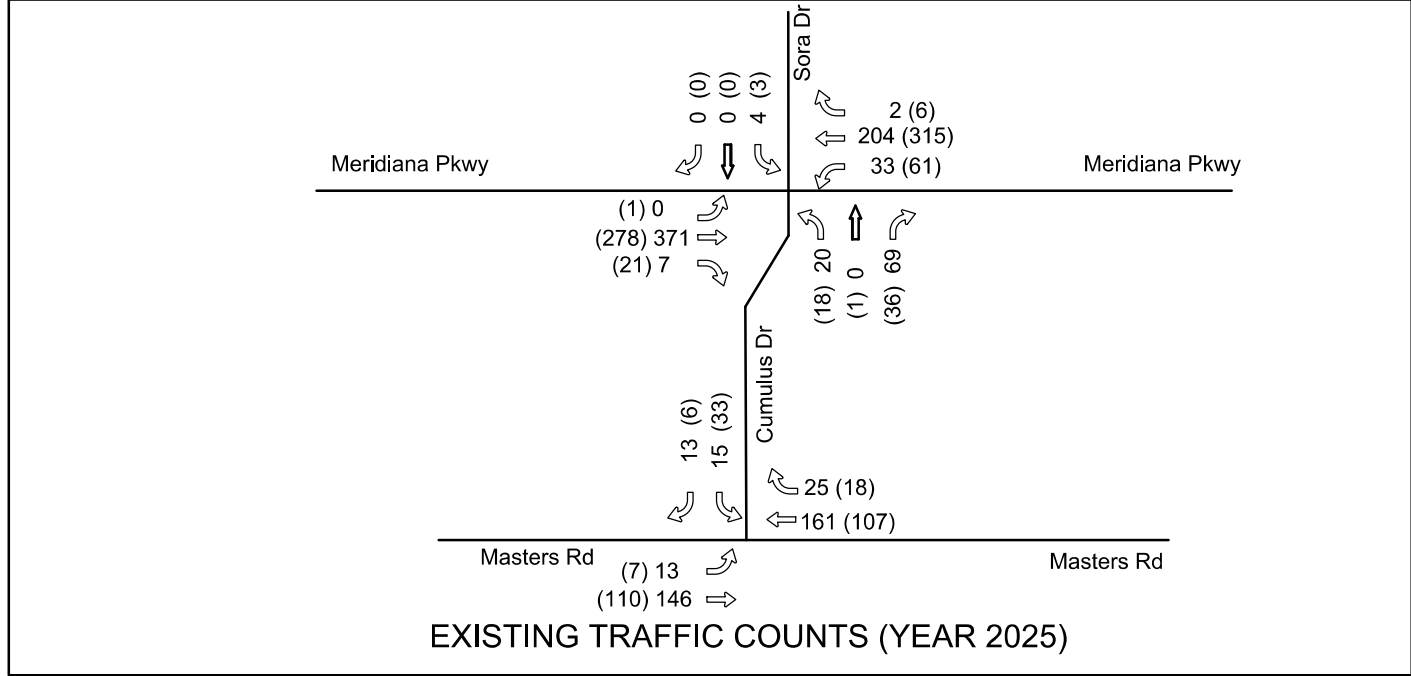




FIGURE 2: PROPOSED PLAN FOR ADDITIONAL 104 LOTS



LEGEND

XXX - AM PEAK HOUR TRAFFIC VOLUMES

(XXX) - PM PEAK HOUR TRAFFIC VOLUMES



10011 Meadowglen Lane
Houston, Texas 77042
EHRAinc.com | 713.784.4500
TBPE No F-726 | TBPLS No 10092300

ENGINEERING THE FUTURE
SINCE 1936

TRAFFIC IMPACT ANALYSIS STUDY
MERIDIANA SECTION TWENTY EIGHT
FIGURE 3: TRAFFIC VOLUME DATA

1. Meridiana Pkwy at Cumulus Dr - TMC

Thu May 1, 2025

Full Length (6 AM-9 AM, 4 PM-7 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293474, Location: 29.445479, -95.383847



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

Leg Direction	Sora Dr Southbound						Meridiana Pkwy Westbound						Cumulus Dr Northbound						Meridiana Pkwy Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	App	Ped*	Int	
2025-05-01 6:00AM	0	0	0	0	0	0	0	6	3	0	9	0	12	0	1	0	13	0	0	26	0	26	-	48	
6:15AM	0	0	0	0	0	0	0	16	0	0	16	0	9	0	1	0	10	0	0	47	0	47	-	73	
6:30AM	0	0	0	0	0	0	0	15	0	0	15	0	11	0	2	0	13	0	2	75	0	77	-	105	
6:45AM	1	0	0	0	1	0	0	31	0	0	31	0	19	0	4	0	23	2	3	82	0	85	-	140	
Hourly Total	1	0	0	0	1	0	0	68	3	0	71	0	51	0	8	0	59	2	5	230	0	235	-	366	
7:00AM	0	0	1	0	1	0	0	37	6	0	43	0	10	0	5	0	15	0	1	99	0	100	-	159	
7:15AM	0	0	1	0	1	1	0	45	5	0	50	0	14	0	3	0	17	0	1	105	0	106	-	174	
7:30AM	0	0	2	0	2	0	0	46	11	1	58	0	24	0	9	0	33	1	3	88	0	91	-	184	
7:45AM	0	0	0	0	0	1	2	76	11	1	90	0	21	0	3	0	24	1	2	79	0	81	-	195	
Hourly Total	0	0	4	0	4	2	2	204	33	2	241	0	69	0	20	0	89	2	7	371	0	378	-	712	
8:00AM	0	0	1	0	1	1	0	51	11	1	63	0	6	0	6	0	12	0	3	66	0	69	-	145	
8:15AM	0	0	1	0	1	1	0	60	3	1	64	0	4	0	8	0	12	0	3	66	1	70	-	147	
8:30AM	0	0	1	0	1	0	0	57	5	0	62	0	15	0	4	0	19	1	9	60	0	69	-	151	
8:45AM	0	0	2	0	2	0	1	43	6	2	52	0	8	0	1	1	10	3	5	63	0	68	-	132	
Hourly Total	0	0	5	0	5	2	1	211	25	4	241	0	33	0	19	1	53	4	20	255	1	276	-	575	
4:00PM	0	0	1	0	1	0	1	73	13	0	87	0	9	0	3	0	12	2	3	62	1	66	-	166	
4:15PM	0	0	2	0	2	0	0	84	13	0	97	0	4	0	2	0	6	1	11	63	0	74	-	179	
4:30PM	0	0	2	0	2	0	2	72	14	0	88	0	8	0	4	0	12	0	3	84	0	87	-	189	
4:45PM	0	0	0	0	0	0	1	78	15	1	95	0	10	0	3	0	13	0	7	61	0	68	-	176	
Hourly Total	0	0	5	0	5	0	4	307	55	1	367	0	31	0	12	0	43	3	24	270	1	295	-	710	
5:00PM	0	0	1	0	1	0	5	84	16	0	105	0	11	0	5	0	16	0	5	56	0	61	-	183	
5:15PM	0	0	0	0	0	2	1	74	16	0	91	0	10	0	3	0	13	0	3	70	0	73	-	177	
5:30PM	0	0	0	0	0	1	0	85	9	0	94	0	7	0	7	0	14	0	9	78	0	87	-	195	
5:45PM	0	0	2	0	2	0	0	72	20	0	92	0	8	1	3	0	12	1	4	74	1	79	-	185	
Hourly Total	0	0	3	0	3	3	6	315	61	0	382	0	36	1	18	0	55	1	21	278	1	300	-	740	
6:00PM	0	0	0	0	0	0	1	84	17	2	104	0	8	0	4	0	12	0	2	57	1	60	-	176	
6:15PM	1	0	1	0	2	1	0	65	12	0	77	0	8	0	6	0	14	2	1	50	2	53	-	146	
6:30PM	0	0	2	0	2	0	1	71	11	0	83	0	3	0	1	0	4	0	0	46	0	46	-	135	
6:45PM	0	0	0	0	0	0	1	58	14	0	73	0	5	0	3	0	8	1	4	31	1	36	-	117	
Hourly Total	1	0	3	0	4	1	3	278	54	2	337	0	24	0	14	0	38	3	7	184	4	195	-	574	
Total	2	0	20	0	22	8	16	1383	231	9	1639	0	244	1	91	1	337	15	84	1588	7	1679	-	3677	
% Approach	9.1%	0%	90.9%	0%	-	-	1.0%	84.4%	14.1%	0.5%	-	-	72.4%	0.3%	27.0%	0.3%	-	-	5.0%	94.6%	0.4%	-	-	-	
% Total	0.1%	0%	0.5%	0%	0.6%	-	0.4%	37.6%	6.3%	0.2%	44.6%	-	6.6%	0%	2.5%	0%	9.2%	-	2.3%	43.2%	0.2%	45.7%	-	-	
Lights	2	0	18	0	20	-	16	1338	228	9	1591	-	239	1	86	1	327	-	81	1538	6	1625	-	3563	
% Lights	100%	0%	90.0%	0%	90.9%	-	100%	96.7%	98.7%	100%	97.1%	-	98.0%	100%	94.5%	100%	97.0%	-	96.4%	96.9%	85.7%	96.8%	-	96.9%	
Articulated Trucks	0	0	0	0	0	-	0	2	0	0	2	-	0	0	0	0	0	-	0	10	0	10	-	12	
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0.1%	0%	0%	0.1%	-	0%	0%	0%	0%	0%	-	0%	0.6%	0%	0.6%	-	0.3%	
Buses and Single-Unit Trucks	0	0	2	0	2	-	0	43	3	0	46	-	5	0	5	0	10	-	3	40	1	44	-	102	
% Buses and Single-Unit Trucks	0%	0%	10.0%	0%	9.1%	-	0%	3.1%	1.3%	0%	2.8%	-	2.0%	0%	5.5%	0%	3.0%	-	3.6%	2.5%	14.3%	2.6%	-	2.8%	
Pedestrians	-	-	-	-	-	7	-	-	-	-	-	0	-	-	-	-	-	14	-	-	-	-	0	-	
% Pedestrians	-	-	-	-	-	87.5%	-	-	-	-	-	-	-	-	-	-	-	93.3%	-	-	-	-	-	-	
Bicycles on Crosswalk	-	-	-	-	-	1	-	-	-	-	-	0	-	-	-	-	-	1	-	-	-	-	0	-	
% Bicycles on Crosswalk	-	-	-	-	-	12.5%	-	-	-	-	-	-	-	-	-	-	-	6.7%	-	-	-	-	-	-	

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

1. Meridiana Pkwy at Cumulus Dr - TMC

Thu May 1, 2025

Full Length (6 AM-9 AM, 4 PM-7 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293474, Location: 29.445479, -95.383847



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

[N] Sora Dr

Total: 46

In: 22 Out: 24

20

6

2

16

1383

231

9

In: 1639

Total: 3500

Out: 1861

[E] Meridiana Pkwy

3

1

9

1

1

244

12

Out: 316 In: 337

Total: 653

[S] Cumulus Dr

[W] Meridiana Pkwy

Total: 3155

Out: 1476

In: 1679

7

1588

84

1. Meridiana Pkwy at Cumulus Dr - TMC

Thu May 1, 2025

AM Peak (7 AM - 8 AM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293474, Location: 29.445479, -95.383847



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

Leg Direction	Sora Dr Southbound						Meridiana Pkwy Westbound						Cumulus Dr Northbound						Meridiana Pkwy Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	App	Ped*	Int	
2025-05-01 7:00AM	0	0	1	0	1	0	0	37	6	0	43	0	10	0	5	0	15	0	1	99	0	100	-	159	
7:15AM	0	0	1	0	1	1	0	45	5	0	50	0	14	0	3	0	17	0	1	105	0	106	-	174	
7:30AM	0	0	2	0	2	0	0	46	11	1	58	0	24	0	9	0	33	1	3	88	0	91	-	184	
7:45AM	0	0	0	0	0	1	2	76	11	1	90	0	21	0	3	0	24	1	2	79	0	81	-	195	
Total	0	0	4	0	4	2	2	204	33	2	241	0	69	0	20	0	89	2	7	371	0	378	-	712	
% Approach	0%	0%	100%	0%	-	-	0.8%	84.6%	13.7%	0.8%	-	-	77.5%	0%	22.5%	0%	-	-	1.9%	98.1%	0%	-	-	-	
% Total	0%	0%	0.6%	0%	0.6%	-	0.3%	28.7%	4.6%	0.3%	33.8%	-	9.7%	0%	2.8%	0%	12.5%	-	1.0%	52.1%	0%	53.1%	-	-	
PHF	-	-	0.500	-	0.500	-	0.250	0.671	0.750	0.500	0.669	-	0.719	-	0.556	-	0.674	-	0.583	0.883	-	0.892	-	0.913	
Lights	0	0	4	0	4	-	2	192	33	2	229	-	68	0	20	0	88	-	6	357	0	363	-	684	
% Lights	0%	0%	100%	0%	100%	-	100%	94.1%	100%	100%	95.0%	-	98.6%	0%	100%	0%	98.9%	-	85.7%	96.2%	0%	96.0%	-	96.1%	
Articulated Trucks	0	0	0	0	0	-	0	1	0	0	1	-	0	0	0	0	0	-	0	4	0	4	-	5	
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0.5%	0%	0%	0.4%	-	0%	0%	0%	0%	0%	-	0%	1.1%	0%	1.1%	-	0.7%	
Buses and Single-Unit Trucks	0	0	0	0	0	-	0	11	0	0	11	-	1	0	0	0	1	-	1	10	0	11	-	23	
% Buses and Single-Unit Trucks	0%	0%	0%	0%	0%	-	0%	5.4%	0%	0%	4.6%	-	1.4%	0%	0%	0%	1.1%	-	14.3%	2.7%	0%	2.9%	-	3.2%	
Pedestrians	-	-	-	-	-	2	-	-	-	-	-	0	-	-	-	-	-	2	-	-	-	-	0		
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	-	-	-	-	-	-	100%	-	-	-	-	-		
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	0		
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-		

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

1. Meridiana Pkwy at Cumulus Dr - TMC

Thu May 1, 2025

AM Peak (7 AM - 8 AM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293474, Location: 29.445479, -95.383847



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

[N] Sora Dr

Total: 6

In: 4 Out: 2

4

1

1

[W] Meridiana Pkwy

Total: 602

In: 378 Out: 224

371

7

2
204

33
2

Out: 446 In: 241

Total: 687

[E] Meridiana Pkwy

Out: 40 In: 89

Total: 129

[S] Cumulus Dr

1

20

69

1

1. Meridiana Pkwy at Cumulus Dr - TMC

Thu May 1, 2025

PM Peak (5 PM - 6 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293474, Location: 29.445479, -95.383847



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

Leg Direction	Sora Dr Southbound						Meridiana Pkwy Westbound						Cumulus Dr Northbound						Meridiana Pkwy Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	App	Ped*	Int	
2025-05-01 5:00PM	0	0	1	0	1	0	5	84	16	0	105	0	11	0	5	0	16	0	5	56	0	61	-	183	
5:15PM	0	0	0	0	0	2	1	74	16	0	91	0	10	0	3	0	13	0	3	70	0	73	-	177	
5:30PM	0	0	0	0	0	1	0	85	9	0	94	0	7	0	7	0	14	0	9	78	0	87	-	195	
5:45PM	0	0	2	0	2	0	0	72	20	0	92	0	8	1	3	0	12	1	4	74	1	79	-	185	
Total	0	0	3	0	3	3	6	315	61	0	382	0	36	1	18	0	55	1	21	278	1	300	-	740	
% Approach	0%	0%	100%	0%	-	-	1.6%	82.5%	16.0%	0%	-	-	65.5%	1.8%	32.7%	0%	-	-	7.0%	92.7%	0.3%	-	-	-	
% Total	0%	0%	0.4%	0%	0.4%	-	0.8%	42.6%	8.2%	0%	51.6%	-	4.9%	0.1%	2.4%	0%	7.4%	-	2.8%	37.6%	0.1%	40.5%	-	-	
PHF	-	-	0.375	-	0.375	-	0.300	0.926	0.763	-	0.910	-	0.818	0.250	0.643	-	0.859	-	0.583	0.891	0.250	0.862	-	0.949	
Lights	0	0	3	0	3	-	6	310	61	0	377	-	35	1	18	0	54	-	20	275	1	296	-	730	
% Lights	0%	0%	100%	0%	100%	-	100%	98.4%	100%	0%	98.7%	-	97.2%	100%	100%	0%	98.2%	-	95.2%	98.9%	100%	98.7%	-	98.6%	
Articulated Trucks	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	0	-	0	0	0	0	-	0	
% Articulated Trucks	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%	
Buses and Single-Unit Trucks	0	0	0	0	0	-	0	5	0	0	5	-	1	0	0	0	1	-	1	3	0	4	-	10	
% Buses and Single-Unit Trucks	0%	0%	0%	0%	0%	-	0%	1.6%	0%	0%	1.3%	-	2.8%	0%	0%	0%	1.8%	-	4.8%	1.1%	0%	1.3%	-	1.4%	
Pedestrians	-	-	-	-	-	3	-	-	-	-	-	0	-	-	-	-	-	1	-	-	-	-	0		
% Pedestrians	-	-	-	-	-	100%	-	-	-	-	-	-	-	-	-	-	-	100%	-	-	-	-	-	-	
Bicycles on Crosswalk	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	0		
% Bicycles on Crosswalk	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-	-	

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

1. Meridiana Pkwy at Cumulus Dr - TMC

Thu May 1, 2025

PM Peak (5 PM - 6 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293474, Location: 29.445479, -95.383847



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

[N] Sora Dr

Total: 11

In: 3 Out: 8

3

3

6

315

61

In: 382

Total: 699

Out: 317

[E] Meridiana Pkwy

[W] Meridiana Pkwy

Total: 633

In: 300

Out: 333

1

278

21

1

18

1

36

Out: 82

In: 55

Total: 137

[S] Cumulus Dr

2. Cumulus Dr at Masters Rd - TMC

Thu May 1, 2025

Full Length (6 AM-9 AM, 4 PM-7 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293475, Location: 29.436851, -95.38082



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

Leg Direction	Cumulus Dr Southbound					Masters Rd Westbound					Masters Rd Eastbound					
Time	R	L	U	App	Ped*	R	T	U	App	Ped*	T	L	U	App	Ped*	Int
2025-05-01 6:00AM	0	2	0	2	0	3	4	0	7	0	6	0	0	6	0	15
6:15AM	1	5	0	6	0	2	19	0	21	0	16	2	0	18	0	45
6:30AM	3	3	0	6	0	4	37	0	41	0	21	1	0	22	0	69
6:45AM	6	3	0	9	0	5	60	0	65	0	28	4	0	32	0	106
Hourly Total	10	13	0	23	0	14	120	0	134	0	71	7	0	78	0	235
7:00AM	4	5	0	9	0	11	41	0	52	0	47	2	0	49	0	110
7:15AM	0	4	0	4	0	5	23	0	28	0	50	6	0	56	0	88
7:30AM	3	2	0	5	0	13	23	0	36	0	25	2	0	27	0	68
7:45AM	4	5	0	9	0	10	32	0	42	0	24	4	0	28	0	79
Hourly Total	11	16	0	27	0	39	119	0	158	0	146	14	0	160	0	345
8:00AM	1	6	0	7	0	2	23	0	25	0	23	6	0	29	0	61
8:15AM	0	1	0	1	0	9	30	0	39	0	28	1	0	29	0	69
8:30AM	3	3	1	7	0	6	19	0	25	0	33	1	0	34	0	66
8:45AM	1	6	0	7	0	4	10	0	14	0	18	1	0	19	0	40
Hourly Total	5	16	1	22	0	21	82	0	103	0	102	9	0	111	0	236
4:00PM	0	5	0	5	0	7	31	0	38	0	33	1	0	34	0	77
4:15PM	2	10	0	12	0	5	27	0	32	0	31	1	0	32	0	76
4:30PM	1	8	0	9	0	4	26	0	30	0	29	2	0	31	0	70
4:45PM	3	10	0	13	0	2	23	0	25	0	17	3	0	20	0	58
Hourly Total	6	33	0	39	0	18	107	0	125	0	110	7	0	117	0	281
5:00PM	1	9	0	10	0	8	25	0	33	0	23	2	0	25	0	68
5:15PM	3	7	0	10	0	5	17	0	22	0	22	1	0	23	0	55
5:30PM	3	9	0	12	0	4	21	0	25	0	33	4	0	37	0	74
5:45PM	1	6	0	7	0	11	23	0	34	0	25	1	0	26	0	67
Hourly Total	8	31	0	39	0	28	86	0	114	0	103	8	0	111	0	264
6:00PM	0	8	0	8	0	5	30	0	35	0	17	3	0	20	0	63
6:15PM	0	4	0	4	0	3	18	0	21	0	17	2	0	19	0	44
6:30PM	1	4	0	5	0	2	12	0	14	0	13	1	0	14	0	33
6:45PM	0	5	0	5	0	3	21	0	24	0	10	0	0	10	0	39
Hourly Total	1	21	0	22	0	13	81	0	94	0	57	6	0	63	0	179
Total	41	130	1	172	0	133	595	0	728	0	589	51	0	640	0	1540
% Approach	23.8%	75.6%	0.6%	-	-	18.3%	81.7%	0%	-	-	92.0%	8.0%	0%	-	-	-
% Total	2.7%	8.4%	0.1%	11.2%	-	8.6%	38.6%	0%	47.3%	-	38.2%	3.3%	0%	41.6%	-	-
Lights	39	127	1	167	-	128	567	0	695	-	567	49	0	616	-	1478
% Lights	95.1%	97.7%	100%	97.1%	-	96.2%	95.3%	0%	95.5%	-	96.3%	96.1%	0%	96.3%	-	96.0%
Articulated Trucks	0	0	0	0	-	0	1	0	1	-	1	0	0	1	-	2
% Articulated Trucks	0%	0%	0%	0%	-	0%	0.2%	0%	0.1%	-	0.2%	0%	0%	0.2%	-	0.1%
Buses and Single-Unit Trucks	2	3	0	5	-	5	27	0	32	-	21	2	0	23	-	60
% Buses and Single-Unit Trucks	4.9%	2.3%	0%	2.9%	-	3.8%	4.5%	0%	4.4%	-	3.6%	3.9%	0%	3.6%	-	3.9%
Pedestrians	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

2. Cumulus Dr at Masters Rd - TMC

Thu May 1, 2025

Full Length (6 AM-9 AM, 4 PM-7 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293475, Location: 29.436851, -95.38082



Provided by: C. J. Hensch & Associates
Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

[N] Cumulus Dr

Total: 357

In: 172 Out: 185

41
130
1

[W] Masters Rd

Total: 1276

In: 640 Out: 636

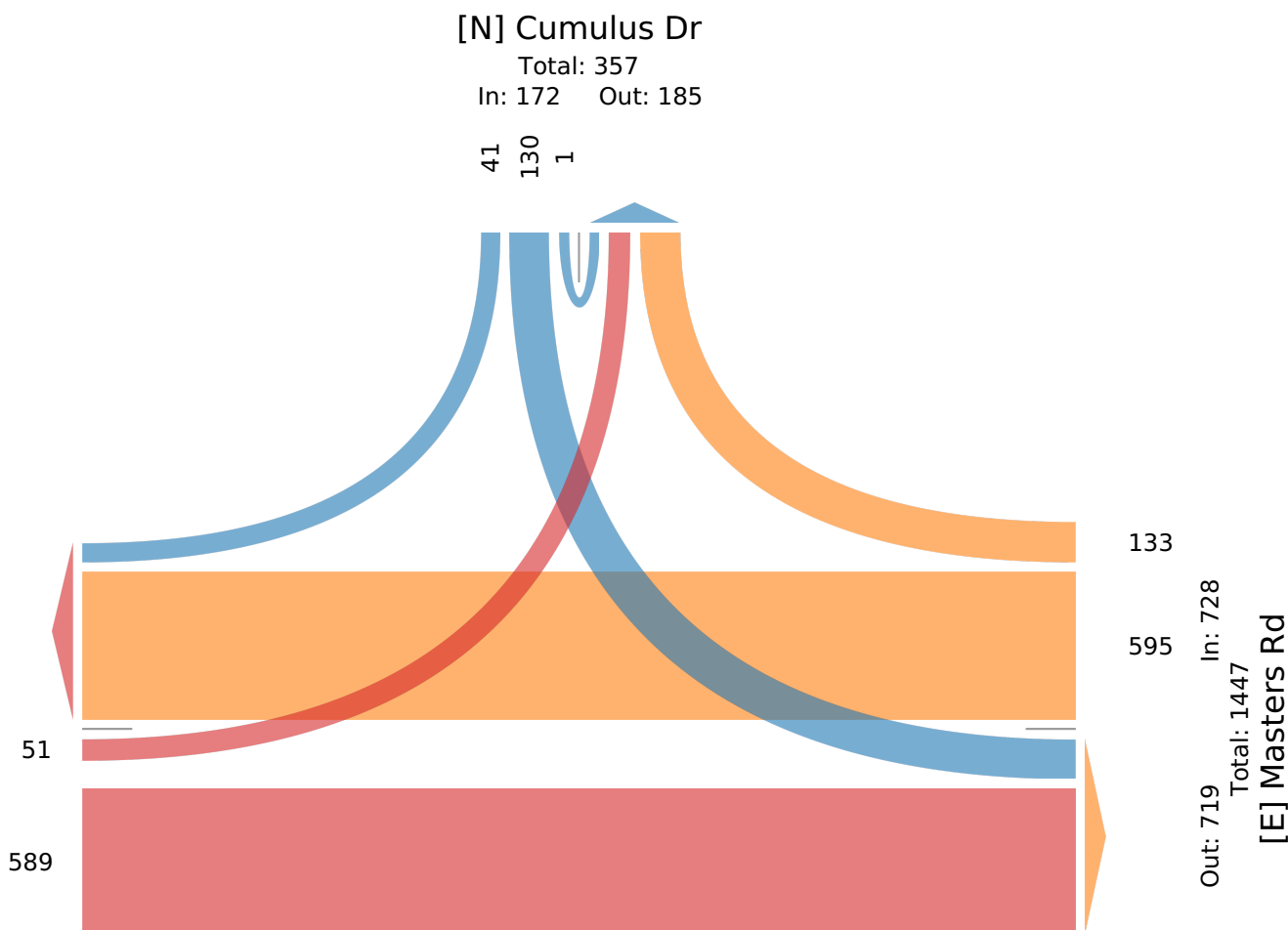
51
589

133
595

Out: 719 In: 728

Total: 1447

[E] Masters Rd



2. Cumulus Dr at Masters Rd - TMC

Thu May 1, 2025

AM Peak (6:30 AM - 7:30 AM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293475, Location: 29.436851, -95.38082



Provided by: C. J. Hensch & Associates
Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

Leg Direction	Cumulus Dr Southbound					Masters Rd Westbound					Masters Rd Eastbound					
Time	R	L	U	App	Ped*	R	T	U	App	Ped*	T	L	U	App	Ped*	Int
2025-05-01 6:30AM	3	3	0	6	0	4	37	0	41	0	21	1	0	22	0	69
6:45AM	6	3	0	9	0	5	60	0	65	0	28	4	0	32	0	106
7:00AM	4	5	0	9	0	11	41	0	52	0	47	2	0	49	0	110
7:15AM	0	4	0	4	0	5	23	0	28	0	50	6	0	56	0	88
Total	13	15	0	28	0	25	161	0	186	0	146	13	0	159	0	373
% Approach	46.4%	53.6%	0%	-	-	13.4%	86.6%	0%	-	-	91.8%	8.2%	0%	-	-	-
% Total	3.5%	4.0%	0%	7.5%	-	6.7%	43.2%	0%	49.9%	-	39.1%	3.5%	0%	42.6%	-	-
PHF	0.542	0.750	-	0.778	-	0.568	0.671	-	0.715	-	0.730	0.542	-	0.710	-	0.848
Lights	13	13	0	26	-	24	154	0	178	-	142	13	0	155	-	359
% Lights	100%	86.7%	0%	92.9%	-	96.0%	95.7%	0%	95.7%	-	97.3%	100%	0%	97.5%	-	96.2%
Articulated Trucks	0	0	0	0	-	0	0	0	0	-	0	0	0	0	-	0
% Articulated Trucks	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%
Buses and Single-Unit Trucks	0	2	0	2	-	1	7	0	8	-	4	0	0	4	-	14
% Buses and Single-Unit Trucks	0%	13.3%	0%	7.1%	-	4.0%	4.3%	0%	4.3%	-	2.7%	0%	0%	2.5%	-	3.8%
Pedestrians	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

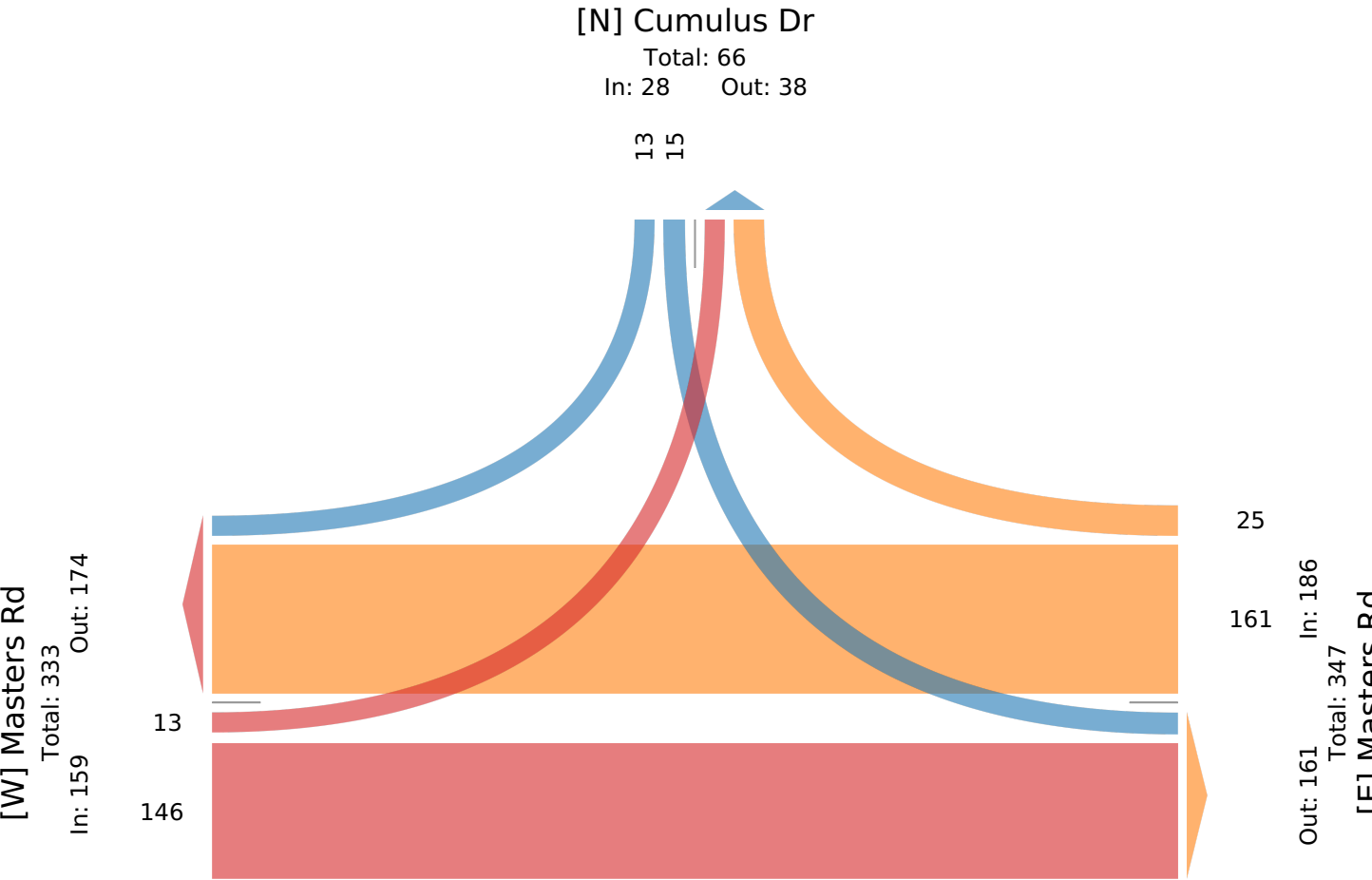
* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

2. Cumulus Dr at Masters Rd - TMC

Thu May 1, 2025
AM Peak (6:30 AM - 7:30 AM) - Overall Peak Hour
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)
All Movements
ID: 1293475, Location: 29.436851, -95.38082



Provided by: C. J. Hensch & Associates Inc.
5215 Sycamore Ave.,
Pasadena, TX, 77503, US



2. Cumulus Dr at Masters Rd - TMC

Thu May 1, 2025

PM Peak (4 PM - 5 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)

All Movements

ID: 1293475, Location: 29.436851, -95.38082



Provided by: C. J. Hensch & Associates Inc.

5215 Sycamore Ave.,
Pasadena, TX, 77503, US

Leg Direction	Cumulus Dr Southbound					Masters Rd Westbound					Masters Rd Eastbound					
Time	R	L	U	App	Ped*	R	T	U	App	Ped*	T	L	U	App	Ped*	Int
2025-05-01 4:00PM	0	5	0	5	0	7	31	0	38	0	33	1	0	34	0	77
4:15PM	2	10	0	12	0	5	27	0	32	0	31	1	0	32	0	76
4:30PM	1	8	0	9	0	4	26	0	30	0	29	2	0	31	0	70
4:45PM	3	10	0	13	0	2	23	0	25	0	17	3	0	20	0	58
Total	6	33	0	39	0	18	107	0	125	0	110	7	0	117	0	281
% Approach	15.4%	84.6%	0%	-	-	14.4%	85.6%	0%	-	-	94.0%	6.0%	0%	-	-	-
% Total	2.1%	11.7%	0%	13.9%	-	6.4%	38.1%	0%	44.5%	-	39.1%	2.5%	0%	41.6%	-	-
PHF	0.500	0.825	-	0.750	-	0.643	0.863	-	0.822	-	0.833	0.583	-	0.860	-	0.912
Lights	5	32	0	37	-	17	102	0	119	-	105	7	0	112	-	268
% Lights	83.3%	97.0%	0%	94.9%	-	94.4%	95.3%	0%	95.2%	-	95.5%	100%	0%	95.7%	-	95.4%
Articulated Trucks	0	0	0	0	-	0	1	0	1	-	0	0	0	0	-	1
% Articulated Trucks	0%	0%	0%	0%	-	0%	0.9%	0%	0.8%	-	0%	0%	0%	0%	-	0.4%
Buses and Single-Unit Trucks	1	1	0	2	-	1	4	0	5	-	5	0	0	5	-	12
% Buses and Single-Unit Trucks	16.7%	3.0%	0%	5.1%	-	5.6%	3.7%	0%	4.0%	-	4.5%	0%	0%	4.3%	-	4.3%
Pedestrians	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

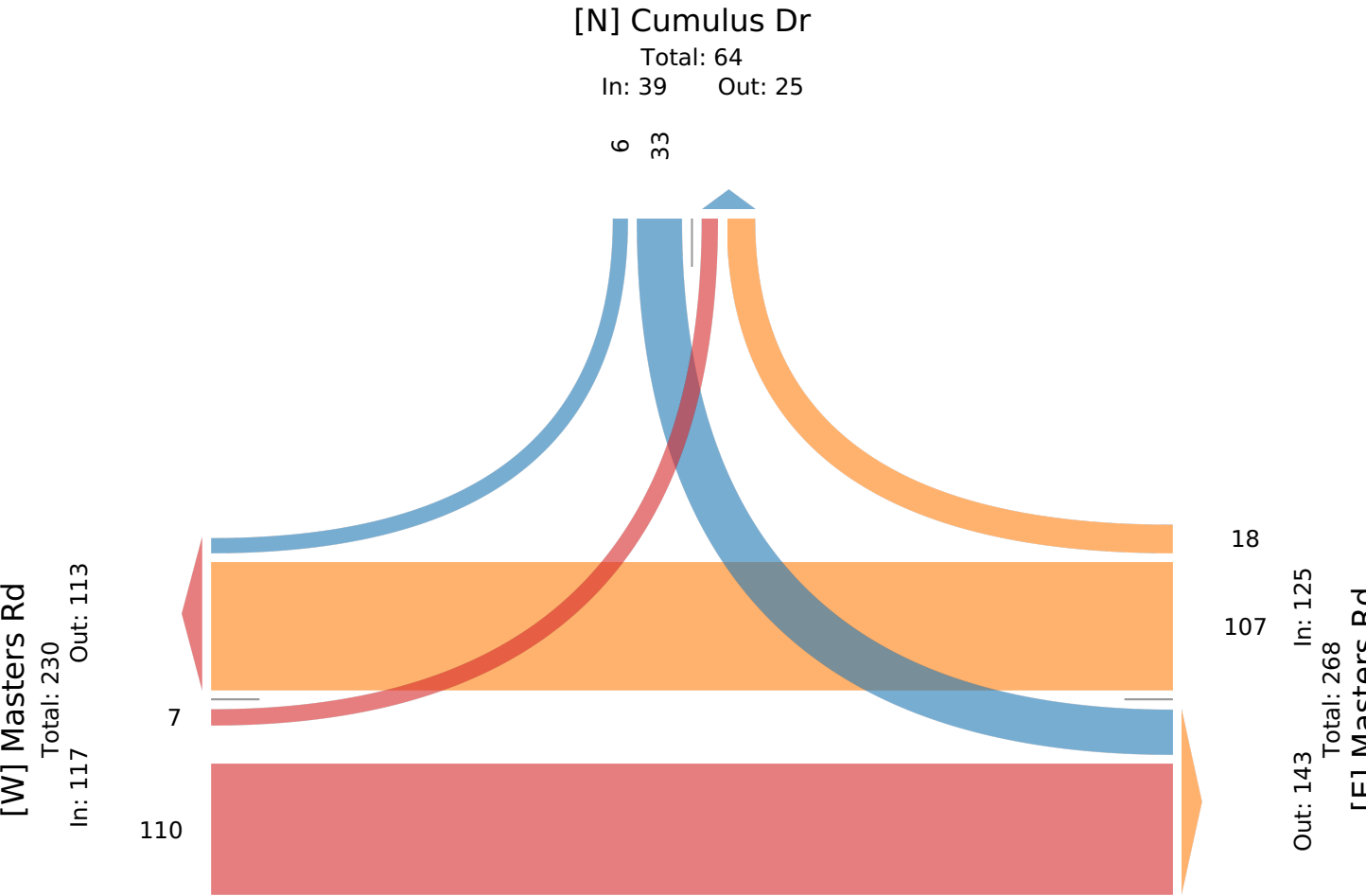
* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

2. Cumulus Dr at Masters Rd - TMC

Thu May 1, 2025
PM Peak (4 PM - 5 PM)
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks, Pedestrians, Bicycles on Crosswalk)
All Movements
ID: 1293475, Location: 29.436851, -95.38082



Provided by: C. J. Hensch & Associates Inc.
5215 Sycamore Ave.,
Pasadena, TX, 77503, US



Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 192

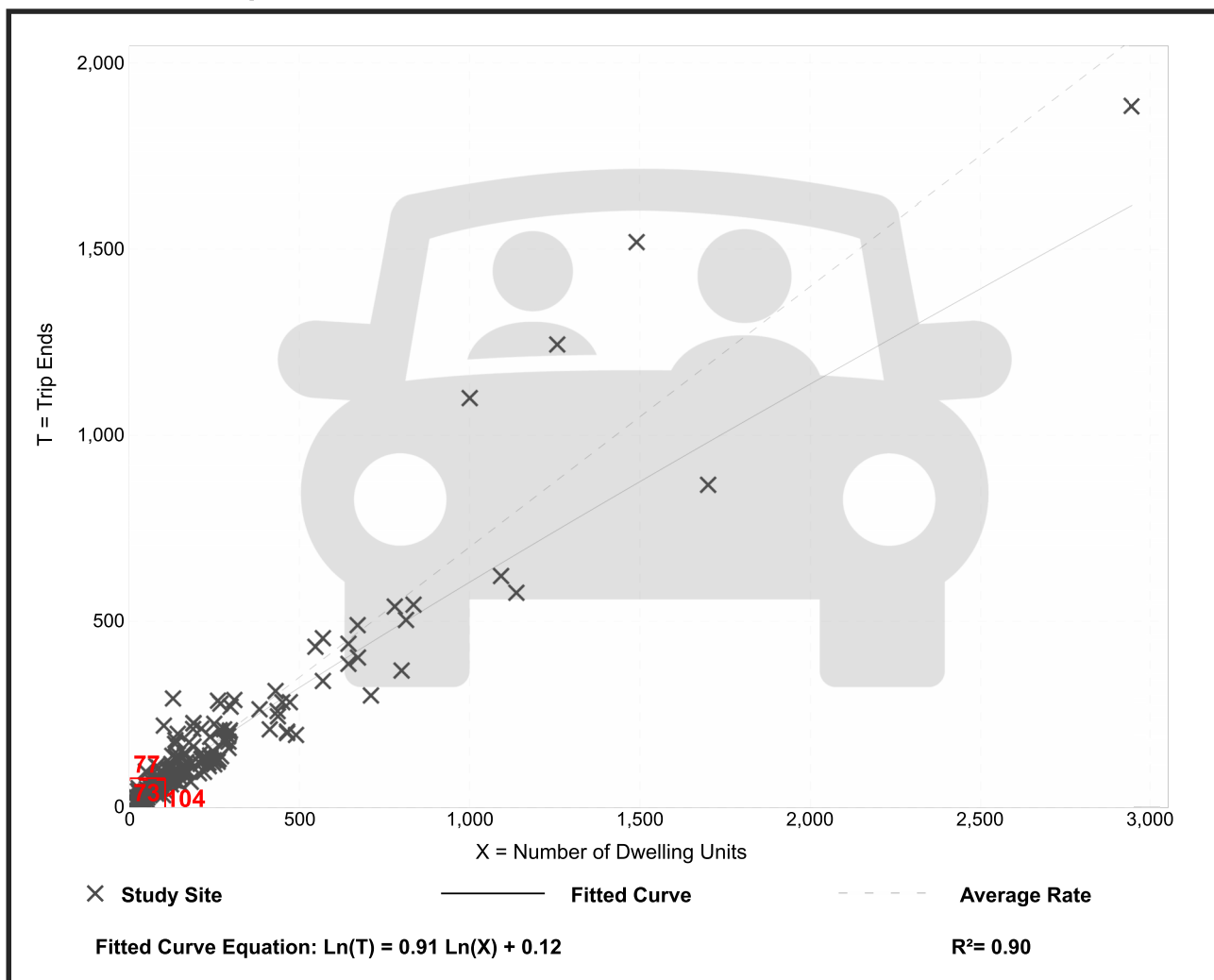
Avg. Num. of Dwelling Units: 226

Directional Distribution: 25% entering, 75% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.27 - 2.27	0.24

Data Plot and Equation



Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 208

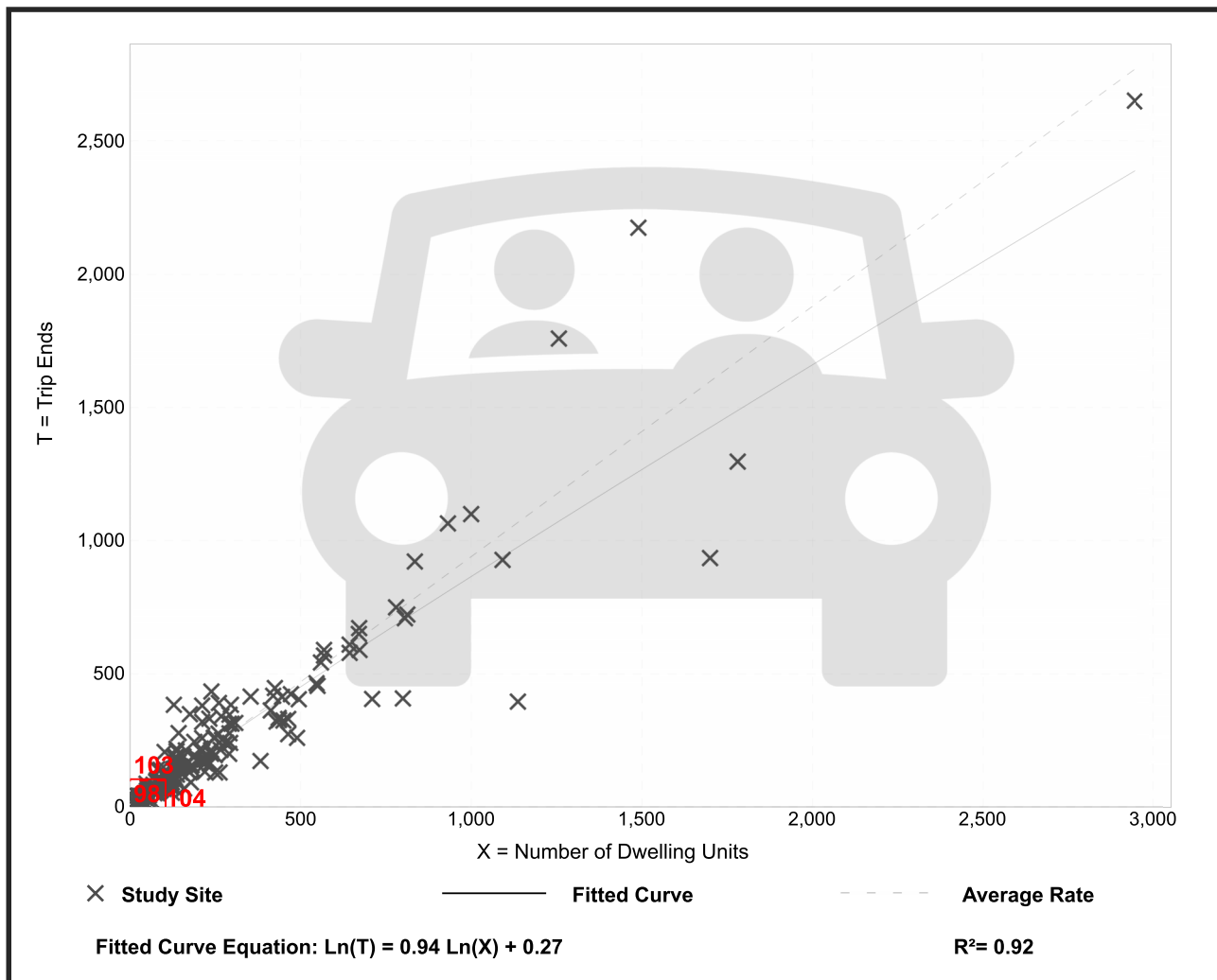
Avg. Num. of Dwelling Units: 248

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.94	0.35 - 2.98	0.31

Data Plot and Equation



Intersection						
Int Delay, s/veh	1					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	13	146	161	25	15	13
Future Vol, veh/h	13	146	161	25	15	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	172	189	29	18	15
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	218	0	-	0	406	204
Stage 1	-	-	-	-	204	-
Stage 2	-	-	-	-	202	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1352	-	-	-	601	837
Stage 1	-	-	-	-	830	-
Stage 2	-	-	-	-	832	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1352	-	-	-	594	837
Mov Cap-2 Maneuver	-	-	-	-	594	-
Stage 1	-	-	-	-	820	-
Stage 2	-	-	-	-	832	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.6	0		10.5		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1352	-	-	-	687	
HCM Lane V/C Ratio	0.011	-	-	-	0.048	
HCM Control Delay (s)	7.7	0	-	-	10.5	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.2	

Intersection												
Int Delay, s/veh	1.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	371	7	33	204	2	20	0	69	4	0	0
Future Vol, veh/h	0	371	7	33	204	2	20	0	69	4	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	90	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	408	8	36	224	2	22	0	76	4	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	226	0	0	416	0	0	596	710	208	501	713	113
Stage 1	-	-	-	-	-	-	412	412	-	297	297	-
Stage 2	-	-	-	-	-	-	184	298	-	204	416	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	10	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	10	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	1340	-	-	1139	-	-	387	357	798	453	356	918
Stage 1	-	-	-	-	-	-	588	593	-	687	666	-
Stage 2	-	-	-	-	-	-	800	666	-	779	590	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1340	-	-	1139	-	-	378	346	798	400	345	918
Mov Cap-2 Maneuver	-	-	-	-	-	-	378	346	-	400	345	-
Stage 1	-	-	-	-	-	-	588	593	-	687	645	-
Stage 2	-	-	-	-	-	-	775	645	-	705	590	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			1.1			11.1			14.1		
HCM LOS							B			B		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	378	798	1340	-	-	1139	-	-	400	-
HCM Lane V/C Ratio	0.058	0.095	-	-	-	0.032	-	-	0.011	-
HCM Control Delay (s)	15.1	10	0	-	-	8.3	-	-	14.1	0
HCM Lane LOS	C	B	A	-	-	A	-	-	B	A
HCM 95th %tile Q(veh)	0.2	0.3	0	-	-	0.1	-	-	0	-

Intersection						
Int Delay, s/veh	1.6					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	7	110	107	18	33	6
Future Vol, veh/h	7	110	107	18	33	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	8	121	118	20	36	7
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	138	0	-	0	265	128
Stage 1	-	-	-	-	128	-
Stage 2	-	-	-	-	137	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1446	-	-	-	724	922
Stage 1	-	-	-	-	898	-
Stage 2	-	-	-	-	890	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1446	-	-	-	720	922
Mov Cap-2 Maneuver	-	-	-	-	720	-
Stage 1	-	-	-	-	893	-
Stage 2	-	-	-	-	890	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.4	0		10.1		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1446	-	-	-	745	
HCM Lane V/C Ratio	0.005	-	-	-	0.058	
HCM Control Delay (s)	7.5	0	-	-	10.1	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.2	

HCM 6th TWSC
7: Cumulus Dr/Sora Dr & Meridiana Pkwy

Existing Conditions_Year 2025

PM Peak

Intersection												
Int Delay, s/veh	1.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	1	278	21	61	315	6	18	1	36	3	0	0
Future Vol, veh/h	1	278	21	61	315	6	18	1	36	3	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	90	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	293	22	64	332	6	19	1	38	3	0	0
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	338	0	0	315	0	0	600	772	158	612	780	169
Stage 1	-	-	-	-	-	-	306	306	-	463	463	-
Stage 2	-	-	-	-	-	-	294	466	-	149	317	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	1218	-	-	1242	-	-	385	329	859	377	325	845
Stage 1	-	-	-	-	-	-	679	660	-	548	562	-
Stage 2	-	-	-	-	-	-	690	561	-	838	653	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1218	-	-	1242	-	-	370	312	859	345	308	845
Mov Cap-2 Maneuver	-	-	-	-	-	-	370	312	-	345	308	-
Stage 1	-	-	-	-	-	-	678	659	-	547	533	-
Stage 2	-	-	-	-	-	-	654	532	-	799	652	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			1.3			11.5			15.5		
HCM LOS							B			C		
Minor Lane/Major Mvmt	NBLn1 NBLn2		EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2		
Capacity (veh/h)	370	820	1218	-	-	1242	-	-	345	-		
HCM Lane V/C Ratio	0.051	0.047	0.001	-	-	0.052	-	-	0.009	-		
HCM Control Delay (s)	15.3	9.6	8	-	-	8.1	-	-	15.5	0		
HCM Lane LOS	C	A	A	-	-	A	-	-	C	A		
HCM 95th %tile Q(veh)	0.2	0.1	0	-	-	0.2	-	-	0	-		

Intersection						
Int Delay, s/veh	1.1					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	13	146	161	25	15	13
Future Vol, veh/h	13	146	161	25	15	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	16	177	195	30	18	16
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	225	0	-	0	419	210
Stage 1	-	-	-	-	210	-
Stage 2	-	-	-	-	209	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1344	-	-	-	591	830
Stage 1	-	-	-	-	825	-
Stage 2	-	-	-	-	826	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1344	-	-	-	583	830
Mov Cap-2 Maneuver	-	-	-	-	583	-
Stage 1	-	-	-	-	814	-
Stage 2	-	-	-	-	826	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.6	0		10.6		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1344	-	-	-	676	
HCM Lane V/C Ratio	0.012	-	-	-	0.05	
HCM Control Delay (s)	7.7	0	-	-	10.6	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.2	

Intersection												
Int Delay, s/veh	1.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	371	7	33	204	2	20	0	69	4	0	0
Future Vol, veh/h	0	371	7	33	204	2	20	0	69	4	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	90	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	420	8	37	231	2	23	0	78	5	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	233	0	0	428	0	0	614	731	214	516	734	117
Stage 1	-	-	-	-	-	-	424	424	-	306	306	-
Stage 2	-	-	-	-	-	-	190	307	-	210	428	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	1332	-	-	1128	-	-	376	347	791	442	346	913
Stage 1	-	-	-	-	-	-	578	585	-	679	660	-
Stage 2	-	-	-	-	-	-	794	660	-	773	583	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1332	-	-	1128	-	-	367	336	791	389	335	913
Mov Cap-2 Maneuver	-	-	-	-	-	-	367	336	-	389	335	-
Stage 1	-	-	-	-	-	-	578	585	-	679	638	-
Stage 2	-	-	-	-	-	-	768	638	-	697	583	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			1.1			11.2			14.4		
HCM LOS							B			B		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	367	791	1332	-	-	1128	-	-	389	-
HCM Lane V/C Ratio	0.062	0.099	-	-	-	0.033	-	-	0.012	-
HCM Control Delay (s)	15.5	10	0	-	-	8.3	-	-	14.4	0
HCM Lane LOS	C	B	A	-	-	A	-	-	B	A
HCM 95th %tile Q(veh)	0.2	0.3	0	-	-	0.1	-	-	0	-

Intersection						
Int Delay, s/veh	1.6					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	7	110	107	18	33	6
Future Vol, veh/h	7	110	107	18	33	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	8	125	121	20	37	7
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	141	0	-	0	272	131
Stage 1	-	-	-	-	131	-
Stage 2	-	-	-	-	141	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1442	-	-	-	717	919
Stage 1	-	-	-	-	895	-
Stage 2	-	-	-	-	886	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1442	-	-	-	713	919
Mov Cap-2 Maneuver	-	-	-	-	713	-
Stage 1	-	-	-	-	890	-
Stage 2	-	-	-	-	886	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.4	0		10.2		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1442	-	-	-	738	
HCM Lane V/C Ratio	0.005	-	-	-	0.06	
HCM Control Delay (s)	7.5	0	-	-	10.2	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.2	

Intersection												
Int Delay, s/veh	1.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↰↱		↰	↰↱		↰	↱			↰↱	
Traffic Vol, veh/h	1	278	21	61	315	6	18	1	36	3	0	0
Future Vol, veh/h	1	278	21	61	315	6	18	1	36	3	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	90	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	301	23	66	342	7	20	1	39	3	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	349	0	0	324	0	0	618	796	162	631	804	175
Stage 1	-	-	-	-	-	-	315	315	-	478	478	-
Stage 2	-	-	-	-	-	-	303	481	-	153	326	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	1207	-	-	1233	-	-	373	318	854	366	315	838
Stage 1	-	-	-	-	-	-	671	654	-	537	554	-
Stage 2	-	-	-	-	-	-	681	552	-	834	647	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1207	-	-	1233	-	-	357	301	854	334	298	838
Mov Cap-2 Maneuver	-	-	-	-	-	-	357	301	-	334	298	-
Stage 1	-	-	-	-	-	-	670	653	-	536	524	-
Stage 2	-	-	-	-	-	-	645	522	-	794	646	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			1.3			11.7			15.9		
HCM LOS							B			C		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	357	814	1207	-	-	1233	-	-	334	-
HCM Lane V/C Ratio	0.055	0.049	0.001	-	-	0.054	-	-	0.01	-
HCM Control Delay (s)	15.7	9.7	8	-	-	8.1	-	-	15.9	0
HCM Lane LOS	C	A	A	-	-	A	-	-	C	A
HCM 95th %tile Q(veh)	0.2	0.2	0	-	-	0.2	-	-	0	-

Intersection						
Int Delay, s/veh	1.4					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	15	150	166	28	22	20
Future Vol, veh/h	15	150	166	28	22	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	18	176	195	33	26	24
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	228	0	-	0	424	212
Stage 1	-	-	-	-	212	-
Stage 2	-	-	-	-	212	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1340	-	-	-	587	828
Stage 1	-	-	-	-	823	-
Stage 2	-	-	-	-	823	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1340	-	-	-	578	828
Mov Cap-2 Maneuver	-	-	-	-	578	-
Stage 1	-	-	-	-	811	-
Stage 2	-	-	-	-	823	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.7	0		10.8		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1340	-	-	-	675	
HCM Lane V/C Ratio	0.013	-	-	-	0.073	
HCM Control Delay (s)	7.7	0	-	-	10.8	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.2	

Intersection												
Int Delay, s/veh	2.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	0	382	11	45	210	2	30	0	106	4	0	0
Future Vol, veh/h	0	382	11	45	210	2	30	0	106	4	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	90	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	402	12	47	221	2	32	0	112	4	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	223	0	0	414	0	0	613	725	207	517	730	112
Stage 1	-	-	-	-	-	-	408	408	-	316	316	-
Stage 2	-	-	-	-	-	-	205	317	-	201	414	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	1343	-	-	1141	-	-	377	350	799	441	348	920
Stage 1	-	-	-	-	-	-	591	595	-	670	654	-
Stage 2	-	-	-	-	-	-	778	653	-	782	591	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1343	-	-	1141	-	-	365	336	799	367	334	920
Mov Cap-2 Maneuver	-	-	-	-	-	-	365	336	-	367	334	-
Stage 1	-	-	-	-	-	-	591	595	-	670	627	-
Stage 2	-	-	-	-	-	-	746	626	-	673	591	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			1.5			11.4			14.9		
HCM LOS							B			B		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	365	799	1343	-	-	1141	-	-	367	-
HCM Lane V/C Ratio	0.087	0.14	-	-	-	0.042	-	-	0.011	-
HCM Control Delay (s)	15.8	10.2	0	-	-	8.3	-	-	14.9	0
HCM Lane LOS	C	B	A	-	-	A	-	-	B	A
HCM 95th %tile Q(veh)	0.3	0.5	0	-	-	0.1	-	-	0	-

Intersection						
Int Delay, s/veh	2					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	15	113	110	27	39	11
Future Vol, veh/h	15	113	110	27	39	11
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	16	124	121	30	43	12
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	151	0	-	0	292	136
Stage 1	-	-	-	-	136	-
Stage 2	-	-	-	-	156	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1430	-	-	-	699	913
Stage 1	-	-	-	-	890	-
Stage 2	-	-	-	-	872	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1430	-	-	-	691	913
Mov Cap-2 Maneuver	-	-	-	-	691	-
Stage 1	-	-	-	-	879	-
Stage 2	-	-	-	-	872	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.9	0		10.3		
HCM LOS				B		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1430	-	-	-	730	
HCM Lane V/C Ratio	0.012	-	-	-	0.075	
HCM Control Delay (s)	7.5	0	-	-	10.3	
HCM Lane LOS	A	A	-	-	B	
HCM 95th %tile Q(veh)	0	-	-	-	0.2	

Intersection												
Int Delay, s/veh	2.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	1	286	32	102	324	6	25	1	59	3	0	0
Future Vol, veh/h	1	286	32	102	324	6	25	1	59	3	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	90	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	301	34	107	341	6	26	1	62	3	0	0
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	347	0	0	335	0	0	705	881	168	711	895	174
Stage 1	-	-	-	-	-	-	320	320	-	558	558	-
Stage 2	-	-	-	-	-	-	385	561	-	153	337	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	1209	-	-	1221	-	-	323	284	847	320	279	839
Stage 1	-	-	-	-	-	-	666	651	-	482	510	-
Stage 2	-	-	-	-	-	-	610	508	-	834	640	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1209	-	-	1221	-	-	301	259	847	276	254	839
Mov Cap-2 Maneuver	-	-	-	-	-	-	301	259	-	276	254	-
Stage 1	-	-	-	-	-	-	665	650	-	482	465	-
Stage 2	-	-	-	-	-	-	557	463	-	771	639	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			1.9			12.2			18.2		
HCM LOS							B			C		
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2		
Capacity (veh/h)	301	816	1209	-	-	1221	-	-	276	-		
HCM Lane V/C Ratio	0.087	0.077	0.001	-	-	0.088	-	-	0.011	-		
HCM Control Delay (s)	18.1	9.8	8	-	-	8.2	-	-	18.2	0		
HCM Lane LOS	C	A	A	-	-	A	-	-	C	A		
HCM 95th %tile Q(veh)	0.3	0.3	0	-	-	0.3	-	-	0	-		

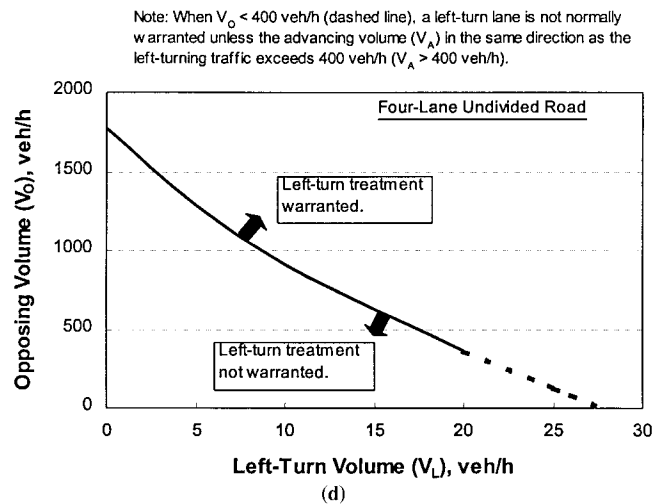
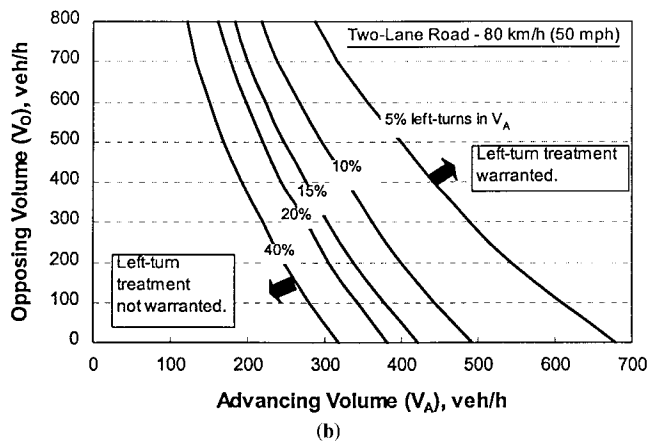
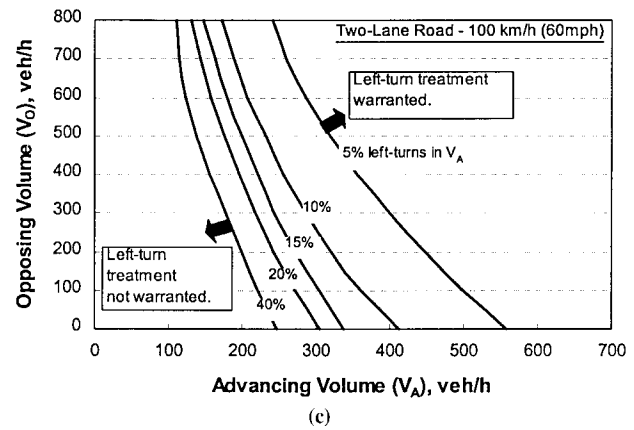
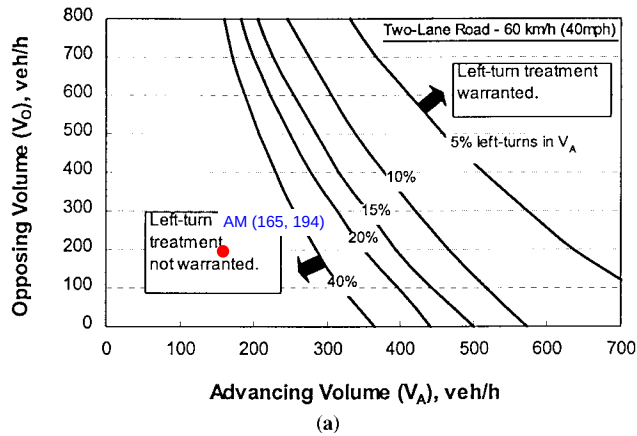


Figure 2-5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.

Application. The guidance stated in the preceding section defines the conditions that may justify the provision of a left-turn bay. Application of this guidance requires two types of data:

1. Major-road turn movement volume for the peak hour of the average day and
2. Major-road 85th percentile speed (posted speed can be substituted if data are unavailable).

Use of Figure 2-5 requires determination of the opposing volume, the advancing volume, and the operating speed. The opposing volume should include only the right-turn and through movements on the approach across from (and heading in the opposite direction of) the subject major-road approach. The advancing volume should include the left-turn, right-turn, and through movements on the subject approach. The operating speed can be estimated as the 85th percentile speed. If the operating speed does not coincide with 60, 80, or 100 km/h (i.e., 40, 50, or 60 mph), then interpolation can

be used or, as a more conservative approach, the operating speed can be rounded up to the nearest speed for which a figure is provided.

In application, Figure 2-5 is used once for each major-road approach to the intersection. The appropriate trend line is identified on the basis of the percentage of left-turns on the subject major-road approach. If the advancing and opposing volume combination intersects above or to the right of this trend line, a left-turn bay should be considered for the subject approach. If a bay is included at the intersection, it should be long enough to store left-turn vehicles 99.5 percent of the time (i.e., the bay should not overflow more than 0.5 percent of the time). Techniques for estimating this storage length are provided in the section, [Increase the Length of the Turn Bay](#).

Add a Right-Turn Bay on the Major Road

Introduction. Provision of a right-turn bay on the major road to a two-way stop-controlled intersection can signifi-

ORDINANCE NO. 2025-O-18

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF AN APPROXIMATE 35.3 ACRES OF LAND GENERALLY LOCATED AT 9825 S MASTERS (PIDS: 537539 & 619349), SITUATED WEST OF CHOCOLATE BAYOU AND AT THE NORTHEAST CORNER OF INTERSECTION OF CUMULUS DRIVE AND MASTERS ROAD, FROM OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR INCLUSION IN THE MERIDIANA PLANNED UNIT DEVELOPMENT; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

* * * * *

WHEREAS, Dorothy Wynne and Ralph Wayne Eubank are the owners (the "Owner") of a certain tract of land 35.3 acres (13.739 acres and 21.57 acres respectively) located at 9825 S. Masters Road (PIDS: 537539 & 619349), being a tract or parcel containing 35.30 acres of land situated in the Oliver Hall Survey, Abstract No. 203, Brazoria County, Texas, being a portion of Lots 7, 8, and 9 of Lulling Stone Section Three as per the plat recorded under Volume 231-234 of the Brazoria County Plat Records (B.B.P.R.), as shown on said map and description of which is attached hereto as Exhibit "A"; and

WHEREAS, Owner has made application to change the zoning of said 35.3 acre tract of land from the Open-Single Family Residential District (O-SFR) to Planned Unit Development (PUD) for inclusion in the Meridiana PUD and for uses as permitted within such zone classification; and

WHEREAS, the Planning, Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on such request; and

WHEREAS, the Planning, Development, and Zoning Commission has not recommended approval of such request, and, the City Council deems it appropriate to approve said rezoning; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tract of land 35.3 acres located at 9825 S. Masters Road (PIDS: 537539 & 619349), being a tract or parcel containing 35.30 acres of land situated in the Oliver Hall Survey, Abstract No. 203, Brazoria County, Texas, being a portion of Lots 7, 8, and 9 of Lulling Stone Section Three as per the plat recorded under Volume 231-234 of the Brazoria

County Plat Records (B.B.P.R.), as shown on a map and description of which is attached hereto as Exhibit “A” attached hereto and for all things made a part hereof, shall be changed from the Open-Single Family Residential District (O-SFR) to Planned Unit Development (PUD) for inclusion in the Meridiana PUD and for uses as permitted within such zone classification.

Section 3. The development of the property shall strictly comply with the **Meridiana PUD Document** (Ordinance No. 2024-O-13), incorporated herein by reference and made a part of hereof for all purposes.

Section 4. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said tracts, as described and as provided in Section 2 above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 5. The City Council hereby finds and determines that said rezoning comports to the City’s Comprehensive Land Use Plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the change in zoning classification of said tract(s) as described above.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED on first reading this _____ day of _____, 2025.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2025.

Dan Davis, Mayor

ATTEST:

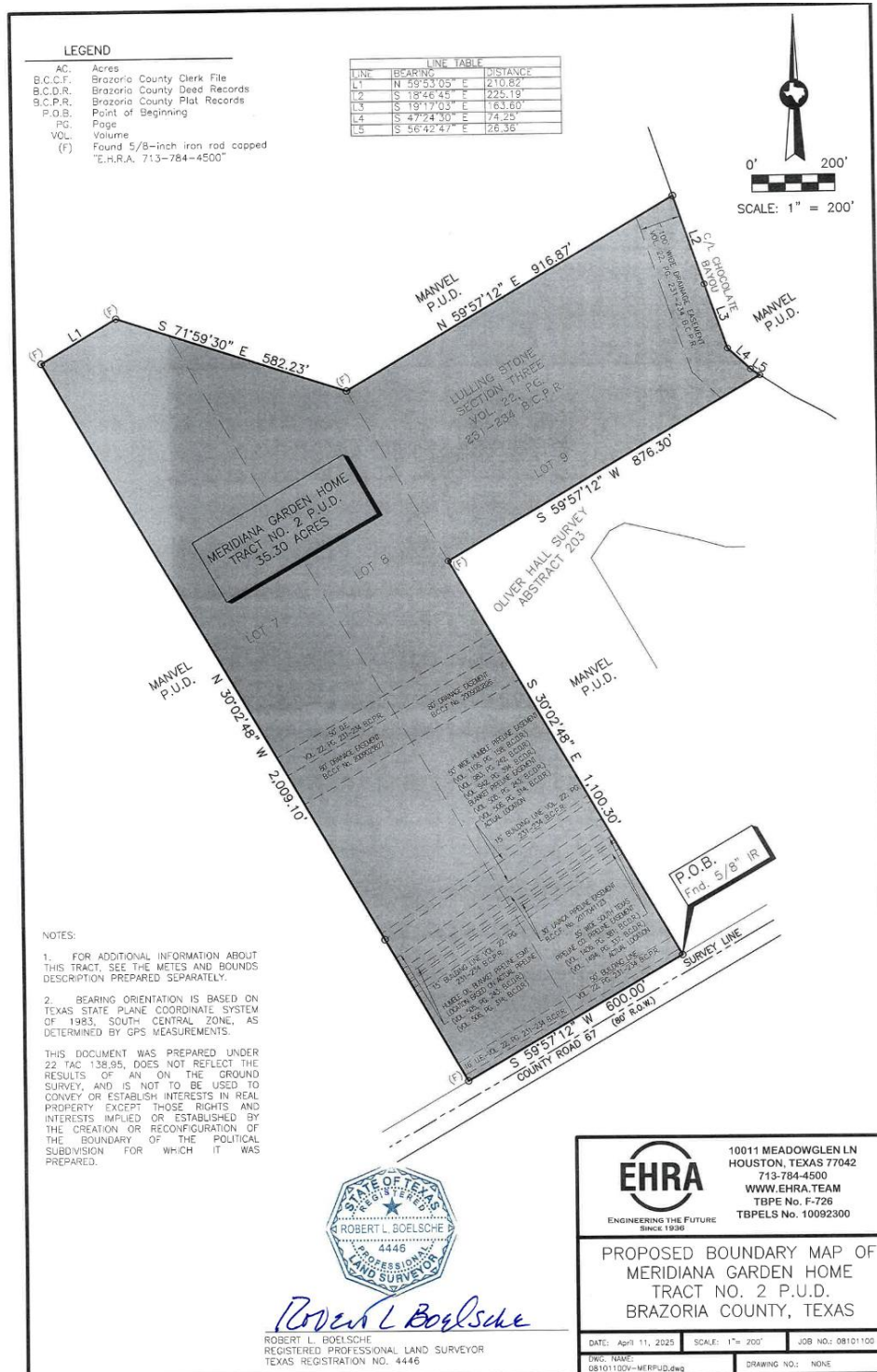
Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

EXHIBIT A

A TRACT OR PARCEL CONTAINING 35.30 ACRES OF LAND SITUATED IN THE OLIVER HALL SURVEY, ABSTRACT NO. 203, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 7, 8, AND 9 OF LULLING STONE SECTION THREE AS PER THE PLAT RECORDED UNDER VOLUME 231-234 OF THE BRAZORIA COUNTY PLAT RECORDS (B.B.P.R)





MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: May 27, 2025

TOPIC: Subdivision variance request for an approximate 175.2-acre tract of land proposing as Oakwood Trails Development located along the southern side of Rodeo Palms Parkway, east side of County Road 48, abutting Avellino Subdivision to the east and north, seeking to vary the following requirements of Chapter 62:

- Section 108 (b)(4), *Lot dimensions shall be not less than 60 feet in width at the right-of-way line and of a depth so as to provide an area of not less than 6,300 square feet.*
- Section 104 (5), *Multiple access points.*
 - a. *Two point of access. There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots.*
 - b. *Three points of access. There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.*
 - c. *Four points of access. There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.*
 - d. *Points of access and existing conditions. The council may require additional points of access from a collector street due to existing conditions (e.g., pipelines, floodplain, body of water, etc.) in addition to requirements set forth in this section to protect the health, safety, and welfare of the city and its extraterritorial jurisdiction. This access point shall not be located over the potential hazard.*
 - e. *Boulevard entries. A boulevard entry may only be considered as two points of access when a fourth point of access is triggered under subsection c. Four points of access, above;*

BACKGROUND: The applicant Ashley Waggoner of EHRA Engineering, representing the property owner, KL LB BUY 5 LLC, has submitted a proposed Master Plan of Oakwood Trails, which also will serve as a Preliminary Plat. The proposed Master Plan is included as a separate agenda item. Please note that approval of proposed variances is required for the approval of the proposed Master Plan.

The subject site for proposed Oakwood trails is located within the City of Manvel's Extraterritorial Jurisdiction (ETJ) and will be part of Brazoria County Municipal Utility District (BCMUD) No. 47. Oakwood Trails will subdivide an approximate 175.2-acre tract into 413 residential lots (occupying approximately 105.6 acres), with the remainder of the land allocated as follows: 53.4 acres for detention, 8.1 acres for major thoroughfare and collector right-of-way dedication, 4.1 acres for parkland, 0.4 acres for pipeline easement, and 4.6 acres for landscape buffers and open space. The development will be served by the Brazoria County MUD No. 29 wastewater treatment plant through a joint wastewater facilities agreement with MUD No. 47. Water service will be provided by the City of Manvel based on an Interlocal and Utility Capacity Agreement between the City and BCMUD 47. To meet parkland dedication requirements under Section 47-6 of the City's Code of Ordinances (at a rate of 1 acre per 100 homes), 4.1 acres will be dedicated (Proposed Master Plan Attached).

As part of the Master Plan review process, per the City's Subdivision Ordinance, Chapter 62, Section 108 (b)(4), *Lot dimensions shall be not less than 60 feet in width at the right-of-way (ROW) line.* To seek relief from this requirement, the applicant has submitted a Subdivision

Variance request to allow lot width for Oakwood Trails to be measured at the front setback line instead of the ROW line.

The applicant has also requested a variance to multiple access points required for the overall development. Oakwood Trails is proposed to be developed in 3 phases with a total of 413 lots. This would require a total of 4 access points. Section 1 and 2 (Phase 1) will include a total of 124 lots which require 3 access points. Phase one would include an access point from CR 48 and one access point from Rodeo Parkway. However, based on the proposed master plan, the third point of access is possible only when Section 3 is developed where it connects to abutting Avellino development. Please note that the boulevard entry on Rodeo Palms Parkway will be counted as 2 access points for the overall development. With the completion of Kirby Drive, the development will have an additional access point from Kirby Drive which connects to Hwy 6. (Please see exhibit attached)

STAFF FINDINGS: Under Section 62-5, *Variance*, staff reviewed the request and found the following:

- Special Circumstances: Regarding the access points, there are special circumstances affecting the subject site based on its location. The subject site is located within the ETJ and in an area with minimal existing thoroughfares to connect to. The abutting Avellino Development is also in the early stages of development. The variance related to the measurement of lot width is a requirement specific to the ETJ. Granting the variance will make it consistent with the measurement of lots within city limits.
- Strict Enforcement: While strict enforcement of the minimum lot size requirement would not deprive the applicant of property rights, it would restrict practical lot layouts, especially on curves and cul-de-sacs, limiting buildable area and impairing the ability to construct homes of comparable size and orientation to those on standard lots. Please note that it also would make conflict with the City's Zoning Ordinance that considers lots width at the front setback line. Regarding access points, granting the variance will allow reasonable phasing and layout for the overall development. Additionally, construction of Kirby Drive south of the subject site is beyond the control of the developer.
- Impact on Public Welfare: Granting the requested variances will not be materially detrimental to public welfare or injurious to other properties in the area. It will not impair an adequate supply of light or air to adjacent property, will not substantially increase the congestion, fire danger, endanger the public health, safety and well-being of the neighborhood.

RECOMMENDATION: Staff recommends approval of this variance request to *Chapter 62, Section 108 (b)(4) and Section 104 (5)* based on the following conditions:

1. The subdivision variance will expire upon a change of residential use; and
2. Access points and connections depicted on the approved Oakwood Trails Master Plan shall not be changed or removed.

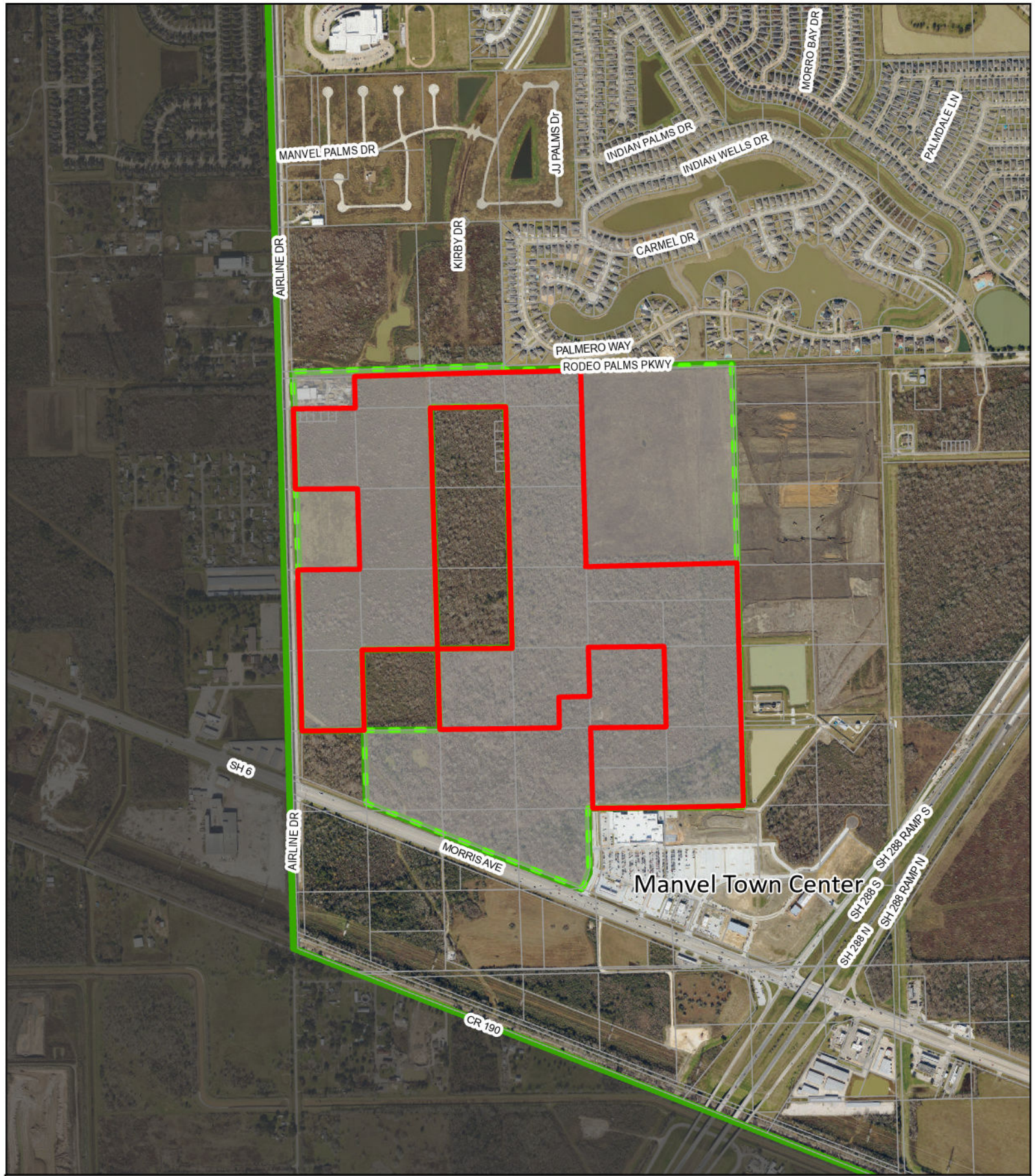
ATTACHMENTS: Letter of Requests, Master Plan, Vicinity Aerial Map, Zoning Map, and Development Agreement.

FUNDING ISSUES

- ☒ **Not applicable**
☐ **Not budgeted**
☐ **Full amount already budgeted**
☐ **Funds to be transferred from Acct.#**

SUBMITTING STAFF MEMBER Ellie Roohbakhsh, Senior Planner	FINANCE DIRECTOR APPROVAL _____ CITY MANAGER APPROVAL _____
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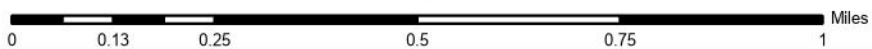




This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.

Oakwood Trails

-  Oakwood Trails
-  City of Manvel ETJ
-  Parcels
-  City of Manvel City Limits



Date: May 2025
Reference: 2025038
Data Source: City of Manvel,
Brazoria County Open Data

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630
Fax: (281) 489-0634

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Ashley Waggoner
Phone: 713-429-0726 e-mail: awaggoner@ehra.team
Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6

Legal description (from deed): A subdivision of 175.2 acres out of the H.T.&B.R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Lot Width Measurement Variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

Please refer to variance request letter for explanation to questions below.

o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

Applicant Authorization

I authorize the City of Manvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Manvel as they deem necessary for the processing of this application.

Ashley Waggoner
Applicant Signature

4/21/25

Date

Submit variance request material to the Permit Department, City of Manvel, 20025 Highway 6 Manvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Subdivision Variance Application (with all signatures)	X
One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 ½" x 11', 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed structures)	
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
Two (2) Copies of Proposed Plat	
Letter of Authorization (if applicable)	
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner

Applicant Signature

4/21/25

Date



April 21, 2025

Mr. Jose Abraham, AICP.
Director of Development Services, City of Manvel
20031 Highway 6
Manvel, Texas 77578

Re: **Oakwood Trails Variance Request** – Lot Width Measurement

Mr. Abraham,

On behalf of KL LB BUY 5, LLC (the land bank for Beazer Homes who will be the developer of Oakwood Trails), I respectfully submit a variance request for Lot Width Measurement for review and consideration by the City of Manvel concurrent with the review of Oakwood Trails Master Plan submittal.

Introduction

Oakwood Trails is a proposed master planned community consisting of approximately 175 acres located south of future Rodeo Palms Parkway and east of County Road 48, entirely in the City of Manvel ETJ, Brazoria County.

The proposed plan will yield approximately 413 new homes and the construction of approximately 4.9 miles of local street.

The developer desires to construct quality residential development that features single-family residences, detention facilities, parks and open space. The housing types, prices, and the lot selection will also meet market needs, thereby creating a robust community.

This variance will apply to any and all plats within the boundary of this project.

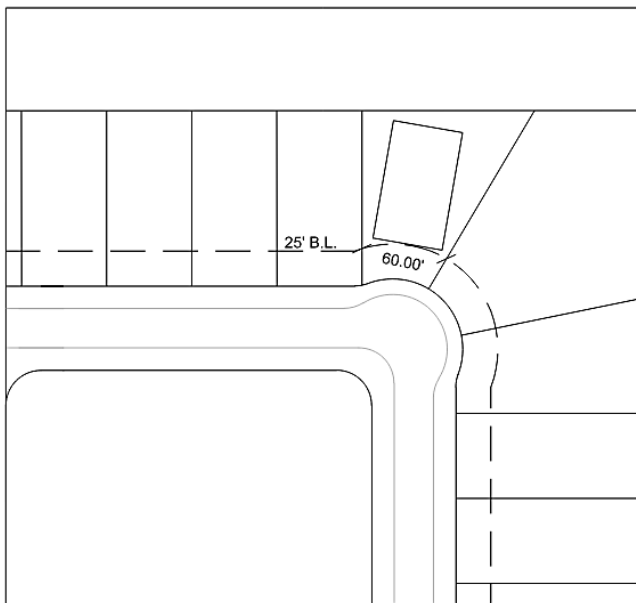
Variance Request

Sec. 62-108.b.4. Lot dimensions shall not be less than 60 feet in width at the right-of-way line.

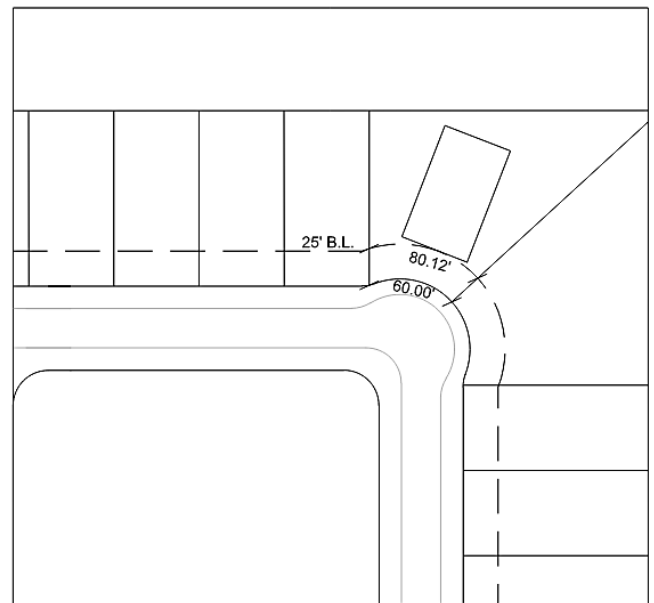
Since this development is situated in the City of Manvel's ETJ and is therefore subject to the regulations stated in the subdivision ordinance rather than the zoning ordinance, the lot width is measured at the right-of-way line instead of the front building setback line. The City's zoning ordinance measures lot width at the front building setback line. We are simply requesting that the lot width in Oakwood Trails be measured at the front building setback line instead of the right-of-way line to be consistent with the way lots are measured everywhere else in the City of Manvel.

Furthermore, this approach would allow for a more equitable split of lot area which is consistent with the intent of the zoning regulations. Lots at 90 degree bends in roads and on cul-de-sacs necessarily fan out wider if measured at the right-of-way line versus the front building setback line, as shown in the exhibit below.

The public is not harmed by this variance request as it simply aligns the regulations for this development with the City of Manvel's zoning ordinance.



With Variance



Without Variance

We appreciate your consideration in this matter and hope that the above information is sufficient to gain your support in the approval of this variance. If I can be of any assistance to you prior to the meeting, please contact me.

Sincerely,

Ashley Waggoner

Ashley Waggoner, AICP
Planner II

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630
Fax: (281) 489-0634

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Ashley Waggoner
Phone: 713-429-0726 e-mail: awaggoner@ehra.team
Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6

Legal description (from deed): A subdivision of 175.2 acres out of the H.T.&B.R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Points of Access Variance - The proposed variance would allow two points of access to temporarily
serve a subdivision phase containing a maximum of 124 platted lots until Section 3 is platted.

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

Please refer to variance request letter for explanation to questions below.

o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

Applicant Authorization

I authorize the City of Manvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Manvel as they deem necessary for the processing of this application.

Ashley Waggoner
Applicant Signature

5/16/25

Date

Submit variance request material to the Permit Department, City of Manvel, 20025 Highway 6 Manvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Subdivision Variance Application (with all signatures)	X
One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 ½" x 11", 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed structures)	X
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
Two (2) Copies of Proposed Plat	
Letter of Authorization (if applicable)	X
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner

Applicant Signature

5/16/25

Date



DEVELOPMENT SERVICES

20025 HIGHWAY 6

MANVEL, TX 77578

P: 281-489-0630

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

KL LB BUY 5 LLC

Owner Name

6900 E Camelback Rd., Suite 800

Owner Address

Scottsdale, AZ

85251

Owner City, State

Zip

April 14, 2025

Date

Development Services Department

20025 Highway 6

Manvel, TX 77578

Dear City of Manvel Development Services,

I, Ed Hadley, Authorized Signatory of
KL LB BUY 5 LLC, certify that I am the owner of the project property located at
East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6 and that the forgoing statements and answers made and all
data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief,
true, and correct. I appoint Ashley Waggoner with the company
EHRA Engineering (if applicable) to act as my representative for this project. I agree to be
responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand
that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to
remit payment for services can lead to delays in this project – up to and including rejecting the project and
forfeiting any fees paid.

Please contact me directly at 480-531-1822 if you have any questions.

Sincerely,

Ed Hadley, Authorized Signatory of
Owner Name KL LB BUY 5 LLC

Owner Signature



TBPE No. F-726
TBPLS No. 10092300

May 16, 2025

Mr. Jose Abraham, AICP.
Director of Development Services, City of Manvel
20031 Highway 6
Manvel, Texas 77578

Re: **Oakwood Trails Variance Request** – Points of Access for Subdivision

Mr. Abraham,

On behalf of KL LB BUY 5, LLC (the land bank for Beazer Homes who will be the developer of Oakwood Trails), I respectfully submit a variance request for Points of Access for Subdivision for review and consideration by the City of Manvel concurrent with the review of Oakwood Trails Master Plan submittal.

Introduction

Oakwood Trails is a proposed master planned community consisting of approximately 175 acres located south of future Rodeo Palms Parkway and east of County Road 48, entirely in the City of Manvel ETJ, Brazoria County.

The proposed plan will yield approximately 413 new homes and the construction of approximately 4.9 miles of local street.

The developer desires to construct quality residential development that features single-family residences, detention facilities, parks and open space. The housing types, prices, and the lot selection will also meet market needs, thereby creating a robust community.

This variance will apply to any and all plats within the boundary of this project.

Variance Request

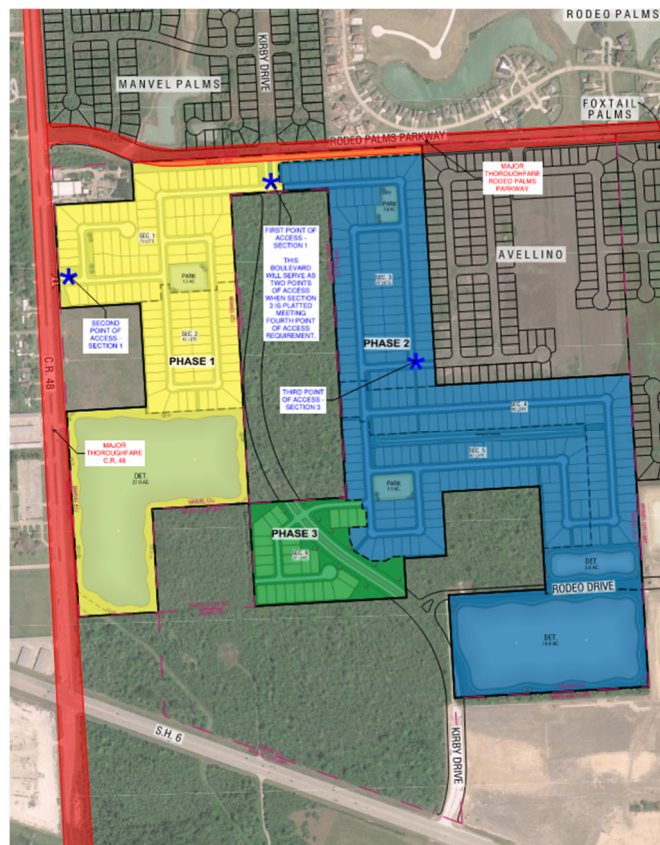
Sec. 62-104. – Streets (5)(a) Two points of access. There shall be a minimum of two points of access from a collector street in a subdivision or subdivision phase up to a maximum of 75 platted lots.

We respectfully request a variance from the City of Manvel's current subdivision access requirements, which limit two points of access to subdivisions or subdivision phases containing a maximum of 75 platted lots. The proposed variance would allow two points of access to temporarily serve a subdivision phase containing a maximum of 124 platted lots until Section 3 is platted.

Section 3 will provide a third point of access through the Avellino subdivision, connecting to Rodeo Palms Parkway, a major thoroughfare, which will serve 221 platted lots. This number of lots will trigger the requirement for four points of access to serve the subdivision. The boulevard at the entrance of the subdivision where Kirby Drive meets Rodeo Palms Parkway will then serve as two points of access.

In summary, once Section 3 is platted, one point of access will be from the major thoroughfare County Road 48, one point of access will be provided through the Avellino subdivision, connecting to the major thoroughfare Rodeo Palms Parkway, and two points of access will be from the boulevard at the entrance of the subdivision where Kirby Drive meets Rodeo Palms Parkway, meeting the requirement of four points of access to serve a subdivision of 176 platted lots or greater.

Furthermore, a fifth point of access is planned through the extensions of Kirby Drive as part of Phase 3. However, due to the absence of current plans to complete Kirby Drive, there is no timeline for the construction of this connection. The ultimate five points of access will create a strong network of connectivity by providing travel ways in all four directions to the three major corridors: Rodeo Palms Parkway, County Road 48, and SH 6 via future Kirby Drive. Lastly, this request aligns with the 2024 International Fire Code (IFC). Granting this variance will maintain public safety standards while allowing reasonable flexibility in the application of the access point threshold.



We appreciate your consideration in this matter and hope that the above information is sufficient to gain your support in the approval of this variance. If I can be of any assistance to you prior to the meeting, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Ashley Waggoner". The script is cursive and fluid.

Ashley Waggoner, AICP
Planner II

DEVELOPMENT AGREEMENT (FOR VARIANCE)

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

This Development Agreement executed as of the ____ day of _____, 2025, is by and between the City of Manvel, Texas, (“City”) and KL LB BUY 5, LLC, property owner of certain hereinafter described property located within the City of Manvel Extra-Territorial Jurisdiction (ETJ), (together known as “Developer”), all collectively referred to as the “Parties. This Agreement is in regard to the platting and subdivision of an approximately 175.2-acre tract of land to create a residential master planned development – Oakwood Trails, with 413 lots located east of County Road 48, south of Rodeo Palms Parkway, and north of State Highway, situated in the H.T. & B.R.R. Co. Survey, Section 71, Abstract 291, within the extraterritorial jurisdiction (ETJ) of the City of Manvel, Brazoria County, Texas.

WHEREAS, The Developer/Owner is requesting that lot width in the Oakwood Trails development be measured at the front building setback line, rather than at the right-of-way line, to ensure consistency with how lots are measured throughout the City of Manvel; and

WHEREAS, The Developer/Owner is requesting a variance to allow two points of access to temporarily serve a subdivision phase containing a maximum of 124 platted lots, until Section 3 of the subdivision is platted. This request is a variance from the requirement of the City’s zoning ordinance, which requires a minimum of three points of access from a collector street for subdivision phases containing between 76 and 175 platted lots.

WHEREAS, the 413 lots subject to this request are located within the City of Manvel’s Extra-Territorial Jurisdiction (ETJ) and are more fully described and depicted in Exhibit “A,” attached hereto and incorporated herein for all purposes;

WHEREAS, The subdividing of land will require approval of a plat and compliance with the City’s subdivision ordinance; and

WHEREAS, Section 62-108(a)(4) of the city code requires lot dimensions shall be a minimum of 120 feet in width at the right-of-way line and of a depth so as to provide an area of not less than one acre or 43,560 square feet; and

WHEREAS, Section 62-104(5)(b) of the city code requires that there shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.

WHEREAS, pursuant to Section 62-5 of The City Code, the Developer has applied for a variances to the minimum lot area requirement and minimum number of access point requirement, said application is attached as Exhibit “B”;

NOW THEREFORE, for and in consideration of the premises and mutual obligations, covenants, and benefits hereinafter set forth, said variance is granted by the City Council, if the Parties agree to the conditions, as follows:

1. PROJECT

1.01 Location. The property that is the subject of this agreement is all the property legally described as: being a subdivision of 175.2-acre tract of land located east of County Road 48, south of Rodeo Palms Parkway, and north of State Highway, being a part of the H.T. & B.R.R. Co. Survey, Section 71, Abstract 291, Brazoria County, Texas. The Property is more fully described and depicted in the Metes and Bound attached as Exhibit "A", attached hereto.

1.02 Project Description. This Agreement is in regard to subdivision of land to create a 413 lot single-family subdivision on the Property, owned by Developer.

1.03 Improving land to create a 413 single-family home subdivision on the property will require approval of a plat and compliance with the City's subdivision ordinance. Section 62-108(a)(4) of the City Code, each lot must have a minimum width of 120 feet at the right-of-way line and a depth sufficient to provide a total area of no less than one acre (43,560 square feet). Additionally, Section 62-104(5)(b) of the City Code requires that, there shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.

2. CITY APPROVAL

2.01 Approval of variance. Pursuant to its authority under Section 62-5 of The City Code, the City agrees to allow the Developer to vary the requirements of 62-108(a)(4) and 62-104(5)(b) of the City's subdivision ordinance, with conditions.

2.02 Conditions. The required conditions are as follows:

- (i) The subdivision variance will expire upon a change of residential use; or
- (ii) Access points and connections depicted on Exhibit A shall not changed or removed.

2.03 City shall record this agreement with the Brazoria County Clerk and evidence the agreement on a "plat note" on the plat of said Property. Developer shall be responsible for the cost of recordation.

3. DEVELOPER COVENANTS

3.01 The Developer agrees to following:

- (i) Developer agrees to begin construction of single-family structures, and diligently pursue to completion, within two-years of City Council approval; and
- (ii) Developer agrees to pay the cost of recordation of this Agreement within thirty (30) days of invoice by the City.

3.02 Developer acknowledges that the City's covenants are contingent upon the Developer constructing single-family residential subdivision and associated infrastructure. Failure of the Developer to begin to construction, and diligently pursue completion, within two-years of City

Council approval shall constitute failure of this condition and the agreement shall automatically be null and void.

4. MISCELLANEOUS

- 4.01 Assignment. This Agreement evidencing said variance, with conditions, shall run with the land and shall bind and benefit the respective Parties and their legal successors in interest.
- 4.02 Amendment or Modification. Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment, or modification only in writing, and by the signatures and mutual consent of the Parties.
- 4.03. Parties in Interest. This Agreement shall be for the sole and exclusive benefit of the Parties hereto and shall not be construed to confer any rights upon any third party. Developer shall not be a third-party beneficiary to any contract the City has with any other party for the engineering, design, or construction of said improvements.
- 4.04. Remedies Not Exclusive. The rights and remedies contained in this Agreement shall not be exclusive but shall be cumulative of all rights and remedies now or hereinafter existing, by law or in equity.
- 4.05. Waiver. The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants, or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.
- 4.06. Entire Agreement. This Agreement constitutes the entire agreement between the Parties related to the subject matter of this Agreement and supersedes any and all prior agreements, whether oral or written, dealing with the subject matter of this Agreement.
- 4.07. Venue. This Agreement shall be performable and enforceable in Brazoria County, Texas, and shall be construed in accordance with the laws of the State of Texas.
- 4.08. Severability. If any term or provision of this Agreement is held to be invalid, void, or unenforceable by a court of competent jurisdiction, the remainder of the terms and provisions of this Agreement shall remain in full force and effect and shall not in any way be invalidated, impaired, or affected.
- 4.09. Notices. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above.

The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City: City of Manvel
20031 Morris Avenue
Manvel, Texas 77578
ATTN:City Manager

If to Developer: KL LB BUY 5, LLC
850 New Burton Road, Suite 201
Dover, Delaware 19904

4.10 Remedies. In addition to any remedy provided by law, including but not limited to breach of contract, the Developer stipulates and agrees that, upon default by Developer, City may revoke/withhold issuance of a certificate of occupancy for the Property, and Developer agrees to hold City harmless for any liability from said revocation/fail to issue.

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

Executed on this the _____ day of _____, 20__.

CITY OF MANVEL:

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

This instrument was acknowledged before me on the ____ day of _____, 20__, by DAN DAVIS, as Mayor of the City of Manvel, Texas, on behalf of said City of Manvel.

Notary, State of Texas

KL LB BUY 5, LLC:

By: _____
Name: Ed Hadley

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

 This instrument was acknowledged before me on the ____ day of _____,
20__, by _____, as property owner.

Notary, State of Texas

(NOTARY SEAL)

Exhibit A

A subdivision of 175.2 acres out of the H.T.&B.R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas.

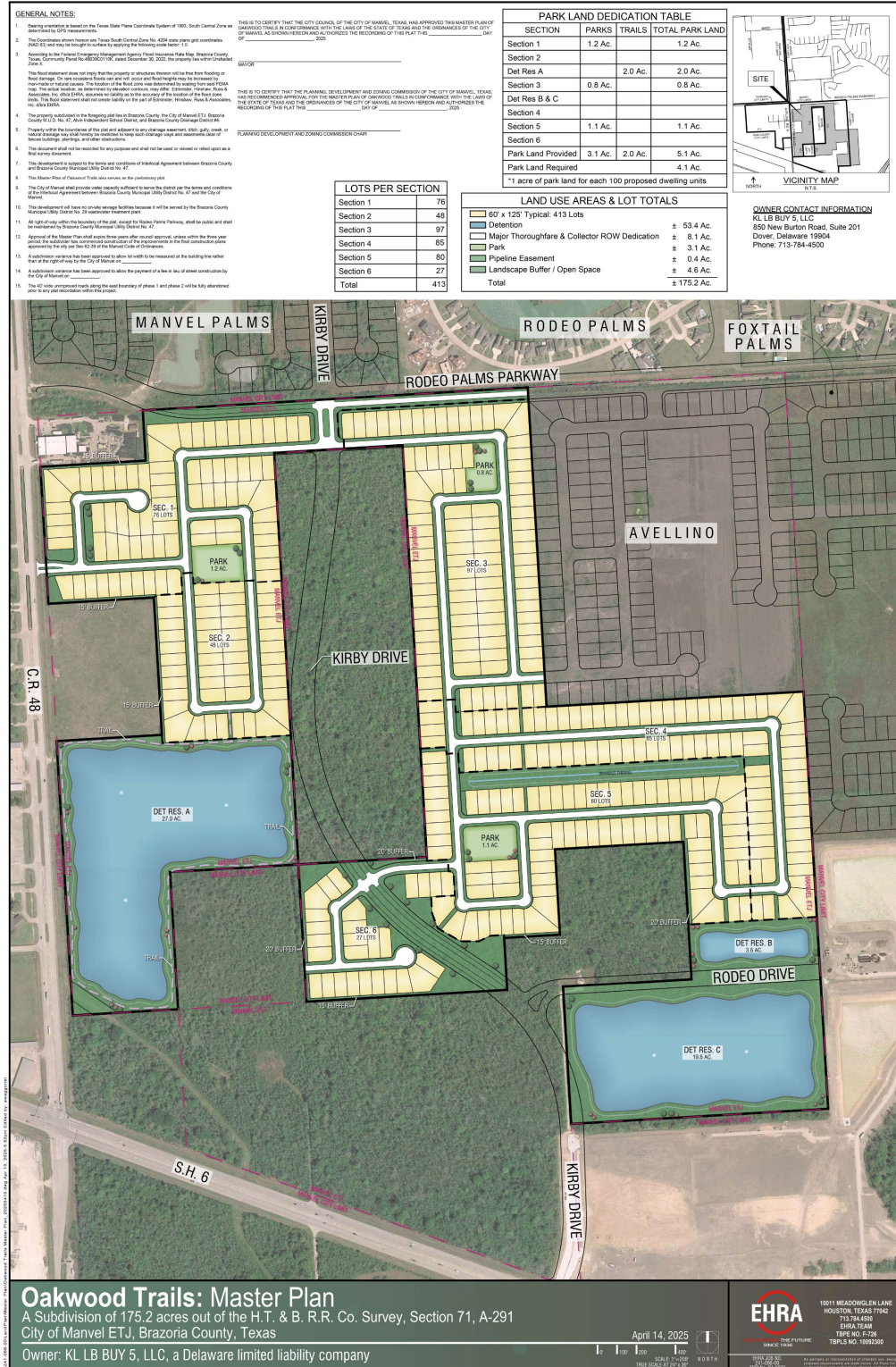


Exhibit A

METES AND BOUNDS DESCRIPTION

TRACT 1

60.223 ACRES IN THE

H.T. & B. RAILROAD CO., SURVEY, SECTION 71

ABSTRACT NUMBER 291

BRAZORIA COUNTY, TEXAS

60.223 ACRES OF LAND SITUATED IN THE H.T. & B. RAILROAD CO. SURVEY, SECTION 71, ABSTRACT NUMBER 291, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOTS 4, 10, 11 AND 12 AND A PORTION OF LOTS 2, 5 and 9, OF THE EMIGRATION LAND COMPANY SUBDIVISION, RECORDED IN VOLUME 2, PAGE 81 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), BEING ALL OF THAT CERTAIN CALLED 34.83 AND 30.9642 ACRE TRACTS OF LAND AS DESCRIBED IN DOC. NOS. 2005032505 AND 2005039091 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY (O.P.R.B.C.) AND ALL OF THOSE TRACTS RECORDED IN DOC. NOS. 2024037725, 2024037727, 2024037729, 2024037731, 2024038424 AND 2024037733 OF THE O.P.R.B.C., SAID 60.223 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON RODEO PALMS SUBDIVISION, SECTION 1, RECORDED IN VOLUME 22, PAGES 133 TO 138 OF BRAZORIA COUNTY PLAT RECORDS):

BEGINNING at a 5/8 inch iron rod found at the southwest corner of that certain called 3.2743 acres as described in DOC. No. 2016021980 of the O.P.R.B.C., being in the east right-of-way line of County Road 48 (Old Airline Road, 150 feet wide);

- (1) THENCE North 87°15'09" East, with the south line of said 3.2743 acres, a distance of 542.37 feet to a 5/8 inch iron rod with cap stamped EHRA set for corner, from which a found 1/2 inch iron pipe bears S 52°20' E, 4.36 feet and a 3/8 inch iron rod bears N 04°38" W, 10.70 feet;
- (2) THENCE North 03°23'15" West, with the east line of 3.2743 acres, a distance of 267.16 feet to a 5/8-inch iron rod found in the south line of that certain called 56.4682 acre tract recorded under document no. 2021044638;
- (3) THENCE North 86°35'55" East, along the south line of said called 56.4682 acre tract, a distance of 639.84 feet to a 5/8-inch iron rod found in the west line of a 40-feet wide road dedicated by said subdivision plat and the east line of said Lot 9;
- (4) THENCE South 03°23'15" East, along the west line of said 40-feet wide road, at a distance of 257.15 feet passing a 3/8-inch iron rod found at the southeast corner of said Lot 9, at a distance of 959.53 feet passing a 3/8-inch iron rod with cap found at the southeast corner of Lot 10, continuing a total distance of 2,364.33 feet to a 1/2 inch iron pipe stamped "S. Adams RPLS 3666" found at the southeast corner of Lot 12;
- (5) THENCE South 86°38'32" West, along the common line of Lots 12 and 13, a distance of 639.84 feet to a 1/2-inch iron rod found at the common corner of lots 4, 5, 12 and 13;
- (6) THENCE South 03°23'15" East, along the common line of lots 5 and 13, a distance of 702.50 feet to a 1/2 inch iron rod found at the common corner of lots 5, 6, 13 and 14;
- (7) THENCE South 86°38'32" West, along the common line of lots 5 and 6, a distance of 258.14 feet to a 5/8 inch iron rod with cap stamped EHRA set in the northeast line of a 20 foot LGS Renewables Easement recorded in document no. 2008044366;
- (8) THENCE North 55°18'37" West, along northeast line of said easement, a distance of 365.45 feet to a 5/8 inch iron rod with cap stamped EHRA set in the east right-of-way line of County Road 48;
- (9) THENCE North 03°18'37" West along the east right-of-way line of said County Road 48, a distance of 1,179.76 feet to a point in the common line of Lots 3 and Lot 4, from which a found 5/8 inch iron rod bears N 29°36' W, 0.3 feet;
- (10) THENCE North 86°38'32" East, along the common line of Lots 3 and 4, a distance of 544.22 feet to a 3/8-inch iron rod found at the common corner of Lots 3, 4, 11 and 12;
- (11) THENCE North 03°23'15" West along the common line of Lots 3 and 11, a distance of 702.30 feet to a 3/8-inch iron rod found at the common corner of lots 2, 3, 10 and 11;
- (12) THENCE South 86°38'32" West, along the common line of said Lots 2 and 3, a distance of 543.28 feet to a 5/8 inch iron rod found in the east right-of-way line of said Country Road 48;
- (13) THENCE North 03°18'37" West, along the east right-of-way line of said County Road 48, a distance of 697.66 feet to the **POINT OF BEGINNING** and containing 60.223 acres of land.

METES AND BOUNDS DESCRIPTION
TRACT 2
57.427 ACRES IN THE
H.T. & B. RAILROAD CO., SURVEY, SECTION 71, ABSTRACT NUMBER 291
BRAZORIA COUNTY, TEXAS

57.427 ACRES OF LAND SITUATED IN THE H.T. & B. RAILROAD SURVEY, SECTION 71, ABSTRACT NUMBER 291, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOTS 21, 26, 27 AND 28 AND OUT OF A PORTION OF LOTS 17, 25 AND 29 OF THE EMIGRATION LAND COMPANY SUBDIVISION, RECORDED IN VOLUME 2, PAGE 81 OF BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), AND BEING ALL OF THOSE CERTAIN CALLED 17.9508, 10.3214 AND 10.3214 ACRE TRACTS AS DESCRIBED IN DOC NOS. 2005039091, ALL OF THAT CERTAIN CALLED 8.6848 ACRE TRACT DESCRIBED IN DOC NO. 2006043836 AND LOT 27 AS DESCRIBED IN DOC. NO. 2005039090 OF THE O.P.R.B.C., SAID 57.427 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON RODEO PALMS SUBDIVISION, SECTION 1, RECORDED IN VOLUME 22, PAGES 133 TO 138 OF BRAZORIA COUNTY PLAT RECORDS):

BEGINNING at 5/8-inch iron with cap stamped EHRA found at the southwest corner of said Lot 21 of said subdivision plat, being in the east right-of-way line of a 40-foot wide road, as shown on said Emigration Land Company Subdivision;

- (1) THENCE North 03°23'15" West, along the east right-of-way line of a 40-foot wide road, a distance of 702.50 feet to the common corner of said Lot 21 and Lot 20 of said subdivision plat, from which a found 1/2-inch iron pipe bears N 16°16' W, 0.3 feet;
- (2) THENCE North 86°38'32" East, along the common line of said Lots 20 and 21, a distance of 639.69 feet to the common corner of lots 20, 21, 28 and 29, from which a 1/2-inch iron pipe with cap stamped "S. Adams RPLS 3666" bears North 49°25' West, 0.7 feet;
- (3) THENCE North 03°23'15" West, along the common line of Lots 20 and 28, at a distance of 702.50 feet passing a 1/2 inch iron pipe found at the common corner of lots 19, 20, 27 and 28, continuing along the common line of Lots 19 and 27, at 1404.80 feet passing the common corner of lots 18, 19, 26 and 27, from which an 1/2 iron pipe bears South 62°41' East, 1.0 feet, continuing along the common line of Lots 18 and Lot 26 for a total distance of 2,107.18 feet to the common corner of lots 17, 18, 25 and 26, from which a found 1/2 inch iron pipe bears N 46°32' E, 0.7 feet;
- (4) THENCE South 86°38'32" West, along the common line of said Lots 17 and 18, a distance of 639.69 feet to a point in the east right-of-way line of said 40-foot wide road, from which a 1/2-inch iron pipe stamped "S Adams RPLS 3666", bears N 77°05' East, 0.7 feet;
- (5) THENCE North 03°23'15" West, along the east right-of-way line of said 40-foot wide road, a distance of 257.18 feet to 5/8-inch iron rod with cap stamped EHRA found in the south line of that certain called 56.4682 acre tract recorded under document no. 2021044638;
- (6) THENCE North 86°35'55" East along the south line of said called 56.4682 acre tract, at 642.76 feet passing southwest end of Rodeo Palms Parkway, dedicated by Rodeo Palms Subdivision, Section 1, plat recorded under Volume 22, Page 133 to 138 of Brazoria County Plat Records, continuing a

total distance of 1,278.22 feet to a 5/8 inch iron rod with cap stamped EHRA found in the west line of a 40 foot right-of-way;

- (7) THENCE South 03°23'15" East, along the west line of said 40 foot right-of-way, a distance of 2,800.84 feet to a 5/8-inch iron rod with cap stamped EHRA set at the northeast corner of that certain called 1.6366 acre tract recorded in document no. 2020042539;
- (8) THENCE South 86°38'32" West, along the north line of said 1.6366 acre tract, a distance of 267.00 feet to a 5/8 inch iron rod with cap stamped EHRA set for corner;
- (9) THENCE South 03°23'15" East, along the west line of said called 1.6366 acre tract, a distance of 267.00 feet to a 5/8 inch iron rod with cap stamped EHRA set in the north line of lot 30;
- (10) THENCE South 86°38'32" West, along the common line of lot 29 and 30, at a distance of 371.53 feet pass the common corner of lots 21, 22, 29 and 30, continuing a total distance of 1,011.22 feet to the **POINT OF BEGINNING** and containing 57.427 acres of land.

METES AND BOUNDS DESCRIPTION
TRACT 3
52.788 ACRES IN THE
H.T. & B. RAILROAD CO., SURVEY, SECTION 71
ABSTRACT NUMBER 291
BRAZORIA COUNTY, TEXAS

52.788 ACRES OF LAND SITUATED IN THE H.T. & B. RAILROAD CO. SURVEY, SECTION 71, ABSTRACT NUMBER 291, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOTS 33, 35, 38, 39 AND 40, OF THE EMIGRATION LAND COMPANY SUBDIVISION, RECORDED IN VOLUME 2, PAGE 81 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), BEING A PORTION OF THE CALLED 90.1733 ACRE TRACT DESCRIBED IN DEED TO NEW RODEO 288, LTD, RECORDED UNDER DOCUMENT NUMBER 2005039091 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY (O.R.O.B.C.), ALSO BEING PART OF A 40 FOOT RIGHT-OF-WAY ABANDONED AND RECORDED IN DOCUMENT NUMBER 2023018228 OF THE O.R.O.B.C., SAID 52.788 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON RODEO PALMS SUBDIVISION, SECTION 1, RECORDED IN VOLUME 22, PAGES 133 TO 138 OF BRAZORIA COUNTY PLAT RECORDS):

BEGINNING at an "X" in concrete found at the southwest corner of said Lot 35, being at the east right-of-way line of a 40-feet wide road dedicated by said subdivision, being in the north right-of-way line of Kirby Drive (120' right-of-way) as recorded in plat number 2022037379 of the Brazoria County Plat Records;

- (1) THENCE North 03°23'15" West, along the common line of said Lot 35 and said east right-of-way line, a distance of 702.50 feet to a 5/8 inch iron rod with cap stamped EHRA set for an interior corner of the herein described tract;
- (2) THENCE North 86°38'32" East, along the common line of Lots 34 and 35, a distance of 640.37 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found at the southeast corner of Lot 34, same being an interior corner of the herein described tract;
- (3) THENCE North 03°23'15" West, along the common line of Lots 34 and 39, a distance of 702.50 feet, to the common corner of Lots 33, 34, 38 and 39, from which a 1/2-inch iron pipe with cap stamped "Brown & Gay" bears North 85°41' East, 0.7 feet;
- (4) THENCE South 86°38'32" West, along the common line of Lots 33 and 34, a distance of 640.37 feet, to a 5/8-inch iron rod with cap stamped EHRA found in the east right-of-way line of said 40-foot road;
- (5) THENCE North 03°23'15" West, along east line of said 40-foot road, a distance of 730.52 feet to a 5/8-inch iron rod with cap stamped EHRA found at the southwest corner of that certain called 46.31 acre tract as recorded under document number 2020010166 of the O.R.O.B.C.;
- (6) THENCE North 86°38'35" East, along the south line of said called 46.31 acre tract, at a distance of 1,280.59 feet pass a 5/8-inch iron rod found in the west right-of-way line of a 40-foot wide road, as dedicated by said Emigration Land Company Subdivision, continuing a total distance of 1,300.59 feet to the centerline of said 40 foot road;
- (7) THENCE South 03°23'15" East, along said centerline of abandoned right-of-way, a distance of 730.51 feet to a 5/8 inch iron rod with cap stamped EHRA set for corner;
- (8) THENCE, South 86°38'32" West, a distance of 20.00 feet to a 5/8 inch iron rod with cap stamped EHRA set at the common corner of Lots 38 and 39, being in the west line of said 40 foot right-of-way;
- (9) THENCE South 03°23'15" East, along west line of said 40 foot right-of-way, a distance of 1,405.00 feet to the southeast corner of Lot 40, being in the north line of Manvel Town Center, Section One recorded in Plat Number 2022042761 of the B.C.P.R.
- (10) THENCE South 86°38'32" West, along the north line of Manvel Town Center, Section One, a distance of 1,280.59 feet to the **POINT OF BEGINNING** and containing 52.788 acres of land.

Exhibit B

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630
Fax: (281) 489-0634

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Ashley Waggoner
Phone: 713-429-0726 e-mail: awaggoner@ehra.team
Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6
A subdivision of 175.3 acres out of the H.T. & R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
Legal description (from deed): _____
(Property must be legally subdivided or be lot of record)
Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Street Dedication Variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

Please refer to variance request letter for explanation to questions below.

Exhibit B

o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

Applicant Authorization

I authorize the City of Marvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Marvel as they deem necessary for the processing of this application.



Applicant Signature

4/21/25

Date

Submit variance request material to the Permit Department, City of Marvel, 20025 Highway 6 Marvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.

Exhibit B



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Subdivision Variance Application (with all signatures)	X
One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 1/2" x 11", 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed structures)	
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
Two (2) Copies of Proposed Plat	
Letter of Authorization (if applicable)	
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner
Applicant Signature

4/21/25
Date

Exhibit B

CITY OF MANVEL

<http://www.cityofmanvel.com>

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Applicant Information

Applicant (if not owner): Ashley Waggoner
Phone: 713-429-0726 e-mail: awaggoner@ehra.team
Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6
Legal description (from deed): A subdivision of 175.2 acres out of the H.T. AB, R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
(Property must be legally subdivided or be lot of record)
Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Lot Width Measurement Variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

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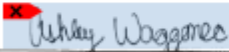
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Applicant Authorization

I authorize the City of Manvel to conduct any site visits necessary to evaluate this subdivision variance application.

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Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
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Letter of Authorization (if applicable)	
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner
Applicant Signature

4/21/25
Date



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Subdivision variance request for an approximate 175.2-acre tract of land proposing as Oakwood Trails Development located along the southern side of Rodeo Palms Parkway, east side of County Road 48, abutting Avellino Subdivision to the east and north, seeking to vary the following requirements of Chapter 62:

- Section 108 (b)(4), *Lot dimensions shall be not less than 60 feet in width at the right-of-way line and of a depth so as to provide an area of not less than 6,300 square feet.*
- Section 104 (5), *Multiple access points.*
 - a. *Two point of access. There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots.*
 - b. *Three points of access. There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.*
 - c. *Four points of access. There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.*
 - d. *Points of access and existing conditions. The council may require additional points of access from a collector street due to existing conditions (e.g., pipelines, floodplain, body of water, etc.) in addition to requirements set forth in this section to protect the health, safety, and welfare of the city and its extraterritorial jurisdiction. This access point shall not be located over the potential hazard.*
 - e. *Boulevard entries. A boulevard entry may only be considered as two points of access when a fourth point of access is triggered under subsection c. Four points of access, above;*

BACKGROUND: The applicant Ashley Waggoner of EHRA Engineering, representing the property owner, KL LB BUY 5 LLC, has submitted a proposed Master Plan of Oakwood Trails, which also will serve as a Preliminary Plat. The proposed Master Plan is included as a separate agenda item. Please note that approval of proposed variances is required for the approval of the proposed Master Plan.

The subject site for proposed Oakwood trails is located within the City of Manvel's Extraterritorial Jurisdiction (ETJ) and will be part of Brazoria County Municipal Utility District (BCMUD) No. 47. Oakwood Trails will subdivide an approximate 175.2-acre tract into 413 residential lots (occupying approximately 105.6 acres), with the remainder of the land allocated as follows: 53.4 acres for detention, 8.1 acres for major thoroughfare and collector right-of-way dedication, 4.1 acres for parkland, 0.4 acres for pipeline easement, and 4.6 acres for landscape buffers and open space. The development will be served by the Brazoria County MUD No. 29 wastewater treatment plant through a joint wastewater facilities agreement with MUD No. 47. Water service will be provided by the City of Manvel based on an Interlocal and Utility Capacity Agreement between the City and BCMUD 47. To meet parkland dedication requirements under Section 47-6 of the City's Code of Ordinances (at a rate of 1 acre per 100 homes), 4.1 acres will be dedicated (Proposed Master Plan Attached).

As part of the Master Plan review process, per the City's Subdivision Ordinance, Chapter 62,

Section 108 (b)(4), *Lot dimensions shall be not less than 60 feet in width at the right-of-way (ROW) line.* To seek relief from this requirement, the applicant has submitted a Subdivision Variance request to allow lot width for Oakwood Trails to be measured at the front setback line instead of the ROW line.

The applicant has also requested a variance to multiple access points required for the overall development. Oakwood Trails is proposed to be developed in 3 phases with a total of 413 lots. This would require a total of 4 access points. Section 1 and 2 (Phase 1) will include a total of 124 lots which require 3 access points. Phase one would include an access point from CR 48 and one access point from Rodeo Parkway. However, based on the proposed master plan, the third point of access is possible only when Section 3 is developed where it connects to abutting Avellino development. Please note that the boulevard entry on Rodeo Palms Parkway will be counted as 2 access points for the overall development. With the completion of Kirby Drive, the development will have an additional access point from Kirby Drive which connects to Hwy 6. (Please see exhibit attached)

STAFF FINDINGS: Under Section 62-5, *Variance*, staff reviewed the request and found the following:

- **Special Circumstances:** Regarding the access points, there are special circumstances affecting the subject site based on its location. The subject site is located within the ETJ and in an area with minimal existing thoroughfares to connect to. The abutting Avellino Development is also in the early stages of development. The variance related to the measurement of lot width is a requirement specific to the ETJ. Granting the variance will make it consistent with the measurement of lots within city limits.
- **Strict Enforcement:** While strict enforcement of the minimum lot size requirement would not deprive the applicant of property rights, it would restrict practical lot layouts, especially on curves and cul-de-sacs, limiting buildable area and impairing the ability to construct homes of comparable size and orientation to those in standard lots. Please note that it also would make conflict with the City's Zoning Ordinance that considers lots width at the front setback line. Regarding access points, granting the variance will allow reasonable phasing and layout for the overall development. Additionally, construction of Kirby Drive south of the subject site is beyond the control of the developer.
- **Impact on Public Welfare:** Granting the requested variances will not be materially detrimental to public welfare or injurious to other properties in the area. It will not impair an adequate supply of light or air to adjacent property, will not substantially increase the congestion, fire danger, endanger the public health, safety and well-being of the neighborhood.

STAFF RECOMMENDATION: Staff recommends approval of this variance request to *Chapter 62, Section 108 (b)(4)* and Section 104 (5) based on the following conditions:

1. The subdivision variance will expire upon a change of residential use; and
2. Access points and connections depicted on the approved Oakwood Trails Master Plan shall not be changed or removed.

PD&Z RECOMMENDATION: Planning, Development, and Zoning (PD&Z) Commission recommended conditional approval of this variance request to Chapter 62, Section 108 (b)(4) and Section 104 (5), with a vote of five (5) "Yeas" to zero (0) "Nays" at their May 27, 2025, meeting. The approval is subject to the following conditions, as specified in the Development Agreement:

1. The subdivision variance will expire upon a change of residential use; and
2. Access points and connections depicted on the approved Oakwood Trails Master Plan shall not be changed or removed.

ATTACHMENTS: Letter of Requests, Master Plan, Vicinity Aerial Map, Zoning Map, and Development Agreement.

FUNDING ISSUES

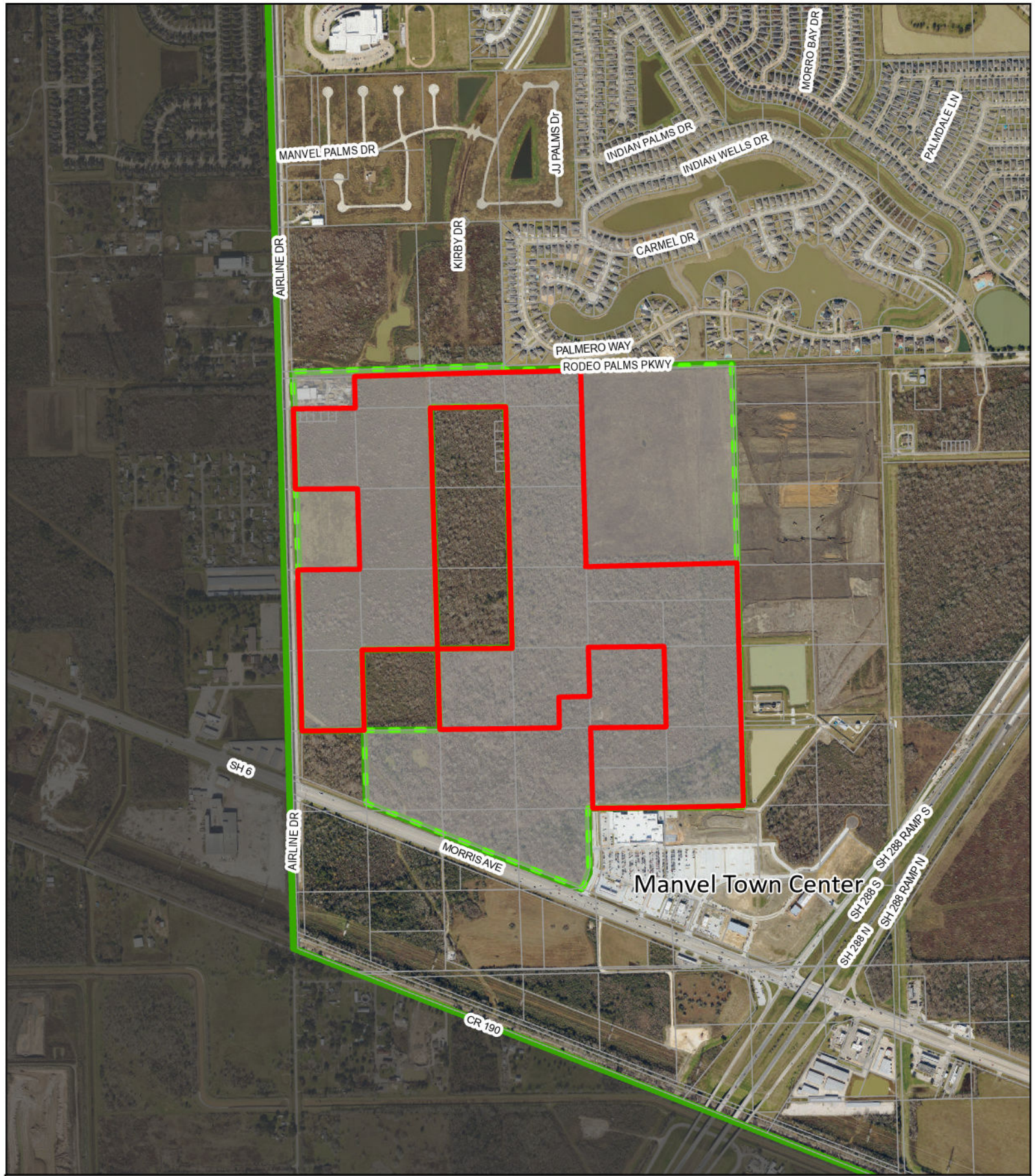
- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Ellie Roohbakhsh, Senior Planner

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____





This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.

Oakwood Trails



Oakwood Trails



Parcels



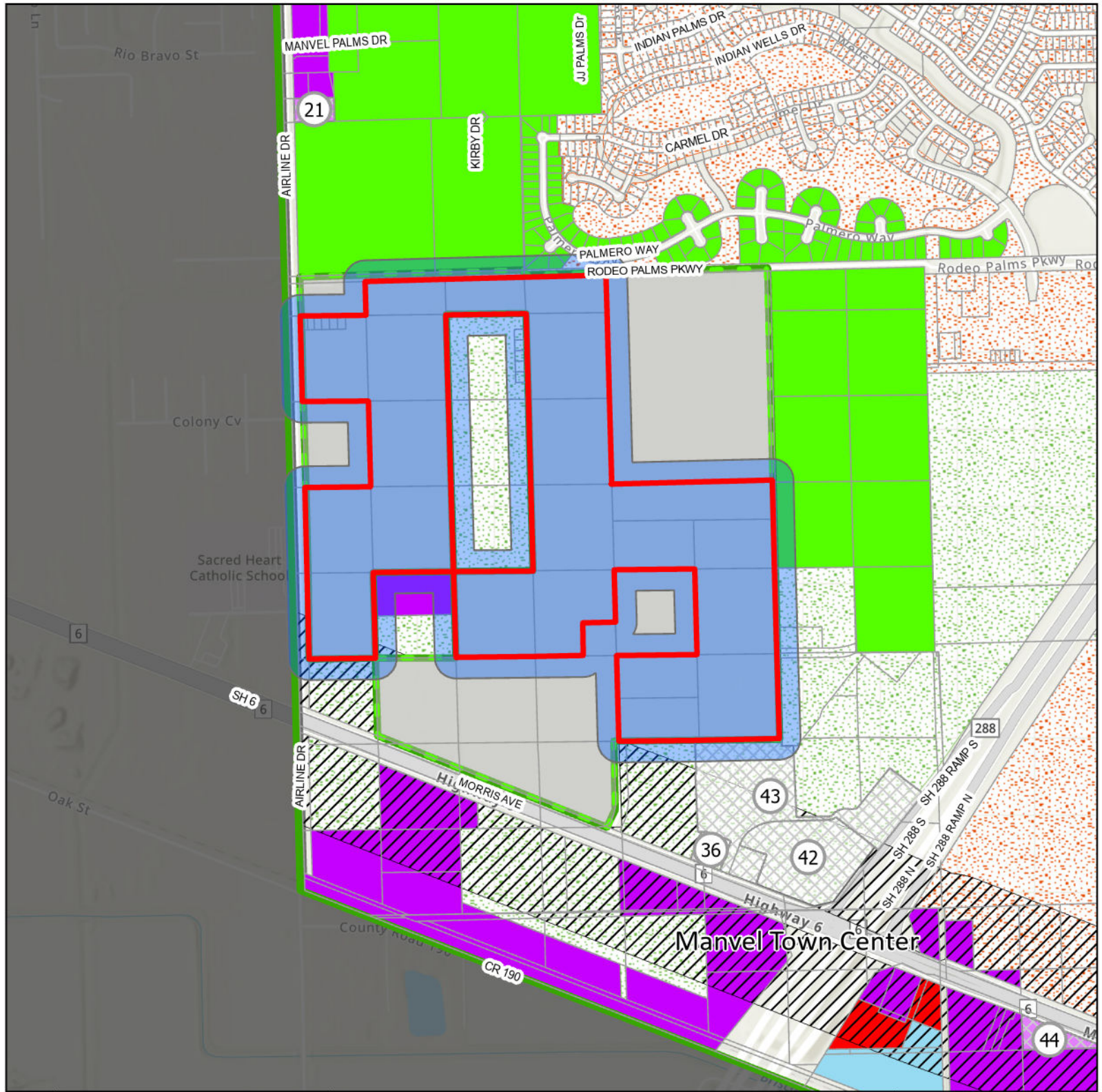
City of Manvel ETJ



City of Manvel City Limits



Date: May 2025
Reference: 2025038
Data Source: City of Manvel,
Brazoria County Open Data



SPECIFIC USE PERMITS LEGEND

Label No	Address	Specific Use Description	Ordinance No	Effective Date	Zoning Classification
21	5725 COUNTY ROAD 48	NAICS USE 811111 GENERAL AUTOMOTIVE REPAIR AND USE 811121 AUTOMOTIVE BODY PAINT AND INTERIOR REPAIR AND MAINTENANCE	2018-O-27	8/6/2018	LC
36	17205 Highway 6/ Morris Ave	NACIS USE OFFICE OF DENTISTS	2023-O-15	3/20/2023	PUD/SH6-SUP
42	21708 Highway 288	NAICS USE 621493 "Ambulatory Health Care Services"	2024-O-17	5/6/2024	PUD/SH6-SUP
43	17221 State Highway 6, Suite 103	NAICS USE 812113 "Nail Salon"	2024-O-25	7/1/2024	PUD/SH6-SUP
44	17518 Morris Avenue	NAICS use 621493 "Ambulatory health Care Services"	2024-O-26	10/21/2024	LC/SH6-SUP



MANVEL CITY ON THE RISE

Oakwood Trails

-  Oakwood Trails
-  200 ft. Buffer
-  City of Manvel ETJ
-  City of Manvel City Limits
-  Specific Use Permits
-  State Highway 6 Overlay District
-  Heavy Commercial District
-  Light Commercial District
-  Multi-Family District
-  Planned Unit Development
-  Single-Family Residential District
-  Open - Planned Unit Development



N
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Date: May 2025
Reference: 2025038
Data Source: City of Manvel,
Brazoria County Open Data



0 0.13 0.25 0.5 0.75 1 Miles

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CITY OF MANVEL

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Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6

Legal description (from deed): A subdivision of 175.2 acres out of the H.T.&B.R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Lot Width Measurement Variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

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Applicant Signature

4/21/25

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Applicant Signature

4/21/25

Date



April 21, 2025

Mr. Jose Abraham, AICP.
Director of Development Services, City of Manvel
20031 Highway 6
Manvel, Texas 77578

Re: **Oakwood Trails Variance Request** – Lot Width Measurement

Mr. Abraham,

On behalf of KL LB BUY 5, LLC (the land bank for Beazer Homes who will be the developer of Oakwood Trails), I respectfully submit a variance request for Lot Width Measurement for review and consideration by the City of Manvel concurrent with the review of Oakwood Trails Master Plan submittal.

Introduction

Oakwood Trails is a proposed master planned community consisting of approximately 175 acres located south of future Rodeo Palms Parkway and east of County Road 48, entirely in the City of Manvel ETJ, Brazoria County.

The proposed plan will yield approximately 413 new homes and the construction of approximately 4.9 miles of local street.

The developer desires to construct quality residential development that features single-family residences, detention facilities, parks and open space. The housing types, prices, and the lot selection will also meet market needs, thereby creating a robust community.

This variance will apply to any and all plats within the boundary of this project.

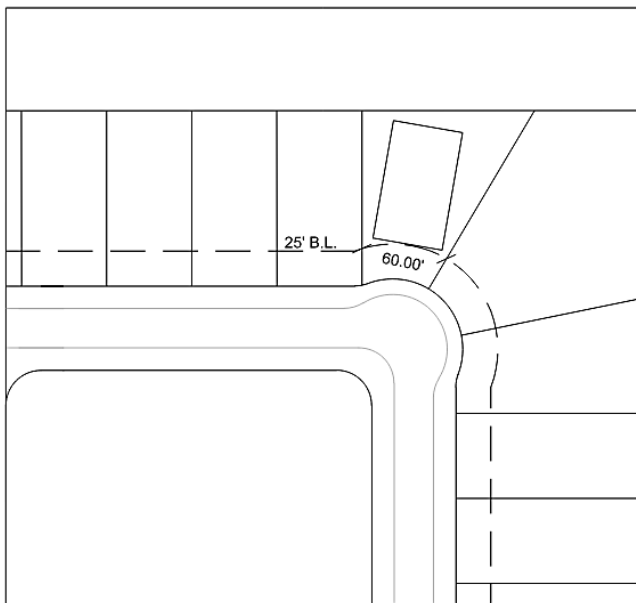
Variance Request

Sec. 62-108.b.4. Lot dimensions shall not be less than 60 feet in width at the right-of-way line.

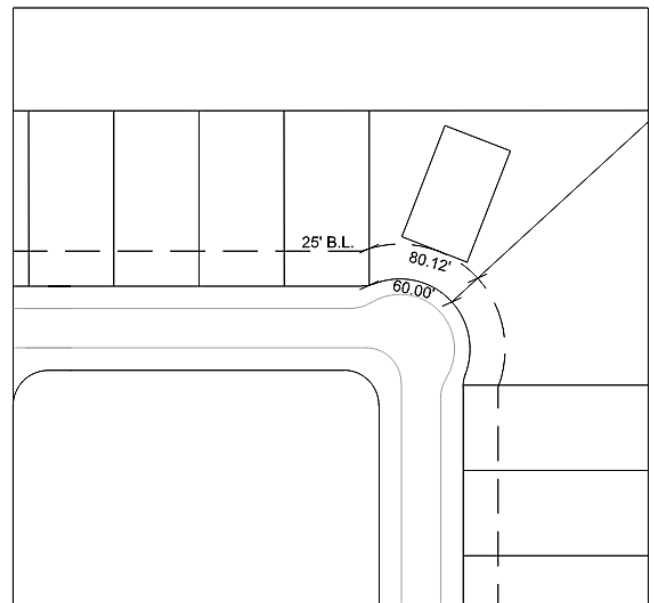
Since this development is situated in the City of Manvel's ETJ and is therefore subject to the regulations stated in the subdivision ordinance rather than the zoning ordinance, the lot width is measured at the right-of-way line instead of the front building setback line. The City's zoning ordinance measures lot width at the front building setback line. We are simply requesting that the lot width in Oakwood Trails be measured at the front building setback line instead of the right-of-way line to be consistent with the way lots are measured everywhere else in the City of Manvel.

Furthermore, this approach would allow for a more equitable split of lot area which is consistent with the intent of the zoning regulations. Lots at 90 degree bends in roads and on cul-de-sacs necessarily fan out wider if measured at the right-of-way line versus the front building setback line, as shown in the exhibit below.

The public is not harmed by this variance request as it simply aligns the regulations for this development with the City of Manvel's zoning ordinance.



With Variance



Without Variance

We appreciate your consideration in this matter and hope that the above information is sufficient to gain your support in the approval of this variance. If I can be of any assistance to you prior to the meeting, please contact me.

Sincerely,

Ashley Waggoner

Ashley Waggoner, AICP
Planner II

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630
Fax: (281) 489-0634

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Ashley Waggoner
Phone: 713-429-0726 e-mail: awaggoner@ehra.team
Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6

Legal description (from deed): A subdivision of 175.2 acres out of the H.T.&B.R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Points of Access Variance - The proposed variance would allow two points of access to temporarily
serve a subdivision phase containing a maximum of 124 platted lots until Section 3 is platted.

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

Please refer to variance request letter for explanation to questions below.

o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

Applicant Authorization

I authorize the City of Manvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Manvel as they deem necessary for the processing of this application.

Ashley Waggoner
Applicant Signature

5/16/25

Date

Submit variance request material to the Permit Department, City of Manvel, 20025 Highway 6 Manvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Subdivision Variance Application (with all signatures)	X
One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 ½" x 11", 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed structures)	X
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
Two (2) Copies of Proposed Plat	
Letter of Authorization (if applicable)	X
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner

Applicant Signature

5/16/25

Date



DEVELOPMENT SERVICES

20025 HIGHWAY 6

MANVEL, TX 77578

P: 281-489-0630

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

KL LB BUY 5 LLC

Owner Name

6900 E Camelback Rd., Suite 800

Owner Address

Scottsdale, AZ

85251

Owner City, State

Zip

April 14, 2025

Date

Development Services Department

20025 Highway 6

Manvel, TX 77578

Dear City of Manvel Development Services,

I, Ed Hadley, Authorized Signatory of KL LB BUY 5 LLC, certify that I am the owner of the project property located at East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6 and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Ashley Waggoner with the company EHRA Engineering (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at 480-531-1822 if you have any questions.

Sincerely,

Ed Hadley, Authorized Signatory of
Owner Name KL LB BUY 5 LLC

Owner Signature



TBPE No. F-726
TBPLS No. 10092300

May 16, 2025

Mr. Jose Abraham, AICP.
Director of Development Services, City of Manvel
20031 Highway 6
Manvel, Texas 77578

Re: **Oakwood Trails Variance Request** – Points of Access for Subdivision

Mr. Abraham,

On behalf of KL LB BUY 5, LLC (the land bank for Beazer Homes who will be the developer of Oakwood Trails), I respectfully submit a variance request for Points of Access for Subdivision for review and consideration by the City of Manvel concurrent with the review of Oakwood Trails Master Plan submittal.

Introduction

Oakwood Trails is a proposed master planned community consisting of approximately 175 acres located south of future Rodeo Palms Parkway and east of County Road 48, entirely in the City of Manvel ETJ, Brazoria County.

The proposed plan will yield approximately 413 new homes and the construction of approximately 4.9 miles of local street.

The developer desires to construct quality residential development that features single-family residences, detention facilities, parks and open space. The housing types, prices, and the lot selection will also meet market needs, thereby creating a robust community.

This variance will apply to any and all plats within the boundary of this project.

Variance Request

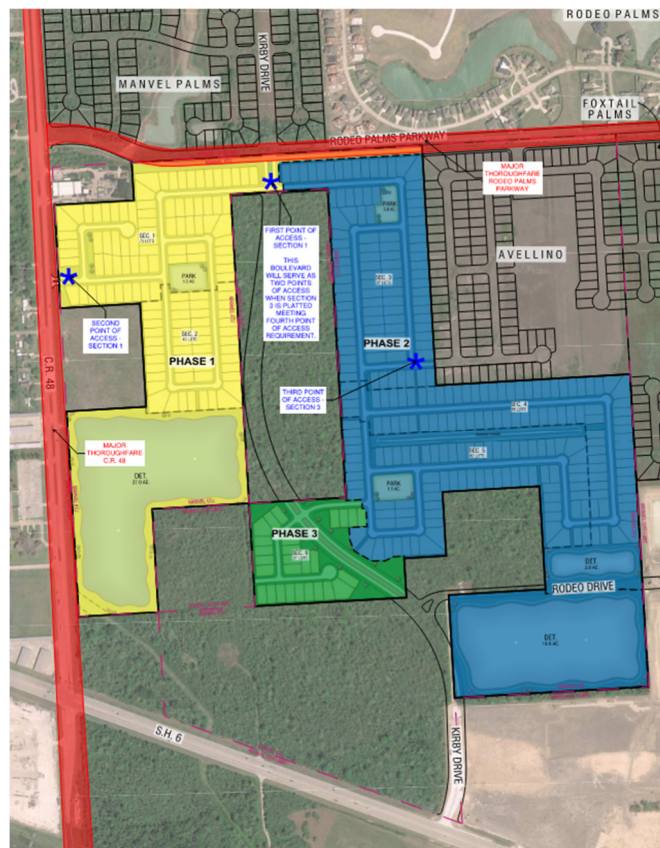
Sec. 62-104. – Streets (5)(a) Two points of access. There shall be a minimum of two points of access from a collector street in a subdivision or subdivision phase up to a maximum of 75 platted lots.

We respectfully request a variance from the City of Manvel's current subdivision access requirements, which limit two points of access to subdivisions or subdivision phases containing a maximum of 75 platted lots. The proposed variance would allow two points of access to temporarily serve a subdivision phase containing a maximum of 124 platted lots until Section 3 is platted.

Section 3 will provide a third point of access through the Avellino subdivision, connecting to Rodeo Palms Parkway, a major thoroughfare, which will serve 221 platted lots. This number of lots will trigger the requirement for four points of access to serve the subdivision. The boulevard at the entrance of the subdivision where Kirby Drive meets Rodeo Palms Parkway will then serve as two points of access.

In summary, once Section 3 is platted, one point of access will be from the major thoroughfare County Road 48, one point of access will be provided through the Avellino subdivision, connecting to the major thoroughfare Rodeo Palms Parkway, and two points of access will be from the boulevard at the entrance of the subdivision where Kirby Drive meets Rodeo Palms Parkway, meeting the requirement of four points of access to serve a subdivision of 176 platted lots or greater.

Furthermore, a fifth point of access is planned through the extensions of Kirby Drive as part of Phase 3. However, due to the absence of current plans to complete Kirby Drive, there is no timeline for the construction of this connection. The ultimate five points of access will create a strong network of connectivity by providing travel ways in all four directions to the three major corridors: Rodeo Palms Parkway, County Road 48, and SH 6 via future Kirby Drive. Lastly, this request aligns with the 2024 International Fire Code (IFC). Granting this variance will maintain public safety standards while allowing reasonable flexibility in the application of the access point threshold.



We appreciate your consideration in this matter and hope that the above information is sufficient to gain your support in the approval of this variance. If I can be of any assistance to you prior to the meeting, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Ashley Waggoner". The script is cursive and fluid.

Ashley Waggoner, AICP
Planner II

DEVELOPMENT AGREEMENT (FOR VARIANCE)

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

This Development Agreement executed as of the ____ day of _____, 2025, is by and between the City of Manvel, Texas, (“City”) and KL LB BUY 5, LLC, property owner of certain hereinafter described property located within the City of Manvel Extra-Territorial Jurisdiction (ETJ), (together known as “Developer”), all collectively referred to as the “Parties. This Agreement is in regard to the platting and subdivision of an approximately 175.2-acre tract of land to create a residential master planned development – Oakwood Trails, with 413 lots located east of County Road 48, south of Rodeo Palms Parkway, and north of State Highway, situated in the H.T. & B.R.R. Co. Survey, Section 71, Abstract 291, within the extraterritorial jurisdiction (ETJ) of the City of Manvel, Brazoria County, Texas.

WHEREAS, The Developer/Owner is requesting that lot width in the Oakwood Trails development be measured at the front building setback line, rather than at the right-of-way line, to ensure consistency with how lots are measured throughout the City of Manvel; and

WHEREAS, The Developer/Owner is requesting a variance to allow two points of access to temporarily serve a subdivision phase containing a maximum of 124 platted lots, until Section 3 of the subdivision is platted. This request is a variance from the requirement of the City’s zoning ordinance, which requires a minimum of three points of access from a collector street for subdivision phases containing between 76 and 175 platted lots.

WHEREAS, the 413 lots subject to this request are located within the City of Manvel’s Extra-Territorial Jurisdiction (ETJ) and are more fully described and depicted in Exhibit “A,” attached hereto and incorporated herein for all purposes;

WHEREAS, The subdividing of land will require approval of a plat and compliance with the City’s subdivision ordinance; and

WHEREAS, Section 62-108(a)(4) of the city code requires lot dimensions shall be a minimum of 120 feet in width at the right-of-way line and of a depth so as to provide an area of not less than one acre or 43,560 square feet; and

WHEREAS, Section 62-104(5)(b) of the city code requires that there shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.

WHEREAS, pursuant to Section 62-5 of The City Code, the Developer has applied for a variances to the minimum lot area requirement and minimum number of access point requirement, said application is attached as Exhibit “B”;

NOW THEREFORE, for and in consideration of the premises and mutual obligations, covenants, and benefits hereinafter set forth, said variance is granted by the City Council, if the Parties agree to the conditions, as follows:

1. PROJECT

1.01 Location. The property that is the subject of this agreement is all the property legally described as: being a subdivision of 175.2-acre tract of land located east of County Road 48, south of Rodeo Palms Parkway, and north of State Highway, being a part of the H.T. & B.R.R. Co. Survey, Section 71, Abstract 291, Brazoria County, Texas. The Property is more fully described and depicted in the Metes and Bound attached as Exhibit "A", attached hereto.

1.02 Project Description. This Agreement is in regard to subdivision of land to create a 413 lot single-family subdivision on the Property, owned by Developer.

1.03 Improving land to create a 413 single-family home subdivision on the property will require approval of a plat and compliance with the City's subdivision ordinance. Section 62-108(a)(4) of the City Code, each lot must have a minimum width of 120 feet at the right-of-way line and a depth sufficient to provide a total area of no less than one acre (43,560 square feet). Additionally, Section 62-104(5)(b) of the City Code requires that, there shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.

2. CITY APPROVAL

2.01 Approval of variance. Pursuant to its authority under Section 62-5 of The City Code, the City agrees to allow the Developer to vary the requirements of 62-108(a)(4) and 62-104(5)(b) of the City's subdivision ordinance, with conditions.

2.02 Conditions. The required conditions are as follows:

- (i) The subdivision variance will expire upon a change of residential use; or
- (ii) Access points and connections depicted on Exhibit A shall not changed or removed.

2.03 City shall record this agreement with the Brazoria County Clerk and evidence the agreement on a "plat note" on the plat of said Property. Developer shall be responsible for the cost of recordation.

3. DEVELOPER COVENANTS

3.01 The Developer agrees to following:

- (i) Developer agrees to begin construction of single-family structures, and diligently pursue to completion, within two-years of City Council approval; and
- (ii) Developer agrees to pay the cost of recordation of this Agreement within thirty (30) days of invoice by the City.

3.02 Developer acknowledges that the City's covenants are contingent upon the Developer constructing single-family residential subdivision and associated infrastructure. Failure of the Developer to begin to construction, and diligently pursue completion, within two-years of City

Council approval shall constitute failure of this condition and the agreement shall automatically be null and void.

4. MISCELLANEOUS

- 4.01 Assignment. This Agreement evidencing said variance, with conditions, shall run with the land and shall bind and benefit the respective Parties and their legal successors in interest.
- 4.02 Amendment or Modification. Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment, or modification only in writing, and by the signatures and mutual consent of the Parties.
- 4.03. Parties in Interest. This Agreement shall be for the sole and exclusive benefit of the Parties hereto and shall not be construed to confer any rights upon any third party. Developer shall not be a third-party beneficiary to any contract the City has with any other party for the engineering, design, or construction of said improvements.
- 4.04. Remedies Not Exclusive. The rights and remedies contained in this Agreement shall not be exclusive but shall be cumulative of all rights and remedies now or hereinafter existing, by law or in equity.
- 4.05. Waiver. The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants, or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.
- 4.06. Entire Agreement. This Agreement constitutes the entire agreement between the Parties related to the subject matter of this Agreement and supersedes any and all prior agreements, whether oral or written, dealing with the subject matter of this Agreement.
- 4.07. Venue. This Agreement shall be performable and enforceable in Brazoria County, Texas, and shall be construed in accordance with the laws of the State of Texas.
- 4.08. Severability. If any term or provision of this Agreement is held to be invalid, void, or unenforceable by a court of competent jurisdiction, the remainder of the terms and provisions of this Agreement shall remain in full force and effect and shall not in any way be invalidated, impaired, or affected.
- 4.09. Notices. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above.

The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City: City of Manvel
20031 Morris Avenue
Manvel, Texas 77578
ATTN:City Manager

If to Developer: KL LB BUY 5, LLC
850 New Burton Road, Suite 201
Dover, Delaware 19904

4.10 Remedies. In addition to any remedy provided by law, including but not limited to breach of contract, the Developer stipulates and agrees that, upon default by Developer, City may revoke/withhold issuance of a certificate of occupancy for the Property, and Developer agrees to hold City harmless for any liability from said revocation/fail to issue.

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

Executed on this the _____ day of _____, 20__.

CITY OF MANVEL:

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

This instrument was acknowledged before me on the ____ day of _____, 20__, by DAN DAVIS, as Mayor of the City of Manvel, Texas, on behalf of said City of Manvel.

Notary, State of Texas

KL LB BUY 5, LLC:

By: _____
Name: Ed Hadley

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

 This instrument was acknowledged before me on the ____ day of _____,
20__, by _____, as property owner.

Notary, State of Texas

(NOTARY SEAL)

A subdivision of 175.2 acres out of the H.T.&B.R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas.



Exhibit A

METES AND BOUNDS DESCRIPTION

TRACT 1

60.223 ACRES IN THE

H.T. & B. RAILROAD CO., SURVEY, SECTION 71

ABSTRACT NUMBER 291

BRAZORIA COUNTY, TEXAS

60.223 ACRES OF LAND SITUATED IN THE H.T. & B. RAILROAD CO. SURVEY, SECTION 71, ABSTRACT NUMBER 291, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOTS 4, 10, 11 AND 12 AND A PORTION OF LOTS 2, 5 and 9, OF THE EMIGRATION LAND COMPANY SUBDIVISION, RECORDED IN VOLUME 2, PAGE 81 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), BEING ALL OF THAT CERTAIN CALLED 34.83 AND 30.9642 ACRE TRACTS OF LAND AS DESCRIBED IN DOC. NOS. 2005032505 AND 2005039091 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY (O.P.R.B.C.) AND ALL OF THOSE TRACTS RECORDED IN DOC. NOS. 2024037725, 2024037727, 2024037729, 2024037731, 2024038424 AND 2024037733 OF THE O.P.R.B.C., SAID 60.223 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON RODEO PALMS SUBDIVISION, SECTION 1, RECORDED IN VOLUME 22, PAGES 133 TO 138 OF BRAZORIA COUNTY PLAT RECORDS):

BEGINNING at a 5/8 inch iron rod found at the southwest corner of that certain called 3.2743 acres as described in DOC. No. 2016021980 of the O.P.R.B.C., being in the east right-of-way line of County Road 48 (Old Airline Road, 150 feet wide);

- (1) THENCE North 87°15'09" East, with the south line of said 3.2743 acres, a distance of 542.37 feet to a 5/8 inch iron rod with cap stamped EHRA set for corner, from which a found 1/2 inch iron pipe bears S 52°20' E, 4.36 feet and a 3/8 inch iron rod bears N 04°38" W, 10.70 feet;
- (2) THENCE North 03°23'15" West, with the east line of 3.2743 acres, a distance of 267.16 feet to a 5/8-inch iron rod found in the south line of that certain called 56.4682 acre tract recorded under document no. 2021044638;
- (3) THENCE North 86°35'55" East, along the south line of said called 56.4682 acre tract, a distance of 639.84 feet to a 5/8-inch iron rod found in the west line of a 40-feet wide road dedicated by said subdivision plat and the east line of said Lot 9;
- (4) THENCE South 03°23'15" East, along the west line of said 40-feet wide road, at a distance of 257.15 feet passing a 3/8-inch iron rod found at the southeast corner of said Lot 9, at a distance of 959.53 feet passing a 3/8-inch iron rod with cap found at the southeast corner of Lot 10, continuing a total distance of 2,364.33 feet to a 1/2 inch iron pipe stamped "S. Adams RPLS 3666" found at the southeast corner of Lot 12;
- (5) THENCE South 86°38'32" West, along the common line of Lots 12 and 13, a distance of 639.84 feet to a 1/2-inch iron rod found at the common corner of lots 4, 5, 12 and 13;
- (6) THENCE South 03°23'15" East, along the common line of lots 5 and 13, a distance of 702.50 feet to a 1/2 inch iron rod found at the common corner of lots 5, 6, 13 and 14;
- (7) THENCE South 86°38'32" West, along the common line of lots 5 and 6, a distance of 258.14 feet to a 5/8 inch iron rod with cap stamped EHRA set in the northeast line of a 20 foot LGS Renewables Easement recorded in document no. 2008044366;
- (8) THENCE North 55°18'37" West, along northeast line of said easement, a distance of 365.45 feet to a 5/8 inch iron rod with cap stamped EHRA set in the east right-of-way line of County Road 48;
- (9) THENCE North 03°18'37" West along the east right-of-way line of said County Road 48, a distance of 1,179.76 feet to a point in the common line of Lots 3 and Lot 4, from which a found 5/8 inch iron rod bears N 29°36' W, 0.3 feet;
- (10) THENCE North 86°38'32" East, along the common line of Lots 3 and 4, a distance of 544.22 feet to a 3/8-inch iron rod found at the common corner of Lots 3, 4, 11 and 12;
- (11) THENCE North 03°23'15" West along the common line of Lots 3 and 11, a distance of 702.30 feet to a 3/8-inch iron rod found at the common corner of lots 2, 3, 10 and 11;
- (12) THENCE South 86°38'32" West, along the common line of said Lots 2 and 3, a distance of 543.28 feet to a 5/8 inch iron rod found in the east right-of-way line of said Country Road 48;
- (13) THENCE North 03°18'37" West, along the east right-of-way line of said County Road 48, a distance of 697.66 feet to the **POINT OF BEGINNING** and containing 60.223 acres of land.

METES AND BOUNDS DESCRIPTION
TRACT 2
57.427 ACRES IN THE
H.T. & B. RAILROAD CO., SURVEY, SECTION 71, ABSTRACT NUMBER 291
BRAZORIA COUNTY, TEXAS

57.427 ACRES OF LAND SITUATED IN THE H.T. & B. RAILROAD SURVEY, SECTION 71, ABSTRACT NUMBER 291, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOTS 21, 26, 27 AND 28 AND OUT OF A PORTION OF LOTS 17, 25 AND 29 OF THE EMIGRATION LAND COMPANY SUBDIVISION, RECORDED IN VOLUME 2, PAGE 81 OF BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), AND BEING ALL OF THOSE CERTAIN CALLED 17.9508, 10.3214 AND 10.3214 ACRE TRACTS AS DESCRIBED IN DOC NOS. 2005039091, ALL OF THAT CERTAIN CALLED 8.6848 ACRE TRACT DESCRIBED IN DOC NO. 2006043836 AND LOT 27 AS DESCRIBED IN DOC. NO. 2005039090 OF THE O.P.R.B.C., SAID 57.427 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON RODEO PALMS SUBDIVISION, SECTION 1, RECORDED IN VOLUME 22, PAGES 133 TO 138 OF BRAZORIA COUNTY PLAT RECORDS):

BEGINNING at 5/8-inch iron with cap stamped EHRA found at the southwest corner of said Lot 21 of said subdivision plat, being in the east right-of-way line of a 40-foot wide road, as shown on said Emigration Land Company Subdivision;

- (1) THENCE North 03°23'15" West, along the east right-of-way line of a 40-foot wide road, a distance of 702.50 feet to the common corner of said Lot 21 and Lot 20 of said subdivision plat, from which a found 1/2-inch iron pipe bears N 16°16' W, 0.3 feet;
- (2) THENCE North 86°38'32" East, along the common line of said Lots 20 and 21, a distance of 639.69 feet to the common corner of lots 20, 21, 28 and 29, from which a 1/2-inch iron pipe with cap stamped "S. Adams RPLS 3666" bears North 49°25' West, 0.7 feet;
- (3) THENCE North 03°23'15" West, along the common line of Lots 20 and 28, at a distance of 702.50 feet passing a 1/2 inch iron pipe found at the common corner of lots 19, 20, 27 and 28, continuing along the common line of Lots 19 and 27, at 1404.80 feet passing the common corner of lots 18, 19, 26 and 27, from which an 1/2 iron pipe bears South 62°41' East, 1.0 feet, continuing along the common line of Lots 18 and Lot 26 for a total distance of 2,107.18 feet to the common corner of lots 17, 18, 25 and 26, from which a found 1/2 inch iron pipe bears N 46°32' E, 0.7 feet;
- (4) THENCE South 86°38'32" West, along the common line of said Lots 17 and 18, a distance of 639.69 feet to a point in the east right-of-way line of said 40-foot wide road, from which a 1/2-inch iron pipe stamped "S Adams RPLS 3666", bears N 77°05' East, 0.7 feet;
- (5) THENCE North 03°23'15" West, along the east right-of-way line of said 40-foot wide road, a distance of 257.18 feet to 5/8-inch iron rod with cap stamped EHRA found in the south line of that certain called 56.4682 acre tract recorded under document no. 2021044638;
- (6) THENCE North 86°35'55" East along the south line of said called 56.4682 acre tract, at 642.76 feet passing southwest end of Rodeo Palms Parkway, dedicated by Rodeo Palms Subdivision, Section 1, plat recorded under Volume 22, Page 133 to 138 of Brazoria County Plat Records, continuing a

total distance of 1,278.22 feet to a 5/8 inch iron rod with cap stamped EHRA found in the west line of a 40 foot right-of-way;

- (7) THENCE South 03°23'15" East, along the west line of said 40 foot right-of-way, a distance of 2,800.84 feet to a 5/8-inch iron rod with cap stamped EHRA set at the northeast corner of that certain called 1.6366 acre tract recorded in document no. 2020042539;
- (8) THENCE South 86°38'32" West, along the north line of said 1.6366 acre tract, a distance of 267.00 feet to a 5/8 inch iron rod with cap stamped EHRA set for corner;
- (9) THENCE South 03°23'15" East, along the west line of said called 1.6366 acre tract, a distance of 267.00 feet to a 5/8 inch iron rod with cap stamped EHRA set in the north line of lot 30;
- (10) THENCE South 86°38'32" West, along the common line of lot 29 and 30, at a distance of 371.53 feet pass the common corner of lots 21, 22, 29 and 30, continuing a total distance of 1,011.22 feet to the **POINT OF BEGINNING** and containing 57.427 acres of land.

METES AND BOUNDS DESCRIPTION
TRACT 3
52.788 ACRES IN THE
H.T. & B. RAILROAD CO., SURVEY, SECTION 71
ABSTRACT NUMBER 291
BRAZORIA COUNTY, TEXAS

52.788 ACRES OF LAND SITUATED IN THE H.T. & B. RAILROAD CO. SURVEY, SECTION 71, ABSTRACT NUMBER 291, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOTS 33, 35, 38, 39 AND 40, OF THE EMIGRATION LAND COMPANY SUBDIVISION, RECORDED IN VOLUME 2, PAGE 81 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), BEING A PORTION OF THE CALLED 90.1733 ACRE TRACT DESCRIBED IN DEED TO NEW RODEO 288, LTD, RECORDED UNDER DOCUMENT NUMBER 2005039091 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY (O.R.O.B.C.), ALSO BEING PART OF A 40 FOOT RIGHT-OF-WAY ABANDONED AND RECORDED IN DOCUMENT NUMBER 2023018228 OF THE O.R.O.B.C., SAID 52.788 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON RODEO PALMS SUBDIVISION, SECTION 1, RECORDED IN VOLUME 22, PAGES 133 TO 138 OF BRAZORIA COUNTY PLAT RECORDS):

BEGINNING at an "X" in concrete found at the southwest corner of said Lot 35, being at the east right-of-way line of a 40-feet wide road dedicated by said subdivision, being in the north right-of-way line of Kirby Drive (120' right-of-way) as recorded in plat number 2022037379 of the Brazoria County Plat Records;

- (1) THENCE North 03°23'15" West, along the common line of said Lot 35 and said east right-of-way line, a distance of 702.50 feet to a 5/8 inch iron rod with cap stamped EHRA set for an interior corner of the herein described tract;
- (2) THENCE North 86°38'32" East, along the common line of Lots 34 and 35, a distance of 640.37 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found at the southeast corner of Lot 34, same being an interior corner of the herein described tract;
- (3) THENCE North 03°23'15" West, along the common line of Lots 34 and 39, a distance of 702.50 feet, to the common corner of Lots 33, 34, 38 and 39, from which a 1/2-inch iron pipe with cap stamped "Brown & Gay" bears North 85°41' East, 0.7 feet;
- (4) THENCE South 86°38'32" West, along the common line of Lots 33 and 34, a distance of 640.37 feet, to a 5/8-inch iron rod with cap stamped EHRA found in the east right-of-way line of said 40-foot road;
- (5) THENCE North 03°23'15" West, along east line of said 40-foot road, a distance of 730.52 feet to a 5/8-inch iron rod with cap stamped EHRA found at the southwest corner of that certain called 46.31 acre tract as recorded under document number 2020010166 of the O.R.O.B.C.;
- (6) THENCE North 86°38'35" East, along the south line of said called 46.31 acre tract, at a distance of 1,280.59 feet pass a 5/8-inch iron rod found in the west right-of-way line of a 40-foot wide road, as dedicated by said Emigration Land Company Subdivision, continuing a total distance of 1,300.59 feet to the centerline of said 40 foot road;
- (7) THENCE South 03°23'15" East, along said centerline of abandoned right-of-way, a distance of 730.51 feet to a 5/8 inch iron rod with cap stamped EHRA set for corner;
- (8) THENCE, South 86°38'32" West, a distance of 20.00 feet to a 5/8 inch iron rod with cap stamped EHRA set at the common corner of Lots 38 and 39, being in the west line of said 40 foot right-of-way;
- (9) THENCE South 03°23'15" East, along west line of said 40 foot right-of-way, a distance of 1,405.00 feet to the southeast corner of Lot 40, being in the north line of Manvel Town Center, Section One recorded in Plat Number 2022042761 of the B.C.P.R.
- (10) THENCE South 86°38'32" West, along the north line of Manvel Town Center, Section One, a distance of 1,280.59 feet to the **POINT OF BEGINNING** and containing 52.788 acres of land.

Exhibit B

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630
Fax: (281) 489-0634

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Ashley Waggoner
Phone: 713-429-0726 e-mail: awaggoner@ehra.team
Owner: KL LB BUY 5 LLC
Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904
Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6
A subdivision of 175.3 acres out of the H.T. & R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
Legal description (from deed): _____
(Property must be legally subdivided or be lot of record)
Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Street Dedication Variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

Please refer to variance request letter for explanation to questions below.

Exhibit B

- o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

- o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

- o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

Applicant Authorization

I authorize the City of Marvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Marvel as they deem necessary for the processing of this application.



Applicant Signature

4/21/25

Date

Submit variance request material to the Permit Department, City of Marvel, 20025 Highway 6 Marvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.

Exhibit B



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
FAX: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Subdivision Variance Application (with all signatures)	X
One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 1/2" x 11", 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed structures)	
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
Two (2) Copies of Proposed Plat	
Letter of Authorization (if applicable)	
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner
Applicant Signature

4/21/25
Date

Exhibit B

CITY OF MANVEL

<http://www.cityofmanvel.com>

PO Box 187
Manvel, Texas 77578

Phone: (281) 489-0630

Fax: (281) 489-0634

Subdivision Variance Application

Applicant Information

Applicant (if not owner): Ashley Waggoner

Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Owner: KL LB BUY 5 LLC

Owner Address: 850 New Burton Road, Suite 201 City Dover State DE Zip 19904

Phone: 713-429-0726 e-mail: awaggoner@ehra.team

Property Information

Site Address: East of C.R. 48, south of Rodeo Palms Parkway, and north of S.H. 6

Legal description (from deed): A subdivision of 175.2 acres out of the H.T. & R.R. Co. Survey, Section 71, A-291, City of Manvel ETJ, Brazoria County, Texas
(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: _____

Description of Subdivision Variance Request

Lot Width Measurement Variance

Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

Please refer to variance request letter for explanation to questions below.

Exhibit B

o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

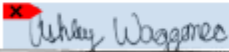
o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

o Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

Applicant Authorization

I authorize the City of Manvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Manvel as they deem necessary for the processing of this application.


Applicant Signature

4/21/25

Date

Submit variance request material to the Permit Department, City of Manvel, 20025 Highway 6 Manvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.

Exhibit B



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20025 HIGHWAY 6
MANVEL, TX 77578
PHONE: 281-489-0630
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So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

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Two (2) Copies of Recorded Plat (if platted)	
Two (2) Copies of Legal Description (metes & bounds if not platted)	X
Two (2) Copies of Proposed Plat	
Letter of Authorization (if applicable)	
PDF format on disc containing all application documents rotated and formatted	
Paid Application Fee of \$500.00 (non-refundable)	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Ashley Waggoner
Applicant Signature

4/21/25
Date



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

DEVELOPMENT UPDATES TO THE PLANNING AND ZONING COMMISSION

April 28, 2025 – May 27, 2025

The following table provides an overview of Development Services Department activities from April 28, 2025 through May 27, 2025

PRE-DEVELOPMENT MEETINGS		
LOCATION	LAND USE	DESCRIPTION
Del Bello Parkway	Car Dealership	- The applicant is in the preliminary phase of project. - Located within the Del Bello PUD which was recently amended to allow the car dealership.
CR 58 & Jerusalem Road	MCV Retail Development	- The applicant is in the preliminary phase of project. - Located in the Pomona Development (ETJ). (Concept renderings included)
CR 48 & Highway 6	Gas Station & Convenience Store	- The Applicant is in the preliminary phase of project - Located within the MTC PUD

CERTIFICATE OF OCCUPANCY APPROVALS		
LOCATION	DATE ISSUED	BUSINESS NAME
22303 Highway 6	5/05/2025	Reliable Car Care

COMMERCIAL CONSTRUCTION APPROVALS		
LOCATION	DATE ISSUED	DESCRIPTION
7310 Corporate Drive	5/14/2025	Sherwin Williams - Civil Plans Approved - Building Plans Approved - Civil Site work commencing

OTHER UPDATES	
None.	



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630



RESOLUTION NO. 2025-R-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL,
TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND
OTHER CHARGES FOR ZONING, PLATTING, BUILDING, UTILITIES,
AND FIRE SAFETY AND PREVENTION AND OTHER RELATED
MATTERS; AND REPEALING ALL RESOLUTIONS IN CONFLICT
HERE WITH; AND OTHER RELATED MATTERS.**

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. That certain “**FEE SCHEDULE – June 2 2025,**” a true and correct copy of which is attached hereto as Exhibit “A,” and for all things is made a part of this Resolution, is hereby in all things adopted. The fees set forth in said Exhibit “A” shall be applicable beginning June 3, 2025.

Section 2. That certain “**FIRE PROTECTION AND PREVENTION – June 2, 2025**” fee schedule, a true and correct copy of which is attached hereto as Exhibit “B,” and for all things is made a part of this Resolution, is hereby in all things adopted.

Section 3. That certain “**UTILITY FEES**” – **August 2, 2022,**” a true and correct copy of which is attached hereto as Exhibit “C,” **reflects no changes** and for all things is made a part of this Resolution, is hereby in all things adopted.

Section 4. All resolutions or parts of resolutions inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

RESOLVED, this the _____, day of _____, 2025.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Amending the Fee Schedule to include Tree Removal Permit fee.

BACKGROUND: The zoning ordinance was recently amended to include tree preservation requirements. Based on this amendment removal of a protected tree requires approval of a tree removal permit. Therefore, staff is recommending including a fee of \$50.00 per protected tree or \$750.00, whichever is less.

STAFF RECOMMENDATION: Staff is recommending approval of the proposed inclusion of the tree removal permit fee to the fee schedule.

ATTACHMENTS: Redline version of the proposed fee schedule.

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Jose Abraham
Director of Development Services

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

CITY OF MANVEL

FEE SCHEDULE JUNE 2, 2025

RESOLUTION 2025-R-11

"Certain Manvel Residents" are defined as individuals who are seeking construction of a single-family residential structure that the resident intends to occupy as his/her residence. [Ordinance No. 2023-O-05 Proposition B]"

ZONING

OCCUPANCY PERMITS, NON-RESIDENTIAL	
CHANGE OF USE / TENANCY	\$150.00
REGISTRATION FOR NEWLY ANNEXED BUSINESSES	\$0
TEMPORARY BUSINESS PERMITS	\$50.00
INTERPRETATION FROM ZONING OFFICIAL	\$50.00
RE-ZONING APPLICATION	\$1,800.00
SPECIFIC USE PERMIT FEE	\$1,500.00
APPEAL TO THE ZONING BOARD OF ADJUSTMENTS	\$750.00
APPEAL TO THE ZONING BOARD OF ADJUSTMENTS – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00
PLANNED UNIT DEVELOPMENT (PUD)	
PUBLIC NOTICE FEE	\$150.00
SMALL PUD	\$4,000.00
MEDIUM PUD	\$4,000.00 plus \$40.00/acre
LARGE PUD (LESS THAN 1,000 ACRES OR GREATER)	\$10,000.00 plus \$30.00/acre
LARGE PUD (GREATER THAN 1,000 ACRES)	\$20,000.00 plus \$20.00/acre
PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT	\$500.00

PLATS

PRELIMINARY PLAT	\$750.00
	+ \$10/lot and \$15/acre or fraction in reserves
PRELIMINARY PLAT – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00
FINAL PLAT	\$750.00
	+ \$25 / LOT and \$15/acre or fraction in reserves
FINAL PLAT – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00
MASTER PLAN	
50 ACRES TO 100 ACRES	\$1,000.00
101 ACRES OR MORE	\$2,000.00
REPLATTING CHARGES WHEN A PUBLIC HEARING IS HELD	
WITH NOTIFICATION	Advertising Fee \$75.00
	Per Mailing Notification Fee \$1.00
WITHOUT NOTIFICATION	\$75.00
REPLATTING CHARGES WITH A PUBLIC HEARING IS HELD – CERTAIN MANVEL RESIDENTS (**PROP B)	
WITH NOTIFICATION	Advertising Fee \$0.00
	Per Mailing Notification Fee \$0.00
WITHOUT NOTIFICATION	\$0.00

DEVELOPMENT PLAT	\$750.00	PLUS \$15/ACRE
DEVELOPMENT PLAT – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00	
MINOR PLAT OR AMENDING PLAT	\$500.00	
MINOR PLAT OR AMENDING PLAT – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00	
PLAT EXTENSION (6 MONTHS)	NO CHARGE	
RECORDING FEES WITH BRAZORIA COUNTY - ACTUAL COST OF RECORDING, PLUS	\$30.00	
PLAT RE-SUBMITTAL	\$200.00 each	
PLAT RE-SUBMITTAL – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00 each	
VARIANCE TO THE SUBDIVISION ORDINANCE	\$500.00	
VARIANCE TO THE SUBDIVISION ORDINANCE – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00	
MODIFICATION TO THE DESIGN CRITERIA MANUAL	\$200.00	
MODIFICATION TO THE DESIGN CRITERIA MANUAL – CERTAIN MANVEL RESIDENTS (**PROP B)	\$0.00	

ENGINEERING

PLAN REVIEW, STREETS, UTILITIES, PUBLIC SYSTEMS, ETC.	
\$500.00 base plus \$50.00 per document page larger than legal size sheets	
RESUBMITTALS FOR PLAN REVIEW, STREETS, UTILITIES, PUBLIC SYSTEMS (After second submittal) \$250.00 base plus \$10.00 per document page	
PLAN REVIEW FOR BINDERS (every ten (10) sheets equal 1 document page)	
\$500.00 base plus \$5.00 per legal size or smaller sheets	
CIVIL SITE IMPROVEMENTS, STREETS, UTILITIES, PUBLIC SYSTEMS, ETC.	
\$1,000.00 flat fee for projects up to and including \$100,000.00.	
Over \$100,000.00- \$1,000.00 plus \$8.00 for each thousand over \$100,000.00	
RE-CHECK FEE or VERIFICATION OF CORRECTIONS	\$250.00

ENVIRONMENTAL HEALTH

Onsite Septic System permits	
Residential	\$360.00
Commercial	\$460.00
On site evaluation	\$105.00/hr
(This will be an inspection to make sure a septic system is working properly)	

These updated OSSF fees will go into effect October 1, 2024

BUILDING - ALL PERMITS EXPIRE AT 180 DAYS UNLESS NOTED OTHERWISE

CONSTRUCTION PERMITS RESIDENTIAL AND COMMERCIAL

Minimum permit fee \$50.00
Commercial Construction Permit Application Fee (values greater than \$10,000) \$50.00
 \$15.00 for the first \$1,000.00 of construction value plus;
 \$5.00 per thousand, up to and including \$50,000.00
 \$260 for the first \$50,000.00 plus \$4 per additional thousand
 \$460 for the first \$100,000.00 plus \$3 per additional thousand
 \$1,660 for the first \$500,000.00 plus \$2 per additional thousand

Residential Construction Permit Application Fee \$0.40/sq. ft.

\$70.00 FOR DETACHED GARAGES OR NATIONALLY RECOGNIZED COST ESTIMATING BOOK

PLAN REVIEW FEE ½ OF THE BUILDING PERMIT FEE

RESIDENTIAL STREAMLINE PERMITS FEE FOR ELECTRICAL, PLUMBING AND HVAC; FEE
WILL BE A MINIMUM OF 25 % OF THE BUILDING PERMIT FEE FOR EACH CATEGORY

REVIEW FOR ELEVATION CERTIFICATES INCLUDED IN NEW CONSTRUCTION PERMIT (3
TOTAL (at start, at pre-pour and final) PER CERTIFICATE \$50.00

REVIEW FOR ELEVATION CERTIFICATES NOT INCLUDED IN NEW CONSTRUCTION
PER CERTIFICATE \$65.00

MANUFACTURED AND MODULER HOMES \$0.30/sq. ft.

IMPACT FEES: (2021-R-26)

Meter Size	Meter Type	Service Unit Equivalent	Impact Fees		
			Water	Wastewater	Total
3/4"	Displacement	1.0	\$2,441	\$7,107	\$9,548
1"	Displacement	1.6	\$3,906	\$11,371	\$15,277
1-1/2"	Turbine	4.0	\$9,766	\$28,428	\$38,194
2"	Turbine	6.4	\$15,625	\$45,484	\$61,109
3"	Displacement	12.8	\$31,251	\$90,969	\$122,220
4"	Displacement	20.0	\$48,830	\$142,140	\$190,970
6"	Displacement	40.0	\$97,660	\$284,280	\$381,940
8"	Displacement	64.0	\$156,256	\$454,848	\$611,104
10"	Displacement	92.0	\$224,618	\$653,844	\$878,462

****CARPORTS** (see below), POLE BARNs, SHEDS, ELEVATED DECKS 30" OR HIGHER, ETC...
(NON-LIVING AREAS OVER 200 SQ FEET – OUTSIDE THE FLOOD ZONE)

(CARPORTS – metal pre-fab structure, open on all four sides, 400 sq. feet or less over parking area,
does NOT require a permit)**

MINIMUM \$50.00
Plus Plan Review (if required)

ADDITIONALLY, CARPORTS (DETACHED) OF AREA LESS THAN 600 SQUARE FEET ARE STILL REQUIRED TO BE PERMITTED, BUT ARE EXEMPT FROM THE PAYMENT OF THE PERMIT FEE, WITH THE FOLLOWING CONDITIONS: (SEE ORDINANCE 2016-O-05)

1) Less than 600 square feet in area; 2) Enclosed on no more than 2 sides; 3) Unfinished on the interior; 4) No utilities connected to the structure; 5) Can be used only for parking and limited storage and not used for habitation (no working, sleeping, living, cooking, or restroom areas); 6) Must be detached from residential structure; 7) Must be firmly anchored to prevent floatation, collapse, and lateral movement; 8) Must abide by the same setbacks as required by zoning on the property; 9) No elevation certificate is required; and 10) A site drawing (can be hand drawn) is required to show where the structure will be located.

FEE

No Cost

ELECTRICAL AND PLUMBING PERMITS PULLED SEPARATELY, THE BASE FEE IS APPLIED, PLUS ANY ADDITIONAL COST ITEMS LISTED ON THE APPLICATION.

PLUMBING PERMITS	BASE FEE	REPAIRS	\$100.00
		RESIDENTIAL (New & Add-Ons)	\$150.00
		COMMERCIAL (New & Add-Ons)	\$200.00

Medical Gas Permits would be pulled by a Master Plumber using the Plumbing Permit application.

ELECTRICAL PERMITS	BASE FEE	REPAIRS	\$100.00
		RESIDENTIAL (New & Add-Ons)	\$150.00
		COMMERCIAL (New & Add-Ons)	\$200.00

MECHANICAL PERMITS	BASE FEE	REPAIRS	\$100.00
		RESIDENTIAL (New & Add-Ons)	\$150.00
		COMMERCIAL (New & Add-Ons)	\$200.00

RENEWAL BUILDING PERMITS			
		RESIDENTIAL INDIVIDUAL PERMIT	\$150.00
		NEW HOME PERMIT (4 PERMITS IN ONE)	\$300.00
		COMMERCIAL PERMIT	\$300.00

RE-INSPECTION FEES FOR FAILED WITH PENALTY (PAYABLE IN ADVANCE)

RESIDENTIAL	\$50.00
COMMERCIAL	\$100.00

PERMITS	Residential/ General Fee	Commercial	Notes
Culvert (Per Crossing)	\$100.00	\$100.00	
Demolition permits	\$50.00	\$50.00	
Display permits (per unit)	\$50.00		Annual renewal from date of issue. Inspections done on anchoring and location of display. Electrical permits pulled separately
Driveways	\$100.00	\$150.00	
Driveways (TXDOT)		\$500.00	Commercial properties fronting on a State maintained road
Development Permit (in Floodplain)	No Charge		Property located in a floodplain or property not in a floodplain that has reached 20 loads with approved permit.
Development Permit (outside Floodplain)	No Charge		Property outside the floodplain up to 20 loads
Extended Stay Permit	\$50.00		Must be approved by PD & Z prior to permit issuance

Fence	\$25.00	\$25.00	
Irrigation (Base)	\$140.00	\$200.00	
Pond permits	\$50.00	N/A	
Roofing Permits	\$50.00		
Sign Permits	\$100.00		
Review fee	\$50.00		
Sign Permit – Misc.	\$-0-	N/A	Political and non-profit signs
Swimming Pool (Based on value of Pool)			Electrical and plumbing can be included in one permit, fee is based on a minimum of 25 % of the permit fee
Water Wells	\$50		

TREE REMOVAL FEE FOR PROTECTED TREES (Ord 2025-O-14)

Oak (all variety), Pecan, Magnolia, and Elm

1 - 14 Trees	\$50.00/per tree
15 or more Trees	\$750.00/total

ANNUAL PERMITS

EXPIRE ON DEC. 31ST EACH YEAR

	<u>FEE</u>	<u>NOTES</u>
Ambulance Provider License	\$500.00	
EMS Vehicle (per Ambulance Charge)	\$100.00	
Beer and Wine		not to exceed ½ of TABC license fee
Burn (Residential)	\$15.00	
<u>Manufactured Home Community</u>		
Annual Fee	\$100.00	
Plus per space fee	\$5.00	
<u>Pet Registration** (Police Dept.)</u>		**The pet licenses expire one year from the <u>date of issue.</u>
If spayed or neutered	\$5.00	
without proof not spayed or neutered	\$10.00	
Pet impound fee (first day)	\$30.00	
Each additional day impound	\$5.00	
<u>Animal Ordinance Fees</u>		
<u>Seller's Permit</u>	\$0 per litter	
<u>Petting Zoo</u>	\$0 Annually	
<u>Adoption</u>	\$35 per adoption	
<u>Rescuer's Permit</u>	\$0	The rescuer's permit is a mere paperwork registration, permitting to exceed the seven (7) animal limit.

ROW (Ordinance 2011-O-22)

Use of public right-of-way or City property Right-of way crossing

Right-of way, first year per rod	\$1,000.00	(per crossing per year)
Annual renewal, per rod	\$21.00	
	\$7.50	

RV Park License

Annual fee	\$100.00
Plus per space fee	\$5.00

Solicitor Permit

30 day renewal, passport picture required	\$50.00	First Person Additional
	\$25.00	Person

Storage Facility	\$250.00
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Wrecker Permits - Per wrecker charge	\$100.00
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Hotel Operation License*	\$100.00
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***Annual permit expires per adopted ordinance**

Coin Operated Machine Tax	\$50.00	per Machine
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Health Inspections/Permits

Mobile Food Unit	\$200.00	per Unit
Food Establishment – Small (< 1,000 sf.)	\$200.00	Bi-Annual Site Inspection
Food Establishment – Medium (1,001-10,000 sf.)	\$400.00	Bi-Annual Site Inspection
Food Establishment – Large (>10,000 sf.)	\$600.00	Bi-Annual Site Inspection
Non-Profit Organizations*	\$100.00	Bi-Annual Site Inspection
Day Care Center	\$150.00	Bi-Annual Site Inspection
Group Residence (institution)	\$150.00	Bi-Annual Site Inspection
Ownership Change Food Establishment		
Small (full year July 1 st to December 31 st)	\$200.00	Site Inspection
Medium (full year July 1 st to December 31 st)	\$400.00	Site Inspection
Large (full year July 1 st to December 31 st)	\$600.00	Site Inspection
Small (6 months – January 1 st to June 30 th)	\$100.00	Site Inspection
Medium (6 months – January 1 st to June 30 th)	\$200.00	Site Inspection
Large (6 months – January 1 st to June 30 th)	\$300.00	Site Inspection
Non-Profit Organizations (full year July 1 st to December 31 st)	\$100.00	Site Inspection
Non-Profit Organizations (6 months – January 1 st to June 30 th)	\$50.00	Site Inspection
Day Care Center (full year July 1 st to December 31 st)	\$150.00	Site Inspection
Day Care Center (6 months – January 1 st to June 30 th)	\$75.00	Site Inspection
Group Residence (full year July 1 st to December 31 st)	\$150.00	Site Inspection
Group Residence (6 months – January 1 st to June 30 th)	\$75.00	Site Inspection
Temporary Food Establishment	\$50.00	Site Inspection
Re-Inspections	\$150.00	Re-Inspection
Owner Initiated Inspection	\$150.00	Re-Inspection

*supporting documentation required

SPECIAL EVENT PERMIT

Type A Special Event	\$100.00 per event
Type B Special Event	\$50.00 per event
Type C Special Event (Recurring Activity)	\$25.00 per event

OUTDOOR FACILITY USE

Other Governmental Bodies	No Fee
Non-Profits	\$25.00
Public Use	\$50.00
Refundable Damage Deposit for Non-Profits	\$50.00
Refundable Damage Deposit for Public Use	\$100.00
Public Use Events requiring outdoor water usage	\$50.00

FRANCHISE FEES (Pipeline Ordinance 2011-O-22)

Pipeline Registration Fee	\$100.00
Deposit	\$5,000.00
Franchise Administrative Application fee	\$500.00
City Inspection Fee	\$150.00 / HR

FRANCHISE FEES (Solid Waste Ordinance 2024-O-04)

Roll-Off Registration	\$15% (of gross receipts collected)
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OIL AND GAS WELLS (Oil and Gas Well Ordinance 2015-O-26)

Filing Fee	\$1,000.00
Additional filing fee	\$500.00

RENTAL REGISTRATION AND INSPECTIONS (Rental Ordinance 2013-O-06)

Annual Rental Permit Fee	\$50.00 per unit
Initial inspection, re-inspection	no charge
All subsequent re-inspections	\$250.00
Untimely registration fee from 10/1/2013	
Within 30 days after date set in section 17-426	\$300.00
after 30 th day before 60 th day set in section 17-426	\$375.00
after 60 th day set in section 17-426	\$450.00
Failure to register mandatory inspection fee	\$500.00
(includes initial inspection and one re-inspection)	
Additional Re-Inspections	\$250.00

SMALL CELL WIRELESS FACILITIES (Ordinance 2017-O-30) Application Fee

<u>Network Node</u>	<u>Fee</u>
Fee per application for up to 5 network nodes	\$500.00
Additional network nodes (up to 30 per application) support pole	\$250.00
Node support pole (per application for each pole)	\$1,000.00

Transport Facility

Fee per application	\$500.00	1-5 network nodes
Additional network nodes	\$250.00	1-30 additional nodes

Annual Small Cell Wireless Facilities Fee (Ordinance 2017-O-30)

Network node per network site support pole	\$250.00	
No separate rate from the network node annual fee (each support pole should have a network node attached) Transport facility per app.	\$28.00/Monthly	(for each network node site, unless an equal or greater amount is paid to the City Under chapter 283, Tex. Loc. Gov. Code or Chapter 66, Tx. Util. Code)

ALARMS (PERMITTED THROUGH THE MANVEL POLICE DEPARTMENT)

Burglar and Fire Alarm Systems (expire on December 31st each year)

Residential Permit	\$50.00 annually	*change of resident will require a new permit
	Pro-Rated Residential Alarm Permit	
	\$50.00 from January 1 st to March 31 st	
	\$25.00 from April 1 st to September 30 th	
	\$12.50 from October 1 st to December 31 st plus annual fee	
Commercial Permit	\$100.00 annually	*change of occupancy will require a new permit
	Pro-Rated Commercial Alarm Permit	
	\$100.00 from January 1 st to March 31 st	
	\$50.00 from April 1 st to September 30 th	
	\$25.00 from October 1 st to December 31 st plus annual fee	

False Alarms

Burglar	\$50.00	Fee charged for more than 3 false alarms but fewer than 6 within 12 month period
	\$75.00	Fee charged for more than 5 false alarms but fewer than 8 within 12 month period
	\$100.00	Fee charged for 8 or more false alarms within 12 month period
Fire	\$50.00	Fee charged for more than 3 false alarms but fewer than 6 within 12 month period
	\$75.00	Fee charged for more than 5 false alarms but fewer than 8 within 12 month period
	\$100.00	Fee charged for 8 or more false alarms within 12 month period
		Fee taken upon submittal of Burglar and Fire Alarm Systems Permit for Residential and Commercial Business
		Fee taken upon submittal of Burglar and Fire Alarm Systems Permit for Residential and Commercial Business

Fingerprint Fee

Resident	\$5.00
Non-Resident	\$10.00

CITY OF MANVEL PAYMENT OPTIONS AND CREDIT CARD PROCESSING FEES

Municipal Court (Cash and Credit Cards – No checks accepted)

In person - Credit Card Convenience Fee	3.5 % of total transaction.
On line Credit Card Convenience Fee	\$6.50
Night Court payment paid through Square Incorporated	\$3.00 per \$100.00

Permit Department (Cash, credit cards and checks accepted)

Credit Card Convenience Fee	3.25% of total transaction
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Police Department

Court payment paid thru Square Incorporated	\$3.00 per \$100.00
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Utility payments (Cash, check and on-line through TX eCommerce)

Fire Safety and Prevention
Resolution 2025-R-11
~~Exhibit B~~ June 2, 2025

Permit Type	Additional Information	Fee
Certificate of Occupancy (Change of Occupancy)	Fire Final Inspection	\$150.00
Re-inspection		\$100.00
Open Burning		
Commercial (Trench Burn Only)	Site inspection	\$200.00
Residential Moved Under Annual Operational permit	Site inspection	\$15.00
Prescribed Burn	Site Inspection	\$400.00
Fire Inspections		
Construction Site Offices / Trailers / Containers (Inspection required)	One Time Service	\$150.00
Construction Site Fuel Tanks (Inspection required)	One Time Service Per Tank	\$100.00
Fireworks Display / Show	Per Site Per Event	\$1,000.00
All Fire Plans Review Fees		
Fire Sprinkler System		
Plans Review Fee (First 100 Heads)	50% of total Permit Cost	\$200.00
Number of Sprinkler Head	Per Sprinkler Head over 100	\$5.00
Number of Tamper / Flow Devices	Per Tamper / Flow Device	\$5.00
Scope of Work Modification (Add, Relocate or Remove up to 19 Sprinkler Heads)		\$100.00
Jockey Pump & Fire Pump	\$50.00	\$100.00
Fire Pump Acceptance Test	\$100.00	\$150.00
Fire Pump Acceptance Test (Re-Test)	\$150.00	\$200.00
Number of Hose Valves	Per Hose Valve	\$10.00
Combined Sprinkler and Standpipe	Per Combined Sprinkler & Standpipe	\$50.00
Hydrostatic Test	Fee will be charged for each test	\$100.00
Riser / FDC / PIV	Per Device	\$25.00
Fire Service Underground Main, Fire/Private Hydrants/Storage Tanks		
Plans Review Fee	50% of total Permit Cost	\$100.00
Fire Service Underground Main		\$100.00
Storage Tanks		\$150.00
Hydrant	Per Hydrant	\$50.00
Hydrostatic Test	Fee will be charged for each test \$100	\$150.00
Re-Test Fee	\$175.00	\$200.00
Fixed Suppression System (Commercial Cooking Hood, Spray Booth or Room)		
Plans Review Fee	50% of total Permit Cost	\$100.00
Automatic Fire-Extinguishing Systems	Fixed Systems	\$150.00
Number of Nozzles	Additional Per Head 2.00	\$5.00
Number of Audio/ Visual Devices	Per Device	\$5.00
System Test		\$100.00
Re-Test Fee		\$175.00
Manual Pull Station	Per Pull Station	\$10.00

Fire Safety and Prevention
Resolution 2023-R-24
~~Exhibit B – September 18, 2023~~

Permit Type	Additional Information	Fee
Fire Alarm / Detection System & Access Control		
Plans Review Fee	50% of total Permit Cost	\$200.00
Number of Smoke Detectors	Per Device	\$5.00
Number of Duct Detectors	Per Device	\$5.00
Number of Heat Activated Devices	Per Device	\$5.00
Number of Manual Pull Devices	Per Device	\$5.00
Number of Releasing Devices	Per Device	\$5.00
Number of Audio/Visual Devices	Per Device	\$5.00
Number of Additional Devices (i.e. Relay/Modules, etc.)	Per Device	\$5.00
Number of Controllers	Per Device	\$5.00
Number of Keypads	Per Device	\$5.00
Number of Door Strike	Per Device	\$5.00
Number of Knox Switches	Per Device	\$5.00
Number of Miscellaneous Devices	Per Device	\$5.00
Fire Alarm Control Panel (FACP)	Per Device	\$25.00
Fire Alarm / Access Control System Acceptance Test		\$100.00
Remote Annunciator	Each \$50.00	\$25.00
Emergency Public Address	Per Floor	\$50.00
(For first 10 floors and \$5.00 per floor thereafter)	Per Floor	\$5.00
Re-Test Fee		\$175.00
Emergency Responder Radio Communications Systems (ERRCS)		
Plan Review Fee	50% of total Permit Cost	\$200.00
System Test		\$100.00
Re-Test Fee		\$175.00
Flammable and Combustible Liquids		
Plans Review Fee	50% of total Permit Cost	\$200.00
Pipeline		\$600.00
Aboveground Storage Tank Install		\$250.00
Aboveground Storage Tank Repair and/or Removal	Per Tank	\$100.00
Underground Storage Tank Install		\$400.00
Underground Storage Tank Repair and/or Removal	Per Tank	\$100.00
Construction Site Fuel Tank / Inspection Required	One Time Service Per Tank	\$100.00
Re-Test Fee		\$175.00
Oil/Gas Well Drilling	Construction Site	\$1,000.00
Oil/Gas Well Workover / Recompletions	Construction Site	\$500.00
Hazardous Materials	Storage	\$200.00
LP-Gas	Storage	\$100.00

Fire Safety and Prevention
Resolution 2023-R-24
Exhibit B - September 18, 2023

Permit Type	Additional Information	Fee
Compressed Gas, Hazardous Material and Industrial Ovens		
Plans Review Fee	50% of total Permit Cost	\$200.00
Compressed Gas	Per System	\$150.00
Hazardous Material		\$450.00
Industrial Ovens		\$200.00
Re-Test Fee		\$175.00
Temporary Structures/ Temporary Booths, Temporary Membrane Structures and Tents		
Plans Review Fee	50% of total Permit Cost	\$50.00
Temporary Membrane Structures		\$250.00
Tent and Canopy 201 to 300 square feet		\$50.00
Tent and Canopy 301 to 600 square feet		\$75.00
Tent and Canopy 601 to 1,000 square feet		\$100.00
Tent and Canopy over 1,001 square feet		\$150.00
Electric Charging Station		
Plan Review Fee and Test		
		\$150.00
		\$100.00
Annual Fire Inspections		
Access Controlled Gates		\$25.00
Commercial/Public	Initial inspection	No Fee
Commercial/Public	1st Re-inspection	No Fee
Commercial/Public	2nd Re-inspection \$100.00	No Fee
Commercial/Public	3rd Re-Inspection & Above \$200.00	\$100.00
Electric Charging Station		\$100.00
Foster Home	Licensed & Unlicensed 1-3	\$25.00
Foster Home	Licensed & Unlicensed 3 4 or more	\$50.00
Group Home (All Institutional Facilities)	Licensed & Unlicensed (1-6)	\$50.00
Group Home (All Institutional Facilities)	Licensed & Unlicensed (7-12)	\$100.00
Multi-Family Residences/Hotels/Motels	3-20 Dwelling Units	\$200.00
Multi-Family Residences/Hotels/Motels	21 or more +\$10.00/DU over 21 \$350.00	\$300
Hospitals / Nursing Homes, Providing 24-Hour Care	Licensed & Unlicensed 1-99 Beds	\$300.00
Hospitals / Nursing Homes, Providing 24-Hour Care	Licensed & Unlicensed 100-199 Beds	\$400.00
Hospitals / Nursing Homes, Providing 24-Hour Care	Licensed & Unlicensed 200 or more Beds	\$500.00
Other 24-Hour Care Facilities	Licensed & Unlicensed for 1-3 Occupants	\$100.00
Other 24-Hour Care Facilities	Licensed & Unlicensed for 4-16 Occupants	\$175.00
Other 24-Hour Care Facilities	Licensed & Unlicensed for 17-25 Occupants	\$250.00
Other 24-Hour Care Facilities	Licensed & Unlicensed 26 or more Occupants	\$325.00
Required Operational Permits		Annual From Month Date of Issuance
Aerosol Products		\$150.00
Amusement Building		\$75.00
Aviation Facilities		\$450.00

Fire Safety and Prevention
Resolution 2023-R-24
~~Exhibit B – September 18, 2023~~

Permit Type	Additional Information	Fee
Carnivals and Fairs Over 1,000 People	Per Event	\$500.00
Battery Systems		\$150.00
Energy Storage Systems		\$150.00
Cellulose Nitrate Film		\$500.00
Combustible Dust-Producing Operations		\$500.00
Combustible Fibers		\$150.00
Compressed Gases		\$150.00
	Bulk Storage	\$450.00
Covered Mall Building		\$450.00
Cryogenic Fluids		\$150.00
	Bulk Storage	\$450.00
Cutting and Welding		\$50.00
Day Care Centers (Licensed Facilities Providing Less than 24 Hour Care)	1-50 Children	\$75.00
Day Care Centers (Licensed Facilities Providing Less than 24 Hour Care)	50-99 Children 51-100 Children	\$100.00
Day Care Centers (Licensed Facilities Providing Less than 24 Hour Care)	100-149 Children Over 100 \$125	\$200.00
Day Care Centers (Licensed Facilities Providing Less than 24 Hour Care)	150 or more Children	\$150.00
Dry Cleaning Plants		\$150.00
Exhibits and Trade Shows over 300 people	Per Event	\$75.00
Explosives Storage		\$500.00
Flammable & Combustible Liquids (includes Aboveground & Underground Storage Tanks)	Per Tank \$150.00	\$100.00
Floor Finishing		\$50.00
Fruit and Crop Ripening		\$50.00
Fumigation and Thermal Insecticide Fogging		\$100.00
Hazardous Materials		\$450.00
Hazardous Production Materials Facilities		\$450.00
High-Piled Storage		\$300.00
Hot Work Operations	Per Operation	\$100.00
Industrial Ovens		\$250.00
Lumber Yards and Woodworking Plants		\$250.00
Liquid / Gas-Fueled Vehicles / Equipment in Assembly Building		\$100.00
LP Gas (Storage, Sell and Exchange)	Per Cage/Tank/Cylinder \$200.00	\$100.00
	Bulk Storage	\$450.00
Magnesium		\$250.00
Miscellaneous Combustible Storage		\$150.00
Motor Fuel-Dispensing Facilities, and Repair Garages /8 or less fuel pumps		\$150.00
Additional Pumps	9 or More Pumps /Per Pump	\$10.00
Open Burning (Residential) Annual	Site Inspection Required \$15.00	\$25.00
Organic Coatings		\$150.00
Assembly A	Occupant Load 50-300 (50-100)	\$100.00
Assembly B	Occupant Load 301-1,000 (101-300)	\$150.00
Assembly C	Occupant Load Over 1,000 (300)	\$200.00
Private Fire Hydrants		\$50.00
Pyrotechnic Special Effects Material	Per Event	\$150.00

Fire Safety and Prevention
~~Resolution 2023-R 24~~
~~Exhibit B – September 18, 2023~~

[illegible]



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Request to revise the Fire Safety and Prevention fee schedule.

The proposed updates are benchmarked against comparable municipalities, ensuring the fees remain competitive and equitable. The structure will be designed to fairly distribute costs based on project complexity and public safety impact, avoiding disproportionate burdens on smaller projects or low-risk occupancies.

BACKGROUND:

With clear, consistent fee structures, staff can more efficiently process applications, assign appropriate inspection timelines, and reduce administrative time spent on clarifications and adjustments. Stakeholders can better anticipate costs and timelines, which supports improved planning and compliance.

1. Construction plans review fees changed from 50% of the total permit cost to flat-rate fees. A flat rate provides applicants with a clear, upfront cost, making the process more transparent and reducing confusion about how fees are calculated. Staff no longer need to calculate fees based on a variable percentage, which reduces the chances of miscalculations, especially when plan review fees involve complex or tiered pricing structures. A flat rate eliminates this variable, saving time and minimizing opportunities for error.
2. Adopting the 2021 International Fire Code (IFC) in 2023 expanded the scope of construction and operational permits and inspections by introducing new permit categories and clarifying existing requirements. New operational and construction permits and inspection categories not previously required under the current fee schedule include electric charging stations, access-controlled gates, and energy storage systems. These changes align our jurisdiction with the latest fire safety standards and enhance community risk reduction efforts.
3. The reinspection fee structure for the annual fire inspections has been revised to support our community better and reflect current staffing operations. The fee will change from a \$100 fee after the first reinspection and a \$200 fee after the second reinspection to a flat \$100 fee for three or more reinspections. Due to previous staffing limitations, many occupancies have not received consistent or timely annual inspections. As a result, some may require additional time and guidance to bring their properties into compliance with current fire codes and safety standards.

4. Revising the fee schedule to include unlicensed facilities. Institutional, healthcare, and residential care occupancies—regardless of whether they are licensed—house some of our community's most vulnerable members, including children, the elderly, and individuals with physical, mental, or cognitive impairments. As such, these occupancies should be subject to annual fire inspections to ensure consistent life and fire safety standards. Limiting inspections to only licensed facilities creates a gap in oversight, allowing similar unlicensed operations to fall through the cracks. This change aims to ensure that all facilities housing vulnerable populations comply with applicable fire and life safety codes and that potential hazards are identified and addressed through annual inspections. For this section, applicable occupancies include but are not limited to: Hospitals and Medical Clinics, Nursing Homes and Assisted Living Facilities, Group Homes, Foster Care Homes, Mental Health or Behavioral Health Facilities, Substance Abuse Treatment Centers, and any facility housing residents who are non-ambulatory, under custodial care, or otherwise reliant on staff for evacuation in emergencies
5. The current Open Burn Permit fee of \$15 is tied to a permit that expires on December 31st of each year, regardless of when it was issued. To improve fairness and customer service, we are proposing a change to a \$25 Annual Open Burn Permit that grants the applicant a full 12-month period from the date of issuance. Under the current system, applicants who obtain a permit late in the year receive significantly less value than those who apply early, yet they pay the same fee. By granting a full calendar year of use from the date of issue, the new structure ensures every permit holder receives equal value for their fee. The modest increase from \$15 to \$25 helps cover the operational costs associated with processing, reviewing, inspecting, and issuing burn permits, especially as the FMO continues to improve service delivery.

STAFF RECOMMENDATION:

ATTACHMENTS: Fire Safety and Prevention Proposed Fee Schedule

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER

Shonna Bellow
Fire Marshal

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

Utility Fees - Resolution 2023-R-04
Resolution 2022-R-10 (Aug 2, 2022)
Exhibit C

Tap and Inspection Fees (Sec. 71-2)		
Water Connection Fee Schedule	Meter size	Cost
Single-Family Residential	3/4"	\$550 plus 1/2 cost of any required bore
	>3/4"	\$750 plus 1/2 cost of any required bore
Sewer Connection Fee Schedule	Fee Type	Cost
Single-Family Residential	Connection Fee	\$750 plus 1/2 cost of any required bore
Multi-family Residential and Non-Residential	Connection Fee	Based on individual needs of the facility based on engineering requirements
Temporary Construction & Bulk Water Meters	Fee Type	Cost
Temporary meter & use of a fire hydrant wrench	Installation Fee	\$50
	Deposit	\$750
Bulk Water	Water Meter Base Charge	\$100
	Rate per 1,000 gallons	\$10/per 1,000 gallons of water used
Pre-facility Inspection	Inspection Fee	\$25
	Reinspection Fee	\$25
Grease Trap Inspections	Inspection Fee	\$35
	Reinspection Fee	\$40
Sewer and Water Complaints	If on consumer-side	\$40 per hour time required for inspection
Swimming Pool Inspections (Sec.71-6)	Fee Type	Cost
	Inspection Fee	\$40
Plumbing (Sec. 71-7)	Fee Type	Cost
Backflow Prevention Assemblies	Testing and Certification	\$75
Customer Service Inspections	Single-Family Residential Users	\$100
	Other Users	Determined on an individual basis
Final Plumbing Inspection	Single-Family Residential Users	\$50
	Other Users	Determined on an individual basis
Late Payments (Sec. 71-8)	Fee Type	Cost
	Certified Delinquent Letter Fee	\$10 for each notice of termination
Termination & Reconnection of Service (Sec. 71-9)	Fee Type	Cost
Reconnection	Reconnection Fee	\$50 plus \$75 security deposit, less prior security deposit on file
Vacation	Temporary Suspension & Reconn	\$50 for meter pull and \$50 for reconnection
Returned Checks (Sec. 71-10)	Fee Type	Cost
	Returned check fee added to bill	\$25
New Account Fee (Sec. 71-11)	Fee Type	Cost
	New Account Setup Fee	\$20 (nonrefundable)
Security Deposits (Sec. 71-12)	Fee Type	Cost
Residential Owner	Security Deposit	\$75
Residential Renter	Security Deposit	\$200
Commercial - 1" meter or smaller	Security Deposit	\$200
Commercial - 2" meter or larger	Security Deposit	\$400
Temporary Construction Meter	Security Deposit	\$750
Bulk Water Purchase (Residential)	Security Deposit	\$1,000
Bulk Water Purchase (Commercial/Pipeline)	Security Deposit	\$5,000
Builder Deposits	Security Deposit	\$500 at time a request for each initial water tap is made

Utility Fees - Resolution 2023-R-04
Resolution 2022-R-10 (Aug 2, 2022)
Exhibit C

*** Separate from fee schedule ***		
Water and Sewer Rates adopted by Ordinance 2023-O-34 (Adopted 10/02/2023)		
*Water Rates (Monthly) (Sec. 71-4)	Gallons	Cost
Single-Family Residential Users	First 2,000 gallons	\$32.59 (Minimum)
	All over 2,000 gallons	\$3.34 per 1,000 gallons
Commercial Users	First 2,000 gallons	\$39.11 (Minimum)
	All over 2,000 gallons	\$3.34 per 1,000 gallons
*Sewer Rates (Sec. 71-5)	Gallons	Cost
Single-Family Residential Users	First 2,000 gallons	\$39.11 (Minimum)
	All over 2,000 gallons	\$3.34 per 1,000 gallons
Multi-Family Residential Users	First 2,000 gallons	\$39.11 (Minimum)
	All over 2,000 gallons	\$3.34 per 1,000 gallons
Commercial Users	First 2,000 gallons	\$45.63 (Minimum)
	All over 2,000 gallons	\$3.34 per 1,000 gallons



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Resolution of support for a grant application seeking funds from Texas Parks & Wildlife's (TPW) Local Parks Grants program.

BACKGROUND: The Local Park Grant Program consists of 5 individual programs that assist local units of government with the acquisition and/or development of public recreation areas and facilities throughout the State of Texas. The Program provides 50% matching grants on a reimbursement basis to eligible applicants. All grant assisted sites must be dedicated as parkland in perpetuity, properly maintained and open to the public.

Staff is in the process of submitting the grant application for the proposed City Hall Park. Staff has met with the TPW representatives to get guidance on the application process.

STAFF RECOMMENDATION: Staff is recommending adoption of the Resolution to support this grant application.

ATTACHMENTS: Resolution of Support

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER

Jorge Reyna
Development Manager

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

RESOLUTION NO. 2025-R-12

A RESOLUTION OF THE CITY OF MANVEL, TEXAS, AS HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS “DEPARTMENT,” FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITE FOR PERMANENT PUBLIC PARK AND RECREATIONAL USES.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS THAT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that the application will be submitted in conformance to the “Grant Writing Policy” adopted by Resolution No. 2021-R-23.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the City Manager, Daniel S. Johnson; and Finance Director Rosa Donaire to act as Grant Administrators and further authorizes and directs their designee Development Manager, Jorge Reyna to act for the Applicant in dealing with the Department for the purposes of the Program, and that Jorge Reyna is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be, currently, known as City Hall Park in the City of Manvel for use as a park site and is hereby dedicated for public park and recreation purposes in perpetuity.

PASSED AND ADOPTED this _____th day of _____, 2025.

Dan Davis, Mayor
City of Manvel, Texas

ATTEST:

Tammy Bell, City Secretary



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: June 2, 2025

TOPIC: Resolution of support for a grant application seeking Texas Department of Transportation's 2025 Transportation Alternatives funds for a sidewalk project.

BACKGROUND: On Jan. 3, 2025, the Texas Department of Transportation (TxDOT or the department) announced a statewide Call for Projects for the Transportation Alternatives Set-Aside (TA) program for bicyclist and pedestrian infrastructure and planning. The TA program provides funding to plan for and construct a variety of alternative transportation projects that improve safety and mobility for non-motorized travelers and mitigate congestion by providing safe alternatives to motor vehicle transport. Through TxDOT's 2025 TA Call for Projects, the department will select projects for recommendation to the Texas Transportation Commission (commission) for FY 2027-FY 2029 federal appropriations consistent with anticipated funding levels associated with the Infrastructure Investment and Jobs Act (IIJA) and subsequent funding bills totaling approximately \$250 million. Projects located in all areas of the state, regardless of population size, may be submitted under this call.

This Call for Projects features a two-step application process. The Preliminary Application (Step 1) provides high-level proposed project information to determine eligibility and funding opportunities. Following successful completion of Step 1, a Detailed Application (Step 2) provides more comprehensive project information. This two-step approach is intended to enhance the quality of project applications and to foster communication between prospective project sponsors and TxDOT District staff. Both steps must be completed in order for a project to be considered for funding under this program call.

City submitted the preliminary application for a sidewalk project and TxDOT has determined that the project is ready to move forward to Step 2. The proposed project includes sidewalks along west side McCoy Road from Highway 65 to Lewis Lane; south side of Large Avenue from McCoy Road to Masters Road; and west side of Masters Road from Highway 6 to Lewis Lane.

STAFF RECOMMENDATION: Staff is recommending adoption of the Resolution to support this grant application.

ATTACHMENTS: Resolution of Support

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER

Jose Abraham
Director of Development Services

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



RESOLUTION NO. 2025-R-13

A RESOLUTION OF THE CITY OF MANVEL, TEXAS, SUPPORTING CITY OF MANVEL'S APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2025 TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) CALL FOR PROJECTS.

WHEREAS, the Texas Department of Transportation issued a call for projects in January 2025 for communities to apply for funding assistance through the Transportation Alternatives Set-Aside (TA) Program; and

WHEREAS, the TA funds may be used for development of preliminary engineering (plans, specifications, and estimates and environmental documentation) and construction of pedestrian and/or bicycle infrastructure. The TA funds require a local match, comprised of cash or Transportation Development Credits (TDCs), if eligible. The City of Manvel would be responsible for all non-reimbursable costs and 100% of overruns, if any, for TA funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS THAT:

SECTION 1: The City of Manvel supports funding this project(s) as described in the 2025 TA Detailed Application (including the preliminary engineering budget, if any, construction budget, the department's direct state cost for oversight, and the required local match, if any) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing. The City of Manvel is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.

PASSED AND ADOPTED this _____th day of _____, 2025.

Dan Davis, Mayor
City of Manvel, Texas

ATTEST:

Tammy Bell, City Secretary