

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

LARRY AKERY, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
NICCOLE TYSON, COUNCIL PLACE 3
DAN DAVIS, COUNCIL PLACE 4
JASON ALBERT, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DEBRA DAVISON, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING
OF THE CITY OF MANVEL
October 4, 2021**

**NOTICE IS HEREBY GIVEN
6:00 P.M. WORKSHOP
7:00 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 City of Manvel 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.

Workshop Session

1. Discussion/update by Joe Morrow on financing options for city infrastructure.
2. Discussion on the proposed 2021 Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees.
3. Discussion/review of the Grant Writing Policy.

Regular Session

Call To Order

Inspirational Reading - Mayor Davison

Pledge

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

Citizen Comments: "Comment Card" Required

***Members of the public who wish to submit written comments on a listed agenda item must submit their comments via the Public Comment Request Form found on the city website www.cityofmanvel.com or by emailing thell@cityofmanvel.com or by calling 281-489-0630 x6 for staff assistance.

Proclamation

Alvin Independent School District Teacher's Day - October 5, 2021

Breast Cancer Awareness Month - October 2021

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF 3.2177 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 "GENERAL WAREHOUSING AND STORAGE"; 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.

City Manager Update

Update on current events and city issues.

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:

Potential Real Estate Acquisitions Opportunities

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071 - "Consultation with Attorney" to discuss the following:

Petition for Mandatory Injunctive and Declaratory Relief by Rise Communities, LLC and GRM1, LTD

Regular Agenda

1. Consideration and possible action by the City Council to concur with the City Manager's decision to hire John Harist as Director of Fire Safety and Code Enforcement, as required by the City Charter.

2. Consideration and possible action authorizing the City Manager to purchase a certain tract of land, not to exceed the purchase price directed by City Council, and provided there is an existing funding source in the current budget.
3. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-25; AN ORDINANCE AMENDING CHAPTER 17. "BUILDINGS AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE IX "IMPACT FEES," SECTIONS 17-404 TO 17-406 TO UPDATE PROVISIONS PERTAINING TO THE ASSESSMENT OF WATER AND WASTEWATER IMPACT FEES ON NEW DEVELOPMENT WITHIN THE CITY; APPROVING THE "2021 UPDATE STUDY OF LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN & IMPACT FEES"; REPEALING PROVISIONS IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.
4. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-16; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 3.2177 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED-USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 "GENERAL WAREHOUSING AND STORAGE"; 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. (Forwarded with favorable recommendation by PD&Z)
5. Consideration and possible action to approve a Subdivision Variance to Chapter 62, Section 62-111, *Additional Street Requirements* for property located at 6835 Old Chocolate Bayou Road and authorize the Mayor to execute a Development Agreement.
6. Consideration and possible action to approve Final Plat for Meridiana Section 50; BEING A SUBDIVISION OF 22.47 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION 55, A-286, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS (Favorable recommendation by PD&Z FAILED with a 0/7 vote).
7. Consideration and possible action to approve a Subdivision Variance to Chapter 62, Section 62-111, *Additional Street Requirements* for 3.000 acres of property located on Markham Road, generally bounded by Belcher Road (north), Mustang Bayou Road (south), Ridge Road (east), and Quail Ridge Drive (west) and authorize the Mayor to execute a Development Agreement. (Tabled on 8/16/2021, 9/7/2021, and 9/20/2021)

8. Consideration and possible action to approve Resolution 2021-R-23;
A RESOLUTION ADOPTING A GRANT WRITING POLICY DATED OCTOBER 4, 2021 FOR ALL CITY DEPARTMENTS; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE.
9. Consideration and possible action to approve Resolution 2021-R-27;
A RESOLUTION OF THE MANVEL CITY COUNCIL OF THE CITY OF MANVEL NOMINATING CANDIDATE(S) FOR A POSITION ON THE BOARD OF DIRECTORS OF THE BRAZORIA COUNTY APPRAISAL DISTRICT.
10. Update on Regional Drainage Facility on South Masters as requested by Council Member Akery.
11. Consideration and possible action to direct staff regarding the need for city staff positions and open staff positions. (Requested by Council Member Davis).

Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

1. Acceptance of meeting minutes to date.
2. Acceptance of infrastructure improvements for Pomona Lake D Phase 3 and Lake E Phase 1 to begin the Two Year Maintenance Period.
3. Approve the second and final reading of Ordinance 2021-O-23;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND 1.03 ACRES LOCATED AT 7346 TAYLOR STREET, LOTS 1 – 6, IN BLOCK 61, OF TOWN OF MANVEL, A SUBDIVISION OF BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 139 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS, FROM OPEN-SINGLE FAMILY RESIDENTIAL DISTRICT (O-SFR) TO LIGHT COMMERCIAL DISTRICT (LC); 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.
(Forwarded with favorable recommendation by PD&Z FAILED with a 2-4 Vote. Dorothy Wynne and Ryan Miller voted for the motion).
4. Approve Final Plat for Meridiana Pursley Boulevard Phase 6B,
BEING A SUBDIVISION OF 0.0201 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION 61, ABSTRACT 282, IN THE CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
5. Approve Preliminary Plat for Meridiana Detention Reserve 'V' Phase 2.
BEING A SUBDIVISION OF 1.07 ACRES AND CONSISTING OF 1 BLOCK AND 1 RESERVE OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION 61, A-282, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

6. Approve Preliminary Plat for Meridiana Section 52,
BEING A SUBDIVISION OF 21.88 ACRES, CONSISTING OF 2 BLOCKS AND 3
RESERVES OUT OF THE OLIVER HALL SURVEY, A-203, AND THE H.T. & B.R.R. CO.
SURVEY, SECTION 61, A-282, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
7. Approve a 30-day plat extension, Preliminary Plat for Meridiana Detention Reserve M-2;
BEING A SUBDIVISION OF 4.58 ACRES OUT OF THE OLIVER HALL SURVEY, A-203,
AND THE H.T. & B.R.R. CO. SURVEY, A-282, CITY OF MANVEL, BRAZORIA
COUNTY, TEXAS.

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.074. "Personnel Matters - to deliberate the appointment, employment, evaluation, and duties of a public officer or employee".

Kyle J. Jung, City Manager

Mayor and Council Comments

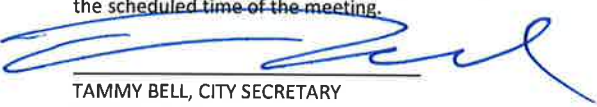
Update on current events and city issues. Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- 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 City of Manvel 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 October 1, 2021 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

NOTICE TO THE PUBLIC OF POSSIBLE QUORUMS

A quorum of the Manvel Planning Development and Zoning Committee, Manvel Parks and Recreation Board, Manvel Events Task Force, Manvel Branding Task Force, and Manvel Economic Development Corporation may be in attendance at the October 4, 2021 meeting of the Manvel City Council. If such be the case, this notice shall serve as notice of meeting pursuant to the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. There will be no official City business or action of the aforementioned bodies taken during the meeting.

Proclamation

OFFICE OF THE MAYOR CITY OF MANVEL

Whereas, Alvin Independent School District's future strength depends on providing a high-quality education to all students; and

Whereas, teacher quality matters more to student achievement than any other school-related factor; and

Whereas, teachers spend countless hours preparing lesson plans and supporting students; and

Whereas, our Manvel teachers have demonstrated great resilience, adaptability, and creativity during the COVID-19 crisis; and

Whereas, our community recognizes and supports its teachers in educating the children of this community; and

Whereas, #TeachersCan is a statewide movement supported by more than 125 partnering businesses and organizations committed to elevating the teaching profession and honoring the critical role teachers play in the success of Texas; and

Whereas, members of our community are encouraged to personally express appreciation to our teachers and display a light-blue ribbon outside your homes or businesses the week of October 5 as a symbol of support for our Manvel educators;

Now, Therefore, I, Debra Davison, by virtue of the authority vested in me as Mayor of the City of Manvel, Texas, do hereby proclaim October 5, 2021 to be:

“Alvin Independent School District Teachers’ Day”

In the City of Manvel, Brazoria County, Texas, and I call this observance to the attention of all citizens.

**In witness thereof, I have hereunto set
my hand and caused the seal of the City of
Manvel to be affixed.**

***Debra Davison, Mayor
October 4, 2021***

Proclamation

OFFICE OF THE MAYOR CITY OF MANVEL

Whereas, October 2021 is National Breast Cancer Awareness Month in the US; and

Whereas, breast cancer is the most common cancer among women; and

Whereas, every year, too many of us are touched by the pain and hardship caused by breast cancer — a disease that, among women, is not only one of the most common cancers, but also one of the leading causes of cancer-related death. During National Breast Cancer Awareness Month, we honor all those who lost their lives to breast cancer, and we recognize the courageous survivors who are still fighting it. For these individuals, and for their loved ones who give their unwavering support during the most trying times, we recommit ourselves to the essential and necessary work of forging a future free from cancer in all its forms; and

Whereas, breast cancer is the second leading cause of cancer of death in women nationally, exceeded only by lung cancer, and the chance of developing invasive breast cancer at some time in a woman's life is about one (1) in eight (8); and

Whereas, according to the National Cancer Institute, an estimated 232,340 new cases of female breast cancer will be diagnosed in 2021 and 36,620 females will die from the disease; and

Whereas, clinical breast exams performed by your health care provider and a breast self-examination should be practiced by women 20 years of age and older on regular basis; and

Whereas, since lifestyle factors contribute significantly to the risk of developing breast cancer, as well as most cancers, we encourage women to educate themselves and explore the ways in which they can decrease their risk for breast cancer by enjoying a health promoting lifestyle,

Now, Therefore, I, Debra Davison, by virtue of the authority vested in me as Mayor of the City of Manvel, Texas, do hereby proclaim October 2021 to be:

“BREAST CANCER AWARENESS MONTH”

In the City of Manvel, Brazoria County, Texas, and I call this observance to the attention of all citizens.

**In witness thereof, I have hereunto set
my hand and caused the seal of the City of
Manvel to be affixed.**

Debra Davison, Mayor

October 4, 2021



Planning, Development, and Zoning Commission Specific Use Permit Request

Agenda of:	September 27, 2021	Initiated By:	Jessica Rodriguez Dir. Development Services
Department:	Development Services	Presented By:	Jessica Rodriguez Dir. Development Services

Subject/Proceeding

Specific Use Permit (SUP) to establish a warehouse use on 3.2177 acres located at 6407 Masters Road in the Highway Mixed Use District (HMU)

Exhibits

Zoning Vicinity Map, Staff Report, Site Photographs, Aerial Vicinity Map, Proposed Overall Site Plan, Property Survey, Applicant Letter, Application, Authorization Letter, and Public Hearing Notice

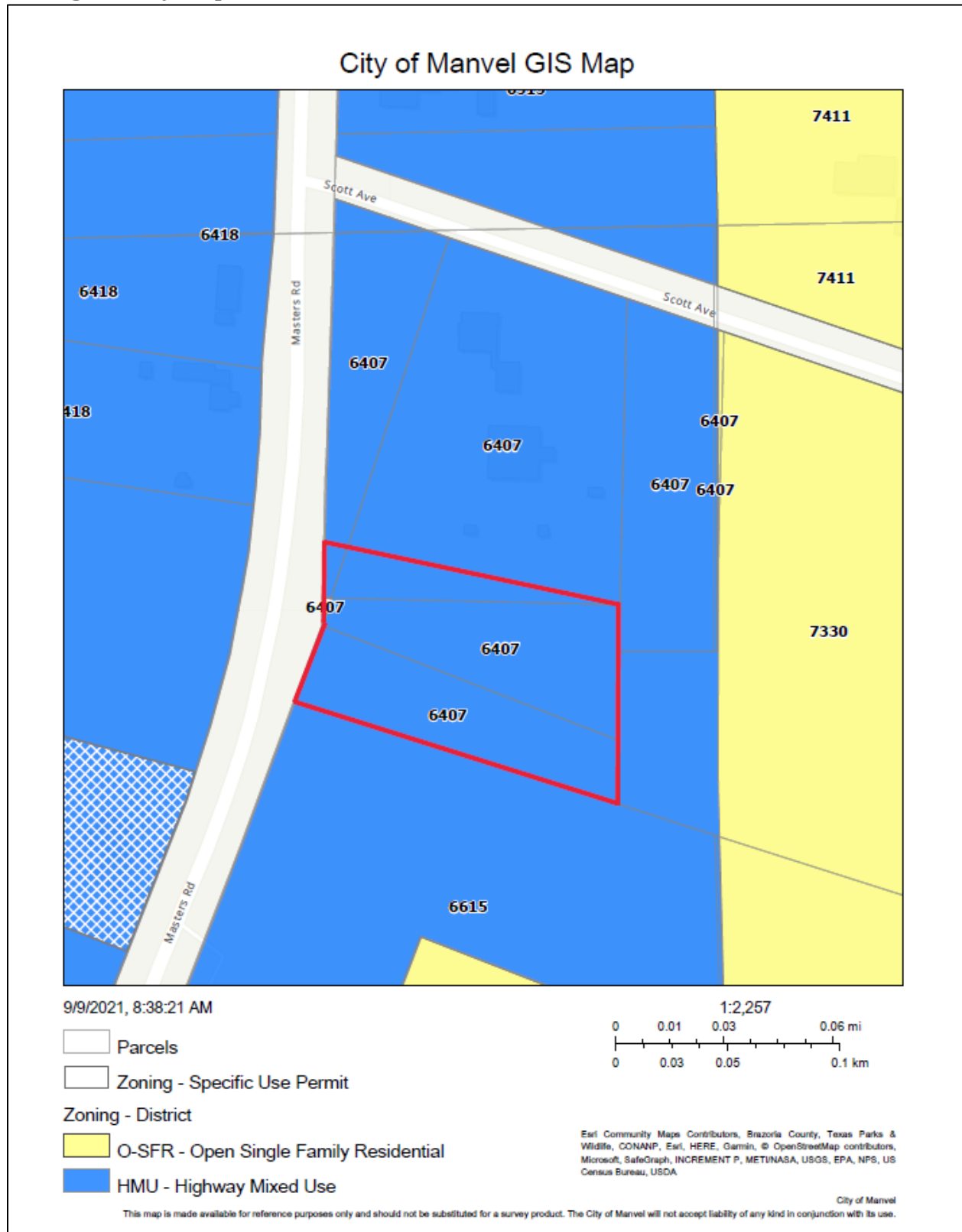
Recommended Action

A Public Hearing following by Consideration and Action from the Commission to the City Council

Executive Summary

The applicant, Carson Leung, on behalf of the property owner, Qianyi Ho of the Bonison Group LLC, is requesting a Specific Use Permit for a warehouse use located at 6407 Masters Road. The property is 3.2177 acres this is currently zoned Highway Mixed Use District (HMU). According to the City's zoning ordinance, the use of a warehouse in the HMU District requires an approved SUP. The warehouse use is identified as NAICS Use No. 493110 "General Warehousing and Storage". This property was previously considered for a SUP on 2.594 acres of land at the May 10, 2021, Planning, Development and Zoning Commission meeting. The item was tabled for a traffic study. Since the May 10th meeting the applicant reconfigured the site layout and completed a traffic study. The public hearing required another notification since the acreage of the site increased since the original public hearing notice. Staff overview of the proposed SUP is contained in the attached Staff Report section.

Zoning Vicinity Map



Staff Report

Zoning Ordinance Provisions for Specific Use Permits

In Section 77-50 (a). *Uses Requiring Specific Use Permit*, of the Zoning Ordinance it states “certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the city as a whole. This section provides city council and planning, development and zoning the opportunity to deny or to conditionally approve those uses for which specific use permits are required. These uses generally have unusual characteristics or are of a public or semipublic character often essential or desirable for the general convenience and welfare of the community. Because, however, of the nature of use, the importance of the use’s relationship to the comprehensive plan, or possible adverse impact on neighboring properties of the use, review, evaluation, and exercise of planning judgement relative to the location and site plan of the proposed use are required.”

In Section 77-50 (b) of the Zoning Ordinance it further states, “the city council, after receiving the recommendation of the planning, development and zoning commission, may by ordinance, grant a specific use permit uses, as herein qualified by the permitted use table, in locations and zoning districts to permit a use where they are not otherwise permitted by this article, and may impose any appropriate conditions and safeguards to protect property and property values, and in the interest of health, safety or welfare.”

General Site Information

The following is a summary of general site information.

Surrounding Property Zoning	North: Highway Mixed Use District (HMU) South: Highway Mixed Use District (HMU) & Open-Single Family Residential District (O-SFR) East: Highway Mixed Use District (HMU) & Open-Single Family Residential District (O-SFR) West: Highway Mixed Use District (HMU)
Surrounding Land Use	North: Single-Family Residential South: Manvel Police Department, Single-Family Residential, & Future Manvel Police Station Park Site East: Single-Family Residential West: Single-Family Residential & JRH Engineering & Environmental Services Inc.

Overview

At the May 10, 2021, Planning, Development and Zoning Commission meeting, a SUP was heard for 2.594 acres of property at this location. A public hearing was held and the Commission provided discussion. During the public hearing, there were no speakers. The Commission then held a discussion regarding the warehouse use. The Commission had questions about vehicular access to Scott Avenue, on-site truck turn around, chemical storage, and a traffic study. During the discussion, staff stated that the SUP did not include property to Scott Avenue, therefore, the site could not have vehicular access to Scott Avenue. The other large topic included truck ingress and egress from the site. The Commission made a recommendation for a traffic study. Since the May meeting, staff has

been working with the applicant to provide a thorough traffic study to the Commission. Also, the applicant changed the site configuration so the SUP increased in size from 2.594 acres to 3.2177 acres. The applicant worked with the abutting property owner to move the building locations away from the eastern property line. The current proposed site plan illustrates detention near the east property line and five warehouse buildings located on the north and south side of the tract.

On August 11, 2021, the applicant submitted a traffic study to City staff. The traffic study was performed by JKnesek & Associates and stamped by Professional Engineer, Mr. Jason Knesek. The traffic study reported that a 36,000 square foot warehouse development would generate six trips per day in the AM and seven trips in the peak PM. The report states that based on the site layout and surrounding roadway system, that vehicular traffic is assumed to be traveling north bound and south bound equally. Analysis was performed for a left-turn lane, right-turn auxiliary lane, traffic signal warrant, and intersection. The traffic study found that based on the traffic conditions in the area, no traffic improvements are necessary to maintain safe and efficient traffic operations.

The property is zoned Highway Mixed Use District (HMU). According to the City's zoning ordinance, a warehouse use is permitted as an approved Specific Use Permit by NAICA Use No. 493110 "General Warehousing and Storage" in the HMU district. The site is currently vacant and undeveloped. The owner, Qianyi Ho of the Bonison Group LLC, would like to construct four 7,600 square foot buildings of warehouse and one 5,600 square foot building of warehouse. The uses will take access from one driveway located on Masters Road.

The proposed warehouse building site is abutting a single-family residence on the north and east property lines. The property also abuts the future Manvel Police Department Park site on the south side. Since the warehouse use is a more intense use in the Highway Mixed Use district and surrounding area, staff has recommended several conditions based on lighting and landscaping to protect the nearby residentially used and zoned properties and well as the future municipal recreation site. The recommendations provide maximum height of light fixtures, lighting fixture types, lighting fixture shielding, landscape buffers, fencing, and tree planting requirements. Recommendations made regarding site lighting will protect abutting properties from glare and light spill over. The recommendations made regarding the site landscaping will provide a landscape buffer (physically) that will mitigate the more intense use on-site to the abutting property owner. The tree plantings and fencing requirements will help reduce noise and visual impact to the abutting properties. Staff has made other recommendations regarding detention and fire safety to ensure the site does not create a fire or flooding hazard to abutting properties. In addition to staff's recommendation below in the "Staff Recommendation" section, the City Council may require additional land use conditions as necessary to alleviate any other negative impact on the surrounding area.

Staff Recommendation

Staff recommends approval of NAICS Use No. 493110, "General Warehousing and Storage" for a warehouse use SUP request for property located at 6407 Masters Road with the following conditions:

1. The site landscaping shall be in accordance with Section 77-35, *Highway Mixed-Use (HMU) District*, Section 77-44, *Trees, Landscaping, Fencing, and Screening*, and Section 77-51, *Plan Review, Landscaping, and Building Façade Requirements*.
2. The required 25-foot-wide open space buffer per Section 77-35, *Highway Mixed-Use (HMU) District*, shall provide a minimum of one 1.5-inch caliper tree (at time of planting and measured at the base of the tree) spaced every 30 linear feet.
3. The site shall provide a minimum 15-foot landscape buffer along the southern property line. The landscape buffer shall provide a minimum of one 1.5-inch caliper tree (at time of planting and measured at the base of the tree) every 30 linear feet. The landscape buffer shall include fencing per Condition No. 11 (below).
4. A photometric study showing all proposed exterior lighting shall be required at the time of permit review.
5. A photometric survey shall be provided prior to the issuance of the Certificate of Occupancy.
6. All freestanding lighting shall provide "cut-off" fixtures that conform with the Illuminating Engineering Society of North America, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
7. Any lighting fixture mounted within 15-feet of a residentially used or zoned property line, public right-of-way, and the southern boundary line shall be classified as IES Type III or Type F (asymmetric forward throw), and fitted with a "house side shielding" reflector on the side facing the residentially used or zoned property line, public right-of-way, and southern boundary line.
8. No freestanding light fixture shall be greater than 25-feet in height.
9. All outdoor lighting shall be designated so that no light spillover onto abutting property exceeds 0.3 foot-candle when measured vertically.
10. The ground-level luminance ratio shall not exceed 12 to one.
11. The site shall provide an 8-foot tall opaque fence using weather resistant wood species, wood treated with U.S. Environmental Protection Agency approved materials, painted wood, powder coated aluminum, brick, stone, or masonry where the site abuts residentially used or zoned property, and along the southern property line.
12. The height of the proposed warehouse use is limited to the maximum height in the Highway Mixed Use District (HMU) for a non-residential building.
13. The site shall use City of Manvel end of the line fire hydrants.
14. Every proposed building on-site shall be within 300-feet of a fire hydrant.
15. Only one fire hydrant shall be located on a 6-inch line. The line shall be upsized to an 8-inch if more than one is connected.
16. The fire water lines shall either be located within a 20-foot water line easement or private. If the fire water line is private, it shall have a meter.
17. The site parking spaces, parking lots, and parking drive aisles shall be in accordance with Section 77-45.
18. The minimum maintenance berm with shall be 20-feet around the pond.
19. The site shall comply with all City of Manvel Fire Codes.
20. The site shall not take driveway access from Scott Avenue for truck ingress and egress.

21. Per the HMU district where new non-residential buildings require parking to be located behind the primary building (Section 77-35).

Planning, Development and Zoning Meeting Public Hearing and Discussion

At the public hearing held on May 10, 2021, there were no speakers. Staff was not aware of support or opposition to the proposed SUP. The Commission then held a discussion regarding the warehouse use. The Commission had questions about vehicular access to Scott Avenue, on-site truck turn around, chemical storage, and a traffic study. A more detailed report can be found in the Staff Report Section of this report.

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, staff has not received informational inquiries and is not aware of opposition to the request.

Site Photographs



Looking at the site from Masters Road.



Looking at the rear of the site from Scott Avenue.



Looking at abutting property (east) from Scott Avenue.



Looking at commercial development across Masters Road (west).

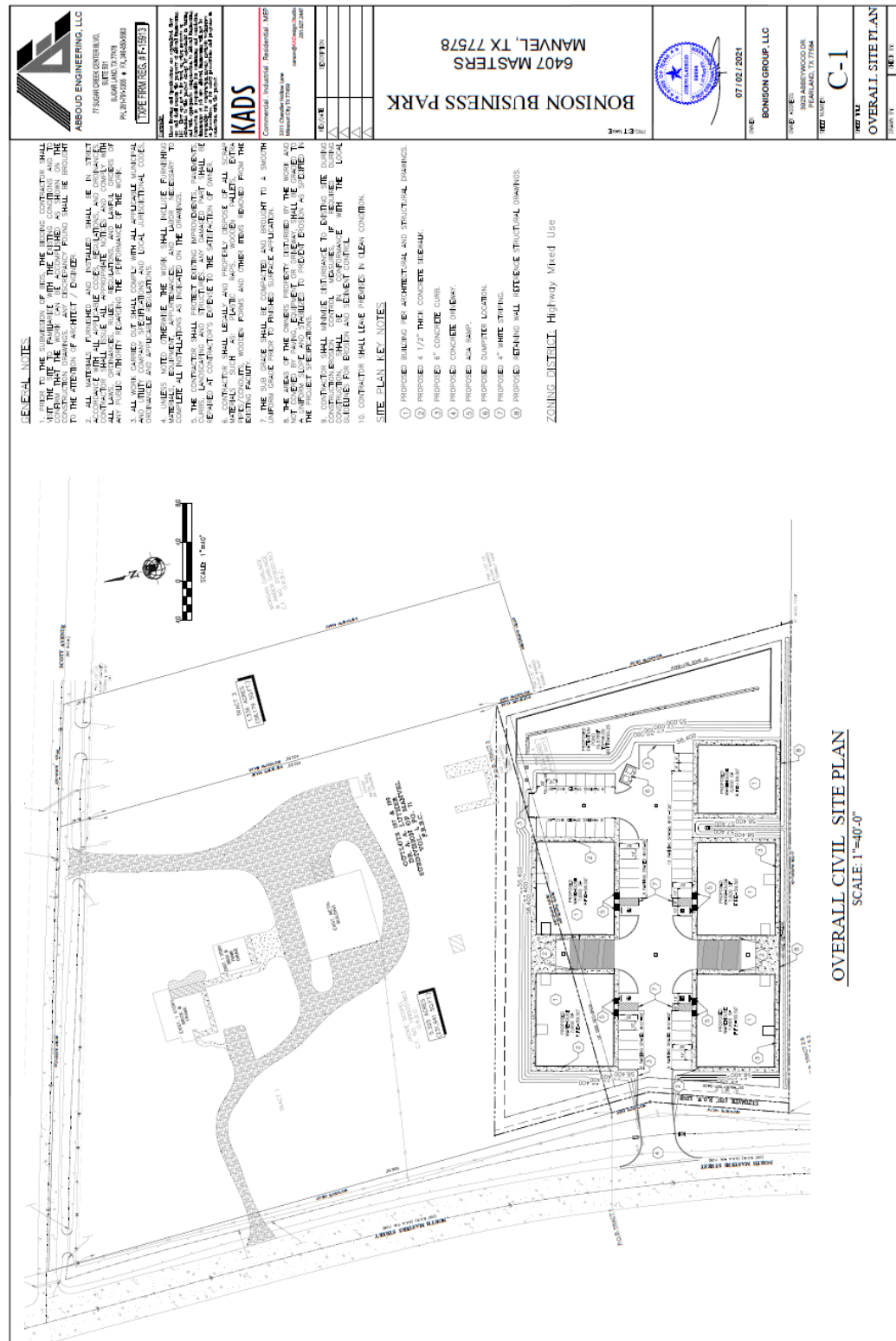


Looking south on Masters Road from the intersection with Scott Avenue.

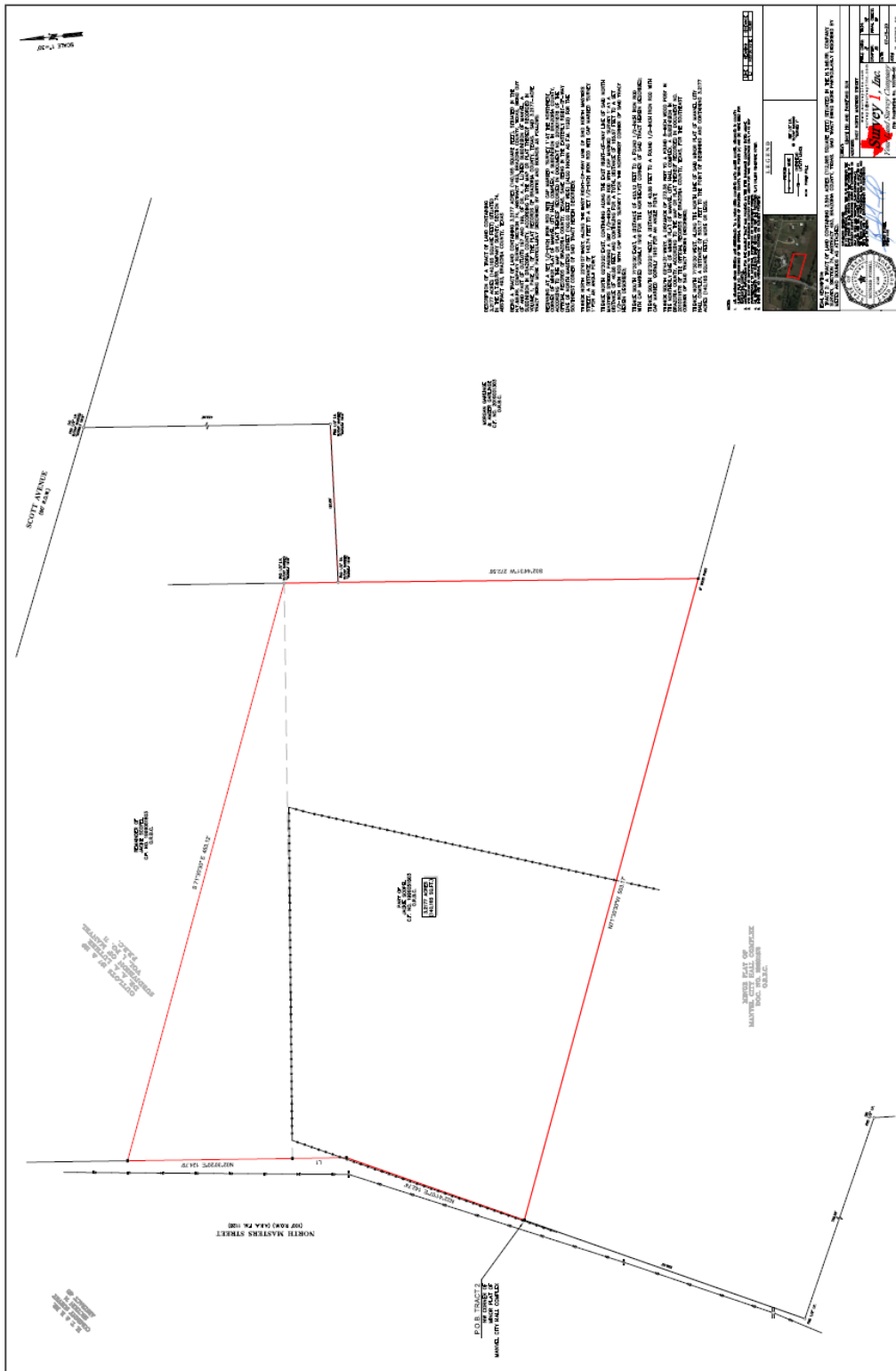
Aerial Vicinity Map



Proposed Overall Site Plan



Property Survey



Traffic Report



www.jknesek.com | main (713) 775-6490

3418 Hwy 6 South Suite B 336 | Houston, Texas 77082

August 11, 2021

City of Manvel
20031 Highway 6
Manvel, Texas 77578

RE: FM 1128 at Bonison Driveway

To whom it concerns,

JKnesek & Associates, Inc. was contracted by Abboud Engineering LLC to address the need for traffic improvements on FM 1128 at the proposed Bonison Driveway located approximately 500 feet south of Scott Avenue within the City of Manvel, Texas due to the development of the Bonison Business Park. Based on an analysis of the projected traffic operations at the proposed FM 1128 at Bonison Driveway intersection:

- A left-turn lane is not warranted.
- A right-turn acceleration lane is not warranted.
- A right-turn deceleration lane is not warranted.
- A traffic signal is not warranted.

This letter serves as a summary of the analysis.

Traffic Report

Roadways

FM 1128 is a generally north-south aligned roadway traversing north from State Highway 6 (approximately one mile south of the study area) to FM 518 (approximately six miles north of the study area). In the study site vicinity, FM 1128 is a two-lane undivided roadway with open ditch drainage. The posted speed limit on FM 1128 in the site vicinity is 55 miles per hour (mph).

Bonison Driveway is planned to be the only point of access to the Bonison Business Park

A field photograph of the southbound FM 1128 approach to the proposed Bonison Driveway is illustrated in **Figure 1**.

Figure 1: *Facing Southbound on FM 1128 at the Proposed Bonison Driveway*



Traffic Report

Development

Bonison Business Park development consists of five individual warehouses ranging from 5,600 square feet to 7,600 square feet each totaling 36,000 square feet.

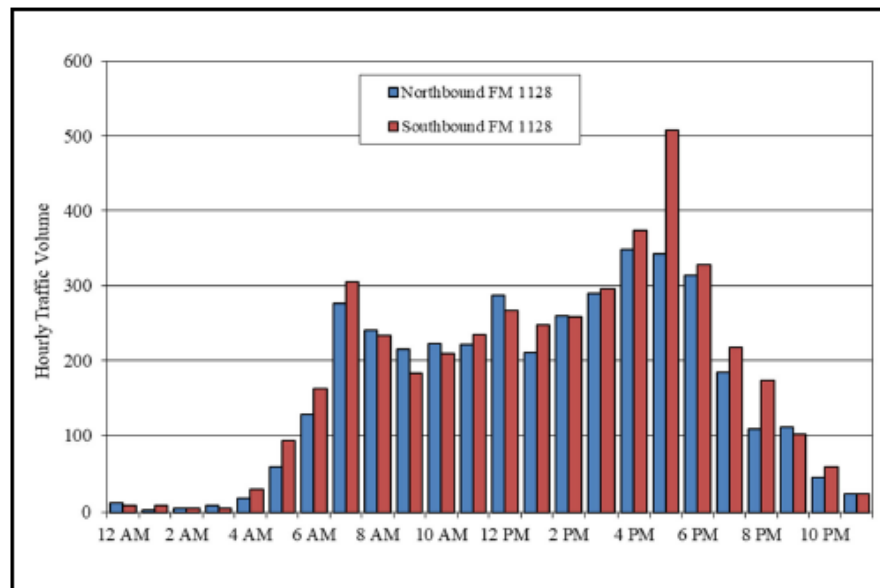
Development plans for the Bonison Business Park development are attached.

Traffic Counts

24-hour vehicular traffic counts on FM 1128 near the proposed Bonison Driveway were recorded on August 5, 2021. The traffic counts indicate that approximately 8,300 vehicles pass the location on the typical weekday. The data indicates that the vehicular traffic is split fairly evenly in the northbound and southbound directions for most hours of the day.

A graphical depiction of the FM 1128 24-hour traffic volume counts is illustrated in Figure 2. A detailed account of the 24-hour count is attached.

Figure 2: Existing 24-Hour Traffic Count – FM 1128



Traffic Report

JKnesek & Associates, Inc.
Page 4 of 9

Trip Generation / Trip Distribution

The Bonison Business Park development is a 36,000 square foot warehouse development. A development of this size is projected to generate 6 trips (5 entering, 1 exiting) in the AM Peak of adjacent street traffic and 7 trips (5 entering, 5 exiting) in the PM Peak of adjacent street traffic. Detailed calculations of the trip generation are attached.

Based on the layout of the site, the surrounding roadway system, and engineering judgement, it is assumed that vehicular traffic travelling to/from the development will be split evenly between the north and the south.

A summary of the projected turning movements generated by the proposed development is summarized in **Table 1**.

Table 1: *Site Generated Trips at FM 1128 at Bonison Driveway*

Entering / Exiting	Movement	AM Peak	PM Peak
Entering Site	Northbound Right-Turn	3	1
	Southbound Left-Turn	3	1
Exiting Site	Westbound Left-Turn	1	3
	Westbound Right-Turn	1	3

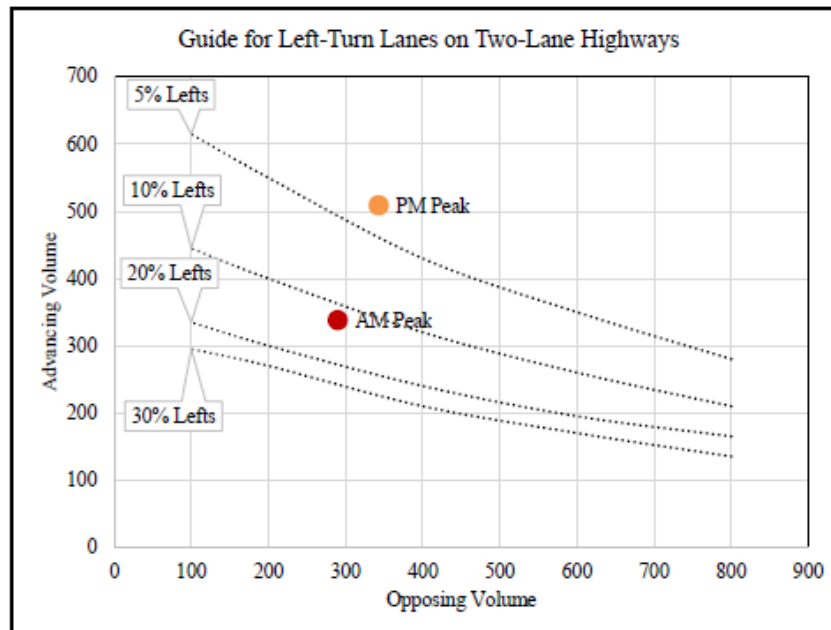
Left-Turn Lane Analysis

Table 3-11 of the Roadway Design Manual (Revised July 2020) by the Texas Department of Transportation provides guidelines for left-turn lanes on two-lane highways based on the opposing volume, advancing volume, and percentage of left-turn movements on the advancing volume. The minimum percentage of left turn advancing vehicles included in the table is 5%. A copy of the table is included in the **Appendix**.

In the Year 2022 Build Conditions, the projected volumes at the FM 1128 at Bonison Driveway intersection in the AM Peak period include and advancing volume of 338 vehicles (less than 1% left turns) and an opposing volume of 290 vehicles. In the Year 2022 Build Conditions, the projected volumes at the FM 1128 at Bonison Driveway intersection in the PM Peak period include and advancing volume of 509 vehicles (less than 1% left turns) and an opposing volume of 343 vehicles.

Given the small percentage of left-turn vehicles projected to be part of the FM 1128 advancing volume to Bonison Driveway, a left-turn lane is not warranted at the study intersection. A graphical representation of the AM Peak, PM Peak and left-turn lane guidelines for the FM 1128 at Bonison Drive intersection is illustrated in **Figure 3**.

Figure 3: Left-Turn Guidelines – FM 1128 at Bonison Driveway (Southbound)



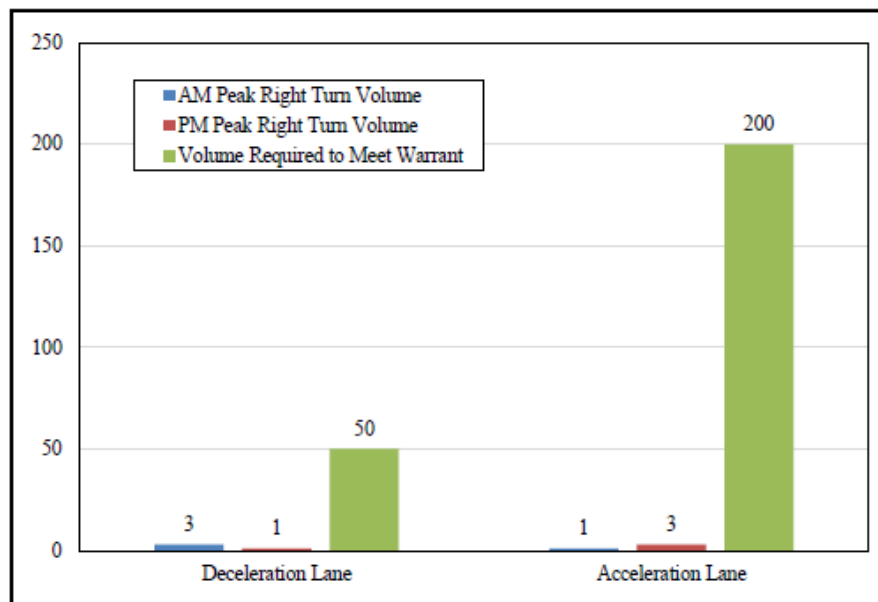
Right-Turn Auxiliary Lane Warrant Analyses

Right-turn auxiliary lanes are acceleration or deceleration lanes that reduce the conflicts associated with right turn movements at driveways or intersections. TxDOT guidelines for instances when right-turn auxiliary lanes should be considered are outlined in Chapter 2, Section 3 of the Access Management Manual (revised July 2011). According to Table 2-3 of the Access Management Manual, right-turn lanes should be considered under the following circumstances:

- Right-turn acceleration lane from the property – when right-turn exiting vehicles exceed 200 vehicles per hour.
- Right-turn deceleration lane to the property – when right-turn entering vehicles exceed 50 vehicles per hour for roadways signed at greater than 45 mph; when right-turn entering vehicles exceed 60 vehicles per hour for roadways signed at 45 mph or less.

Based on the projected traffic volumes, right-turn deceleration lanes are not warranted at the study intersection. A graphical representation of the AM Peak, PM Peak and warrant requirements for right-turn auxiliary lanes on FM 1128 at Bonison Driveway intersection (Year 2022) is illustrated in **Figure 4**.

Figure 4: *Right-Turn Auxiliary Lane Warrants – FM 1128 at Bonison Driveway*



Traffic Report

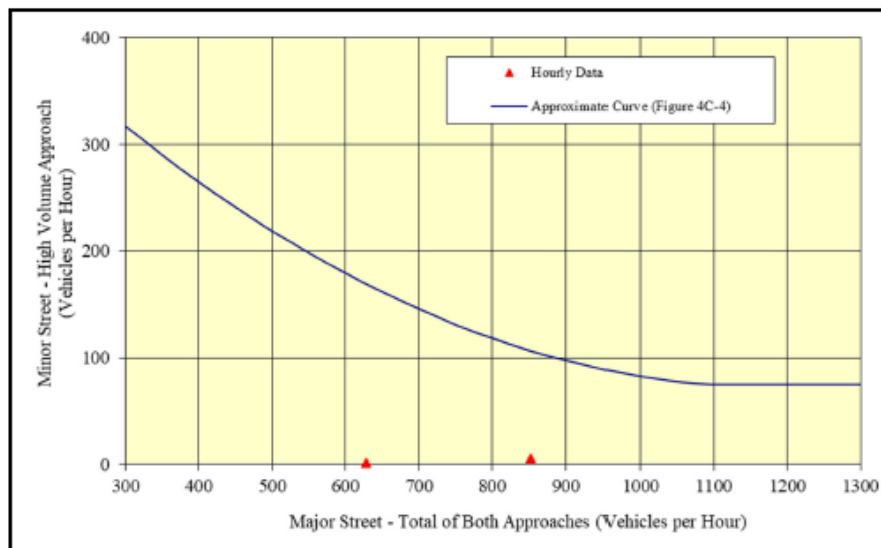
Traffic Signal Warrant Analyses

A traffic signal warrant analysis was conducted for the FM 1128 at Bonison Driveway intersection in the Year 2022 Build Conditions. The analysis was conducted according to the methodology described in the Texas Manual of Uniform Traffic Control Devices for Warrant 3B (Peak Hour Volumes).

The analysis indicates that a traffic signal is not warranted at the FM 1128 at Bonison Driveway intersection in the Year 2022.

A graphical representation of the AM Peak, PM Peak and warrant requirements for traffic signal improvement on FM 1128 at Bonison Driveway intersection (Year 2022) is illustrated in **Figure 5**. Detailed traffic signal warrant analysis sheets are included in the **Appendix**.

Figure 5. Traffic Signal Warrant Analyses – Peak Hour Warrant



Traffic Report

JKnesek & Associates, Inc.
Page 8 of 9

Intersection Analysis

The FM 1128 at Bonison Driveway intersection without a southbound left-turn lane is projected to operate at LOS A in the peak periods of operation with each approach operating at LOS B or better.

The FM 1128 at Bonison Driveway intersection with a southbound left-turn lane is projected to operate at LOS A in the peak periods of operation with each approach operating at LOS B or better.

A summary of the delay and LOS for the study intersection for with and without a southbound left-turn lane is illustrated in **Table 2**. A detailed account of the intersection capacity analysis for each alternative is attached.

Table 2: Delay / LOS Summary – Year 2022

Intersection	Approach	No-Left Turn Lane				Left-Turn Lane			
		AM Peak		PM Peak		AM Peak		PM Peak	
		Delay (sec.)	LOS	Delay (sec.)	LOS	Delay (sec.)	LOS	Delay (sec.)	LOS
FM 1128 at Bonison Driveway	NBD	0.0	A	0.0	A	0.0	A	0.0	A
	SBD	0.1	A	0.0	A	0.1	A	0.0	A
	WBD	11.9	B	13.9	B	11.9	B	13.9	B
	Overall	0.1	A	0.1	A	0.1	A	0.1	A

A comparison of the FM 1128 at Bonison Driveway intersection with and without the construction of a southbound left-turn lane reveals that the construction of a southbound left-turn lane is not projected to have a significant impact on the delay experienced by motorists travelling through the intersection.

Traffic Report

JKnesek & Associates, Inc.
Page 9 of 9

Summary

In summary, an analysis of the existing and proposed roadway system and development in the vicinity of the FM 1128 at Bonison Driveway intersection reveals the following:

- The FM 1128 at Bonison Driveway intersection does not meet TxDOT guidelines for a left-turn lane due to a projected low percentage of left-turn volume.
- The FM 1128 at Bonison Driveway intersection does not warrant right-turn auxiliary lanes due to insufficient projected traffic volumes at the intersection.
- The FM 1128 at Bonison Driveway intersection does not warrant a traffic signal due to insufficient projected traffic volumes at the intersection.
- The FM 1128 at Bonison Driveway intersection is projected to operate at LOS A in the peak periods of operation with or without a southbound left-turn lane.

Therefore, based on the projected traffic conditions in the study area, no other traffic improvements appear to be necessary to maintain safe and efficient traffic operations in the study area.

Please let me know if you have any questions or comments regarding the traffic operations in the site vicinity.

Sincerely,



Jason Knesek, P.E., PTOE
President



Applicant Letter

City of Manvel
Development Services
20025 Highway 6
Manvel, TX 77578
(281) 489 0630

Bonison Group LLC
Qianyi Ho
6407 North Master Road
Manvel TX 77578
(832) 662 3753

Re: Specific Use Permit Application for Property Development 6407 N. Master Road

To whom it may concerns,

I am writing this letter to request Specific Use Permit (SUP) for the property development at 6407 N. Master Road, Manvel TX 77578.

This property is located at Tract 1 and Tract 2, Section 74, Abstract 493 within Brazoria County. The total acreage for this development request is 3.2177 ac.

The development is including the total existing area of the Tract 2 (2.594 ac) and a portion of Tract 1 (0.6237 ac) with a combined total area of 3.2177 ac.

The current zoning for this property is Highway Mix-Use. I am proposing a Commercial Mix Use permit with 5 buildings on site. The buildings are proposed to be warehouse with 7,600 SF each. The rear building is proposed to be a warehouse as well with 5,600 SF. The total building area is 36,000 SF.

Refer to the attached site plan, the site is developed to provide a total of 53 parking spaces. In addition, an onsite storm water detention is designed for storm water running off.

I am appointing Carson Leung with the company KADS LLC to act as my representative for this project. A detail statement is provided with the attached application.

Looking forward to develop this property and the opportunity to work with city officials for a great partnership.

Please feel free to contact me or my agent if there is any question.

Your sincerely,

Qianyi Ho (owner)



Carson Leung (Agent)



Application



Development Services

20025 HIGHWAY 6

Manvel, TX 77578

P: 281-489-0630

F: 281-489-0634

SPECIFIC Use PERMIT APPLICATION

PROJECT INFORMATION

Project Name: Bonison Business Park

Project Location/Address: 6407 N. Master Road Manvel TX 77578

Legal Description: Tract 1 and Tract 2, sec 74, abstract 493, Brazoria County

Current Zoning: Mix Use Proposed Land Use: Commercial Mix Use NAICS No.:

Parcel/Tax ID# (s): 228745 Total Acreage: 3.2177

APPLICANT INFORMATION

Applicant Name: Carson Leung

Company Name: KADS LLC

Address: 3311 Chandler Hollow Lane City: Missouri City State: TX Zip: 77459

Phone #: 2818272447 Email: carson@kadesign.studio

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.

Carson Leung 09/01/2021
Applicant Signature (REQUIRED) Date

PROPERTY Owner INFORMATION

Owner(s) Name: Qianyi Ho - Bonison Group LLC

Address: 6407 N. Master Road City: Manvel State: TX Zip: 77578

Phone #: 8326823753 Email: 1@bestgift.cc

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.

Qianyi Ho 09/01/2021
Owner's Signature (REQUIRED) Date

Application



Development Services

20025 HIGHWAY 6

Manvel, TX 77578

P: 281-489-0630

F: 281-489-0634

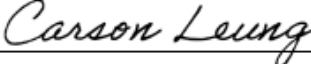
Submittal Checklist

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 specific use permit 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.

SPECIFIC Use PERMIT SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Specific Use Permit Application (with all signatures)	X
Two (2) Copies of a Conceptual Plan (building, parking, landscaping, etc. locations)	X
Two (2) Legal Descriptions of Property (metes & bounds description if not platted)	X
Two (2) Copies of Recorded Plat (if platted)	X
Two (2) Applicant Letters of Request	X
Traffic Impact Analysis, (if applicable)	X
Paid Application Fee	X

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.

	09/01/2021
Applicant Signature	Date

Authorization Letter



Development Services

20025 HIGHWAY 6

Manvel, TX 77578

P: 281-489-0630

F: 281-489-0634

LETTER OF AUTHORIZATION

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

Qianyi Ho - Bonison Group LLC
Owner Name

6407 N. Master Road
Owner Address

Manvel TX 77578
Owner City, State Zip

12/14/2020
Date

Building and Inspections
20025 Highway 6
Manvel, TX 77578

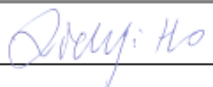
Dear City of Manvel Permits and Inspections,

I, Qianyi Ho, certify that I am the owner of the project property located at 6407 N. Master Road Manvel TX 77578 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 Carson Leung with the company KADS LLC (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 8326623753 1@bestgift.cc if you have any questions.

Sincerely,

Owner Name Qianyi Ho

Owner Signature 

Public Hearing Notice

Public Hearing Notice to run on Sunday 09/12/2021

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 7:00 P.M. ON MONDAY, SEPTEMBER 27, 2021, BEFORE THE MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION AND AT 7:00 P.M. ON MONDAY, OCTOBER 4, 2021, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF 3.2177 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 “GENERAL WAREHOUSING AND STORAGE”; 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.

ORDINANCE NO. 2021-O-25

AN ORDINANCE AMENDING CHAPTER 17. “BUILDINGS AND BUILDING REGULATIONS” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE IX “IMPACT FEES,” SECTIONS 17-404 TO 17-406 TO UPDATE PROVISIONS PERTAINING TO THE ASSESSMENT OF WATER AND WASTEWATER IMPACT FEES ON NEW DEVELOPMENT WITHIN THE CITY; APPROVING THE “2021 UPDATE STUDY OF LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN & IMPACT FEES”; REPEALING PROVISIONS IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, Texas Local Government Code § 395.001 et seq., authorizes cities to enact or impose impact fees (capital recovery fees) on land within their corporate boundaries or extraterritorial jurisdictions, as charges or assessments imposed against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new development; and

WHEREAS, the City has enacted Article IX of Chapter 17 of The City Code to provide for the assessment and collection of impact fees; and

WHEREAS, state law requires a political subdivision imposing an impact fee to update the land use assumptions and capital improvements plan at least every five years; and

WHEREAS, City staff and consultants received written comments from the Capital Improvements Advisory Committee on proposed amendments to the land use assumptions, capital improvements plan and impact fees; and

WHEREAS, consistent with input from the Capital Improvements Advisory Committee, the citizens, and the City Council, City staff and consultants have updated the city’s Land Use Assumptions and Capital Improvements Plan and calculated the resulting amended impact fee; and

WHEREAS, the City has provided notice and conducted public hearings to amend the City's impact fees, as required by Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City has determined that it is in the best interest of the general public to amend and update the current provisions of The City Code pertaining to impact fees; and

WHEREAS, the City has determined that it is in the best interest of the general public to approve the "2021 Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees"; now, therefore,

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

Section 1. That the facts and recitations set forth in the preamble of this Ordinance are hereby declared true and correct.

Section 2. The Code of Ordinances of the City of Manvel, Texas, is hereby amended by amending sections 17-404 to 17-406, Article IX. "Impact Fees" of Chapter 17. *Buildings and Building Regulations* to read and provide as follows:

"Chapter 17 - BUILDINGS AND BUILDING REGULATIONS

. . . .

Sec. 17-404. - Land use assumptions.

The land use assumptions included in the "2021 [2016] Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees" [~~prepared by Daniel Scott Engineering~~] are hereby in all things approved and adopted.

Sec. 17-405. - Capital improvements plan.

The capital improvements plan included in the "2021 [2016] Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees" [~~prepared by Daniel Scott Engineering~~] is hereby in all things approved and adopted.

Sec. 17-406. - Impact fees.

The impact fees set forth in the most recent fee schedule resolution adopted by the city council, are hereby levied against new nonexempt development on lands located within the corporate boundaries of the city. Any impact fees must be consistent with state law and the city's

most recent approved update study of Land Use Assumptions, Capital Improvement Plan, and Impact Fee calculation, as determined by a licensed engineer. “

Section 3. The City Council hereby approves the “2021 Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees” attached as Exhibit A.

Section 4. The City Council hereby approves the 2021 Amended Impact Fees attached as Exhibit B. This adoption by ordinance, which is of greater dignity than resolution, shall satisfy section 17-406 of The City Code. Said fees shall be shown on the City’s fee schedule, and may not be revised without first satisfying any process required by state law.

Section 5. 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. Each day of violation shall constitute a separate offense.

Section 6. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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 _____, 2021.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2021.

Debra Davison, Mayor

Attest:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

City of Manvel
2021 Water and Wastewater Impact Fee Update
Exhibit B

Table 1: Schedule of Maximum Allowable Impact Fees by Meter Size

Meter Size	Meter Type	Service Unit Equivalent	Impact Fees		
			Water	Wastewater	Total
3/4"	Displacement	1.0	\$4,875	\$14,988	\$19,863
1"	Displacement	1.6	\$7,800	\$23,980	\$31,780
1-1/2"	Turbine	4.0	\$19,500	\$59,952	\$79,452
2"	Turbine	6.4	\$31,200	\$95,923	\$127,123
3"	Compound	12.8	\$62,400	\$191,846	\$254,246
4"	Compound	20.0	\$97,500	\$299,760	\$397,260
6"	Compound	40.0	\$195,000	\$599,520	\$794,520
8"	Compound	64.0	\$312,000	\$959,232	\$1,271,232
10"	Compound	92.0	\$448,500	\$1,378,896	\$1,827,396



MANVEL PD&Z DATA SHEET

MEETING DATE: September 27, 2021

TOPIC: Consideration and possible action to forward with recommendation to City Council, amending the zoning ordinance by changing the zoning classification of 3.2177 acres of land located at 6407 Masters Road, Manvel, Texas, from Highway Mixed Use District (HMU) to Highway Mixed Use District with Specific Use Permit (HMU-SUP) authorizing NAICS use 493110 "General Warehousing and Storage".

BACKGROUND: Subject property is vacant and undeveloped. The owners, Qianyi Ho and Fangfang Sun, would like to construct five warehouse buildings on the site. This SUP was previously heard at the May 10, 2021, Commission meeting. The Commission tabled the item until a traffic study could be submitted. A traffic study has been completed in August 2021, whereby the Professional Engineer found no impact from this site on the surrounding area. This SUP was re-advertised for a public hearing because the site configuration changed and increased from 2.594 acres to 3.2177 acres.

RECOMMENDATION: City staff recommends approval with 21 conditions recommended proposed by staff as listed in the Staff Report.

ATTACHMENTS: Staff Report and Ordinance No. 2021-O-16

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



Planning, Development, and Zoning Commission Specific Use Permit Request

Agenda of:	September 27, 2021	Initiated By:	Jessica Rodriguez Dir. Development Services
Department:	Development Services	Presented By:	Jessica Rodriguez Dir. Development Services

Subject/Proceeding

Specific Use Permit (SUP) to establish a warehouse use on 3.2177 acres located at 6407 Masters Road in the Highway Mixed Use District (HMU)

Exhibits

Zoning Vicinity Map, Staff Report, Site Photographs, Aerial Vicinity Map, Proposed Overall Site Plan, Property Survey, Applicant Letter, Application, Authorization Letter, and Public Hearing Notice

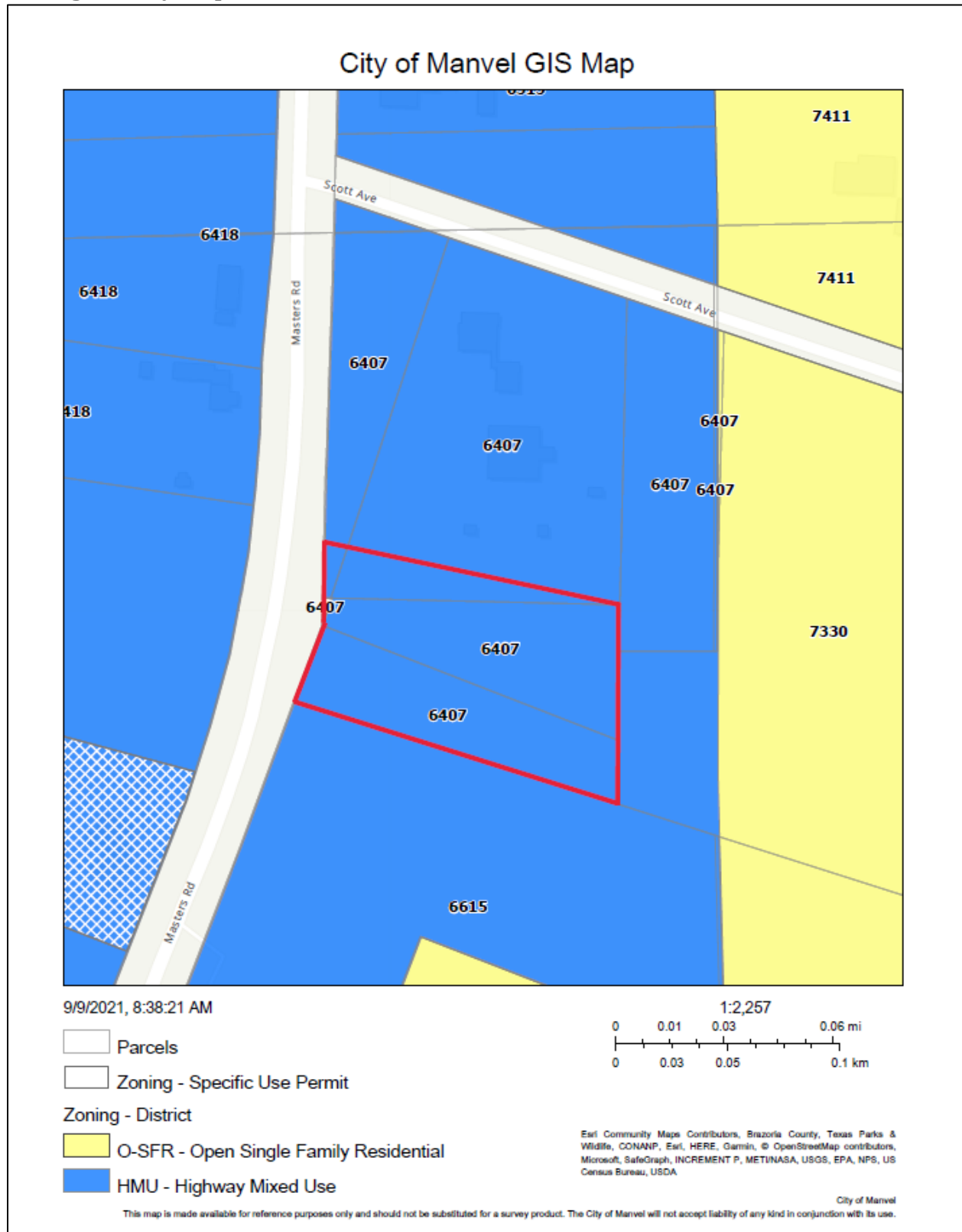
Recommended Action

A Public Hearing following by Consideration and Action from the Commission to the City Council

Executive Summary

The applicant, Carson Leung, on behalf of the property owner, Qianyi Ho of the Bonison Group LLC, is requesting a Specific Use Permit for a warehouse use located at 6407 Masters Road. The property is 3.2177 acres this is currently zoned Highway Mixed Use District (HMU). According to the City's zoning ordinance, the use of a warehouse in the HMU District requires an approved SUP. The warehouse use is identified as NAICS Use No. 493110 "General Warehousing and Storage". This property was previously considered for a SUP on 2.594 acres of land at the May 10, 2021, Planning, Development and Zoning Commission meeting. The item was tabled for a traffic study. Since the May 10th meeting the applicant reconfigured the site layout and completed a traffic study. The public hearing required another notification since the acreage of the site increased since the original public hearing notice. Staff overview of the proposed SUP is contained in the attached Staff Report section.

Zoning Vicinity Map



Staff Report

Zoning Ordinance Provisions for Specific Use Permits

In Section 77-50 (a). *Uses Requiring Specific Use Permit*, of the Zoning Ordinance it states “certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the city as a whole. This section provides city council and planning, development and zoning the opportunity to deny or to conditionally approve those uses for which specific use permits are required. These uses generally have unusual characteristics or are of a public or semipublic character often essential or desirable for the general convenience and welfare of the community. Because, however, of the nature of use, the importance of the use’s relationship to the comprehensive plan, or possible adverse impact on neighboring properties of the use, review, evaluation, and exercise of planning judgement relative to the location and site plan of the proposed use are required.”

In Section 77-50 (b) of the Zoning Ordinance it further states, “the city council, after receiving the recommendation of the planning, development and zoning commission, may by ordinance, grant a specific use permit uses, as herein qualified by the permitted use table, in locations and zoning districts to permit a use where they are not otherwise permitted by this article, and may impose any appropriate conditions and safeguards to protect property and property values, and in the interest of health, safety or welfare.”

General Site Information

The following is a summary of general site information.

Surrounding Property Zoning	North: Highway Mixed Use District (HMU) South: Highway Mixed Use District (HMU) & Open-Single Family Residential District (O-SFR) East: Highway Mixed Use District (HMU) & Open-Single Family Residential District (O-SFR) West: Highway Mixed Use District (HMU)
Surrounding Land Use	North: Single-Family Residential South: Manvel Police Department, Single-Family Residential, & Future Manvel Police Station Park Site East: Single-Family Residential West: Single-Family Residential & JRH Engineering & Environmental Services Inc.

Overview

At the May 10, 2021, Planning, Development and Zoning Commission meeting, a SUP was heard for 2.594 acres of property at this location. A public hearing was held and the Commission provided discussion. During the public hearing, there were no speakers. The Commission then held a discussion regarding the warehouse use. The Commission had questions about vehicular access to Scott Avenue, on-site truck turn around, chemical storage, and a traffic study. During the discussion, staff stated that the SUP did not include property to Scott Avenue, therefore, the site could not have vehicular access to Scott Avenue. The other large topic included truck ingress and egress from the site. The Commission made a recommendation for a traffic study. Since the May meeting, staff has

been working with the applicant to provide a thorough traffic study to the Commission. Also, the applicant changed the site configuration so the SUP increased in size from 2.594 acres to 3.2177 acres. The applicant worked with the abutting property owner to move the building locations away from the eastern property line. The current proposed site plan illustrates detention near the east property line and five warehouse buildings located on the north and south side of the tract.

On August 11, 2021, the applicant submitted a traffic study to City staff. The traffic study was performed by JKnesek & Associates and stamped by Professional Engineer, Mr. Jason Knesek. The traffic study reported that a 36,000 square foot warehouse development would generate six trips per day in the AM and seven trips in the peak PM. The report states that based on the site layout and surrounding roadway system, that vehicular traffic is assumed to be traveling north bound and south bound equally. Analysis was performed for a left-turn lane, right-turn auxiliary lane, traffic signal warrant, and intersection. The traffic study found that based on the traffic conditions in the area, no traffic improvements are necessary to maintain safe and efficient traffic operations.

The property is zoned Highway Mixed Use District (HMU). According to the City's zoning ordinance, a warehouse use is permitted as an approved Specific Use Permit by NAICA Use No. 493110 "General Warehousing and Storage" in the HMU district. The site is currently vacant and undeveloped. The owner, Qianyi Ho of the Bonison Group LLC, would like to construct four 7,600 square foot buildings of warehouse and one 5,600 square foot building of warehouse. The uses will take access from one driveway located on Masters Road.

The proposed warehouse building site is abutting a single-family residence on the north and east property lines. The property also abuts the future Manvel Police Department Park site on the south side. Since the warehouse use is a more intense use in the Highway Mixed Use district and surrounding area, staff has recommended several conditions based on lighting and landscaping to protect the nearby residentially used and zoned properties and well as the future municipal recreation site. The recommendations provide maximum height of light fixtures, lighting fixture types, lighting fixture shielding, landscape buffers, fencing, and tree planting requirements. Recommendations made regarding site lighting will protect abutting properties from glare and light spill over. The recommendations made regarding the site landscaping will provide a landscape buffer (physically) that will mitigate the more intense use on-site to the abutting property owner. The tree plantings and fencing requirements will help reduce noise and visual impact to the abutting properties. Staff has made other recommendations regarding detention and fire safety to ensure the site does not create a fire or flooding hazard to abutting properties. In addition to staff's recommendation below in the "Staff Recommendation" section, the City Council may require additional land use conditions as necessary to alleviate any other negative impact on the surrounding area.

Staff Recommendation

Staff recommends approval of NAICS Use No. 493110, "General Warehousing and Storage" for a warehouse use SUP request for property located at 6407 Masters Road with the following conditions:

1. The site landscaping shall be in accordance with Section 77-35, *Highway Mixed-Use (HMU) District*, Section 77-44, *Trees, Landscaping, Fencing, and Screening*, and Section 77-51, *Plan Review, Landscaping, and Building Façade Requirements*.
2. The required 25-foot-wide open space buffer per Section 77-35, *Highway Mixed-Use (HMU) District*, shall provide a minimum of one 1.5-inch caliper tree (at time of planting and measured at the base of the tree) spaced every 30 linear feet.
3. The site shall provide a minimum 15-foot landscape buffer along the southern property line. The landscape buffer shall provide a minimum of one 1.5-inch caliper tree (at time of planting and measured at the base of the tree) every 30 linear feet. The landscape buffer shall include fencing per Condition No. 11 (below).
4. A photometric study showing all proposed exterior lighting shall be required at the time of permit review.
5. A photometric survey shall be provided prior to the issuance of the Certificate of Occupancy.
6. All freestanding lighting shall provide "cut-off" fixtures that conform with the Illuminating Engineering Society of North America, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
7. Any lighting fixture mounted within 15-feet of a residentially used or zoned property line, public right-of-way, and the southern boundary line shall be classified as IES Type III or Type F (asymmetric forward throw), and fitted with a "house side shielding" reflector on the side facing the residentially used or zoned property line, public right-of-way, and southern boundary line.
8. No freestanding light fixture shall be greater than 25-feet in height.
9. All outdoor lighting shall be designated so that no light spillover onto abutting property exceeds 0.3 foot-candle when measured vertically.
10. The ground-level luminance ratio shall not exceed 12 to one.
11. The site shall provide an 8-foot tall opaque fence using weather resistant wood species, wood treated with U.S. Environmental Protection Agency approved materials, painted wood, powder coated aluminum, brick, stone, or masonry where the site abuts residentially used or zoned property, and along the southern property line.
12. The height of the proposed warehouse use is limited to the maximum height in the Highway Mixed Use District (HMU) for a non-residential building.
13. The site shall use City of Manvel end of the line fire hydrants.
14. Every proposed building on-site shall be within 300-feet of a fire hydrant.
15. Only one fire hydrant shall be located on a 6-inch line. The line shall be upsized to an 8-inch if more than one is connected.
16. The fire water lines shall either be located within a 20-foot water line easement or private. If the fire water line is private, it shall have a meter.
17. The site parking spaces, parking lots, and parking drive aisles shall be in accordance with Section 77-45.
18. The minimum maintenance berm with shall be 20-feet around the pond.
19. The site shall comply with all City of Manvel Fire Codes.
20. The site shall not take driveway access from Scott Avenue for truck ingress and egress.

21. Per the HMU district where new non-residential buildings require parking to be located behind the primary building (Section 77-35).

Planning, Development and Zoning Meeting Public Hearing and Discussion

At the public hearing held on May 10, 2021, there were no speakers. Staff was not aware of support or opposition to the proposed SUP. The Commission then held a discussion regarding the warehouse use. The Commission had questions about vehicular access to Scott Avenue, on-site truck turn around, chemical storage, and a traffic study. A more detailed report can be found in the Staff Report Section of this report.

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, staff has not received informational inquiries and is not aware of opposition to the request.

Site Photographs



Looking at the site from Masters Road.



Looking at the rear of the site from Scott Avenue.



Looking at abutting property (east) from Scott Avenue.



Looking at commercial development across Masters Road (west).

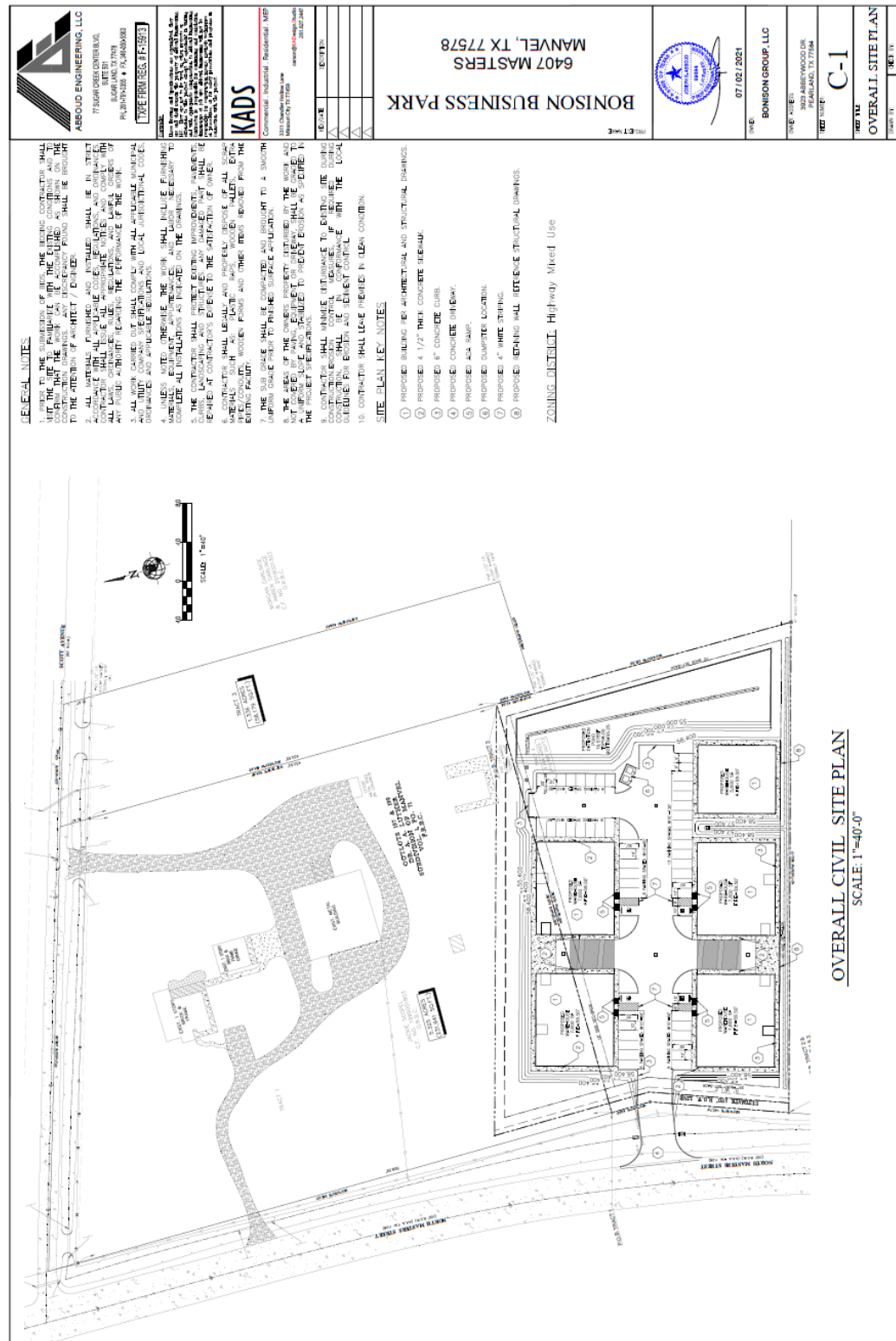


Looking south on Masters Road from the intersection with Scott Avenue.

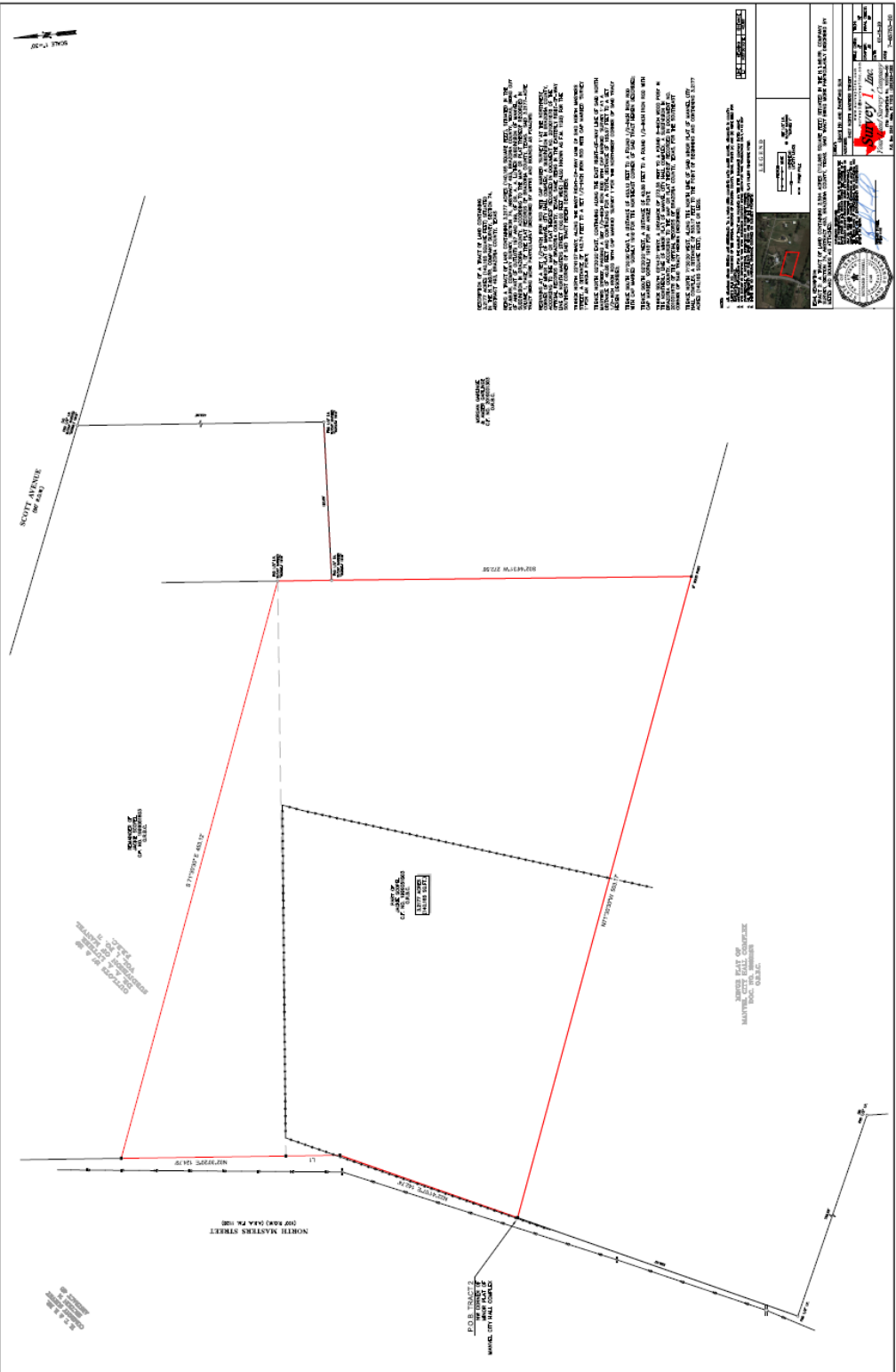
Aerial Vicinity Map



Proposed Overall Site Plan



Property Survey



Traffic Report



www.jknesek.com | main (713) 775-6490

3418 Hwy 6 South Suite B 336 | Houston, Texas 77082

August 11, 2021

City of Manvel
20031 Highway 6
Manvel, Texas 77578

RE: FM 1128 at Bonison Driveway

To whom it concerns,

JKnesek & Associates, Inc. was contracted by Abboud Engineering LLC to address the need for traffic improvements on FM 1128 at the proposed Bonison Driveway located approximately 500 feet south of Scott Avenue within the City of Manvel, Texas due to the development of the Bonison Business Park. Based on an analysis of the projected traffic operations at the proposed FM 1128 at Bonison Driveway intersection:

- A left-turn lane is not warranted.
- A right-turn acceleration lane is not warranted.
- A right-turn deceleration lane is not warranted.
- A traffic signal is not warranted.

This letter serves as a summary of the analysis.

Traffic Report

Roadways

FM 1128 is a generally north-south aligned roadway traversing north from State Highway 6 (approximately one mile south of the study area) to FM 518 (approximately six miles north of the study area). In the study site vicinity, FM 1128 is a two-lane undivided roadway with open ditch drainage. The posted speed limit on FM 1128 in the site vicinity is 55 miles per hour (mph).

Bonison Driveway is planned to be the only point of access to the Bonison Business Park

A field photograph of the southbound FM 1128 approach to the proposed Bonison Driveway is illustrated in **Figure 1**.

Figure 1: *Facing Southbound on FM 1128 at the Proposed Bonison Driveway*



Traffic Report

Development

Bonison Business Park development consists of five individual warehouses ranging from 5,600 square feet to 7,600 square feet each totaling 36,000 square feet.

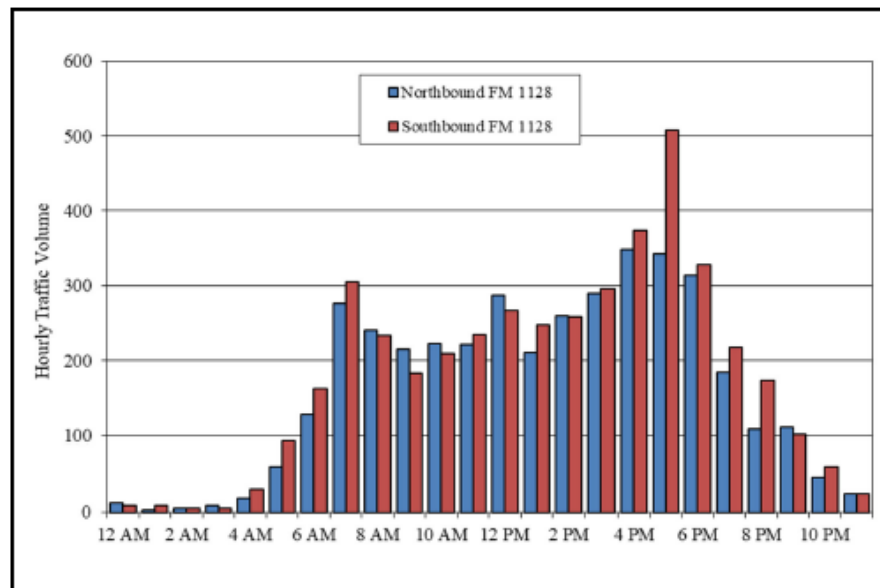
Development plans for the Bonison Business Park development are attached.

Traffic Counts

24-hour vehicular traffic counts on FM 1128 near the proposed Bonison Driveway were recorded on August 5, 2021. The traffic counts indicate that approximately 8,300 vehicles pass the location on the typical weekday. The data indicates that the vehicular traffic is split fairly evenly in the northbound and southbound directions for most hours of the day.

A graphical depiction of the FM 1128 24-hour traffic volume counts is illustrated in Figure 2. A detailed account of the 24-hour count is attached.

Figure 2: Existing 24-Hour Traffic Count – FM 1128



Traffic Report

JKnesek & Associates, Inc.
Page 4 of 9

Trip Generation / Trip Distribution

The Bonison Business Park development is a 36,000 square foot warehouse development. A development of this size is projected to generate 6 trips (5 entering, 1 exiting) in the AM Peak of adjacent street traffic and 7 trips (5 entering, 5 exiting) in the PM Peak of adjacent street traffic. Detailed calculations of the trip generation are attached.

Based on the layout of the site, the surrounding roadway system, and engineering judgement, it is assumed that vehicular traffic travelling to/from the development will be split evenly between the north and the south.

A summary of the projected turning movements generated by the proposed development is summarized in **Table 1**.

Table 1: *Site Generated Trips at FM 1128 at Bonison Driveway*

Entering / Exiting	Movement	AM Peak	PM Peak
Entering Site	Northbound Right-Turn	3	1
	Southbound Left-Turn	3	1
Exiting Site	Westbound Left-Turn	1	3
	Westbound Right-Turn	1	3

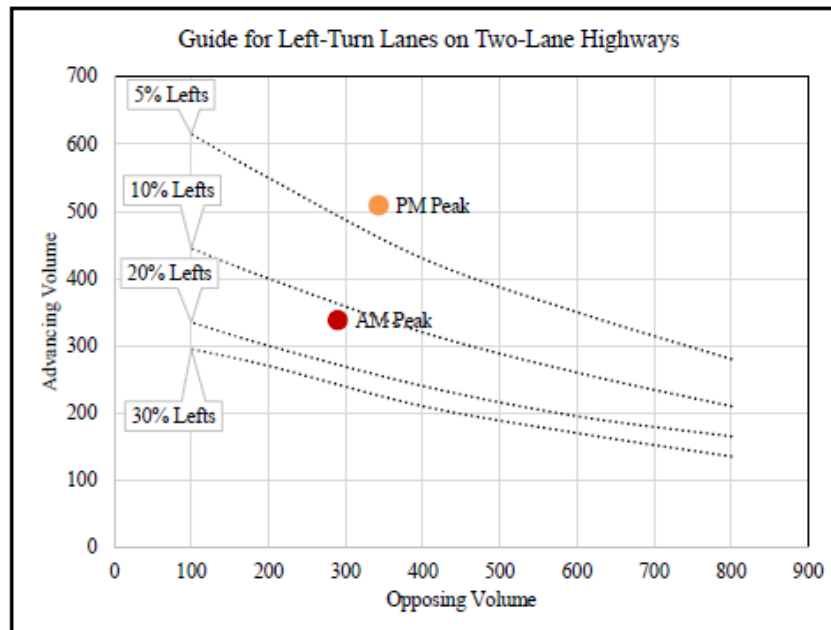
Left-Turn Lane Analysis

Table 3-11 of the Roadway Design Manual (Revised July 2020) by the Texas Department of Transportation provides guidelines for left-turn lanes on two-lane highways based on the opposing volume, advancing volume, and percentage of left-turn movements on the advancing volume. The minimum percentage of left turn advancing vehicles included in the table is 5%. A copy of the table is included in the **Appendix**.

In the Year 2022 Build Conditions, the projected volumes at the FM 1128 at Bonison Driveway intersection in the AM Peak period include and advancing volume of 338 vehicles (less than 1% left turns) and an opposing volume of 290 vehicles. In the Year 2022 Build Conditions, the projected volumes at the FM 1128 at Bonison Driveway intersection in the PM Peak period include and advancing volume of 509 vehicles (less than 1% left turns) and an opposing volume of 343 vehicles.

Given the small percentage of left-turn vehicles projected to be part of the FM 1128 advancing volume to Bonison Driveway, a left-turn lane is not warranted at the study intersection. A graphical representation of the AM Peak, PM Peak and left-turn lane guidelines for the FM 1128 at Bonison Drive intersection is illustrated in **Figure 3**.

Figure 3: Left-Turn Guidelines – FM 1128 at Bonison Driveway (Southbound)



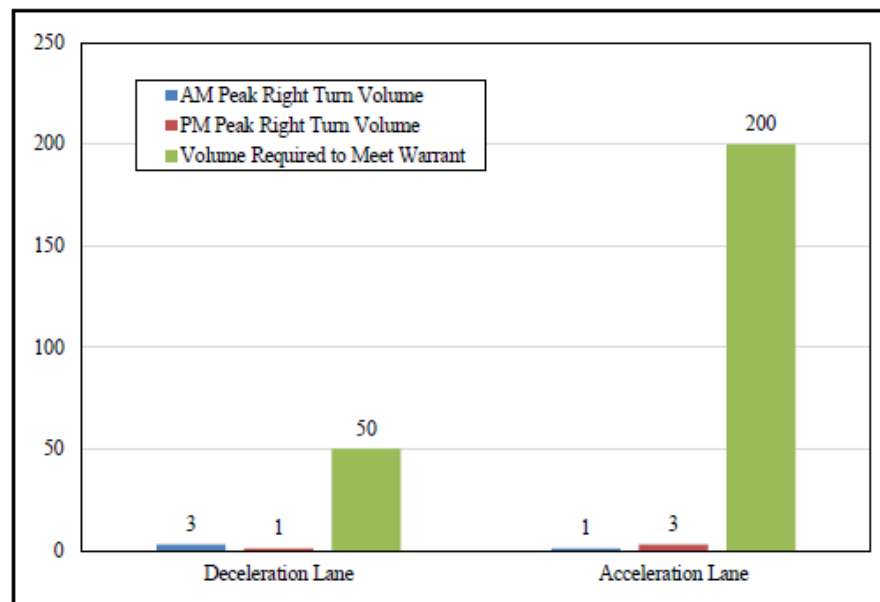
Right-Turn Auxiliary Lane Warrant Analyses

Right-turn auxiliary lanes are acceleration or deceleration lanes that reduce the conflicts associated with right turn movements at driveways or intersections. TxDOT guidelines for instances when right-turn auxiliary lanes should be considered are outlined in Chapter 2, Section 3 of the Access Management Manual (revised July 2011). According to Table 2-3 of the Access Management Manual, right-turn lanes should be considered under the following circumstances:

- Right-turn acceleration lane from the property – when right-turn exiting vehicles exceed 200 vehicles per hour.
- Right-turn deceleration lane to the property – when right-turn entering vehicles exceed 50 vehicles per hour for roadways signed at greater than 45 mph; when right-turn entering vehicles exceed 60 vehicles per hour for roadways signed at 45 mph or less.

Based on the projected traffic volumes, right-turn deceleration lanes are not warranted at the study intersection. A graphical representation of the AM Peak, PM Peak and warrant requirements for right-turn auxiliary lanes on FM 1128 at Bonison Driveway intersection (Year 2022) is illustrated in **Figure 4**.

Figure 4: *Right-Turn Auxiliary Lane Warrants – FM 1128 at Bonison Driveway*



Traffic Report

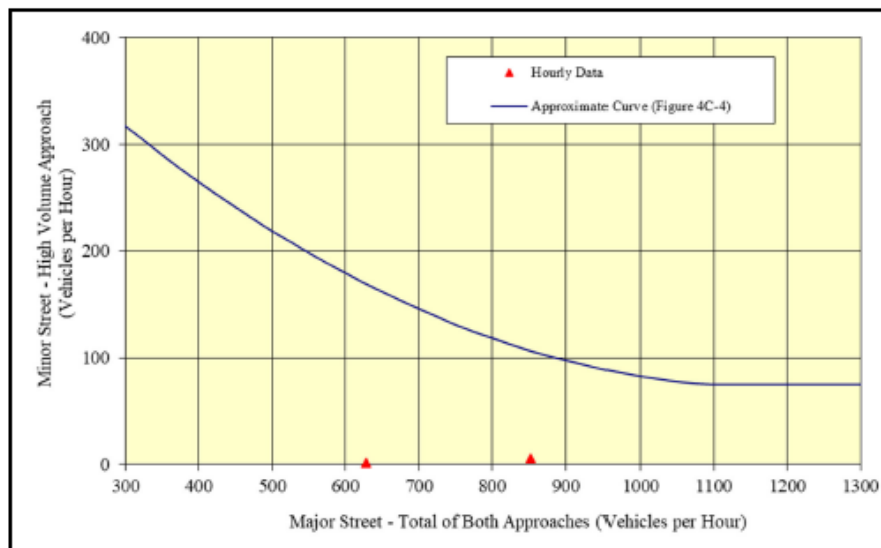
Traffic Signal Warrant Analyses

A traffic signal warrant analysis was conducted for the FM 1128 at Bonison Driveway intersection in the Year 2022 Build Conditions. The analysis was conducted according to the methodology described in the Texas Manual of Uniform Traffic Control Devices for Warrant 3B (Peak Hour Volumes).

The analysis indicates that a traffic signal is not warranted at the FM 1128 at Bonison Driveway intersection in the Year 2022.

A graphical representation of the AM Peak, PM Peak and warrant requirements for traffic signal improvement on FM 1128 at Bonison Driveway intersection (Year 2022) is illustrated in **Figure 5**. Detailed traffic signal warrant analysis sheets are included in the **Appendix**.

Figure 5. Traffic Signal Warrant Analyses – Peak Hour Warrant



Traffic Report

JKnesek & Associates, Inc.
Page 8 of 9

Intersection Analysis

The FM 1128 at Bonison Driveway intersection without a southbound left-turn lane is projected to operate at LOS A in the peak periods of operation with each approach operating at LOS B or better.

The FM 1128 at Bonison Driveway intersection with a southbound left-turn lane is projected to operate at LOS A in the peak periods of operation with each approach operating at LOS B or better.

A summary of the delay and LOS for the study intersection for with and without a southbound left-turn lane is illustrated in **Table 2**. A detailed account of the intersection capacity analysis for each alternative is attached.

Table 2: Delay / LOS Summary – Year 2022

Intersection	Approach	No-Left Turn Lane				Left-Turn Lane			
		AM Peak		PM Peak		AM Peak		PM Peak	
		Delay (sec.)	LOS	Delay (sec.)	LOS	Delay (sec.)	LOS	Delay (sec.)	LOS
FM 1128 at Bonison Driveway	NBD	0.0	A	0.0	A	0.0	A	0.0	A
	SBD	0.1	A	0.0	A	0.1	A	0.0	A
	WBD	11.9	B	13.9	B	11.9	B	13.9	B
	Overall	0.1	A	0.1	A	0.1	A	0.1	A

A comparison of the FM 1128 at Bonison Driveway intersection with and without the construction of a southbound left-turn lane reveals that the construction of a southbound left-turn lane is not projected to have a significant impact on the delay experienced by motorists travelling through the intersection.

Traffic Report

JKnesek & Associates, Inc.
Page 9 of 9

Summary

In summary, an analysis of the existing and proposed roadway system and development in the vicinity of the FM 1128 at Bonison Driveway intersection reveals the following:

- The FM 1128 at Bonison Driveway intersection does not meet TxDOT guidelines for a left-turn lane due to a projected low percentage of left-turn volume.
- The FM 1128 at Bonison Driveway intersection does not warrant right-turn auxiliary lanes due to insufficient projected traffic volumes at the intersection.
- The FM 1128 at Bonison Driveway intersection does not warrant a traffic signal due to insufficient projected traffic volumes at the intersection.
- The FM 1128 at Bonison Driveway intersection is projected to operate at LOS A in the peak periods of operation with or without a southbound left-turn lane.

Therefore, based on the projected traffic conditions in the study area, no other traffic improvements appear to be necessary to maintain safe and efficient traffic operations in the study area.

Please let me know if you have any questions or comments regarding the traffic operations in the site vicinity.

Sincerely,



Jason Knesek, P.E., PTOE
President



Applicant Letter

City of Manvel
Development Services
20025 Highway 6
Manvel, TX 77578
(281) 489 0630

Bonison Group LLC
Qianyi Ho
6407 North Master Road
Manvel TX 77578
(832) 662 3753

Re: Specific Use Permit Application for Property Development 6407 N. Master Road

To whom it may concerns,

I am writing this letter to request Specific Use Permit (SUP) for the property development at 6407 N. Master Road, Manvel TX 77578.

This property is located at Tract 1 and Tract 2, Section 74, Abstract 493 within Brazoria County. The total acreage for this development request is 3.2177 ac.

The development is including the total existing area of the Tract 2 (2.594 ac) and a portion of Tract 1 (0.6237 ac) with a combined total area of 3.2177 ac.

The current zoning for this property is Highway Mix-Use. I am proposing a Commercial Mix Use permit with 5 buildings on site. The buildings are proposed to be warehouse with 7,600 SF each. The rear building is proposed to be a warehouse as well with 5,600 SF. The total building area is 36,000 SF.

Refer to the attached site plan, the site is developed to provide a total of 53 parking spaces. In addition, an onsite storm water detention is designed for storm water running off.

I am appointing Carson Leung with the company KADS LLC to act as my representative for this project. A detail statement is provided with the attached application.

Looking forward to develop this property and the opportunity to work with city officials for a great partnership.

Please feel free to contact me or my agent if there is any question.

Your sincerely,

Qianyi Ho (owner)



Carson Leung (Agent)



Application



Development Services

20025 HIGHWAY 6

Manvel, TX 77578

P: 281-489-0630

F: 281-489-0634

SPECIFIC Use PERMIT APPLICATION

PROJECT INFORMATION

Project Name: Bonison Business Park

Project Location/Address: 6407 N. Master Road Manvel TX 77578

Legal Description: Tract 1 and Tract 2, sec 74, abstract 493, Brazoria County

Current Zoning: Mix Use Proposed Land Use: Commercial Mix Use NAICS No.:

Parcel/Tax ID# (s): 228745 Total Acreage: 3.2177

APPLICANT INFORMATION

Applicant Name: Carson Leung

Company Name: KADS LLC

Address: 3311 Chandler Hollow Lane City: Missouri City State: TX Zip: 77459

Phone #: 2818272447 Email: carson@kadesign.studio

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.

Carson Leung 09/01/2021
Applicant Signature (REQUIRED) Date

PROPERTY Owner INFORMATION

Owner(s) Name: Qianyi Ho - Bonison Group LLC

Address: 6407 N. Master Road City: Manvel State: TX Zip: 77578

Phone #: 8326823753 Email: 1@bestgift.cc

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.

Qianyi Ho 09/01/2021
Owner's Signature (REQUIRED) Date

Application



Development Services

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 specific use permit 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.

SPECIFIC Use PERMIT SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Specific Use Permit Application (with all signatures)	X
Two (2) Copies of a Conceptual Plan (building, parking, landscaping, etc. locations)	X
Two (2) Legal Descriptions of Property (metes & bounds description if not platted)	X
Two (2) Copies of Recorded Plat (if platted)	X
Two (2) Applicant Letters of Request	X
Traffic Impact Analysis, (if applicable)	X
Paid Application Fee	X

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.

	09/01/2021
Applicant Signature	Date

Authorization Letter



Development Services

20025 HIGHWAY 6

Manvel, TX 77578

P: 281-489-0630

F: 281-489-0634

LETTER OF AUTHORIZATION

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

Qianyi Ho - Bonison Group LLC
Owner Name

6407 N. Master Road
Owner Address

Manvel TX 77578
Owner City, State Zip

12/14/2020
Date

Building and Inspections
20025 Highway 6
Manvel, TX 77578

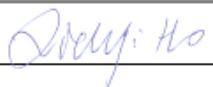
Dear City of Manvel Permits and Inspections,

I, Qianyi Ho, certify that I am the owner of the project property located at 6407 N. Master Road Manvel TX 77578 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 Carson Leung with the company KADS LLC (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 8326623753 1@bestgift.cc if you have any questions.

Sincerely,

Owner Name Qianyi Ho

Owner Signature 

Public Hearing Notice

Public Hearing Notice to run on Sunday 09/12/2021

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 7:00 P.M. ON MONDAY, SEPTEMBER 27, 2021, BEFORE THE MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION AND AT 7:00 P.M. ON MONDAY, OCTOBER 4, 2021, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF 3.2177 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 “GENERAL WAREHOUSING AND STORAGE”; 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.

ORDINANCE NO. 2021-O-16

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 3.2177 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 “GENERAL WAREHOUSING AND STORAGE”; 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, Qianyi Ho and Fangfang Sun are the current owners of a certain 3.2177 tract of land located at 6407 Masters Road, Manvel, Texas, being a tract of land containing 3.2177 acres (140,165 square feet) situated in the H.T. & B.R.R. Company Survey, Section 74, Abstract 493, Brazoria County, Texas, a map and description of which is attached hereto as Exhibit “A”; and

WHEREAS, the 3.2177 acre tract is currently zoned Highway Mixed Use District (HMU); and

WHEREAS, the Owners have filed an application to change the zoning classification of the 3.2177 acre tract to Highway Mixed Use District, with a Specific Use Permit (HMU-SUP) allowing use of the Property for NAICS Use 493110 “General Warehousing and Storage”; 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 recommended in its report the approval of such request, and the City Council deems it appropriate to approve said amendment to the rezoning and specific use permit; 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 a certain 3.2177 acre tract of land located at 6407 Masters Road, Manvel, Texas, being a tract of land containing 3.2177 acres (140,165 square feet) situated in the H.T. & B.R.R. Company Survey, Section 74, Abstract 493, Brazoria County, Texas, as more particularly described in Exhibit “A” attached hereto, shall be changed from Highway Mixed Use District (HMU) to Highway Mixed Use District with Specific Use Permit (HMU-SUP), for uses as permitted within such zone classification, subject to the regulations, regulations, and conditions hereinafter set forth:

1. General Warehousing and Storage - (NAICS 493110)

Section 3. The request meets the criteria set forth in Section 77-50 of the City of Manvel Zoning Ordinance for a Specific Use Permit. The City of Manvel Zoning Ordinance is hereby further amended by granting an amended Specific Use Permit

authorizing use of the Property for the additional NAICS use listed in Section 2, above.

Section 4. The City Council hereby finds it appropriate to impose the conditions to the granting of the Specific Use Permit as shown in Exhibit “B”, attached hereto and incorporated herein as if set out in full. Use and Development of the Property shall comply with the conditions and with the site plan as shown in Exhibit “C”, attached hereto. The use and site may not be changed or expanded except by amendment of this Specific Use Permit.

Section 5. The Specific Use Permit issued under this ordinance, or a specific use listed herein, shall expire one year after its date of issuance if construction or if the listed use authorized hereunder is not substantially under way or in use prior to the expiration of said one-year period. If, prior to the expiration of such one-year period, the owner of the property to which the Specific Use Permit applies in writing, for an extension, the City Council may, after recommendation from the Planning, Development, and Zoning Commission, grant such extension for one additional year.

Section 6. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said multiple 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 7. 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 8. 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 9. 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.

Section 10. Revocation. This Specific Use Permit may be revoked or modified by the City Council, in whole or in part, after notice and hearing, for either of the following reasons:

(1) The Specific Use Permit was obtained or extended by misrepresentation, fraud or deception: or

(2) That one of more of the conditions imposed by the permit has not been met or has been violated.

PASSED AND APPROVED on first reading this _____ day of _____, 2021.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2021.

Debra Davison, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

Exhibit A

Being a tract of land containing 3.2177 (140,165 square feet) situated in the H.T. & B.R.R. Company Survey, Section 74, Abstract 493, Brazoria County Texas.

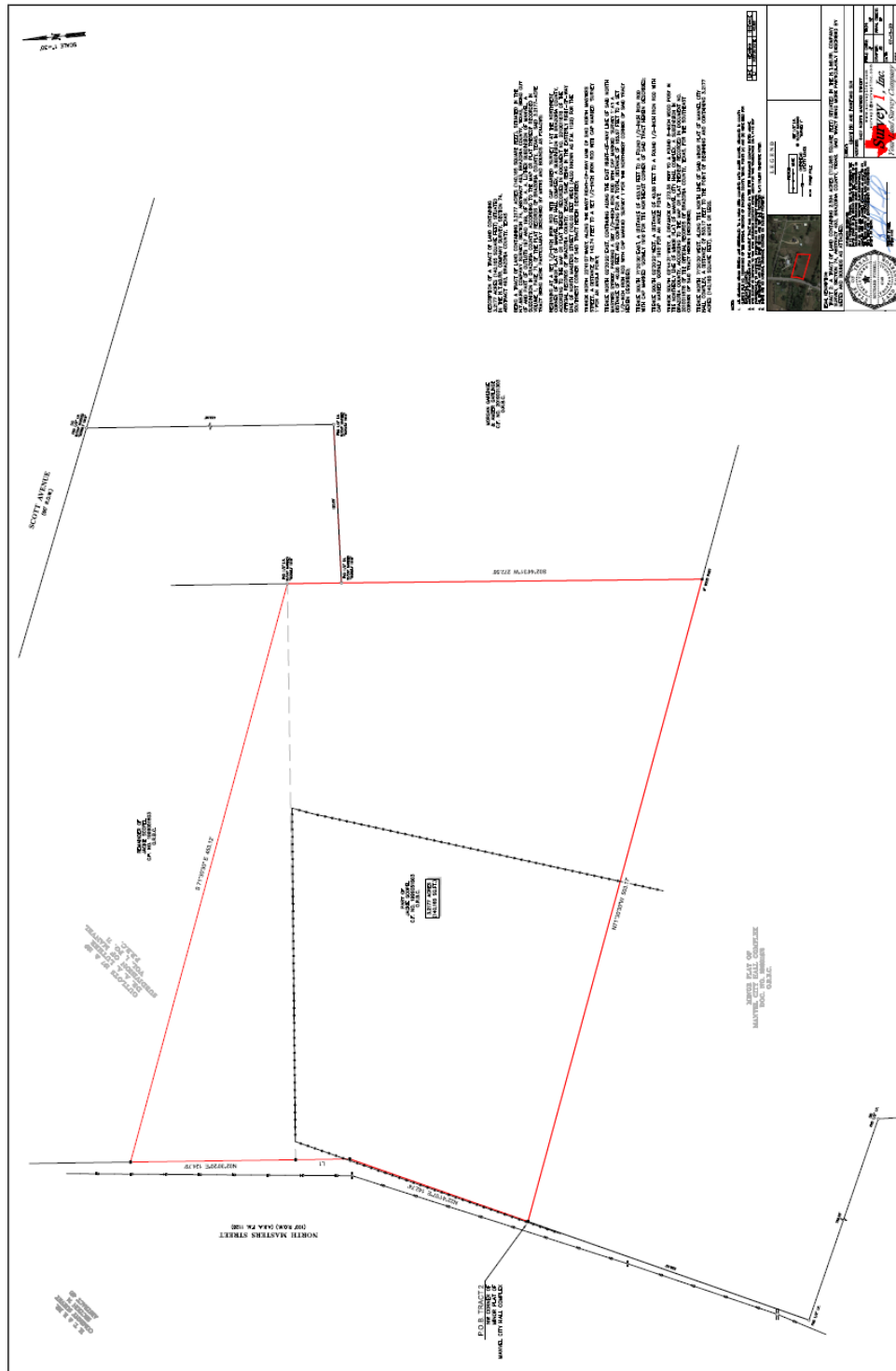


Exhibit B

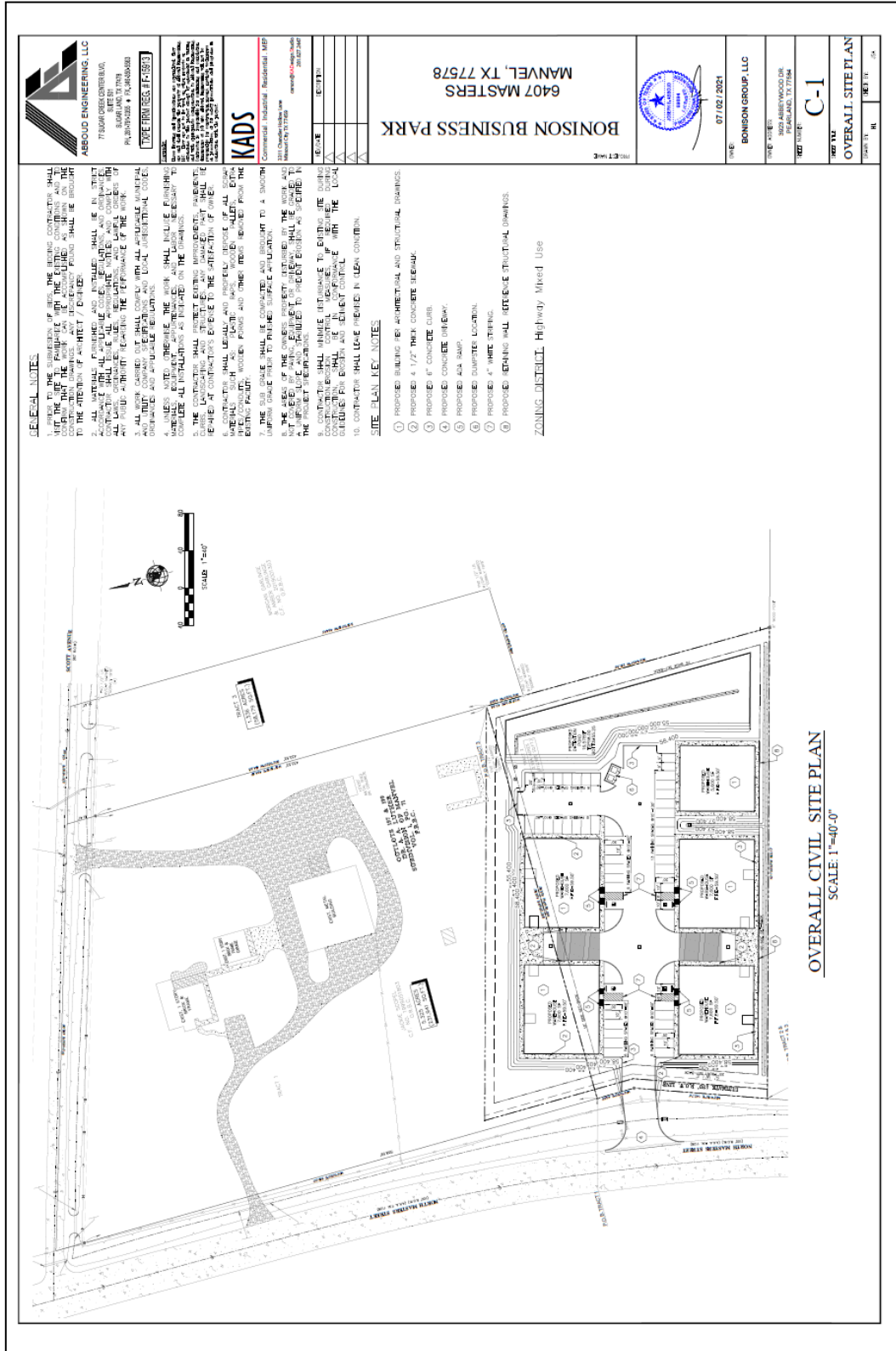
CONDITIONS FOR GENERAL WAREHOUSING AND STORAGE USE

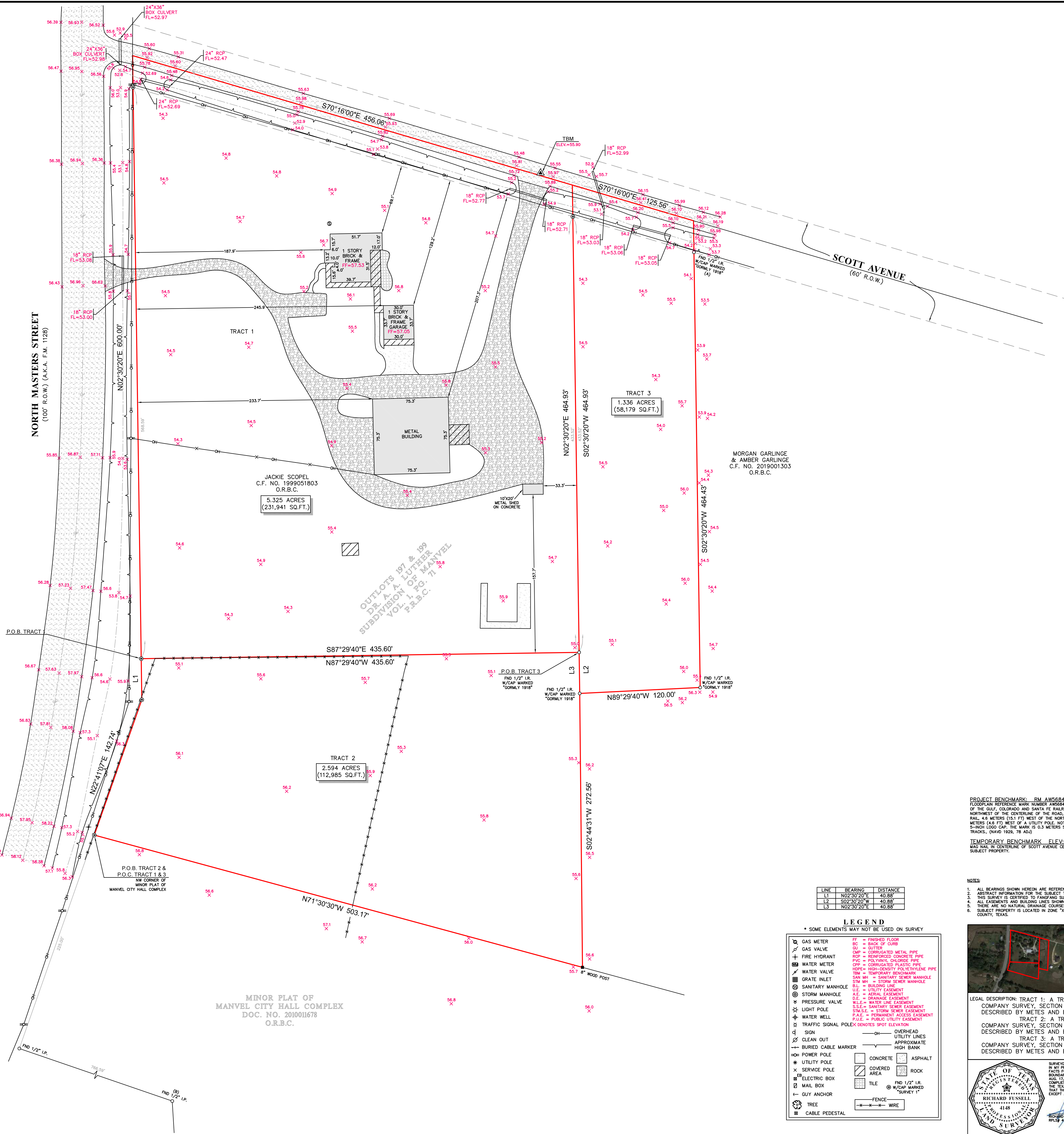
GENERAL:

- (1) The site landscaping shall be in accordance with Section 77-35, *Highway Mixed-Use (HMU) District*, Section 77-44, *Trees, Landscaping, Fencing, and Screening*, and Section 77-51, *Plan Review, Landscaping, and Building Façade Requirements*.
- (2) The required 25-foot-wide open space buffer per Section 77-35, *Highway Mixed-Use (HMU) District*, shall provide a minimum of one 1.5-inch caliper tree (at time of planting and measured at the base of the tree) spaced every 30 linear feet.
- (3) The site shall provide a minimum 15-foot landscape buffer along the southern property line. The landscape buffer shall provide a minimum of one 1.5-inch caliper tree (at time of planting and measured at the base of the tree) every 30 linear feet. The landscape buffer shall include fencing per Condition No. 11 (below).
- (4) A photometric study showing all proposed exterior lighting shall be required at the time of permit review.
- (5) A photometric survey shall be provided prior to the issuance of the Certificate of Occupancy.
- (6) All freestanding lighting shall provide “cut-off” fixtures that conform with the Illuminating Engineering Society of North America, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
- (7) Any lighting fixture mounted within 15-feet of a residentially used or zoned property line, public right-of-way, and the southern boundary line shall be classified as IES Type III or Type F (asymmetric forward throw), and fitted with a “house side shielding” reflector on the side facing the residentially used or zoned property line, public right-of-way, and southern boundary line.
- (8) No freestanding light fixture shall be greater than 25-feet in height.
- (9) All outdoor lighting shall be designated so that no light spillover onto abutting property exceeds 0.3 foot-candle when measured vertically.
- (10) The ground-level luminance ratio shall not exceed 12 to one.
- (11) The site shall provide an 8-foot tall opaque fence using weather resistant wood species, wood treated with U.S. Environmental Protection Agency approved materials, painted wood, powder coated aluminum, brick, stone, or masonry where the site abuts residentially used or zoned property, and along the southern property line.

- (12) The height of the proposed warehouse use is limited to the maximum height in the Highway Mixed Use District (HMU) for a non-residential building.
- (13) The site shall use City of Manvel end of the line fire hydrants.
- (14) Every proposed building on-site shall be within 300-feet of a fire hydrant.
- (15) Only one fire hydrant shall be located on a 6-inch line. The line shall be upsized to an 8-inch if more than one is connected.
- (16) The fire water lines shall either be located within a 20-foot water line easement or private. If the fire water line is private, it shall have a meter.
- (17) The site parking spaces, parking lots, and parking drive aisles shall be in accordance with Section 77-45.
- (18) The minimum maintenance berm with shall be 20-feet around the pond.
- (19) The site shall comply with all City of Manvel Fire Codes.
- (20) The site shall not take driveway access from Scott Avenue for truck ingress and egress.
- (21) Per the HMU district where new non-residential buildings require parking to be located behind the primary building (Section 77-35).

Exhibit C

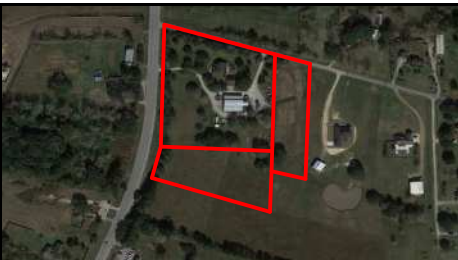




PROJECT BENCHMARK: RM AW5684 ELEV: 54.36 (NAVD 1988, 2001 ADJ.)
FLOORPLAN REFERENCE MARK NUMBERS AND/OR IS A BRASS DISK LOCATION MARKER AT THE JUNCTION
OF THE GULF, COLORADO AND SANTA FE RAILROAD AND FARM ROAD 1128, 17.2 METERS (56.4 FT)
NORTHWEST OF THE CENTERLINE OF THE ROAD, 5.0 METERS (16.4 FT) SOUTHWEST OF THE SOUTHWEST
CORNER OF A 6 BY 6-FOOT METAL BUILDING, 1.4
METERS (4.6 FT) WEST OF A UTILITY POLE. NOTE: ACCESS TO DATUM POINT IS MADE THROUGH A
5-INCH LOGO CAP. THE MARK IS 0.3 METERS SE FROM A WITNESS POST THE MARK IS 0.2 M BELOW
TRACKS, DATED 1959, 78 AND 00.

TEMPORARY BENCHMARK: ELEV: 55.90 (NAVD 1988, 2001 ADJ.)
NAIL IN CENTERLINE OF SCOTT AVENUE CENTERED WITH THE NORTH PROPERTY LINE OF THE
SUBJECT PROPERTY.

- NOTES
1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE SUBDIVISION PLAT NAMED BELOW. POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
 2. ABSTRACT INFORMATION FOR THE SUBJECT TRACT WAS PROVIDED BY THE TITLE INSURANCE COMPANY LISTED BELOW.
 3. THIS SURVEY IS CERTIFIED TO FANGFANG SUN FOR THIS TRANSACTION ONLY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
 4. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
 5. THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.
 6. SUBJECT PROPERTY IS LOCATED IN ZONE "X" BASED ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP NO. 48039C 0130H, DATED 6-5-89 FOR BRAZORIA COUNTY, TEXAS.



TOPOGRAPHIC SURVEY



LEGAL DESCRIPTION: TRACT 1: A TRACT OF LAND CONTAINING 5.325 ACRES (231,941 SQUARE FEET) SITUATED IN THE H.T.&B.R.R. COMPANY SURVEY, SECTION 74, ABSTRACT 493, BRAZORIA COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS ATTACHED.

TRACT 2: A TRACT OF LAND CONTAINING 2.594 ACRES (112,985 SQUARE FEET) SITUATED IN THE H.T.&B.R.R. COMPANY SURVEY, SECTION 74, ABSTRACT 493, BRAZORIA COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS ATTACHED.

TRACT 3: A TRACT OF LAND CONTAINING 1.336 ACRES (58,179 SQUARE FEET) SITUATED IN THE H.T.&B.R.R. COMPANY SURVEY, SECTION 74, ABSTRACT 493, BRAZORIA COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS ATTACHED.

CLIENT: FANGFANG SUN

ADDRESS: 6407 NORTH MASTERS STREET

www.survey1inc.com
survey1@survey1inc.com

Survey 1, Inc.
You and Survey Company

Firm Registration No. 100758-00
P.O. Box 2545 | Aledo, TX 77812 | (281)393-1382

FIELD CREW: CM TECH: RK
DRAFTER: RK FINAL CHECK: SB
DATE: AUG. 18, 2020
JOB# 8-87282-20

LINE	BEARING	DISTANCE
L1	N02°30'20"E	40.88'
L2	S02°30'20"W	40.88'
L3	N02°30'20"E	40.88'

- LEGEND**
* SOME ELEMENTS MAY NOT BE USED ON SURVEY
- FINISHED FLOOR
 - BACK OF CURB
 - CORRUGATED METAL PIPE
 - DITCH
 - POLYVINYL CHLORIDE PIPE
 - CORRUGATED PLASTIC PIPE
 - HIGH-DENSITY POLYETHYLENE PIPE
 - TEMPORARY BENCHMARK
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - BUILDING LINE
 - UTILITY EASEMENT
 - DRAINAGE EASEMENT
 - WATER LINE EASEMENT
 - SANITARY SEWER EASEMENT
 - STORM SEWER EASEMENT
 - PERMANENT ACCESS EASEMENT
 - PUBLIC UTILITY EASEMENT
 - DENOTES SPOT ELEVATION
 - OVERHEAD UTILITY LINES
 - APPROXIMATE HIGH BANK
 - CONCRETE
 - ASPHALT
 - COVERED AREA
 - ROCK
 - TILE
 - FENCE
 - WIRE
 - GAS METER
 - GAS VALVE
 - FIRE HYDRANT
 - WATER METER
 - WATER VALVE
 - GRATE INLET
 - SANITARY MANHOLE
 - STORM MANHOLE
 - PRESSURE VALVE
 - LIGHT POLE
 - WATER WELL
 - TRAFFIC SIGNAL POLE
 - CLEAN OUT
 - BURIED CABLE MARKER
 - POWER POLE
 - UTILITY POLE
 - SERVICE POLE
 - ELECTRIC BOX
 - MAIL BOX
 - GUY ANCHOR
 - TREE
 - CABLE PEDESTAL

H.T. & B.R.
COMPANY SURVEY
SECTION 74
ABSTRACT 493

OUTLOTS 197 & 199
DR. A. A. LUTHER
SUBDIVISION OF MANVEL
VOL. 1, PG. 71
P.R.B.C.

REMAINDER OF
JACKIE SCOPEL
C.F. NO. 1999051803
O.R.B.C.

PART OF
JACKIE SCOPEL
C.F. NO. 1999051803
O.R.B.C.

3.2177 ACRES
(140,165 SQ.FT.)

NORTH MASTERS STREET
(100' R.O.W.) (A.K.A. F.M. 1128)

SCOTT AVENUE
(60' R.O.W.)

SCALE 1"=30'

P.O.B. TRACT 2

NW CORNER OF
MINOR PLAT OF
MANVEL CITY HALL COMPLEX

MORGAN GARLUNGE
& AMBER GARLUNGE
C.F. NO. 2019001303
O.R.B.C.

DESCRIPTION OF A TRACT OF LAND CONTAINING
3.2177 ACRES (140,165 SQUARE FEET) SITUATED
IN THE H.T.&B.R.R. COMPANY SURVEY, SECTION 74,
ABSTRACT 493, BRAZORIA COUNTY, TEXAS

BEING A TRACT OF LAND CONTAINING 3.2177 ACRES (140,165 SQUARE FEET), SITUATED IN THE
H.T.&B.R.R. COMPANY SURVEY, SECTION 74, ABSTRACT 493, BRAZORIA COUNTY, TEXAS, BEING OUT
OF AND PART OF OUTLOTS 197 AND 199, OF DR. A. A. LUTHER SUBDIVISION OF MANVEL, A
SUBDIVISION IN BRAZORIA COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
VOLUME 1, PAGE 71, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS. SAID 3.2177-ACRE
TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET 1/2-INCH IRON ROD WITH CAP MARKED 'SURVEY 1' AT THE NORTHWEST
CORNER OF MINOR PLAT OF MANVEL CITY HALL COMPLEX, A SUBDIVISION IN BRAZORIA COUNTY,
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 2010011678 OF THE
OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, SAME BEING IN THE EASTERLY RIGHT-OF-WAY
LINE OF NORTH MASTERS STREET (100.00 FEET WIDE) (ALSO KNOWN AS F.M. 1128) FOR THE
SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 22°41'07" EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID NORTH MASTERS
STREET, A DISTANCE OF 142.74 FEET TO A SET 1/2-INCH IRON ROD WITH CAP MARKED 'SURVEY
1' FOR AN ANGLE POINT;

THENCE NORTH 02°30'20" EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID NORTH
MASTERS STREET, PASSING A SET 1/2-INCH IRON ROD WITH CAP MARKED 'SURVEY 1' AT A
DISTANCE OF 40.88 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 165.67 FEET TO A SET
1/2-INCH IRON ROD WITH CAP MARKED 'SURVEY 1' FOR THE NORTHWEST CORNER OF SAID TRACT
HEREIN DESCRIBED;

THENCE SOUTH 71°30'30" EAST, A DISTANCE OF 453.12 FEET TO A FOUND 1/2-INCH IRON ROD
WITH CAP MARKED 'GORMLY 1918' FOR THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 02°30'20" WEST, A DISTANCE OF 40.88 FEET TO A FOUND 1/2-INCH IRON ROD WITH
CAP MARKED 'GORMLY 1918' FOR AN ANGLE POINT;

THENCE SOUTH 02°44'31" WEST, A DISTANCE OF 272.56 FEET TO A FOUND 8-INCH WOOD POST IN
THE NORTHERLY LINE OF MINOR PLAT OF MANVEL CITY HALL COMPLEX, A SUBDIVISION IN
BRAZORIA COUNTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO.
2010011678 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, FOR THE SOUTHEAST
CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 71°30'30" WEST, ALONG THE NORTH LINE OF SAID MINOR PLAT OF MANVEL CITY
HALL COMPLEX, A DISTANCE OF 503.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.2177
ACRES (140,165 SQUARE FEET), MORE OR LESS.

NOTES

- ALL BEARINGS SHOWN HEREON ARE REFERENCED TO A PRIOR DEED CONVEYED UNTO JACKIE SCOPEL RECORDED IN COUNTY
CLERK'S FILE NO. 1999051803 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, POINTS (A) AND (B) WERE HELD FOR
HORIZONTAL CONTROL.
- ABSTRACT INFORMATION FOR THE SUBJECT TRACT WAS PROVIDED BY THE TITLE INSURANCE COMPANY LISTED ABOVE.
- THIS SURVEY IS CERTIFIED TO THE TITLE INSURANCE COMPANY LISTED ABOVE FOR THIS TRANSACTION ONLY. IT IS NOT
TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- ALL EASEMENTS AND EASEMENT LINES SHOWN ARE FOR THE RECORDS OF THE PLAT UNLESS OTHERWISE NOTED.
- THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.

LINE	BEARING	DISTANCE
LT	N02°30'20"E	40.88'

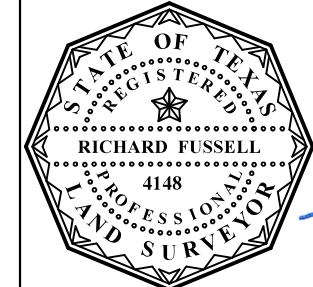
LEGEND

— FENCE
— WIRE
— OVERHEAD
— UTILITY LINES
— POWER POLE

SET 1/2" I.R.
W/CAP MARKED
'SURVEY 1'

LEGAL DESCRIPTION:

TRACT 2: A TRACT OF LAND CONTAINING 2.594 ACRES (112,985 SQUARE FEET) SITUATED IN THE H.T.&B.R.R. COMPANY
SURVEY, SECTION 74, ABSTRACT 493, BRAZORIA COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY
METES AND BOUNDS AS ATTACHED.



SURVEYOR'S CERTIFICATE:
IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE
FACTS FOUND ON THE GROUND DURING THE COURSE OF A
BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON
DATE 07/15/2020. THE SURVEY COMPLETES WITH THE CURRENT STANDARDS AS ADOPTED BY
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND
THAT THERE ARE NO ENCROACHMENTS OR DISCREPANCIES
EXCEPT AS SHOWN.

CLIENT:
GUANYI HO AND FANGFANG SUN

ADDRESS:
6407 NORTH MASTERS STREET

www.survey1inc.com
survey1@survey1inc.com

FIELD CREW: JF TECH: SF

DRAFTER: JS FINAL CHECK: EF

DATE: 07-15-20

JOB# 7-85753-20

Firm Registration No. 100758-00
P.O. Box 2543 | Allen, TX 75012 | (281)393-1382

August 11, 2021

City of Manvel
20031 Highway 6
Manvel, Texas 77578

RE: FM 1128 at Bonison Driveway

To whom it concerns,

JKnesek & Associates, Inc. was contracted by Abboud Engineering LLC to address the need for traffic improvements on FM 1128 at the proposed Bonison Driveway located approximately 500 feet south of Scott Avenue within the City of Manvel, Texas due to the development of the Bonison Business Park. Based on an analysis of the projected traffic operations at the proposed FM 1128 at Bonison Driveway intersection:

- A left-turn lane **is not** warranted.
- A right-turn acceleration lane **is not** warranted.
- A right-turn deceleration lane **is not** warranted.
- A traffic signal **is not** warranted.

This letter serves as a summary of the analysis.

Roadways

FM 1128 is a generally north-south aligned roadway traversing north from State Highway 6 (approximately one mile south of the study area) to FM 518 (approximately six miles north of the study area). In the study site vicinity, FM 1128 is a two-lane undivided roadway with open ditch drainage. The posted speed limit on FM 1128 in the site vicinity is 55 miles per hour (mph).

Bonison Driveway is planned to be the only point of access to the Bonison Business Park

A field photograph of the southbound FM 1128 approach to the proposed Bonison Driveway is illustrated in **Figure 1**.

Figure 1: *Facing Southbound on FM 1128 at the Proposed Bonison Driveway*



Development

Bonison Business Park development consists of five individual warehouses ranging from 5,600 square feet to 7,600 square feet each totaling 36,000 square feet.

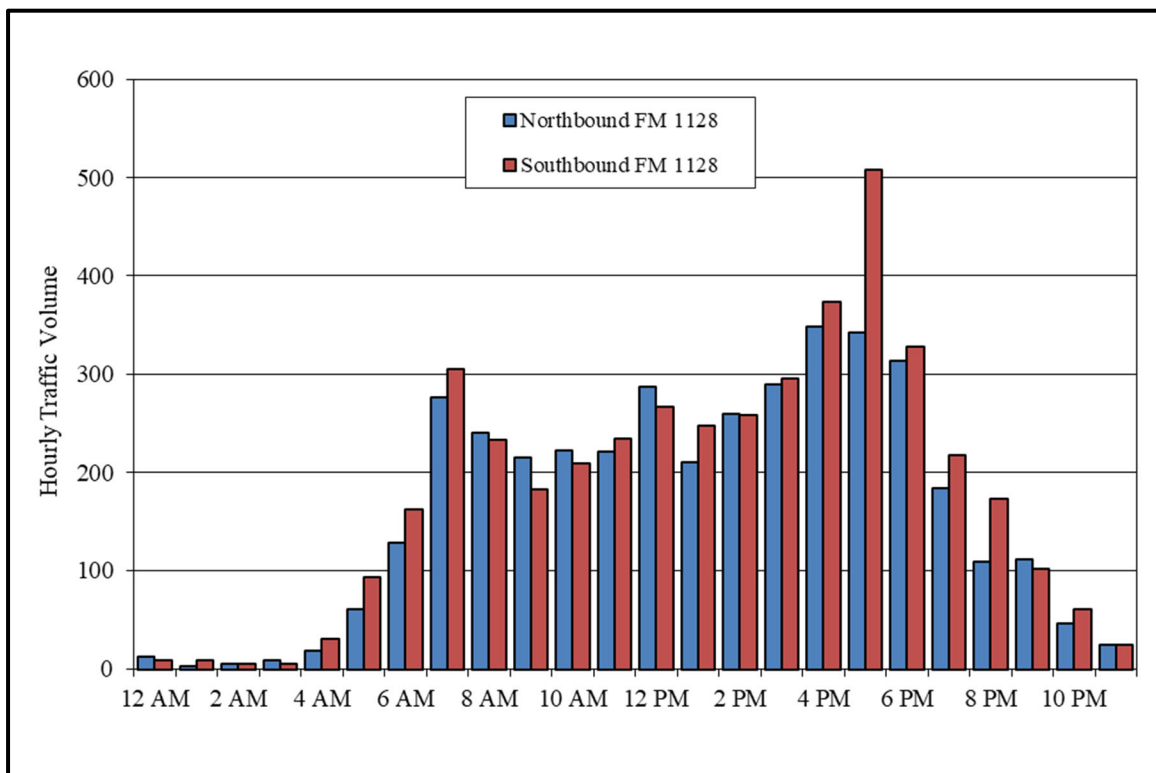
Development plans for the Bonison Business Park development are attached.

Traffic Counts

24-hour vehicular traffic counts on FM 1128 near the proposed Bonison Driveway were recorded on August 5, 2021. The traffic counts indicate that approximately 8,300 vehicles pass the location on the typical weekday. The data indicates that the vehicular traffic is split fairly evenly in the northbound and southbound directions for most hours of the day.

A graphical depiction of the FM 1128 24-hour traffic volume counts is illustrated in **Figure 2**. A detailed account of the 24-hour count is attached.

Figure 2: *Existing 24-Hour Traffic Count – FM 1128*



Trip Generation / Trip Distribution

The Bonison Business Park development is a 36,000 square foot warehouse development. A development of this size is projected to generate 6 trips (5 entering, 1 exiting) in the AM Peak of adjacent street traffic and 7 trips (5 entering, 5 exiting) in the PM Peak of adjacent street traffic. Detailed calculations of the trip generation are attached.

Based on the layout of the site, the surrounding roadway system, and engineering judgement, it is assumed that vehicular traffic travelling to/from the development will be split evenly between the north and the south.

A summary of the projected turning movements generated by the proposed development is summarized in **Table 1**.

Table 1: *Site Generated Trips at FM 1128 at Bonison Driveway*

Entering / Exiting	Movement	AM Peak	PM Peak
Entering Site	Northbound Right-Turn	3	1
	Southbound Left-Turn	3	1
Exiting Site	Westbound Left-Turn	1	3
	Westbound Right-Turn	1	3

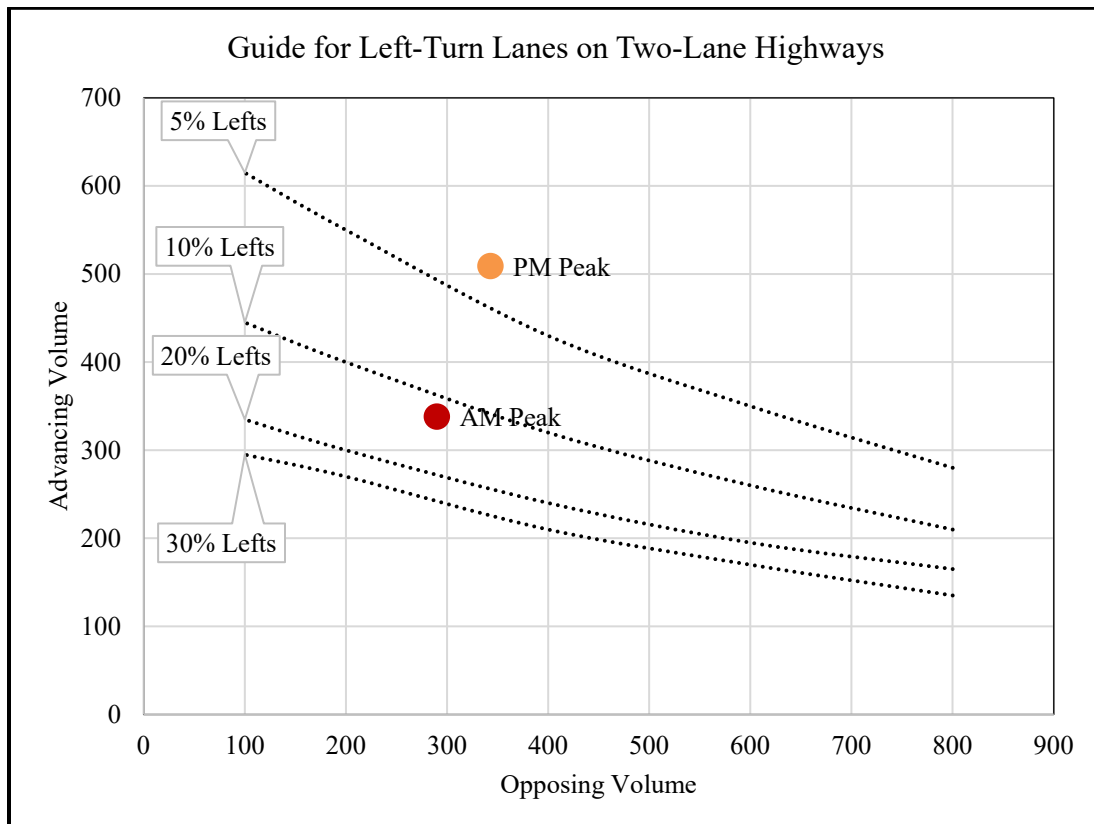
Left-Turn Lane Analysis

Table 3-11 of the Roadway Design Manual (Revised July 2020) by the Texas Department of Transportation provides guidelines for left-turn lanes on two-lane highways based on the opposing volume, advancing volume, and percentage of left-turn movements on the advancing volume. The minimum percentage of left turn advancing vehicles included in the table is 5%. A copy of the table is included in the **Appendix**.

In the Year 2022 Build Conditions, the projected volumes at the FM 1128 at Bonison Driveway intersection in the AM Peak period include and advancing volume of 338 vehicles (less than 1% left turns) and an opposing volume of 290 vehicles. In the Year 2022 Build Conditions, the projected volumes at the FM 1128 at Bonison Driveway intersection in the PM Peak period include and advancing volume of 509 vehicles (less than 1% left turns) and an opposing volume of 343 vehicles.

Given the small percentage of left-turn vehicles projected to be part of the FM 1128 advancing volume to Bonison Driveway, a left-turn lane is not warranted at the study intersection. A graphical representation of the AM Peak, PM Peak and left-turn lane guidelines for the FM 1128 at Bonison Drive intersection is illustrated in **Figure 3**.

Figure 3: *Left-Turn Guidelines – FM 1128 at Bonison Driveway (Southbound)*



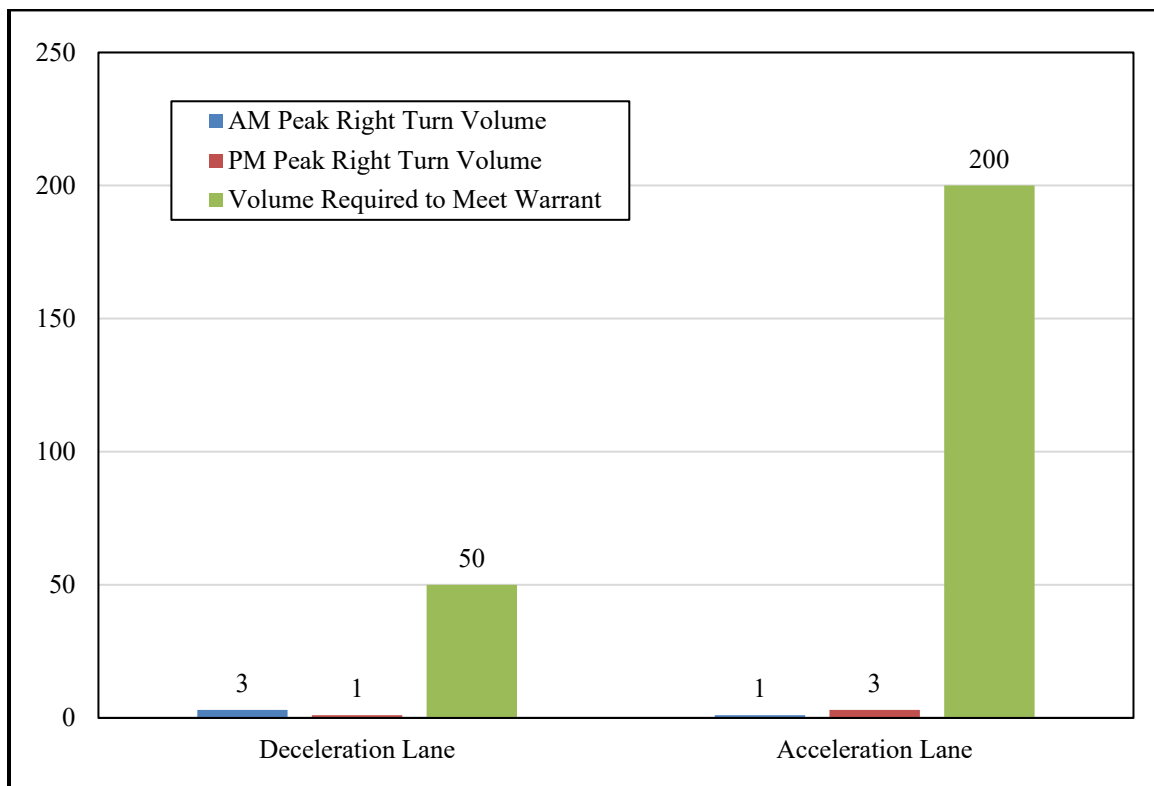
Right-Turn Auxiliary Lane Warrant Analyses

Right-turn auxiliary lanes are acceleration or deceleration lanes that reduce the conflicts associated with right turn movements at driveways or intersections. TxDOT guidelines for instances when right-turn auxiliary lanes should be considered are outlined in Chapter 2, Section 3 of the Access Management Manual (revised July 2011). According to Table 2-3 of the Access Management Manual, right-turn lanes should be considered under the following circumstances:

- Right-turn acceleration lane from the property – when right-turn exiting vehicles exceed 200 vehicles per hour.
- Right-turn deceleration lane to the property – when right-turn entering vehicles exceed 50 vehicles per hour for roadways signed at greater than 45 mph; when right-turn entering vehicles exceed 60 vehicles per hour for roadways signed at 45 mph or less.

Based on the projected traffic volumes, right-turn deceleration lanes are not warranted at the study intersection. A graphical representation of the AM Peak, PM Peak and warrant requirements for right-turn auxiliary lanes on FM 1128 at Bonison Driveway intersection (Year 2022) is illustrated in **Figure 4**.

Figure 4: *Right-Turn Auxiliary Lane Warrants – FM 1128 at Bonison Driveway*



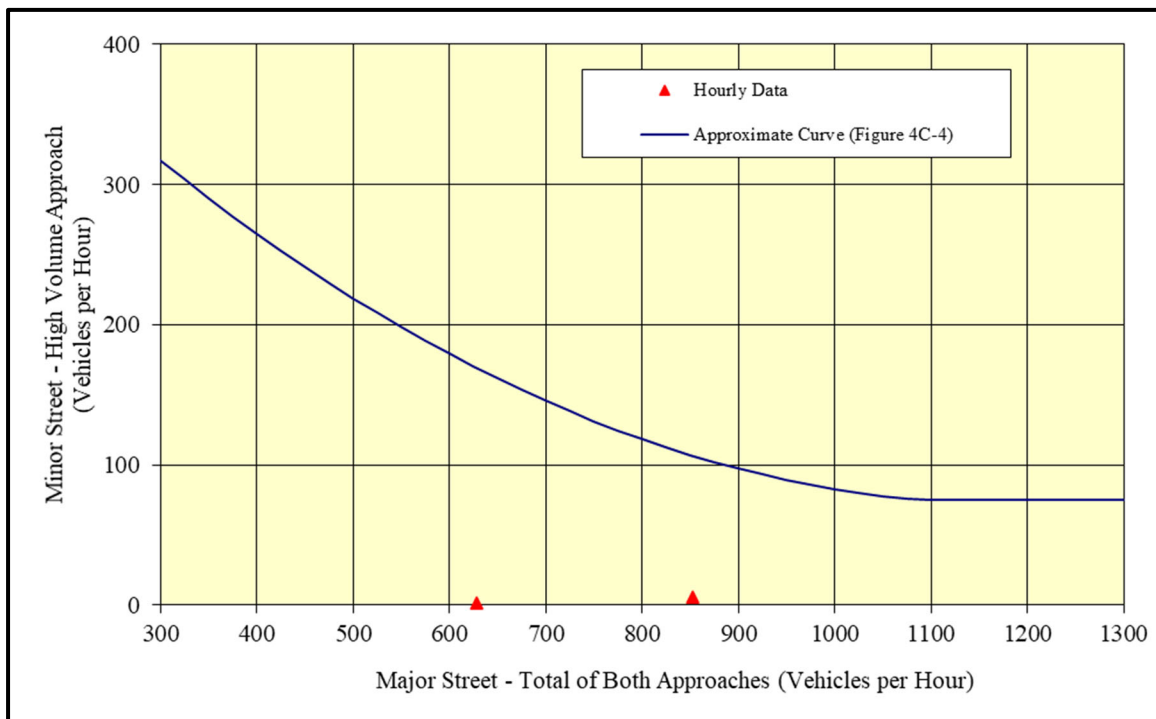
Traffic Signal Warrant Analyses

A traffic signal warrant analysis was conducted for the FM 1128 at Bonison Driveway intersection in the Year 2022 Build Conditions. The analysis was conducted according to the methodology described in the Texas Manual of Uniform Traffic Control Devices for Warrant 3B (Peak Hour Volumes).

The analysis indicates that a traffic signal is not warranted at the FM 1128 at Bonison Driveway intersection in the Year 2022.

A graphical representation of the AM Peak, PM Peak and warrant requirements for traffic signal improvement on FM 1128 at Bonison Driveway intersection (Year 2022) is illustrated in **Figure 5**. Detailed traffic signal warrant analysis sheets are included in the **Appendix**.

Figure 5. *Traffic Signal Warrant Analyses – Peak Hour Warrant*



Intersection Analysis

The FM 1128 at Bonison Driveway intersection without a southbound left-turn lane is projected to operate at LOS A in the peak periods of operation with each approach operating at LOS B or better.

The FM 1128 at Bonison Driveway intersection with a southbound left-turn lane is projected to operate at LOS A in the peak periods of operation with each approach operating at LOS B or better.

A summary of the delay and LOS for the study intersection for with and without a southbound left-turn lane is illustrated in **Table 2**. A detailed account of the intersection capacity analysis for each alternative is attached.

Table 2: Delay / LOS Summary – Year 2022

Intersection	Approach	No-Left Turn Lane				Left-Turn Lane			
		AM Peak		PM Peak		AM Peak		PM Peak	
		Delay (sec.)	LOS	Delay (sec.)	LOS	Delay (sec.)	LOS	Delay (sec.)	LOS
FM 1128 at Bonison Driveway	NBD	0.0	A	0.0	A	0.0	A	0.0	A
	SBD	0.1	A	0.0	A	0.1	A	0.0	A
	WBD	11.9	B	13.9	B	11.9	B	13.9	B
	Overall	0.1	A	0.1	A	0.1	A	0.1	A

A comparison of the FM 1128 at Bonison Driveway intersection with and without the construction of a southbound left-turn lane reveals that the construction of a southbound left-turn lane is not projected to have a significant impact on the delay experienced by motorists travelling through the intersection.

Summary

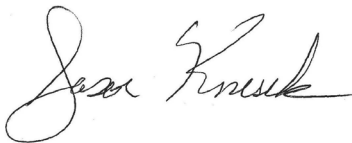
In summary, an analysis of the existing and proposed roadway system and development in the vicinity of the FM 1128 at Bonison Driveway intersection reveals the following:

- The FM 1128 at Bonison Driveway intersection does not meet TxDOT guidelines for a left-turn lane due to a projected low percentage of left-turn volume.
- The FM 1128 at Bonison Driveway intersection does not warrant right-turn auxiliary lanes due to insufficient projected traffic volumes at the intersection.
- The FM 1128 at Bonison Driveway intersection does not warrant a traffic signal due to insufficient projected traffic volumes at the intersection.
- The FM 1128 at Bonison Driveway intersection is projected to operate at LOS A in the peak periods of operation with or without a southbound left-turn lane.

Therefore, based on the projected traffic conditions in the study area, no other traffic improvements appear to be necessary to maintain safe and efficient traffic operations in the study area.

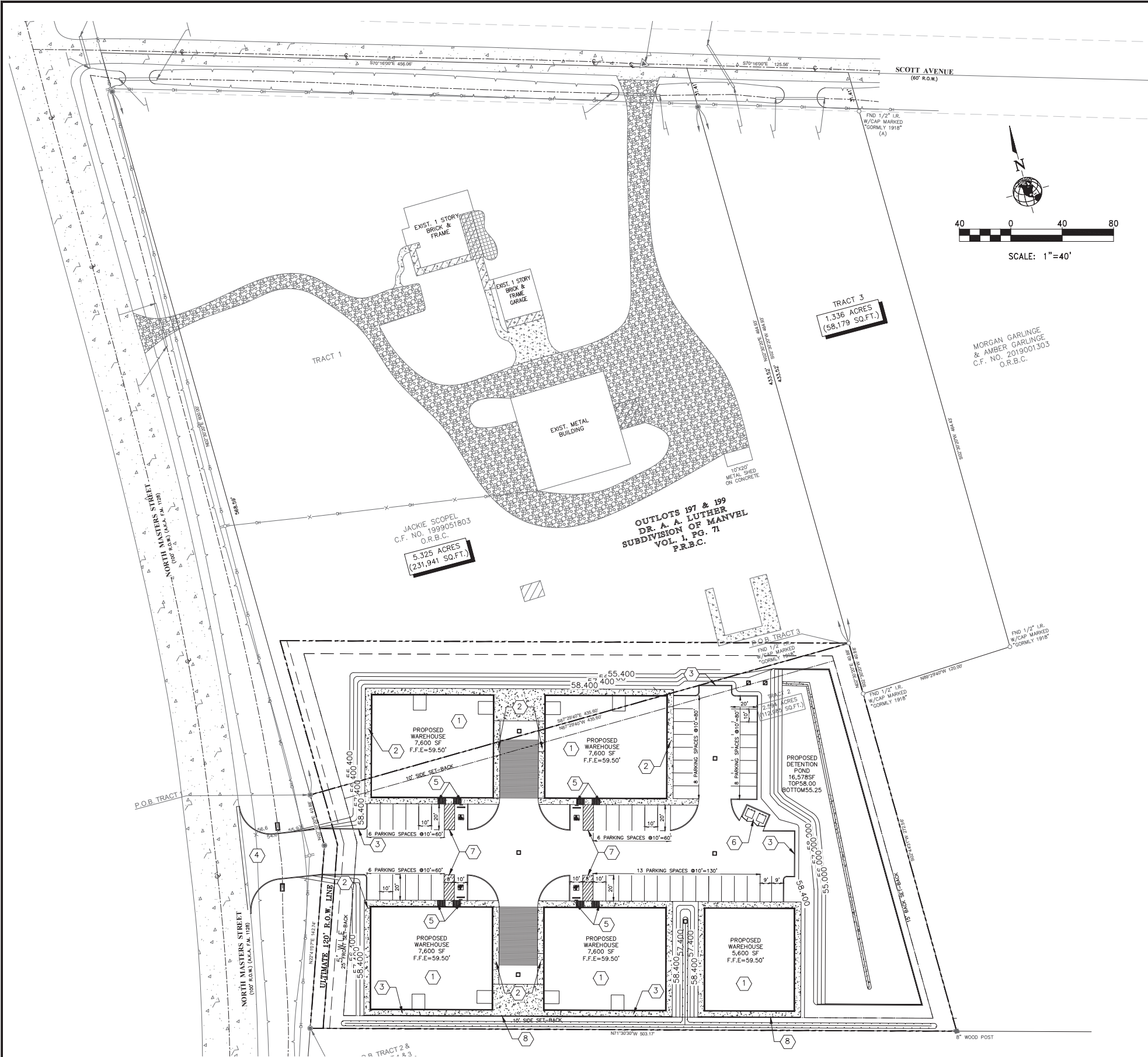
Please let me know if you have any questions or comments regarding the traffic operations in the site vicinity.

Sincerely,



Jason Knesek, P.E., PTOE
President





OVERALL CIVIL SITE PLAN
SCALE: 1"=40'-0"

GENERAL NOTES

1. PRIOR TO THE SUBMISSION OF BIDS, THE BIDDING CONTRACTOR SHALL VISIT THE SITE TO FAMILIARIZE WITH THE EXISTING CONDITIONS AND TO CONFIRM THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS. ANY DISCREPANCY FOUND SHALL BE BROUGHT TO THE ATTENTION OF ARCHITECT / ENGINEER.
2. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK.
3. ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
4. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
5. THE CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF OWNER.
6. CONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS: PLASTIC RAPS, WOODEN PALLETS, EXTRA PIPES/CONDUITS, WOODEN FORMS AND OTHER ITEMS REMOVED FROM THE EXISTING FACILITY.
7. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION.
8. THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY PAVING, EQUIPMENT OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE, AND STABILIZED TO PREVENT EROSION AS SPECIFIED IN THE PROJECT SPECIFICATIONS.
9. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL.
10. CONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION.

SITE PLAN KEY NOTES

- 1 PROPOSED BUILDING PER ARCHITECTURAL AND STRUCTURAL DRAWINGS.
- 2 PROPOSED 4 1/2" THICK CONCRETE SIDEWALK.
- 3 PROPOSED 6" CONCRETE CURB.
- 4 PROPOSED CONCRETE DRIVEWAY.
- 5 PROPOSED ADA RAMP.
- 6 PROPOSED DUMPSTER LOCATION.
- 7 PROPOSED 4" WHITE STRIPING.
- 8 PROPOSED RETAINING WALL. REFERENCE STRUCTURAL DRAWINGS.

ZONING DISTRICT: Highway Mixed Use

ABBOUD ENGINEERING, LLC

77 SUGAR CREEK CENTER BLVD,
SUITE 501
SUGAR LAND, TX 77478
PH. 281-791-0355 ♦ FX. 346-350-5563

TXPE FIRM REG. # F-15913

Copyright:
These Drawing and Specifications are copyrighted: they are and shall remain the property of Aboud Engineering, LLC. They are not to be used on other projects or extensions to this project except by agreement in writing and with appropriate compensation to Aboud Engineering. Contractor is responsible for confirming and correlation dimensions at job site. Aboud Engineering will not be responsible for construction means, methods techniques or procedures, or for safety precautions and programs in connection with the project.

KADS

Commercial . Industrial . Residential . MEP

3311 Chandler Hollow Lane
Missouri City TX 77459
carson@KADesignStudio
281.827.2447

REV/DATE	DESCRIPTION
△	
△	
△	
△	

PROJECT NAME:

BONISON BUSINESS PARK

6407 MASTERS
MANVEL, TX 77578

07/02/2021

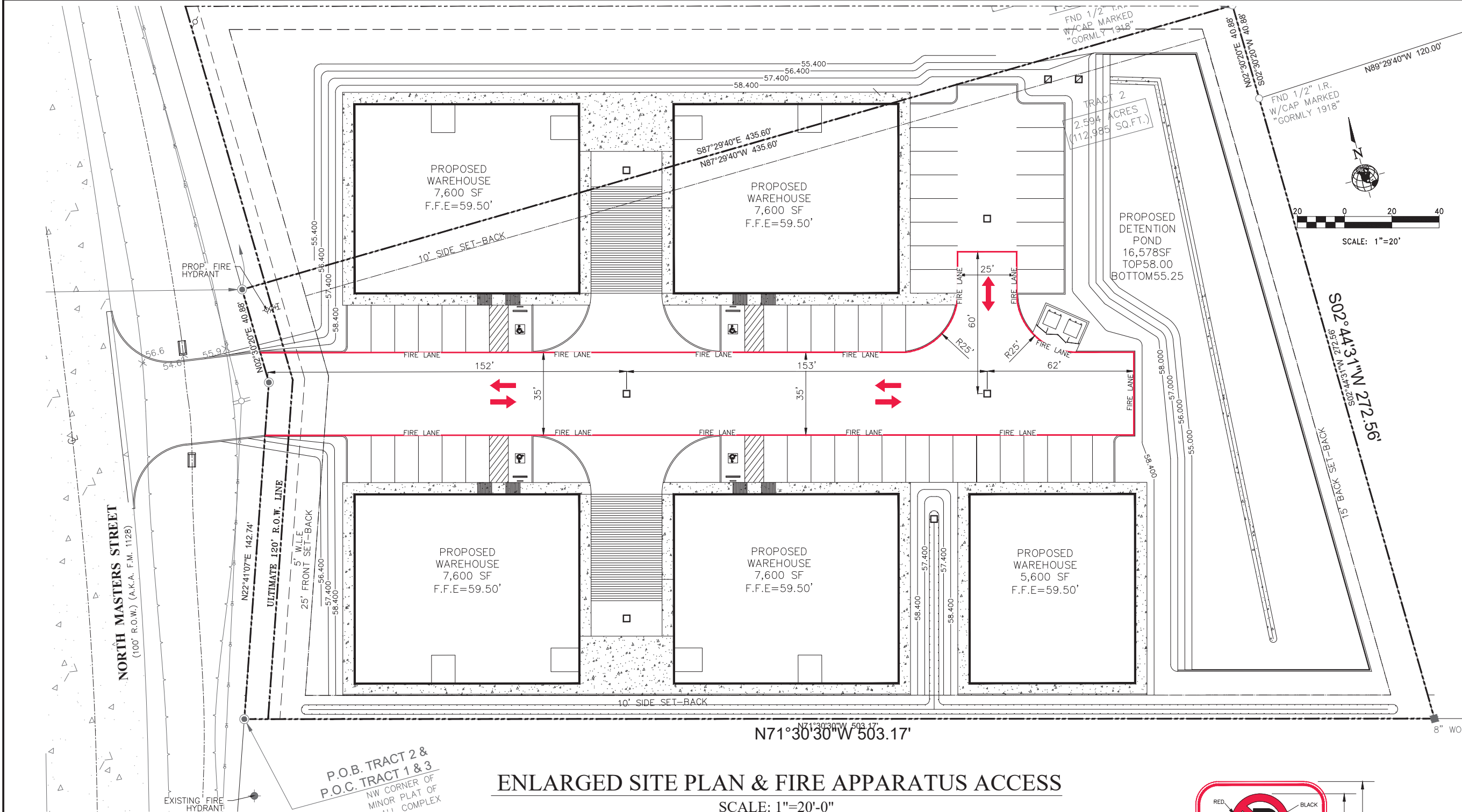
OWNER:
BONISON GROUP, LLC

OWNER ADDRESS:
3923 ABBEYWOOD DR.
PEARLAND, TX 77584

SHEET NUMBER:
C-1

SHEET TITLE:
OVERALL SITE PLAN

DRAWN BY: HL
CHECK BY: JSA



ENLARGED SITE PLAN & FIRE APPARATUS ACCESS

SCALE: 1"=20'-0"

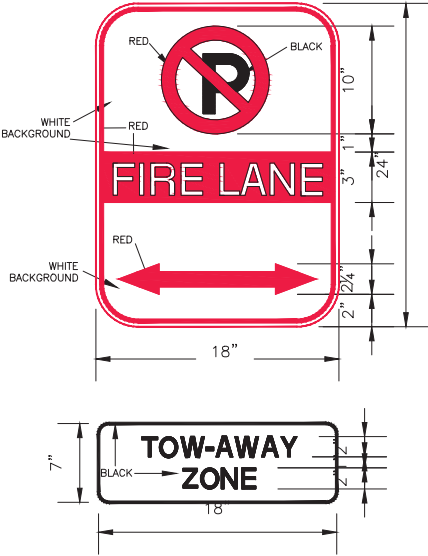
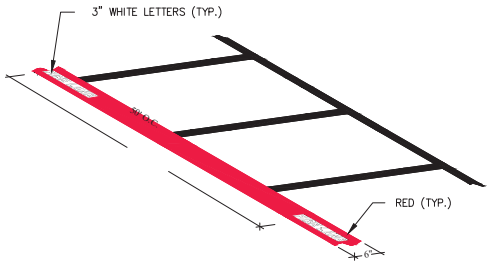
FIRE LANE STRIPING & SIGN REQUIREMENTS:

CURBS LOCATED ON EITHER SIDE OF A FIRE LANE SHALL BE PAINTED RED OR A RED STRIPE SHALL BE PLACED ALONG THE PAVEMENT WHERE THERE IS NO CURB. WHERE A FIRE LANE PASSES BETWEEN HEAD-IN PARKING SPACES, THE RED STRIPE SHOULD BE PLACED ALONG THE REAR OF THESE SPACES CLEARLY DEFINING THE FIRE LANE. PAINTED CURBS AND FIRE LANE STRIPES SHALL ALSO BE CONSPICUOUSLY AND LEGIBLY MARKED WITH THE WARNING "FIRE LANE" IN WHITE LETTERS AT LEAST THREE (3) INCHES IN HEIGHT, AT INTERVALS NOT EXCEEDING TWENTY (20) FEET. WHERE FIRE LANES ARE CLEARLY DEFINED BY CURB/PAVEMENT STRIPING, FIRE LANE SIGNS ARE NOT REQUIRED. FIRE LANE SIGNS SHOULD BE PLACED EVERY (75) FEET ALONG ANY FIRE LANE WHERE PAVEMENT OR CURB STRIPING IS NOT PRACTICAL.

ANY COLOR OTHER THAN RED IN "NO PARKING" AREA THAT ARE NOT APPROVED FIRE LANES. RED COLORED CURBS, PAVEMENT STRIPING OR WHEEL STOPS SHALL BE USED ONLY TO DESIGNATE APPROVED FIRE LANES

FIRE EXTINGUISHERS WILL BE PROVIDED DURING CONSTRUCTION OF SHELL BUILDING. FINAL LOCATIONS TO BE DETERMINED BY FUTURE TENANTS UNDER SEPARATE PERMIT REVIEW/ APPROVAL.

LEGEND :	
	FIRE TRUCK ACCESS ROUTE
	PROP. FIRE HYDRANT
	FIRE LANE MARKING
	NO PARKING SIGN





ABBOUD ENGINEERING, LLC

77 SUGAR CREEK CENTER BLVD,
SUITE 501
SUGAR LAND, TX 77478
PH. 281-791-0355 ♦ FX. 346-350-5563

TXPE FIRM REG. # F-15913

Copyright:
These Drawing and Specifications are copyrighted: they are and shall remain the property of Aboud Engineering, LLC. They are not to be used on other projects or extensions to this project except by agreement in writing and with appropriate compensation to Aboud Engineering. Contractor is responsible for confirming and correlation dimensions at job site. Aboud Engineering will not be responsible for construction means, methods techniques or procedures, or for safety precautions and programs in connection with the project.

KADS

Commercial . Industrial . Residential . MEP

3311 Chandler Hollow Lane
Missouri City TX 77459

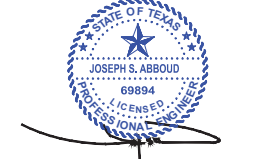
carson@KADesignStudio
281.827.2447

REV/DATE	DESCRIPTION
△	
△	
△	
△	

BONISON BUSINESS PARK

6407 MASTERS
MANVEL, TX 77578

PROJECT NAME:



07 / 02 / 2021

OWNER:
BONISON GROUP, LLC

OWNER ADDRESS:
3923 ABBEYWOOD DR.
PEARLAND, TX 77584

SHEET NUMBER:
C-2

SHEET TITLE:
ENLARGED SITE & FIRE
APPARATUS ACCESS

DRAWN BY: HL

CHECK BY: JSA

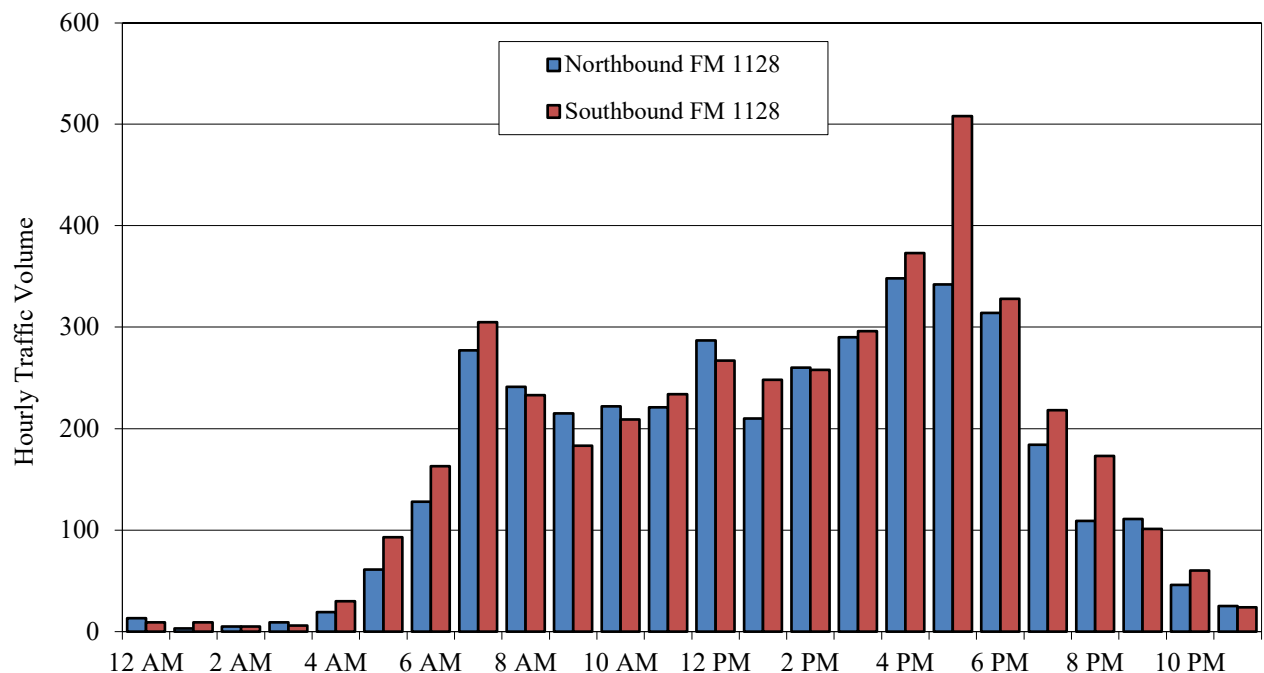
FM 1128 SOUTH OF SCOTT STREET

24-Hour Traffic Counts - August 5, 2021

Time Start	Northbound FM 1128					Southbound FM 1128				
	:00	:15	:30	:45	Ttl.	:00	:15	:30	:45	Ttl.
12 AM	7	4	1	1	13	1	5	1	2	9
1 AM	0	1	1	1	3	5	0	2	2	9
2 AM	2	1	0	2	5	0	2	1	2	5
3 AM	0	3	0	6	9	1	1	3	1	6
4 AM	2	5	6	6	19	3	12	4	11	30
5 AM	12	14	21	14	61	14	19	30	30	93
6 AM	14	26	38	50	128	28	34	39	62	163
7 AM	62	62	67	86	277	46	67	96	96	305
8 AM	72	63	56	50	241	76	56	49	52	233
9 AM	55	52	54	54	215	48	37	46	52	183
10 AM	66	50	58	48	222	53	52	48	56	209
11 AM	46	63	62	50	221	60	40	70	64	234
12 PM	65	78	84	60	287	70	79	67	51	267
1 PM	52	50	54	54	210	66	66	62	54	248
2 PM	68	59	62	71	260	64	66	72	56	258
3 PM	67	76	74	73	290	54	70	86	86	296
4 PM	85	88	82	93	348	82	68	122	101	373
5 PM	78	102	87	75	342	123	126	139	120	508
6 PM	100	69	76	69	314	90	94	78	66	328
7 PM	51	48	45	40	184	60	54	58	46	218
8 PM	22	24	23	40	109	51	56	36	30	173
9 PM	30	32	28	21	111	44	30	13	14	101
10 PM	15	14	13	4	46	21	15	17	7	60
11 PM	7	7	5	6	25	5	5	8	6	24
24 Hour	3,940					4,333				

AM Peak Hour: 622 7:15 AM to 8:15 AM

PM Peak Hour: 850 5:00 PM to 6:00 PM



Trip Generation - ITE 10th Edition

Type of Generator	ITE Code	Units	Quantity	Weekday																	
				24-Hour						A.M. Peak Adjacent Street Traffic						P.M. Peak Adjacent Street Traffic					
				Rate	Total	Entering		Exiting		Rate	Total	Entering		Exiting		Rate	Total	Entering		Exiting	
Warehousing	150	sq. ft.	36,000	0.00174	63	50%	31	50%	31	0.00017	6	77%	5	23%	1	0.00019	7	27%	2	73%	5

Table 3-11: Guide for Left-Turn Lanes on Two-Lane Highways

Opposing Volume (vph)	Advancing Volume (vph)			
	5 % Left Turns	10 % Left Turns	20 % Left Turns	30 % Left Turns
40 mph [60 km/h] Design Speed				
800	330	240	180	160
600	410	305	225	200
400	510	380	275	245
200	640	470	350	305
100	720	515	390	340
50 mph [80 km/h] Design Speed				
800	280	210	165	135
600	350	260	195	170
400	430	320	240	210
200	550	400	300	270
100	615	445	335	295
60 mph [100 km/h] Design Speed				
800	230	170	125	115
600	290	210	160	140
400	365	270	200	175
200	450	330	250	215
100	505	370	275	240

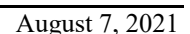
Right-Turn Deceleration Lanes. Shoulders 10 ft [3.0 m] wide alongside the traffic lanes generally provide sufficient area for acceleration or deceleration of right-turning vehicles. Where the right turn lane is being constructed in addition to the through lanes and shoulders, the minimum right turn lane width is 10 ft [3.0 m] with a 2 ft [0.6 m] surfaced shoulder. Where speed change lanes are used, they should be provided symmetrically along both sides of the highway for both directions of traffic, thus presenting drivers with a balanced section.

A deceleration-acceleration lane on one side of a two-lane highway, such as at a “tee” intersection, results in the appearance of a three-lane highway and may result in driver confusion. In this regard, right-turn speed change lanes are generally inappropriate for “tee” intersection design except where a four lane (2 through, 1 median left turn, 1 right acceleration/deceleration) section is provided.

FM 1128 at Bonison Driveway

Yes	Is the 85th percentile speed on the major street greater than 40 mph?
No	Does the intersection lie within a built-up area of an isolated community having a population less than 10,000?
1	Number of major street approach lanes.
1	Number of minor street approach lanes.

Based on the above data, the intersection of FM 1128 at Bonison Driveway does not meet the minimum requirements of Warrant 3B.



HCM 6th TWSC
1: FM 1128 & Bonison Driveway

No Left Turn - AM Peak
08/07/2021

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	1	287	3	3	335
Future Vol, veh/h	1	1	287	3	3	335
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	1	312	3	3	364
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	684	314	0	0	315	0
Stage 1	314	-	-	-	-	-
Stage 2	370	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	414	726	-	-	1245	-
Stage 1	741	-	-	-	-	-
Stage 2	699	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	413	726	-	-	1245	-
Mov Cap-2 Maneuver	413	-	-	-	-	-
Stage 1	741	-	-	-	-	-
Stage 2	697	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	11.9	0	0.1			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	526	1245	-	
HCM Lane V/C Ratio	-	-	0.004	0.003	-	
HCM Control Delay (s)	-	-	11.9	7.9	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0	0	-	

HCM 6th TWSC
1: FM 1128 & Bonison Driveway

No Left Turn - PM Peak
08/07/2021

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	3	3	342	1	1	508
Future Vol, veh/h	3	3	342	1	1	508
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	3	372	1	1	552

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	927	373	0
Stage 1	373	-	-
Stage 2	554	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	298	673	-
Stage 1	696	-	-
Stage 2	575	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	298	673	-
Mov Cap-2 Maneuver	298	-	-
Stage 1	696	-	-
Stage 2	574	-	-

Approach	WB	NB	SB
HCM Control Delay, s	13.9	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	413	1185
HCM Lane V/C Ratio	-	-	0.016	0.001
HCM Control Delay (s)	-	-	13.9	8
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0	0

HCM 6th TWSC
1: FM 1128 & Bonison Driveway

Left Turn - AM Peak
08/07/2021

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	1	287	3	3	335
Future Vol, veh/h	1	1	287	3	3	335
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	200	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	1	312	3	3	364
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	684	314	0	0	315	0
Stage 1	314	-	-	-	-	-
Stage 2	370	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	414	726	-	-	1245	-
Stage 1	741	-	-	-	-	-
Stage 2	699	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	413	726	-	-	1245	-
Mov Cap-2 Maneuver	413	-	-	-	-	-
Stage 1	741	-	-	-	-	-
Stage 2	698	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	11.9	0	0.1			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	526	1245	-	
HCM Lane V/C Ratio	-	-	0.004	0.003	-	
HCM Control Delay (s)	-	-	11.9	7.9	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0	0	-	

HCM 6th TWSC
1: FM 1128 & Bonison Driveway

Left Turn - PM Peak
08/07/2021

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	3	3	342	1	1	508
Future Vol, veh/h	3	3	342	1	1	508
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	200	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	3	372	1	1	552
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	927	373	0	0	373	0
Stage 1	373	-	-	-	-	-
Stage 2	554	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	298	673	-	-	1185	-
Stage 1	696	-	-	-	-	-
Stage 2	575	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	298	673	-	-	1185	-
Mov Cap-2 Maneuver	298	-	-	-	-	-
Stage 1	696	-	-	-	-	-
Stage 2	574	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	13.9	0	0			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	413	1185	-	
HCM Lane V/C Ratio	-	-	0.016	0.001	-	
HCM Control Delay (s)	-	-	13.9	8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0	0	-	



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: October 4, 2021

TOPIC: Subdivision variance request for property located at 6835 Old Chocolate Bayou Road, seeking to vary Chapter 62, Section 62-111, *Additional Street Requirements*.

BACKGROUND: The property owner is requesting a variance to Section 62-111, *Additional Street Requirements*, of the subdivision ordinance. Section 62-111 requires one-half of Old Chocolate Bayou Road and Furnace Road constructed to concrete curb and gutter. The owner has submitted a minor plat that is under review for approval by the City. The property is a total of 7.7524 acres that will be subdivided into a 1.0347-acre tract (Tract 1) and a 6.7177-acre tract (Tract 2). Tract 1 will be used for a single-family residence and Tract 2 will not be developed. The property is zoned Single-Family Residential (SFR) District and located in AE flood zone. Both Old Chocolate Bayou Road and Furnace Road are an asphalt surface with open ditch.

RECOMMENDATION: The staff recommends approval of the variance request to Chapter 62, Section 62-111 with two conditions as specified in the development agreement: 1) the subdivision variance will expire upon change of use from single-family and 2) upon replatting.

ATTACHMENTS: Application, Development Agreement, Proposed Plat, Vicinity Zoning Map, and Vicinity Aerial Map

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

DEVELOPMENT AGREEMENT (FOR VARIANCE)

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

This Development Agreement executed as of the ____ day of _____, 2021, is by and between the City of Manvel, Texas, (“City”) and OCB Properties LTD, property owner of certain hereinafter described property located within the city, (together known as “Developer”), all collectively referred to as the “Parties.” This Agreement is in regard to the platting of two tracts of land totaling 7.7524-acres located at 6835 Old Chocolate Bayou Road.

WHEREAS, Developer wishes to construct a new single-family structure on the 7.7524-acre tract of land located within the city limits of the City of Manvel, more fully described and depicted as Tract 1 in the proposed minor plat attached as Exhibit “A”, attached hereto; and,

WHEREAS, construction of a single-family structure will require approval of a plat and compliance with the city’s subdivision ordinance; and

WHEREAS, Section 62-111 of the city code requires construction of all streets in accordance with the city’s design criteria; construction of all roadways within the development in accordance with the city’s minor street standards; and construction of perimeter streets in conjunction with plat approval; and

WHEREAS, pursuant to Section 62-5 of the city code, the Developer has applied for a variance to construct this perimeter road requirement;

NOW THEREFORE, for and in consideration of the premises and mutual obligations, covenants, and benefits hereinafter set forth, if said variance is granted by the city council, 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 Tract 1 (1.0347 acres), Tract 2 (6.7177 acres), and R.O.W. dedication (0.3047 acres), out of a called 7.7524-acre tract recorded in C.F. No. 2001019867, O.R.B.C. of the Samuel Patterson Subdivision Volume 3 Page 152 P.R.B.C. in the H.N. Little Survey A-319, Brazoria County, Texas, (the “Property”). The Property is more fully described and depicted in the proposed minor plat attached as Exhibit “A”, attached hereto.

1.02 Project Description. This Agreement is in regard to the construction of a proposed single-family structure on the Property, owned by Developer.

1.03 The Property has never been platted. To construct a single-family structure on the Property will require approval of a plat and compliance with the city’s subdivision ordinance.

Section 62-111 of the city's subdivision requires construction of all streets in accordance with the city's design criteria; construction of all roadways within the development in accordance with the city's minor street standards; and construction of perimeter streets in conjunction with plat approval. The Developer has applied to vary this requirement for his property.

2. CITY APPROVAL

2.01 Pursuant to its authority under Section 62-5 of the city code, the city agrees to allow the Developer to vary the requirements of Section 62-111 of the city's subdivision ordinance, with conditions.

2.02 Conditions: The required conditions are as follows:

- (i) This Agreement will expire upon change of use from one (1) single-family detached structure; or
- (ii) The Property may not be subdivided.

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) Other than permits for the construction of one single-family structure and accessory residential structures, the city shall not issue any other construction permit or approve any further plat/re-plat of the Property;

(ii) Developer agrees to begin construction of the single-family structure, and diligently pursue to completion, within two-years of city council approval;

(iii) 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 the proposed single-family structure. Failure of the Developer to begin to construct the single-family structure, 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: OCB Properties, Ltd
Mr. Doug Madding
P.O. Box 27209
Houston, TX 77227-7209

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.

CITY OF MANVEL:

Debra Davison, 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 DEBRA DAVISON, as Mayor of the City of Manvel, Texas, on behalf of said City of Manvel.

Notary, State of Texas

OCB Properties, Ltd:

By: _____
Name: Doug Madding

THE STATE OF TEXAS §

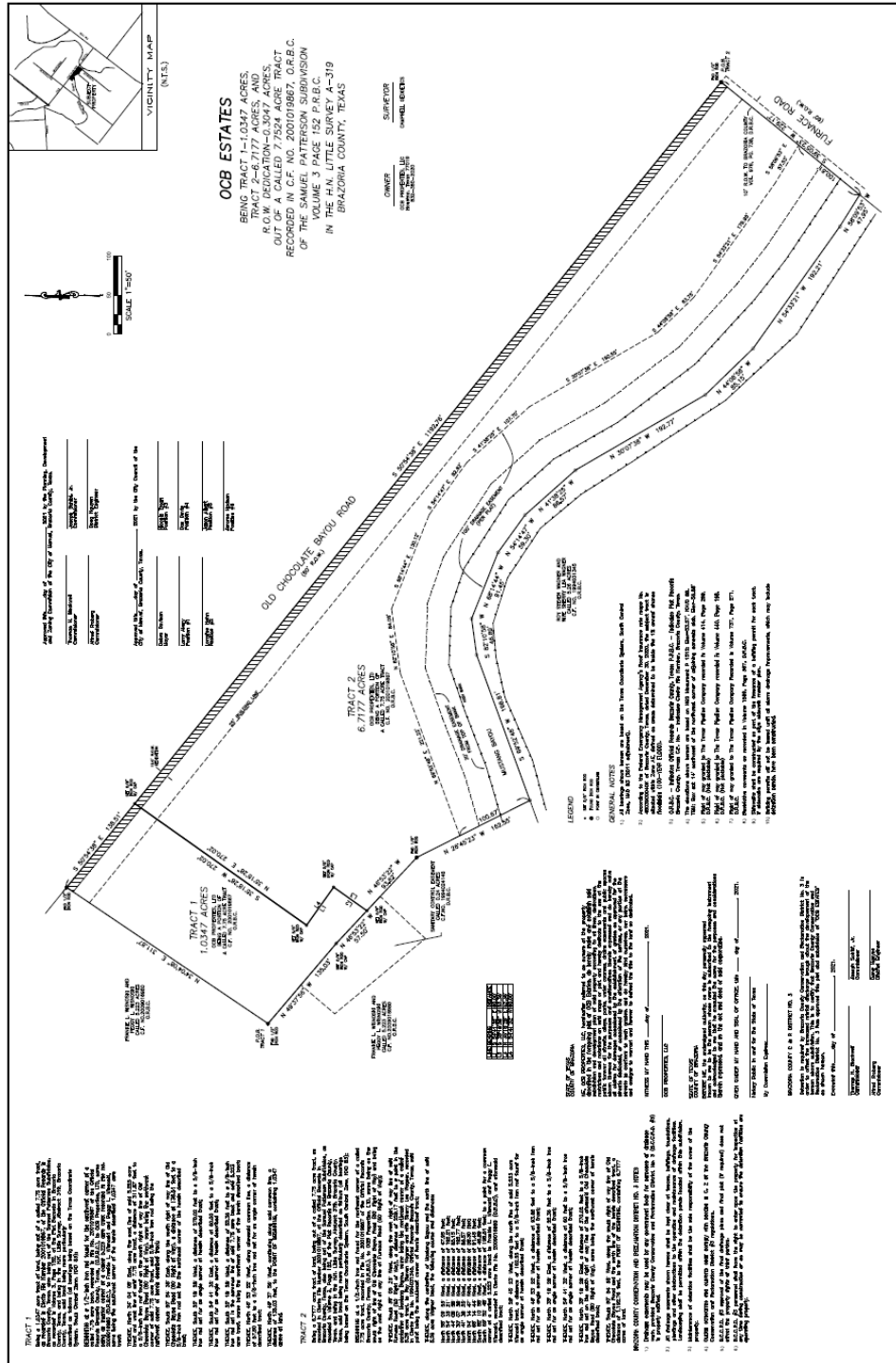
COUNTY OF BRAZORIA §

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

(NOTARY SEAL)

Notary, State of Texas

Being Tract 1 (1.0347 acres), Tract 2 (6.7177 acres), and R.O.W. dedication (0.3047 acres), out of a called 7.7524-acre tract recorded in C.F. No. 2001019867, O.R.B.C. of the Samuel Patterson Subdivision Volume 3 Page 152 P.R.B.C. in the H.N. Little Survey A-319, Brazoria County, Texas.



[illegible]

 O-SFR - Open Single Family Residential

0 0.03 0.07 0.13 mi

0 0.05 0.1 0.2 km

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.

[illegible]

☐ Parcels

0 0.03 0.07 0.13 mi

0 0.05 0.1 0.2 km

City of Manvel

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.

TRACT 1

Being a 1.0347 acre tract of land, being out of a called 7.75 acre tract, as recorded in Clerks File Number 2001019867, of the Official Records in Brazoria County, Texas, also being out of the Samuel Patterson Subdivision, as recorded in Volume 3, Page 152, of the Plat Records in Brazoria County, Texas, and being in the H.N. Little Survey, Abstract 319, Brazoria County, Texas, said tract being more particularly described as follows (all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83);

BEGINNING at a 1/2--inch iron rod found for the southwest corner of a called 7.75 acre tract, recorded in File No. 2001019867 of the Official Records Brazoria County, Texas, (O.R.B.C.), to OCB Properties, LTD, same being an interior corner of a called 5.223 acre tract recorded in File No. 2009016980 (O.R.B.C.), to Frankie L. Wisnoski and Peggy L. Wisnoski, same being the southwest corner of the herein described 1.0347 acre tract;

THENCE, North 34° 04' 08" East, along the east line of said 5.223 acre tract and west line of said 7.75 acre tract, a distance of 311.87 feet to a 5/8--inch iron rod found on the south right of way line of Old Chocolate Bayou Road (80' Right of Way), same being the northwest corner of said 7.75 acre tract, said 5/8--inch iron rod being the northwest corner of herein described tract;

THENCE, South 50° 54' 38" East, along the south right of way line of Old Chocolate Bayou Road (80' Right of Way), a distance of 138.51 feet to a 5/8--inch iron rod set for the northeast corner of the herein described tract;

THENCE, South 35° 18' 28" West, a distance of 270.02 feet to a 5/8--inch iron rod set for an angle corner of herein described tract;

THENCE, South 54° 41' 32" East, a distance of 60.00 feet to a 5/8--inch iron rod set for an angle corner of herein described tract;

THENCE, South 35° 18' 28" West, a distance of 52.36 feet to a 5/8--inch iron rod set in the common line of said 7.75 acre tract and said 5.223 acre tract, same being the southeast corner of the herein described tract;

THENCE, North 46° 53' 22" West, along aforesaid common line, a distance of 57.50 feet to a 5/8--inch iron rod set for an angle corner of herein described tract;

THENCE, North 49° 37' 56" West, continuing along said common line, a distance of 135.03 feet, to the POINT OF BEGINNING, containing 1.0347 acres of land.

TRACT 2

Being a 6.7177 acre tract of land, being out of a called 7.75 acre tract, as recorded in Clerks File Number 2001019867, of the Official Records in Brazoria County, Texas, also being out of the Samuel Patterson Subdivision, as recorded in Volume 3, Page 152, of the Plat Records in Brazoria County, Texas, and being in the H.N. Little Survey, Abstract 319, Brazoria County, Texas, said tract being more particularly described as follows (all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83);

BEGINNING at a 1/2--inch iron rod found for the northeast corner of a called 7.75 acre tract, recorded in File No. 2001019867 of the Official Records Brazoria County, Texas, (O.R.B.C.), to OCB Properties, LTD, same being on the south right of line of Old Chocolate Bayou Road (80' Right of Way) and being on the west right of way line of Furnace Road (60' Right of Way);

THENCE, South 39° 05' 23" West, along the west right of way line of said Furnace Road (60' Right of Way), a distance of 229.17 feet to a point in the centerline of Mustang Bayou, same being the northeast corner of a called 5.26 acre tract, to Roy Steven Wagner and wife Sherry Lea Wagner, recorded in Clerks File No. 1994031345, Official Records Brazoria County, Texas, said point being the southeast corner of herein described tract;

THENCE, along the centerline of Mustang Bayou and the north line of said 5.26 acre Wagner tract, the following course and distances:

North 58° 09' 53" West, a distance of 47.95 feet;
North 54° 33' 21" West, a distance of 192.21 feet;
North 44° 08' 58" West, a distance of 85.15 feet;
North 30° 07' 38" West, a distance of 192.77 feet;
North 41° 38' 25" West, a distance of 86.57 feet;
North 54° 14' 47" West, a distance of 59.30 feet;
North 68° 14' 44" West, a distance of 91.45 feet;
South 82° 10' 58" West, a distance of 46.89 feet;
South 69° 52' 48" West, a distance of 198.81 feet; to a point for a common corner of a called 5.223 acre tract to Frankie L. Wisnoski and Peggy L. Wisnoski, recorded in Clerks File No. 2009016980 (O.R.B.C.), and aforesaid described tract;

THENCE, North 26° 45' 23" West, along the north line of said 5.223 acre Wisnoski tract, a distance of 162.55 feet to a 5/8--inch iron rod found for an angle corner of herein described tract;

THENCE, North 46° 53' 22" West, a distance of 93.62 feet to a 5/8--inch iron rod set for an angle corner of herein described tract;

THENCE, North 35° 18' 28" East, a distance of 52.36 feet to a 5/8--inch iron rod set for an angle corner of herein described tract;

THENCE, North 54° 41' 32" West, a distance of 60 feet to a 5/8--inch iron rod set for an angle corner of herein described tract;

THENCE, North 35° 18' 28" East, a distance of 270.02 feet to a 5/8--inch iron rod set on the south right of way line of the aforesaid Old Chocolate Bayou Road (80' Right of Way), same being the northwest corner of herein described tract;

THENCE, South 50° 54' 38" West, along the south right of way line of Old Chocolate Bayou Road and the north line of the herein described tract, a distance of 1,192.76 feet, to the POINT OF BEGINNING, containing 6.7177 acres of land.

BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 NOTES

- 1) Drainage easements may be used by any government body for purposes of drainage work, provided Brazoria County Conservation and Reclamation District No. 3 (B.C.C.R.D. #3) is properly notified.
- 2) All drainage easements shown hereon shall be kept clear of fences, buildings, foundations, plantings and other obstructions to the operation and maintenance of drainage facilities. Landscaping shall be permitted within the detention ponds located within this subdivision.
- 3) Maintenance of detention facilities shall be the sole responsibility of the owner of the property.
- 4) Outfall structures and culverts shall comply with section III C, 2 of the Brazoria County Conservation and Reclamation District #3 regulations.
- 5) B.C.C.R.D. #3 approval of the final drainage plans and final plat (if required) does not affect the property rights of third parties.
- 6) B.C.C.R.D. #3 personnel shall have the right to enter upon the property for inspection at any time during construction or as may be warranted to ensure the detention facilities are operating properly.

STATE OF TEXAS
COUNTY OF BRAZORIA

WE, OCB PROPERTIES, LLC, hereinafter referred to as owners of the property described in the foregoing plat of OCB Estates, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains easements and public spaces shown thereon for the purposes and considerations therein expressed and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets dedicated, or occasioned by the alteration of the surface, or any portion of the streets to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever to defend the title to the land so dedicated.

WITNESS MY HAND THIS ____day of_____, 2021.

OCB PROPERTIES, LLC

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of_____, 2021.

Notary Public In and for the State of Texas

My Commision Expires:_____

BRAZORIA COUNTY C & R DISTRICT NO. 3

Detention is required by Brazoria County Conservation and Reclamation District No. 3 in order to offset the increased rainfall discharge brought about the development of the hereon shown subdivision. This is to certify that Brazoria County Conservation and Reclamation District No. 3 has approved this plat abd subdivision of "OCB ESTATES" as shown hereon.

Executed this____day of_____, 2021.

Thomas N. Blackwell
Commissioner

Alfred Froberg
Commissioner

Joseph Schibi, Jr.
Commissioner

Dong Nguyen
District Engineer

Approved this____day of_____, 2021 by the Planning, Development and Zoning Commision of the City of Manvel, Brazoria County, Texas.

Thomas N. Blackwell
Commissioner

Alfred Froberg
Commissioner

Joseph Schibi, Jr.
Commissioner

Dong Nguyen
District Engineer

Approved this____day of_____, 2021 by the City Council of the City of Manvel, Brazoria County, Texas.

Debra Davison
Mayor

Larry Akery
Position #1

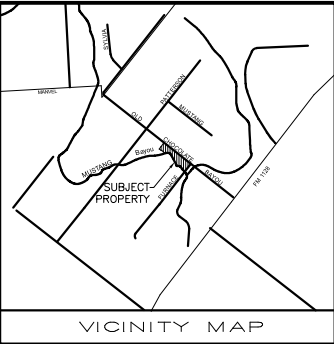
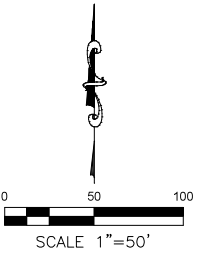
Lorraine Hehn
Position #2

Nicole Tyson
Position #3

Dan Davis
Position #4

Jason Albert
Position #5

Jerome Hudson
Position #6



OCB ESTATES

BEING TRACT 1--1.0347 ACRES,
TRACT 2--6.7177 ACRES, AND
R.O.W. DEDICATION--0.3047 ACRES,
OUT OF A CALLED 7.7524 ACRE TRACT
RECORDED IN C.F. NO. 2001019867, O.R.B.C.
OF THE SAMUEL PATTERSON SUBDIVISION
VOLUME 3 PAGE 152 P.R.B.C.
IN THE H.N. LITTLE SURVEY A--319
BRAZORIA COUNTY, TEXAS

OWNER

OCB PROPERTIES, LLC
Houston, Texas 77019
832--380--2020

SURVEYOR

CAMPBELL GEODETICS

LEGEND

- SET 5/8" IRON ROD
- FOUND IRON ROD
- POINT IN CENTERLINE

GENERAL NOTES

- 1) All bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83 (2011 adjustment).
- 2) According to the Federal Emergency Management Agency's flood insurance rate maps No. 480390040K of Brazoria County, Texas, dated December 30, 2020, the subject tract is situated within Zone AE, defined as areas determined to be inside the 1% annual chance floodplain (100--YEAR FLOOD).
- 3) O.R.B.C. -- Indicates Official Records Brazoria County, Texas; P.R.B.C. -- Indicates Plat Records Brazoria County, Texas; C.F. No. -- Indicates Clerks File Number, Brazoria County, Texas.
- 4) The elevations shown hereon are based on NGS Monument P 1512: Elev=53.57', NAVD 88. TBM: Box cut 14' southwest of the northwest corner of adjoining concrete slab. Elev=56.68'
- 5) Right of way granted to The Texas Pipeline Company recorded in Volume 414, Page 269, D.R.B.C. (Not plottable)
- 6) Right of way granted to The Texas Pipeline Company recorded in Volume 440, Page 198, D.R.B.C. (Not plottable)
- 7) Right of way granted to The Texas Pipeline Company Recorded In Volume 737, Page 271, D.R.B.C.
- 8) Restrictive covenants as recorded in Volume 1569, Page 367, D.R.B.C.
- 9) Sidewalks shall be constructed as part of the issuance of a building permit for each tract, if sidewalks are required by the city's sidewalk master plan.
- 10) Building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed.

LINE	BEARING	DISTANCE
L1	S 54°41'32" E	60.00'
L2	S 35°18'28" W	52.36'
L3	N 35°18'28" E	52.36'
L4	N 54°41'32" W	60.00'

ROY STEVEN WAGNER AND
WIFE SHERRY LEA WAGNER
CALLED 5.26 ACRES
C.F. NO. 1994031345
O.R.B.C.

VAR-210830-2247

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): Doug Madding
Phone: 281-885-9836 e-mail: dmadding@ocbproperties.com
Owner: OCB Properties, LTD
Owner Address: 2121 Kirby Dr City Houston State TX Zip 77019
Phone: 382-380-2020 e-mail: _____

Property Information

Site Address: 6835 Chocolate Bayou Rd
Legal description (from deed): 7.75 Ac recorded in Vol.(88) 501, Pg. 920 O.R.B.C
(Property must be legally subdivided or be lot of record)
Brazoria County Identification Number: 236642

Description of Subdivision Variance Request

Sec 62-41 b-28

Ordinance no. 2019-0-24 2,8-5-2019

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?

Chocolate Bayou Road is unimproved at this time.

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

The cost to survey and engineer the public street which is unimproved is unnecessary

- 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.

The landowner simply wants to cut an acre out of his land to build a nice home

- 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.

The remaining portion of the land is in the FEMA flood zone and flood way.

It will remain undeveloped.

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.

Doug Madding Digitally signed by Doug Madding
Date: 2021.08.27 09:59:59 -0500

Applicant Signature

8/27/2021

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.



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

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

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☒
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Date of Request: September 27, 2021 PDZ & October 4, 2021 City Council

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Jared Bowlin

Daytime Phone: 713-784-4500 ext. 2306 Fax Number: 713-784-4577

E-mail Address: jbowlin@ehrainc.com

Description of Request and Physical Address:

Consideration and possible action to forward with recommendation to City Council,
Final Plat for Meridiana Section 50, being a subdivision of 22.47 acres out of the H.T. &
B.R.R. Co. Survey, Section 55, A-286, City of Manvel, Brazoria County, Texas.

Plats:

Preliminary _____

Final x

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Jessica Rodriguez Digitally signed by Jessica Rodriguez
Date: 2021.09.21 10:15:08 -05'00'

SIGNATURE

September 21, 2021

DATE

**DEVELOPMENT SERVICES DEPARTMENT**

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

Plat Name	Meridiana Section 50 Final Plat
Applicant	Lacey Bell, EHRA, Inc.
PD&Z Meeting Date	September 27, 2021
Recommendation	Denial
Submitted By	Jessica Rodriguez, Director of Development Services

Background

At the August 23, 2021, Planning, Development and Zoning Commission meeting, a 30-day plat extension per Texas Local Government Code Section 212.009 was recommended to City Council for Meridiana Section 50 Final Plat. The City Council approved the 30-day plat extension for Meridiana Section 50 Final Plat at their September 7, 2021, meeting. The 30-day plat extension will expire and the plat will be approved by October 7, 2021, if not acted upon at the October 4, 2021, City Council meeting.

Staff Recommendation

Staff recommends denial of the Meridiana Section 50 Final Plat.

1. Provide the land surveyor's signature (Section 62-41 (b) (5)).
2. Provide Drainage District approval (Section 62-41 (b) (20)).
3. Provide a PDF of the approved construction plans (Section 62-41 (b) (27)).
4. Label the right-of-way width for "Meridiana Parkway East Phase 2" located outside the plat boundary Section 62-41 (b) (11)).
5. Provide a signed and notarized lienholder subordination document (Section 62-41 (b) (7)).

Plat Exhibit

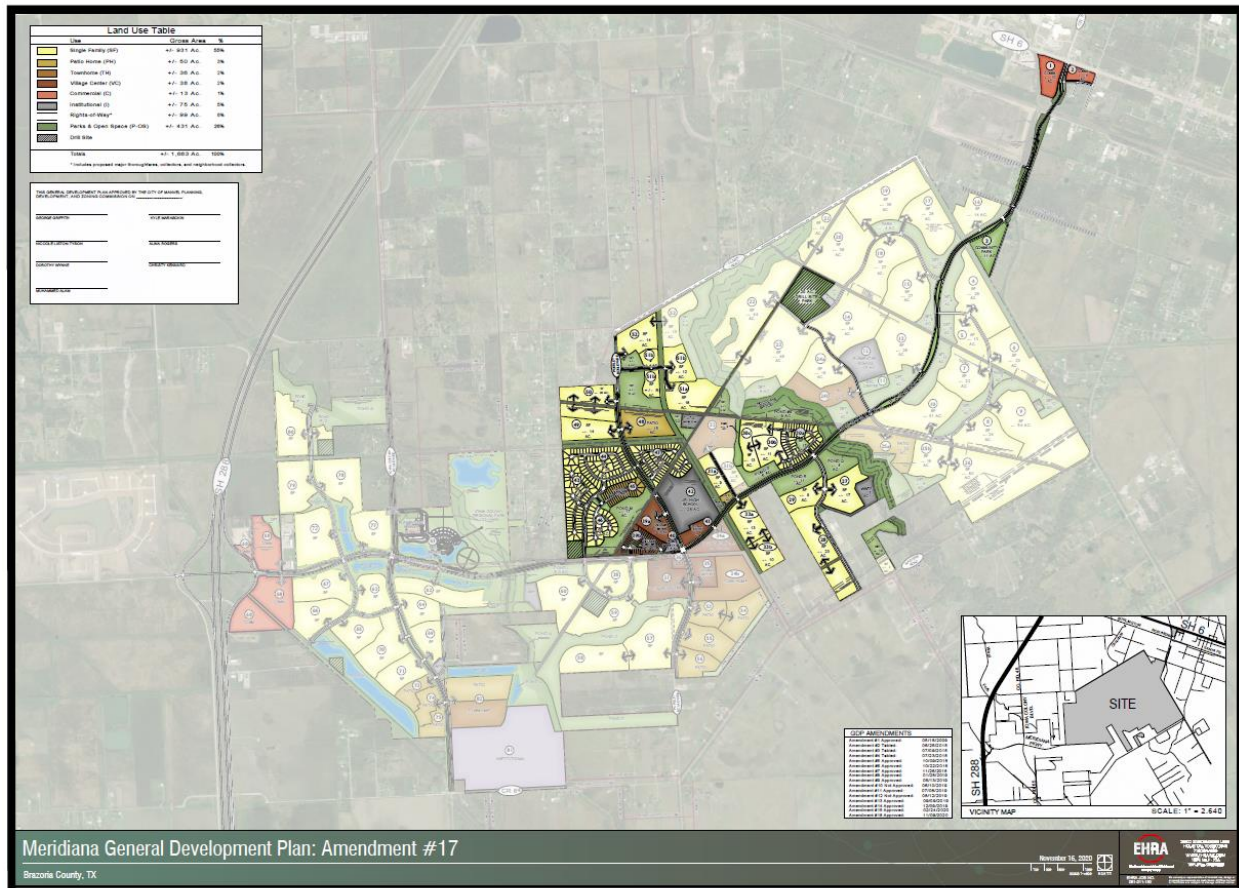
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DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020)



XXXXE

EXXXX

EXXX

XXXX3

LOT SIZE TABLE			
Block	Lot	Sq. Feet	Lot Width
1	1	8,369	60.50
1	2	8,285	60.50
1	3	16,769	60.50
1	4	14,630	60.50
1	5	8,578	61.88
1	6	8,384	60.50
1	7	8,316	60.50
1	8	8,637	60.50
1	9	8,825	60.50
1	10	9,400	60.50
1	11	10,618	55.01
1	12	10,540	55.03
1	13	9,361	60.25
1	14	8,843	60.25
1	15	8,305	60.25
1	16	8,270	60.25
1	17	7,803	60.25
1	18	7,939	60.25
1	19	16,913	60.25
1	20	11,866	60.25
1	21	10,135	69.50
1	22	10,283	69.50
1	23	8,051	60.00
1	24	14,215	58.93
1	25	12,498	57.88
1	26	8,099	65.00
1	27	7,500	60.00
1	28	7,500	60.00
1	29	7,500	60.00
1	30	7,500	60.00
1	31	7,500	60.00
1	32	7,500	60.00
1	33	7,500	60.00
1	34	7,500	60.00
1	35	7,500	60.00
1	36	7,500	60.00
1	37	7,500	60.00
1	38	7,500	60.00
1	39	7,497	60.00
1	40	10,757	57.74
1	41	20,074	56.04
1	42	9,888	59.42
1	43	9,947	69.50
2	1	9,895	62.03
2	2	8,454	68.18
2	3	11,191	63.91
2	4	9,933	69.50
2	5	13,365	69.50
2	6	9,021	60.09
2	7	9,017	60.00
2	8	8,419	60.00
2	9	8,039	60.00
2	10	8,040	60.00
2	11	8,494	60.00
2	12	9,879	68.63
2	13	9,956	60.00
2	14	7,741	60.00
2	15	7,741	60.00
2	16	7,741	60.00
2	17	7,741	60.00
2	18	7,740	60.00
2	19	7,740	60.00
2	20	7,740	60.00
2	21	7,740	60.00
2	22	7,740	60.00
2	23	7,739	60.00
2	24	7,739	60.00
2	25	7,739	60.00
2	26	9,256	62.08

P.O.B.
X: 3113322.61
Y: 13728240.41

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	500.00	2°51'58"	25.01	S 01°37'25" E	25.01
C2	500.00	95°57'57"	83.75	S 47°47'32" W	74.29
C3	500.00	78°23'23"	68.50	N 44°58'45" W	61.26
C4	500.00	2°51'58"	25.01	N 04°18'02" W	25.01
C5	500.00	85°07'23"	74.28	N 39°41'38" E	67.64
C6	500.00	13°18'38"	116.16	N 88°54'38" E	115.90
C7	500.00	17°21'22"	151.47	N 80°53'14" E	150.89
C8	500.00	8°55'27"	77.88	N 82°40'14" E	77.80
C9	500.00	5°44'21"	50.08	S 89°59'52" E	50.06
C10	500.00	78°19'25"	68.35	S 47°52'59" E	63.15
C11	500.00	2°51'58"	25.01	S 01°37'25" E	25.01
C12	500.00	95°57'57"	83.75	S 47°47'32" W	74.29
C13	25.00	90°00'00"	39.27	N 48°03'24" W	35.36
C14	25.00	90°00'00"	39.27	S 41°56'36" W	35.36
C15	25.00	2°51'58"	25.01	S 01°37'25" E	25.01
C16	25.00	21°02'22"	9.18	S 10°42'58" E	9.13
C17	50.00	138°02'42"	120.47	S 47°47'32" W	93.37
C18	25.00	21°02'22"	9.18	N 73°42'18" W	9.13
C19	25.00	21°02'22"	9.18	S 85°15'20" W	9.13
C20	50.00	120°34'13"	105.22	N 44°58'45" W	86.85
C21	25.00	21°02'22"	9.18	N 04°47'11" E	9.13
C22	525.00	2°51'58"	26.26	N 04°18'02" W	25.26
C23	25.00	29°55'35"	13.06	N 17°49'51" W	12.91
C24	50.00	144°58'33"	126.52	N 39°41'38" E	95.37
C25	25.00	29°55'35"	13.06	S 82°46'53" E	12.91
C26	525.00	13°18'38"	121.96	N 88°54'38" E	121.69
C27	475.00	17°21'22"	143.90	N 80°53'14" E	143.35
C28	525.00	8°55'27"	81.77	N 82°40'14" E	81.69
C29	525.00	5°44'21"	52.59	S 89°59'52" E	52.57
C30	25.00	29°55'35"	13.06	N 7°54'30" E	12.91
C31	50.00	138°10'36"	120.58	S 47°57'59" E	93.41
C32	25.00	29°55'35"	13.06	S 06°09'31" W	12.91
C33	525.00	8°55'27"	81.77	S 82°46'53" E	81.69
C34	25.00	90°00'00"	39.27	S 48°03'24" E	35.36
C35	25.00	90°00'00"	39.27	N 41°56'36" E	35.36
C36	475.00	2°51'58"	23.76	S 01°37'25" E	23.76
C37	25.00	95°57'57"	41.81	S 47°47'32" W	37.15
C38	475.00	78°29'29"	34.25	N 44°58'45" W	31.63
C39	475.00	2°51'58"	23.76	N 04°18'02" W	23.76
C40	25.00	85°07'23"	37.14	N 39°41'38" E	33.82
C41	475.00	13°18'38"	110.35	N 88°54'38" E	110.10
C42	525.00	17°21'22"	159.05	N 80°53'14" E	158.44
C43	25.00	95°36'09"	41.71	S 53°59'25" E	37.04
C44	25.00	6°11'54"	26.73	S 24°26'20" W	25.47
C45	60.00	28°10'56"	300.74	S 88°31'15" E	71.23
C46	25.00	45°55'23"	20.04	N 23°09'02" W	19.51
C47	25.00	93°19'18"	40.72	N 40°28'18" E	36.37
C48	475.00	5°44'21"	47.58	S 89°59'52" E	47.56
C49	25.00	78°19'25"	34.18	S 47°57'59" E	31.58
C50	475.00	5°44'53"	47.65	S 05°55'50" E	47.63

RESERVE TABLE (SEE NOTE #7)		
RESERVE	RESTRICTED TO AREA	
A	LANDSCAPE, OPEN SPACE, PIPELINE AND UTILITY PURPOSES	60,501 SQ.FT. / 1.3889 ACRES
B	LANDSCAPE, OPEN SPACE, PIPELINE AND UTILITY PURPOSES	86,164 SQ.FT. / 1.9781 ACRES
C	LANDSCAPE, OPEN SPACE, PIPELINE AND UTILITY PURPOSES	28,551 SQ.FT. / 0.6554 ACRES
TOTAL		175,216 SQ.FT. / 4.0224 ACRES

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°11'26" E	42.67
L2	N 42°12'28" W	5.18
L3	N 45°01'15" E	11.26
L4	N 05°44'01" W	51.75
L5	S 01°18'22" E	2.48
L6	N 82°15'20" E	13.64
L7	N 87°07'57" E	51.23
L8	S 37°07'42" E	34.21
L9	S 42°02'01" W	4.86
L10	S 08°48'17" E	34.24
L11	N 83°48'50" E	6.13
L12	N 27°43'55" E	23.44
L13	N 03°03'24" W	37.52
L14	N 08°42'08" W	63.73
L15	N 08°48'17" W	37.12

DETAIL "A"
NOT TO SCALE

FINAL PLAT MERIDIANA SECTION 50

BEING A SUBDIVISION OF 22.47 ACRES OUT OF THE
H. T. & B. RR. CO. SURVEY, SECTION 55, A-286,
CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

69 LOTS 2 BLOCKS 3 RESERVES (4.0224 ACRES)

OWNER

GR-M1, LTD.,
A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, SUITE 100
KATY, TEXAS 77493
PH (832) 437-7863

JULY 12, 2021

ENGINEER/SURVEYOR



1001 MEADOWCLEN LN
HOUSTON, TEXAS 77042
713-784-4500
WWW.EHRAINCCOM
TBP No. F-726
TBP No. 10092300

Land Use Table		
Use	Gross Area	%
Single Family (SF)	+/- 931 Ac.	55%
Patio Home (PH)	+/- 50 Ac.	3%
Townhome (TH)	+/- 36 Ac.	2%
Village Center (VC)	+/- 38 Ac.	2%
Commercial (C)	+/- 13 Ac.	1%
Institutional (I)	+/- 75 Ac.	5%
Rights-of-Way*	+/- 99 Ac.	6%
Parks & Open Space (P-OS)	+/- 431 Ac.	26%
Drill Site		
Totals	+/- 1,663 Ac.	100%
* Includes proposed major thoroughfares, collectors, and neighborhood collectors.		

THIS GENERAL DEVELOPMENT PLAN APPROVED BY THE CITY OF MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION ON _____

GEORGE GRIFFITH

NICOLE LISTON-TYSON

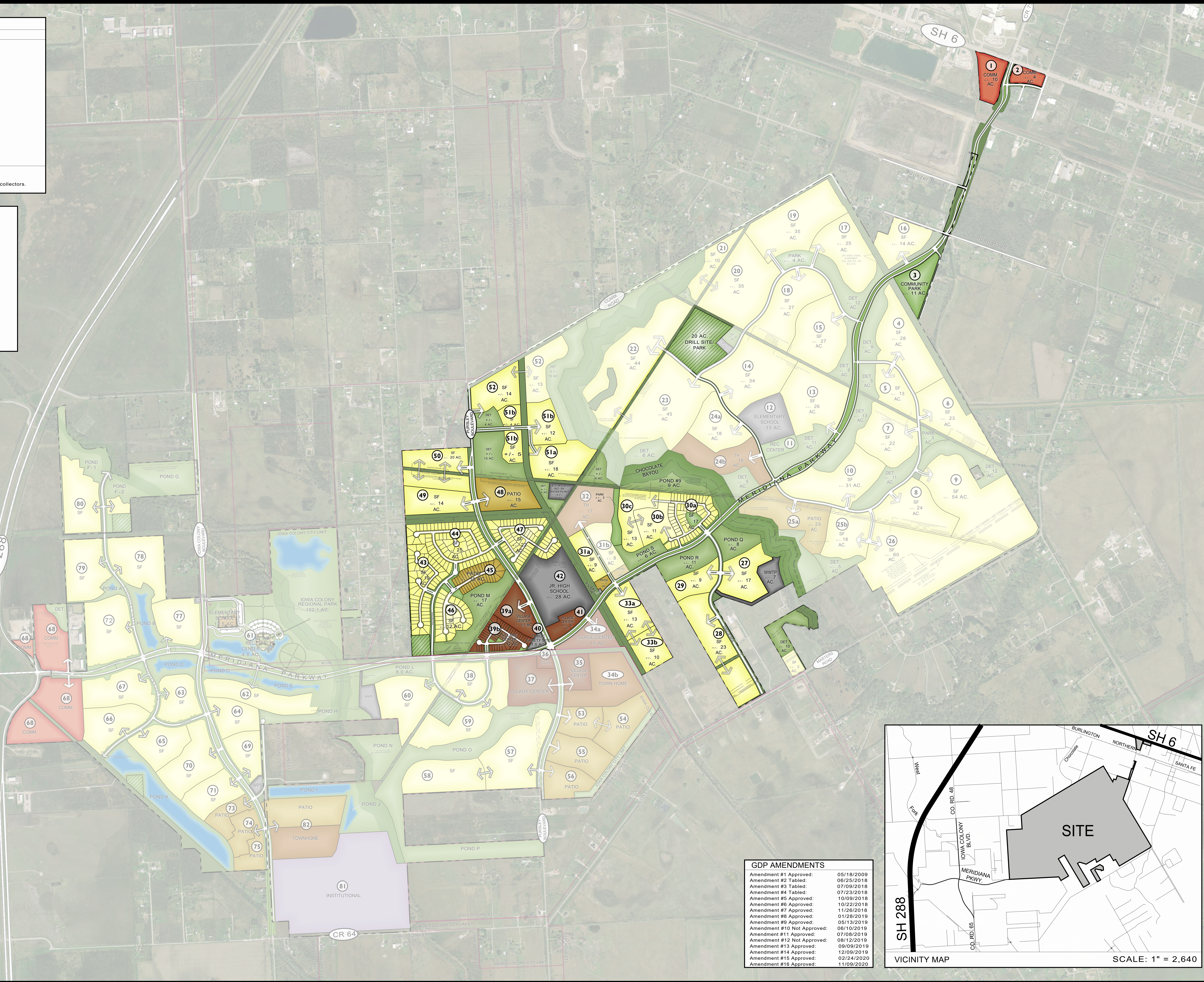
DOROTHY WYNNE

MUHAMMAD ALAM

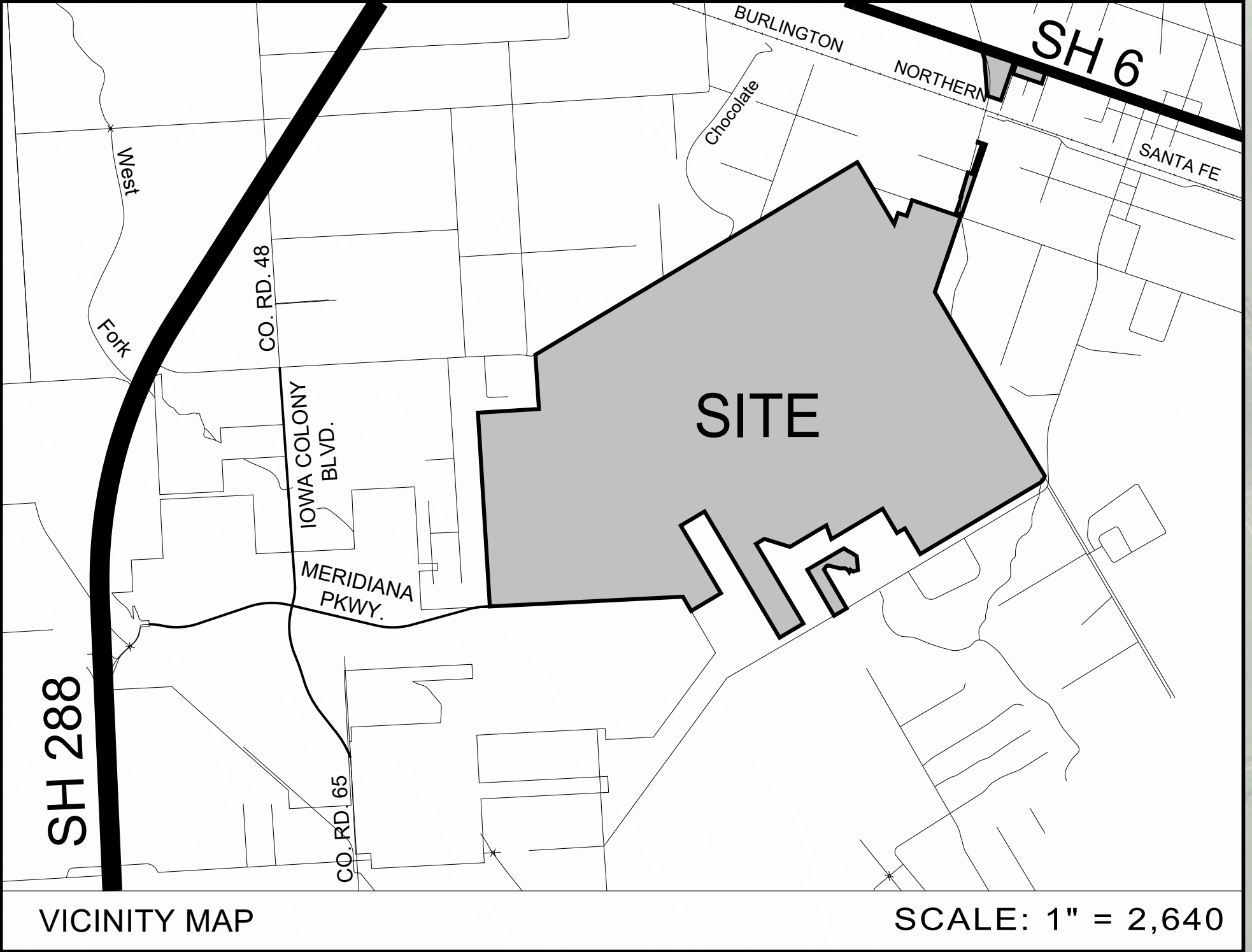
KYLE MARASCKIN

ALINA ROGERS

CHRISTY KENNARD



GDP AMENDMENTS	
Amendment #1 Approved:	05/18/2009
Amendment #2 Tabled:	06/25/2019
Amendment #3 Tabled:	07/09/2018
Amendment #4 Tabled:	07/23/2018
Amendment #5 Approved:	10/09/2018
Amendment #6 Approved:	10/22/2018
Amendment #7 Approved:	11/26/2018
Amendment #8 Approved:	01/28/2019
Amendment #9 Approved:	05/13/2019
Amendment #10 Not Approved:	06/10/2019
Amendment #11 Approved:	07/08/2019
Amendment #12 Not Approved:	08/12/2019
Amendment #13 Approved:	09/09/2019
Amendment #14 Approved:	12/09/2019
Amendment #15 Approved:	02/24/2020
Amendment #16 Approved:	11/09/2020



Meridiana General Development Plan: Amendment #17

Brazoria County, TX

November 16, 2020

SCALE: 1" = 600'



10211 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.368.4500
WWW.EHRAINC.COM
TYPE No. F-726
TBDPL No. 10092300

EHRA JOB NO. 081-011-150



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: September 7, 2021

TOPIC: Subdivision variance request for 3.000 acres of property located on Markham Road, generally bounded by Belcher Road (north), Mustang Bayou Road (south), Ridge Road (east), and Quail Ridge Drive (west) seeking to vary Chapter 62, Section 62-111, *Additional Street Requirements*.

BACKGROUND: The 3.000-acre property is located Markham Road in the City's Extraterritorial Jurisdiction (ETJ). The property is owned by Timothy and Johanna Mikolajchak. Markham Road is a private, asphalt road with an approximate 10-foot-wide paving surface. The road is fenced approximately 2,200 feet (0.40 miles) from its intersection with Mustang Bayou Road. According to property records, Markham Road is gated where it enters Mr. Jeffery Brown's property. A second gate is across Markham Road where it traverses Mr. Gary Markham's property. The 3.000-acre tract is located approximately 550-feet from first gate on Markham Road. Markham Road is identified on the City's Master Thoroughfare Plan as a 120-foot-wide parkway and the Brazoria County Thoroughfare Plan as a major thoroughfare. Aerial imagery illustrates the asphalt surface ends at or about the property line for the 3.000-acre tract. The aerial imagery also illustrates that a crushed concrete driveway picks up where the asphalt road ends. The crushed concrete driveway runs the length of the front property line for the 3.000-acre tract. According to the survey, a 30-foot-wide right-of-way access easement provides a portion of the access to the 3.000-acre tract. The 30-foot-wide right-of-way access easement will need to be extended to the 3.000-acre tract to provide any access since the survey states "extension of R.O.W. esmt. to be dedicated". The County has made a request that the plat state "Future 120-foot Markham Road" in lieu of right-of-way dedication. The property owner met with Brazoria County Engineering to discuss removing Markham Road from the County Thoroughfare Plan. The property owner provided two other locations for the north/south thoroughfare. The County would not consider removing Markham Road from their plan.

The property owners would like to construct a home on the 3.000-acre tract of land. The application filed indicates the property owner is requesting a variance to Section 62-111 of the subdivision ordinance. This Section requires one-half of perimeter roads to be constructed to concrete curb and gutter. Since Markham Road is identified on the City and County Thoroughfare Plan, a dedication of a 60-foot-wide right-of-way will be required. Although the County will take a plat note stating "Future 120-foot Markham Road" in lieu of ROW dedication. The property owner will also require a variance from Section 62-3 (e) (1), Section 62-7 (6), Section 62-103, and Section 62-41 (b) (28).

1. Section 62-3 (e) (1) requires access to a public street.
2. Section 62-7 (6) requires compliance with the City's Major Thoroughfare Plan.
3. Sections 62-103 and 62-41 (b) (28) require construction of major thoroughfares and perimeter streets.

After the City Council meeting, staff met with Mr. Mikolajchak (property owner), Mr. Gary Markham, and Cathy Fontenot (surveyor). We discussed various options to the group. One suggestion was to meet with the County to possibly amend their Thoroughfare Plan. The

decision from that meeting has been mentioned above. Staff has had further conversations with Mr. Markham but have been unable to reach a conclusion to recommend approval of the variance request. Staff has also reached out to Mr. Mikolajchak's surveyor to propose a solution but it involves two other property owners. Staff suggested Mr. Markham, Mr. Brown, and Mr. Mikolajchak plat their properties. The plat would permit Markham Road to a private street. The property owners would have to file a Property Owners Association to maintain the private street. The property would still need a variance from Section 62-111 due to pavement requirements to concrete curb and gutter. At the time of writing the report, staff did not get an answer from the surveyor that this solution was a viable option.

In conclusion, the 3.000-acre site has multiple access issues that include:

1. The property is partially accessed by easement. The subdivision ordinance requires a private road to roadway standards or dedication of public right-of-way;
2. A recorded easement will be required to continue access to the right-of-way dedication;
3. A Knox Box will be required for the gate since it prohibits access to the 3.000-acre tract. The property owners, Mr. Gary Markham and Mr. Brown, will need to provide written agreement to the Knox Box for emergency and property owner access;
4. Markham Road paving width is 10-feet, which does not provide proper paving width for emergency personnel; and
5. The subdivision ordinance requires a concrete curb and gutter surface be constructed to and through the front property line (150-feet), however, the existing surface is crushed concrete. At minimum City Council can consider an asphalt surface widened to 13-feet ($\frac{1}{2}$ of a 26-foot-wide road required for full paving width) with a turnaround for emergency personnel.

The City staff does not recommend approval of the variance request to Section 62-111 as requested for 3.000-acres of land located on Markham Road due to multiple access issues identified in this report. The City staff further does not recommend approval of variances to Section 62-3 (e) (1), Section 62-7 (6), Section 62-103, and Section 62-41 (b) (28) as noted in this report.

RECOMMENDATION: The staff does not recommend approval of a subdivision variance request to 3.000-acres of land located on Markham Road.

ATTACHMENTS: Application, Survey, Vicinity Maps, Vicinity Aerial Maps, and Development Agreement

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

DEVELOPMENT AGREEMENT (FOR VARIANCE)

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

This Development Agreement executed as of the ____ day of _____, 2021, is by and between the City of Manvel, Texas, (“City”) and Timothy J. Mikolajchak and Johnna Haarmeyer Mikolajchak, property owners of certain hereinafter described property located within the City’s extraterritorial jurisdiction, (together known as “Developer”), all collectively referred to as the “Parties.” This Agreement is in regard to the platting of 3.000 acres of land located on Markham Road, generally bounded by Mustang Bayou Road (south), Ridge Road (east), and Quail Ridge Drive (west).

WHEREAS, Developer wishes to construct one single-family structure and plat 3.000 acres of land located within the City’s extraterritorial jurisdiction of the City of Manvel, said tract being located on Markham Road, generally bounded by Mustang Bayou Road (south), Ridge Road (east), Quail Ridge Drive (west); and,

WHEREAS, construction of one single-family structure will require approval of a plat and compliance with the City’s subdivision ordinance; and

WHEREAS, Section 62-111 of the City Code requires one-half of all abutting perimeter streets be constructed in accordance with the City’s design criteria standards to concrete curb and gutter; and

WHEREAS, Section 62-108 (a) (8) of the City Code requires each lot in a subdivision of land to have access to a public street as specified in the design criteria manual with a minimum 60-foot right-of-way; and

WHEREAS, pursuant to Section 62-5 of The City Code, the Developer has applied for a variance to escrow this perimeter road construction requirement;

NOW THEREFORE, for and in consideration of the premises and mutual obligations, covenants, and benefits hereinafter set forth, if said variance is granted by the City Council, 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 3.000 acres of land, more or less, out of a 16.017 acre tract of land, being a part of Lots 6 and 15 of the subdivision of Thomas Spraggins Survey, Abstract 366, Brazoria County, Texas, according to the plat recorded in Volume 22, Page 635, deed records of Brazoria County, Texas (the “Property”). The Property is more fully described and depicted in the survey attached as Exhibit “A”, attached hereto.

1.02 Project Description. This Agreement is in regard to the construction of one single-family structure and platting on the Property, owned by Developer.

1.03 The Property has never been platted. To construct one single-family structure on the Property will require approval of a plat and compliance with the City's subdivision ordinance. Section 62-111 of the City's subdivision ordinance requires one-half of abutting perimeter streets be constructed in accordance with the City's design criteria to concrete curb and gutter. The Developer has applied to vary this requirement for his property.

1.04 The Property has never been platted. To construct one single-family structure on the Property will require approval of a plat and compliance with the City's subdivision ordinance. Section 62-108 (a) (8) requires each lot in a subdivision of land to have access to a public street as specified in the design criteria manual with a minimum 60-foot right-of-way.

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 Section 62-111 and Section 62-108 (a) (8) of the City's subdivision ordinance, with conditions.

2.02 Conditions. The required conditions are as follows:

- (i) This Agreement will expire upon replat and/or further subdivision of the Property;
- (ii) A recorded 30-foot wide right-of-way easement extended from the existing 30-foot wide right-of-way easement (C.F.# 1994024027) to the 60-foot wide right-of-way dedicated for Markham Road. The 60-foot wide Markham Road right-of-way will begin dedication at the southern front property line and extended through the front lot line (150-feet);
- (iii) The dedication of 60-feet wide right-of-way for Markham Road. The right-of-way dedication will begin at the southern front property line and extended through the front lot line (150-feet);
- (iv) Construction of a 13-foot wide asphalt road per City's Design Criteria Manual within the 60-foot wide Markham Road right-of-way. A cul-de-sac turn around with a minimum radius determined by the City Engineer shall be provided for emergency vehicles;
- (v) A Knox Box shall be installed on the Markham Road gate (owned by Mr. Gary Markham) to provide access to the 3.00 acre tract and for emergency personnel/vehicles per City's Design Criteria Manual. A Click2Enter shall be provided to all emergency personnel/vehicles;
- (vi) A written, signed, and notarized agreement provided by the property owner from Mr. Gary Markham whereby access is granted to the Markham Road gate with a Knox Box per City's Design Criteria Manual. The access will be granted to the 3.000- acre property owner and emergency personnel/vehicles;
- (vii) A written, signed, and notarized agreement provided by the property owner from Mr. Gary Markham whereby access is granted to the Markham Road gate with a Click2Enter per City's Design Criteria Manual to all emergency personnel/vehicles; and

- (viii) 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 that the City shall not approve any further plat/re-plat of the Property until the Developer complies with 2.02 of this Agreement;
- (ii) Developer agrees to begin construction one single family structure and accessory residential structure(s), and diligently pursue to completion, within two-years of City Council approval; and
- (iii) 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 one single family structure and accessory residential structure(s). Failure of the Developer to begin construction of one residential structure and accessory residential structure(s), 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.

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

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 _____, 2____.

CITY OF MANVEL:

Debra Davison, 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 DEBRA DAVISON, as Mayor of the City of Manvel, Texas, on behalf of said City of Manvel.

Notary, State of Texas

Timothy J. Mikolajchak:

By: _____

Name: Timothy J. Mikolajchak

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)

Johnna Haarmeyer Mikolajchak:

By: _____

Name: Johnna Haarmeyer Mikolajchak

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

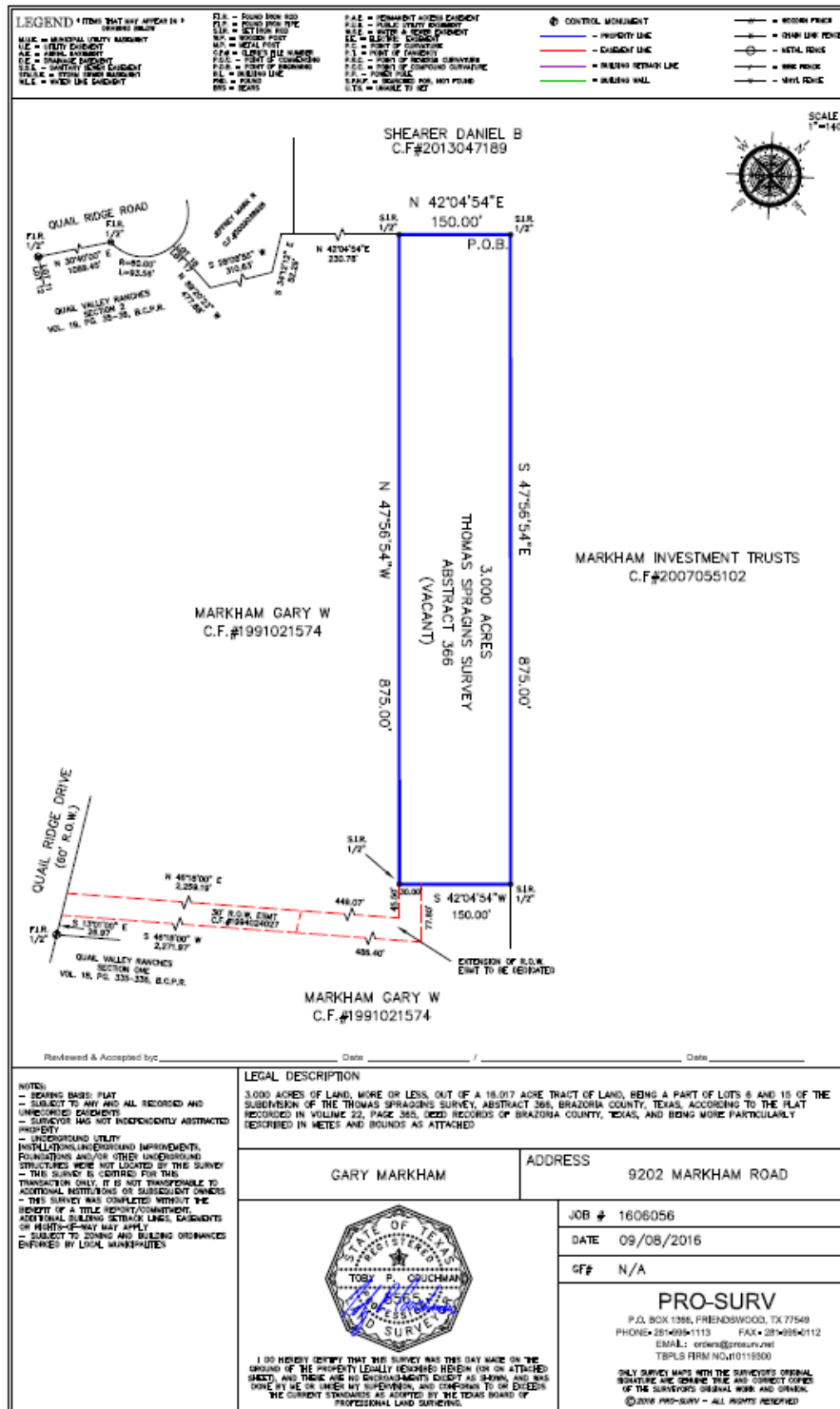
 This instrument was acknowledged before me on the ____ day of _____,
20__, by _____, as property owner.

Notary, State of Texas

(NOTARY SEAL)

Exhibit A

Being 3.000 acres of land, more or less, out of a 16.017 acre tract of land, being a part of Lots 6 and 15 of the subdivision of Thomas Spraggins Survey, Abstract 366, Brazoria County, Texas, according to the plat recorded in Volume 22, Page 635, deed records of Brazoria County, Texas.



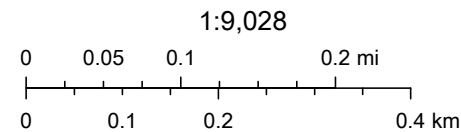
[illegible]

 Parcels

Zoning - District

 O-SFR - C

 PUD - Planned Unit Development
 LC - Light Commercial
 SDA - Development Agreement Signed



Esri Community Maps Contributors, City of Alvin, Brazoria County, Texas

City of Manvel

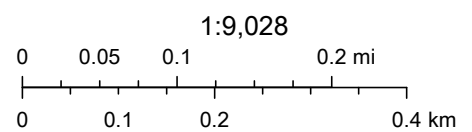
This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.

City of Manvel GIS Map



8/12/2021, 8:46:12 AM

 Parcels



Esri Community Maps Contributors, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

City of Manvel

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.



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: August 16, 2021

TOPIC: Subdivision variance request for 3.000 acres of property located on Markham Road, generally bounded by Belcher Road (north), Mustang Bayou Road (south), Ridge Road (east), and Quail Ridge Drive (west) seeking to vary Chapter 62, Section 62-111, *Additional Street Requirements*.

BACKGROUND: The 3.000-acre property is located Markham Road in the City's Extraterritorial Jurisdiction (ETJ). The property is owned by Timothy and Johanna Mikolajchak. Markham Road is a private, asphalt road with an approximate 10-foot-wide paving surface. The road is fenced approximately 2,200 feet (0.40 miles) from its intersection with Mustang Bayou Road. According to property records, Markham Road is fenced where it enters Mr. Gary Markham's property. The 3.000-acre tract is located approximately 550-feet from the fence on Markham Road. Markham Road is identified on the City's Master Thoroughfare Plan as a 120-foot-wide parkway and the Brazoria County Thoroughfare Plan as a major thoroughfare. Aerial imagery illustrates the asphalt surface ends at or about the property line for the 3.000-acre tract. The aerial imagery also illustrates that a crushed concrete driveway picks up where the asphalt road ends. The crushed concrete driveway runs the length of the front property line for the 3.000-acre tract. According to the survey, a 30-foot-wide right-of-way access easement provides a portion of the access to the 3.000-acre tract. The 30-foot-wide right-of-way access easement will need to be extended to the 3.000-acre tract to provide any access since the survey states "extension of R.O.W. esmt. to be dedicated".

The property owners would like to construct a home on the 3.000-acre tract of land. The application filed indicates the property owner is requesting a variance to Section 62-111 of the subdivision ordinance. This Section requires one-half of perimeter roads to be constructed to concrete curb and gutter. Since Markham Road is identified on the City and County Thoroughfare Plan, a dedication of a 60-foot-wide right-of-way will be required.

The 3.000-acre site has multiple access issues that include:

1. The property is partially accessed by easement. The subdivision ordinance requires a private road to roadway standards or dedication of public right-of-way;
2. A recorded easement will be required to continue access to the right-of-way dedication;
3. A Knox Box will be required for the fence since it prohibits access to the 3.000-acre tract. The property owner, Mr. Gary Markham, will need to provide written agreement to the Knox Box for emergency and property owner access;
4. Markham Road paving width is 10-feet, which does not provide proper paving width for emergency personnel; and
5. The subdivision ordinance requires a concrete curb and gutter surface be constructed to and through the front property line (150-feet), however, the existing surface is crushed concrete. At minimum City Council can consider an asphalt surface widened to 13-feet ($\frac{1}{2}$ of a 26-foot-wide road required for full paving width) with a turnaround for emergency personnel.

The City staff does not recommend approval of the variance request to Section 62-111 for 3.000-acres of land located on Markham Road due to multiple access issues identified in this report.

RECOMMENDATION: The staff does not recommend approval of a subdivision variance request to 3.000-acres of land located on Markham Road.

ATTACHMENTS: Application, Survey, Vicinity Maps, Vicinity Aerial Maps, and Development Agreement

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



LEGEND * ITEMS THAT MAY APPEAR IN *
DRAWING BELOW

M.U.E. = MUNICIPAL UTILITY EASEMENT
U.E. = UTILITY EASEMENT
A.E. = AERIAL EASEMENT
D.E. = DRAINAGE EASEMENT
S.S.E. = SANITARY SEWER EASEMENT
S.T.M.S.E. = STORM SEWER EASEMENT
W.L.E. = WATER LINE EASEMENT

F.I.R. = FOUND IRON ROD
F.I.P. = FOUND IRON PIPE
S.I.R. = SET IRON ROD
W.P. = WOODEN POST
M.P. = METAL POST
C.F.# = CLERK'S FILE NUMBER
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
B.L. = BUILDING LINE
FND. = FOUND
BRS = BEARS

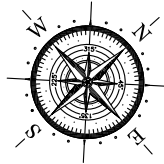
P.A.E. = PERMANENT ACCESS EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
W.S.E. = WATER & SEWER EASEMENT
E.E. = ELECTRIC EASEMENT
P.C. = POINT OF CURVATURE
P.T. = POINT OF TANGENCY
P.R.C. = POINT OF REVERSE CURVATURE
P.C.C. = POINT OF COMPOUND CURVATURE
P.P. = POWER POLE
S.F.N.F. = SEARCHED FOR, NOT FOUND
U.T.S. = UNABLE TO SET

⊕ CONTROL MONUMENT

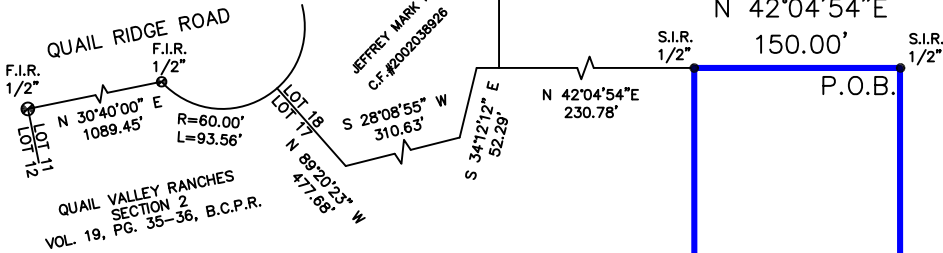
— = PROPERTY LINE
— = EASEMENT LINE
— = BUILDING SETBACK LINE
— = BUILDING WALL

— = WOODEN FENCE
— = CHAIN LINK FENCE
⊙ = METAL FENCE
— = WIRE FENCE
— = VINYL FENCE

SCALE
1"=140'

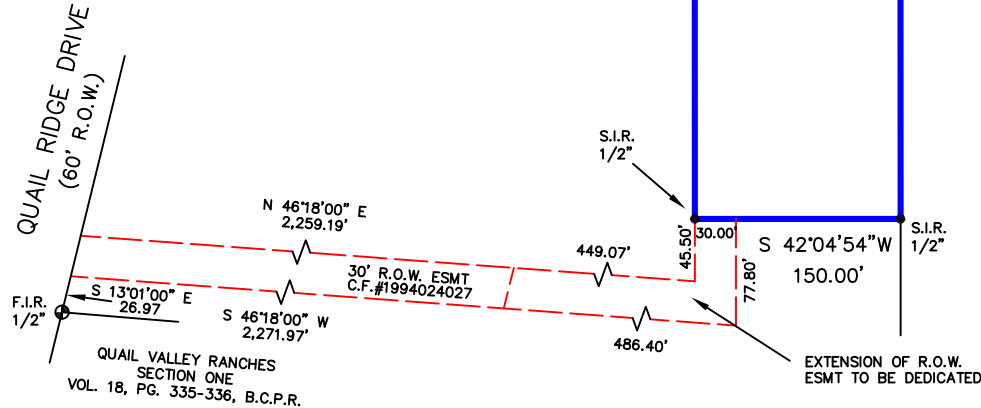


SHEARER DANIEL B
C.F.#2013047189



MARKHAM GARY W
C.F.#1991021574

MARKHAM INVESTMENT TRUSTS
C.F.#2007055102



MARKHAM GARY W
C.F.#1991021574

Reviewed & Accepted by: _____ Date _____ / _____ Date _____

NOTES:
- BEARING BASIS: PLAT
- SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
- SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
- UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
- THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT/COMMITMENT, ADDITIONAL BUILDING SETBACK LINES, EASEMENTS OR RIGHTS-OF-WAY MAY APPLY
- SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES

LEGAL DESCRIPTION

3.000 ACRES OF LAND, MORE OR LESS, OUT OF A 16.017 ACRE TRACT OF LAND, BEING A PART OF LOTS 6 AND 15 OF THE SUBDIVISION OF THE THOMAS SPRAGGINS SURVEY, ABSTRACT 366, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 22, PAGE 365, DEED RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS ATTACHED

GARY MARKHAM

ADDRESS

9202 MARKHAM ROAD



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEET), AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

JOB # 1606056

DATE 09/08/2016

GF# N/A

PRO-SURV

P.O. BOX 1366, FRIENDSWOOD, TX 77549
PHONE- 281-996-1113 FAX - 281-996-0112
EMAIL: orders@prosurv.net
TBPLS FIRM NO.:10119300

ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
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CITY OF MANVEL

[http:// www.cityofmanvel.com](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): Survey 1, Inc. / Cathy Fontenot

Phone: 281-393-1382 e-mail: cathy.fontenot@survey1inc.com

Owner: Timothy J Mikolajchak and Johnna Harmeyer Mikolajchak

Owner Address: 9202 Markham Rd City Manvel State TX Zip 77578

Phone: 979-203-3300 e-mail tmikolajchak@hotmail.com & jehaarmeyer971@hotmail.com

Property Information

Site Address: Markham Road

Legal description (from deed): a tract of land, more or less 3.013 acres in size, out of a 19.979-acre tract of land, out of lot 15 of the subdivision of the Thomas Spraggins Survey, A-366

(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: 653040

Description of Subdivision Variance Request

Chapter 62 – Subdivisions / plat

Detailed Explanation of Subdivision Variance Request

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

- 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?

This tract of land is in the City of Manvel's extraterritorial jurisdiction and is located at the end of an asphalted Markham Road. It is a 3.000-acre tract of land surrounded by a vast amount of the surrounding acreage owned by Mr. Gary Markham (located to the south, west, and east of said property), a natural drainage ditch to the north as well as large acreage estates located in the Quail Valley Ranches subdivision. A deed filed for record on July 18, 2014, File No. 2014029989 and amended on March 15, 2021, File No. 2021015629, of the Official Public Records of Brazoria County, Texas, states that the said 3.000-acre tract of land has access via an access easement as indicated in said recorded deeds.

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

The 3.000-acre tract of land was deeded to Timothy and Johnna Mikolajchak in 2014 with the intentions of developing the said 3.000-acre tract of land for one single family residential lot. The general intent and purpose of this request is to allow the property owners of the property reasonable use of their land that is compatible with the surrounding area.

- 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.

Due to the size of said property and its strict deed restrictions, granting the variance will not be detrimental to the public health, safety or welfare, or would not be injurious to this property or any other property in this area. This property will have access via Markham Road as recorded by 1994024027, 2014029989, and 2021015629. Markham Road will continue to allow for sufficient ingress/egress for residents as well as police, fire, and any other emergency apparatus.

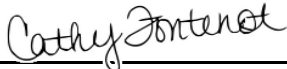
- Describe how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the subdivision ordinance.

The property will exceed the minimum requirements indicated in Sec. 62-108(a). It will be required to adhere to the recorded deed restrictions set forth by File No. 2014029989 which state all buildings shall be at least 100' from the front of the property and ten feet from the side of the property. Any additional buildings (barns, sheds, etc.) shall not be placed closer than 150' from the front of the property and will have the same ten-foot side setback requirement. This will be a rural single-family residential development and will not be allowed the use of any commercial development on the property. It will not utilize any of the city utility services. The said 3.000-acre tract of land is 150' wide by 875' deep and will be serviced by a private water well and septic system.

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 agree to provide any additional information requested by the City of Manvel as they deem necessary for the processing of this application.



Applicant Signature

07/08/2021

Date

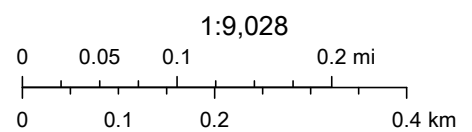
Submit variance request material to the Permit Department, City of Manvel, 20025 Highway 6, Manvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the 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.

City of Manvel GIS Map



8/12/2021, 8:46:12 AM

 Parcels



Esri Community Maps Contributors, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

City of Manvel

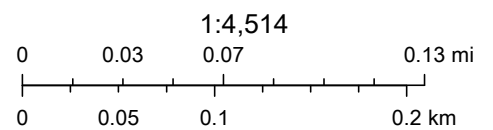
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City of Manvel GIS Map



8/12/2021, 8:48:07 AM

 Parcels



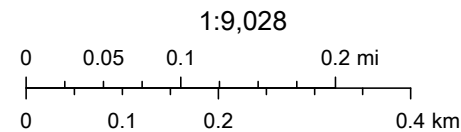
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City of Manvel

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 Parcels
 Zoning - District
 O-SFR - C

 PUD - Planned Unit Development
 LC - Light Commercial
 SDA - Development Agreement Signed

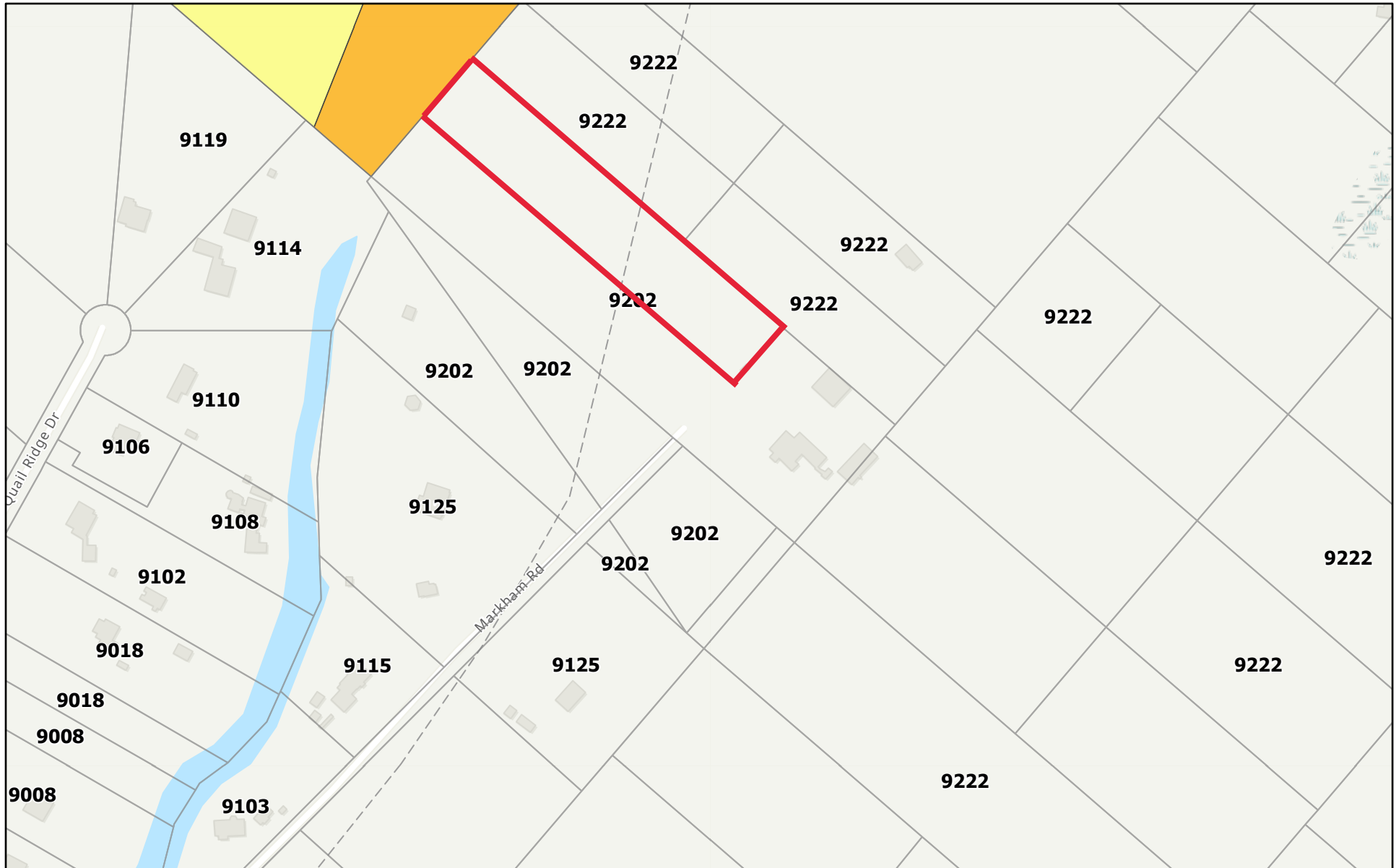


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City of Manvel GIS Map



8/12/2021, 9:40:23 AM

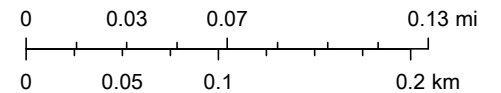
Parcels

SDA - Development Agreement Signed

Zoning - District

O-SFR - Open Single Family Residential

1:4,514



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City of Manvel

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RESOLUTION NO. 2021-R-23

A RESOLUTION ADOPTING A GRANT WRITING POLICY DATED OCTOBER 4, 2021 FOR ALL CITY DEPARTMENTS; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE.

WHEREAS, the City desires to establish a formal grant writing policy to set forth the procedures, guidelines and practices of the City concerning grant programs; and

WHEREAS, adopting a formal Grant Writing Policy is intended to help employees read, understand and comply with all procedures, guidelines and practices of the city grant writing process; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

SECTION 1: That the “Grant Writing Policy” dated October 4, 2021 attached hereto as Exhibit A, is hereby adopted for all employees of the City of Manvel. The City Manager is authorized and directed to implement all grant writing matters contained therein.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this _____, day of _____, 2021.

Debra Davison, Mayor
City of Manvel, Texas

ATTEST:

Tammy Bell
City Secretary

CITY OF MANVEL
Grant Management Policies and Procedures

PURPOSE

The purpose of this policy is to set forth an overall framework to guide the City of Manvel's management and use of grant resources.

GENERAL POLICY

Grant revenues can be an important part of the City's overall resource picture, especially with funding for capital improvements. Although grant programs themselves are sometimes difficult to locate for city needs and are becoming more competitive, actively seeking out grant revenues that can help achieve City goals and objectives can impact the overall financial health strategies.

The purpose of this policy is to ensure that each grant application submitted by or on behalf of the City of Manvel is aligned with an established priority, meets the City's expectations of document quality, has matching funds available if required by the grantor, and has an estimated schedule for expenditures needed to continue the project or program after the grant period ends.

PROVISIONS

GOALS

- To set forth the importance of grant programs in accomplishing City goals and objectives.
- To establish general concepts and framework for seeking out and managing grant programs.
- To identify roles and responsibilities in managing grant programs.
- To establish criteria for evaluating the benefits and costs of grant programs.

GENERAL CONCEPTS AND FRAMEWORK

1. The City will pursue grant funding, which may be offered through state, federal and other established sources, that supports identified goals and objectives. Any grant programs that have requirements, pre-requisites or restrictions that limit, reduce, modify, or eliminate the City's local control of revenues, land use authority, subdivision or development regulations, police powers, or any other authority provided under the City's Home Rule Charter or ordinances will not be pursued.
2. The City should focus its efforts on securing grants for capital improvements. This approach will allow for competitive applications for projects that may not be accomplished, while simultaneously maintaining financial independence should future grant sources diminish. Grants for operating purposes may be considered on a case-by-case basis after careful consideration of the benefits of the program and the ongoing impacts to the City if grant funding is no longer available.

CITY OF MANVEL
Grant Management Policies and Procedures

3. The City shall avoid grants that fund “pilot” operating programs or short-term staffing enhancements to existing programs.
4. Grant programs that impose extra financial burdens on the City (e.g., being required to continue temporary employee positions funded by the grant after the grant has expired) shall be weighed against the financial benefit of the grant itself before application.
5. The City will only seek grants when sufficient staff resources are available to successfully perform the grant work scope and to effectively administer the program in compliance with grant requirements.
6. Indirect costs of administering grant programs will be recovered to the maximum extent feasible.
7. Operating Departments (defined under Roles and Responsibilities) have the primary responsibility for seeking out grant opportunities, for preparing effective grant applications and for successfully managing grant programs after they have been awarded.
8. Operating Departments should develop a simple system that tracks grant funding availability in their functional areas. Using this system, all capital improvement budget requests will evaluate and document the ability of grants to assist in funding the project.

ROLES AND RESPONSIBILITIES

City Council

1. Approve grant management policies.
2. Approve all grant applications following City Council rules of procedure which require additional City resources or obligations (matching funds) that are not budgeted.
3. Delegate receipt and contract execution to the City Manager if delegation is allowed by the grantor agency.

City Manager

1. Receive grants and execute related contract documents when authorized to do so by the Council.
2. Develop, recommend edits to, and maintain grant management policies.
3. Approve grants which require no unbudgeted matching funds or obligations from the City.

Finance Director

1. Responsible for the oversight of the City of Manvel’s financial activity. In this role, the

CITY OF MANVEL
Grant Management Policies and Procedures

Finance Director has the authority to review financial reports generated by recipient departments, work with the City Attorney to identify and investigate issues that may arise with respect to the management of grants, and provide general oversight for other finance-related grant issues. This may include the proper budgeting and accounting for grants and other associated responsibilities indicated throughout this policy.

2. Responsible for creating a grant fund and/or project number, which is used to recognize grant revenue and expenditures in the budget for departments or divisions.
3. Responsible for coordination, preparation and distribution of single audit reports, if needed, based on the value of the grant. Ensure that the City's policy regarding single audit act requirements is implemented.

Grants Administrator

1. The Finance Director or City Manager's designee will act as Grants Administrator should this position not be a full-time staff member.
2. Responsible for general management and administration of the City's grant activities to include:
 - a. Annual grant management planning and goals.
 - b. Facilitation of departmental grant planning and collaborative grant submittals.
 - c. Grant training and technical assistance for staff.
 - d. Coordination of department tracking and reporting of grant activity.
 - e. Maintenance of grant policies and procedures, grants manual, the databases and informational web pages.
 - f. Promotion of grant opportunities
 - g. Identifying or investigating issues that may arise with respect to the management of City grants.
3. Monitor documentation for compliance with grant requirements and serve as the project manager for specified interdepartmental grants and federal appropriations.
4. Provide technical assistance to Operating Departments with preparing grant applications, submitting reports and maintaining records or administrative processes.

Operating Departments (Directors/Project Managers)

1. Develop systems for maintaining ongoing information regarding grant availability within their functional areas of responsibility.

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2. Evaluate benefits and costs of specific grant programs on a case-by-case basis:
 - a. Purpose of the grant program and its consistency with identified City goals and objectives.
 - b. Additional staffing, office space, facilities, supplies or equipment that will be required if the grant is awarded.
 - c. Ongoing impacts of the grant program after it is completed.
 - d. Responsibilities of other departments and impacts on them in preparing the grant application or performing work if the grant is approved.
 - e. Amount of indirect costs to be recovered from the grant.
 - f. Total program costs, including portions funded through grant revenues and any required City contribution.
 - g. Source of funding for any required City share.
 - h. Compliance and audit requirements, paying special attention to those areas where the grantor's administrative procedures are different than the City's.
3. Prepare grant applications.
 - a. Work with the grantor agency in identifying special program requirements and developing strategies for preparing a successful grant application.
 - b. Complete grant application documents.
 - c. Coordinate with affected departments as necessary.
 - d. For grants requiring unbudgeted additional City resources or obligations, prepare a Council report requesting authorization to seek grant funding. This report should describe the grant program's conformance with this policy, including the results of the cost/benefit analysis and be submitted to the City Manager for review and approval.
 - e. For other grants, submit the grant application, subject to the following conditions:
 - i. It will not add regular staffing.
 - ii. Any matching funds or in-kind contributions are already available within existing resources, and no additional appropriation of unreserved, undesignated fund balance or working capital is required.
 - iii. At the conclusion of the grant, there will no ongoing commitments or obligations to continue the program.
 - iv. The purpose of the grant program is clearly consistent with current City plans, policies and goals.
4. Administer grant programs if awarded.

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- a. For grants in excess of \$50,000; prepare a City Manager report (or Council report if required by the grantor agency) accepting grant award, prepare budget amendment requests and any other required City forms or documents, coordinate execution of grant documents by the City Manager and return executed documents to grantor agency.
 - b. For grants of \$50,000 or less, execute and return grant documents to grantor agency.
 - c. Notify affected departments of grant award.
 - d. Maintain financial and other records in accordance with grant requirements.
 - e. Complete and submit required reports, including requests for funds.
 - f. Monitor grant expenditures and receipt of revenues.
 - g. Coordinate on-site management reviews by the grantor agency during the grant term.
 - h. Ensure compliance with grant requirements, paying special attention to those areas where the grantor's administrative procedures are different than the City's.
 - i. Perform the grant work scope.
 - j. Project Managers will reconcile proposed reimbursement requests with the appropriate general ledger information prior to submitting.
5. Complete grant closeout.
- a. Complete the grant work scope.
 - b. Notify affected departments that the project is completed and schedule a "close-out" meeting, if necessary, to resolve any final procedural issues.
 - c. Ensure final receipt of grant revenues.
 - d. Prepare and submit any required grant close-out documents.
 - e. Review grant file for completeness.
 - f. Retain all necessary program and financial records for the period of time required by grantor agency.
 - g. Coordinate any on-site management reviews or audits after the grant is completed.
 - h. Resolve any audit findings.

CONFLICT OF INTEREST

Grant audit findings due to a conflict-of-interest issue can damage the reputation and credibility of the City. Even the appearance of a conflict of interest can be damaging to the City's reputation

CITY OF MANVEL
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and credibility. The purpose of this section of policy is to outline steps to take to avoid the appearance, as well as the actuality, of any conflict of interest or breach of trust by an official or employee of the City.

1. No officer or employee of the City shall have any direct or indirect interest, financial or otherwise, or have any arrangement concerning prospective employment that will, or may be reasonably expected to, bias the design, conduct, or reporting of a grant funded project on which he or she is working.
2. The Department Director and/or Project Manager for each particular grant funded project shall ensure that regarding the use of project funds, officials or employees of the City and nongovernmental recipients or sub-recipients shall avoid any action that might result in, or create the appearance of:
 - a. Using his or her official position for private gain.
 - b. Giving preferential treatment to any person or organization.
 - c. Losing complete independence or impartiality.
 - d. Making an official decision outside official channels.
 - e. Affecting adversely public confidence in the grant funded program in particular and the City in general.

LETTER OF SUPPORT REQUESTS FROM EXTERNAL ORGANIZATIONS

External organizations may seek support from the City for grant applications they intend to submit to a grantor. Requests for such support are often made to department staff or directors who may be unaware of whether other departments are competing for the same grant opportunity. Additionally, there may be other reasons why it would not be in the City's interests to provide a letter of support.

Letters of support for a grant application prepared by an external entity, and for which the City is not a collaborating partner, shall be coordinated by the Department Director in consultation with the Grants Administrator, Finance Director and the City Manager before submission to the requesting organization.

1. Upon receiving a request from an external organization for a letter of support for a grant application it intends to submit to a grantor, the department must decide whether to support the request.
2. The Department Director is responsible for consulting with the Grants Administrator, Finance Director and the City Manager, documenting the information and reasoning behind the decision, and for ensuring that no potential liabilities to the City will be incurred as a result of their action.
3. If the Department Director decides to approve the request and would like to provide a letter of support, the Grants Administrator must be provided with the name, mission and activities of the requesting organization, the name and description of the proposed

CITY OF MANVEL
Grant Management Policies and Procedures

project, and whether or not there will be future obligations by the City.

4. The Grants Administrator will ensure the City is not in competition, or likely to be in competition, for the same grant opportunity by comparing the request to pre-application reporting received from City departments.
5. If the City is likely to be in competition with the same grant opportunity, the request for a letter of support shall be denied.
6. If approved by the City Manager, the Department Director may supply the appropriate letter of support and provide a copy of the letter to the Grants Administrator.

INTERNALLY COMPETING APPLICATIONS

Grantors generally will not consider any proposal from a jurisdiction if that jurisdiction has submitted more than one proposal during the same funding round. Even if the grantor allows competing applications from the City, it may not be beneficial to have internal competition. The purpose of this section of policy is to develop a procedure for resolving such conflicts.

1. Upon identifying the potential for the submission of multiple grant applications to the same grantor during the same funding cycle, the Grants Administrator shall contact the grantor's program manager to determine if the grantor permits multiple submissions and inform the Department Directors of the grantor's decision.
2. The Grants Administrator and Department Directors shall take appropriate steps to resolve the situation, such as determining whether one department is better suited to pursue the grant, if more than one department should work together to pursue the grant or if more than one application may be submitted.
3. If the departments cannot agree upon a solution, the Grants Administrator will present the competing recommendations to the City Manager.
4. The City Manager, in consultation with the Finance Director shall take the recommendation(s) into consideration and make the determination of which department(s) shall submit the application. The determination will be based on merit of applications, funding availability, staffing support, previous grant award success and grant reporting and monitoring history.

AUTHORIZED ELECTRONIC SIGNATURE

Many federal and state grant programs have the requirement or option of submitting grant applications and reporting through the internet. The purpose of this section of policy is to identify the procedure to provide authorized electronic signatures.

1. All grant applications submitted through the internet shall comply with the standard policies and procedures for submission of grant applications as described in this policy.
2. The individual submitting the grant must be designated as an authorized electronic signatory by the appropriate Department Director.

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3. The Department Director shall send an email to the Grants Administrator notifying authorized electronic signature status for each designated staff person selected. This shall be done well in advance of grant submission due dates to avoid last minute delays or problems that could cause the grant deadline to be missed.

D-U-N-S NUMBER

Dun & Bradstreet (D&B) issues organizations a D-U-N-S number, a unique nine-digit identification number that is required to apply for US federal government contracts or grants.

1. The Finance Department has the sole responsibility of managing and obtaining D-U-N-S numbers for the City from the federal government's Central Contractor Registry.
2. Contact the Finance Department or Grants Administrator to obtain the City's D-U-N-S number.

GRANT SEEKING PROCESS

In order to coordinate the City's grant activities effectively and support the strategic priorities, the Grants Administrator must have knowledge of prioritized department needs that potentially can be met through grants. This knowledge will allow the Grants Administrator to identify and eliminate the potential for parallel or redundant submissions, recognize areas for potential collaboration among departments, plan for submission of proposals to regular cyclical grant opportunities, and be pre-positioned to assist the departments in the submission of proposals to those opportunities when they arise.

PRE-APPLICATION ASSESSMENT & REVIEW PROCEDURE

The department considering an application for a grant is responsible for the pre-application assessment, in which the following factors shall be evaluated in consultation with the Finance Director, Grants Administrator and City Manager. The pre-application assessment shall be done well in advance of grant submission due dates in order to avoid last minute delays or problems that could cause the grant deadline to be missed.

1. Financial
 - a. Total anticipated project cost.
 - b. Match requirements and sources.
 - c. Administration and indirect recapture amounts.
 - d. Program income considerations.
 - e. Staffing requirements (including salary and benefits increases for multi-year grants).
 - f. Documentation of a clear continuation plan. It is required that departments develop continuation plans (plans for sustaining grant funded programs if funding

CITY OF MANVEL
Grant Management Policies and Procedures

is reduced or terminated) prior to applying for grants, which reflect the potential for loss of funding and the subsequent loss of grant funded positions or program components. Departments must plan responsibly for either termination or reduction of the program or seek to secure alternative sources of funding.

2. Programmatic

- a. Alignment with City's strategic priorities and affected department's business plan.
- b. Provision or expansion of services to address critical needs.
- c. Department's capacity to administer the financial and administrative aspects of the grant.

APPLICATION SUBMISSION

1. The department submitting the grant application is responsible for ensuring that pre-application assessment factors noted above have been evaluated and completed prior to submission.
2. The department is responsible for obtaining the City Manager's approval prior to the time of application submission and for submitting the grant application to the grantor by the grant application due date.
3. If required by the grantor at the time of submission, the department shall prepare a council agenda item for City Council approval to submit with the grant application.
4. A copy of the completed application must be submitted to the Grants Administrator to confirm the grant is recorded for status tracking and reporting to the City Council.

AWARD NOTIFICATION AND ACCEPTANCE

Grant agreements are legal contracts. It is the City's responsibility to carry out the project and/or activities associated with a grant to accomplish its objectives, while adhering to all of the terms and conditions prescribed by the grantor. Failure to do so increases the City's exposure to legal liability and compromises current and future grant funding. Therefore, the City carries a significant legal and ethical responsibility when accepting grant funding.

1. Award Notification Procedure

- a. All departments that receive a grant award shall date stamp, duplicate, and forward a copy of the award notification, the grant agreement or contract, and any memoranda of understanding to the Grants Administrator within two (2) days of receipt.

2. Council Approval to Accept Award Procedure

- a. If approval of the grant has not been previously authorized by the City Council,

CITY OF MANVEL
Grant Management Policies and Procedures

the Project Manager shall prepare a report and fiscal impact statement for the City Manager's approval to request City Council authorization for the City Manager to execute the grant agreement and related documents.

- b. Once executed by the proper City officials, the Project Manager will forward the executed document to the grantor.
- c. The fully executed original grant agreement (executed by the City and the grantor) shall be received by the appropriate department.
- d. The department must provide the original version of the fully executed grant agreement to the City Secretary's office and Grants Administrator when the fully executed grant award is returned to the City by the grantor.

RECEIPT AND USE OF GRANT FUNDS

The purpose of this section of policy is to ensure that grant funds are properly used and received by the City of Manvel. Violations can result in a range of penalties including suspension of future funds from the grantor, forfeit and return of all funds associated with the award (including those already expended), civil charges, and/or criminal penalties.

1. All departments receiving grant funds shall adhere to City Financial Policies and Procedures.
2. No grant funds shall be disbursed or expenditure encumbered until the grant has funded, the required documentation is complete, the project has been established in an appropriate fund by the Finance Director or their designee, and City Council has approved any sub-grant awards, consultant agreements or contracts, if required.
3. If grant revenue and expenditure monies have not previously been identified in the annual budget, a budget amendment request shall be submitted by the Project Manager to the Finance Director. All grant-related budget amendment requests shall be submitted in a timely manner in order to keep the budget current with respect to the financial status of the grant.
4. Modifications to the budget associated with a grant funded project in such a way that alters the grant amount or moves funds from one budget line item to another must adhere to the City's policies and procedures for budget modifications, meet grantor requirements and be approved by the Finance Director or their designee. Copies are to be provided to the Grants Administrator.
5. Grant funds awarded to the City shall not be used to pay for an existing expense so that current funds can be diverted to another use, unless such use of grant funds is explicitly identified as allowable in writing by the granting entity in the grant award.
6. All income resulting from a grant funding shall adhere to the City's policies and procedures and be managed and maintained as established in the award letter, grant agreement, contract, special conditions, or other documents generated by the granting entity.

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Grant Management Policies and Procedures

7. All procurement and contract activity associated with grant funded projects or programs shall follow the procedures outlined in the City's purchasing policies and procedures. A copy of the grant agreement and/or documentation specifying grantor purchasing requirements must be provided to the Finance Director or their designee to ensure compliance.
8. All property acquired using grant funds shall follow the procedures outlined in the City's policies and procedures.
9. All grant and any related matching fund revenues and expenditures shall be recorded in the grant project. Any revenues or expenditures that occur in another program/project that are applicable to a grant or that are used as a match shall have a journal entry made to put the revenues or expenditures in the appropriate grant project with a detailed explanation, including original general ledger date and reference information. Revenues received shall not be deposited into an expenditure account unless an item purchased was returned.
10. Grant Project Managers are ultimately responsible for adherence to the stipulations outlined in the approved grant award/contract to ensure that allowable expenditures are incurred.

GRANT REPORTING

Grants awarded to the City may require that progress, programmatic and financial reports be submitted to the grantor. Accurate and timely reporting is critical to maintaining a good relationship with the grantor. Late or inaccurate reports may negatively impact current or future funding.

1. Recipient departments must prepare timely and accurate progress, programmatic or financial reports as required by the grantor.
2. Copies of all financial status and final reports prepared for submission to the grantor shall be provided, along with the associated grant name and year to the Grants Administrator and Finance Director or their designee at the time of submission to the grantor.
3. The City Finance Director or their designee will review the financial reports for content and quality and address any issues with the recipient department to better assist for future reports.
4. The Grants Administrator will review any programmatic reports for content and quality and address any issues with the recipient department to better assist for future reports.

GRANT FILE MANAGEMENT, ACCESS AND RETENTION

The City Manager, Finance Director, Grants Administrator or designee may review the files, activities, equipment, and facilities, and interview relevant personnel and contracted entities of any City of Manvel project or program that is funded with grants awarded to the City.

1. All department and master files associated with a grant award must maintain a file structure that includes the following five sections with clear separations between different

CITY OF MANVEL
Grant Management Policies and Procedures

fiscal years, unless otherwise directed by the grantor:

- a. Submittal – e.g., application guidance and a copy of the application
 - b. Research – e.g., statistical and other information used in preparation of and support of the grant
 - c. Award – e.g., award letter, council agenda item, grant agreement, grant amendments, modifications, extensions, cancellations, terminations or anything else related to the award
 - d. Finance – e.g., account set-up, purchase orders, invoices
 - e. Reports – e.g., granting entity and evaluation components
2. The City of Manvel generally maintains records for at least five years following the closure of its most recent audit report. State law may require different periods of time to which the City must adhere. If any litigation, claim, negotiation, audit, or other action involving grant records has been started before the expiration of the five-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five-year period, whichever is later.
 - a. Grantors may require retention periods in excess of five years. Departments must ensure they comply with retention requirements specified by each grantor.
 - b. Retention requirements extend to books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records.
 - c. Source documents include copies of all awards, applications, and required recipient financial and narrative reports.
 - d. Personnel and payroll records shall include the time and attendance reports, personnel activity reports or equivalent documentation for all individuals reimbursed under the award.

GRANT CLOSEOUT

1. Upon completion of the grant period of each grant, the recipient department must prepare a memorandum to the Finance Director and Grants Administrator that identifies the name of the grant, the project number and describes the final disposition of the funds and required activities.
2. Upon review of the memorandum and satisfaction of any discrepancies, the Finance Director or their designee will update the accounting system and confirm grant closeout with the Grants Administrator.
3. The grant closeout memo shall be placed in the grant's master file.

Candidates for the 2021 Appraisal Districts Board of Directors Election

Council Member Davis recommendations;

Chad Thumann of Sideline Investments LLC.

"Chad Thumann is currently the President of Sideline Investments, LLC and Board Member for the Pearland EDC since 2018. Chad is also a member of the Pearland Lions Club where he previously served as its vice-president. He is also a board member for the Forgotten Angels Foundation and as a committee member for the Houston Livestock Show and Rodeo and the Pearland 100 Club. He has previously served as a commissioner for Brazoria County Emergency Services District No. 4 and as a member of the Bond Oversight committee for Pearland ISD. Chad is committed to the success of Brazoria County and continues to look for ways to be active in shaping the future of the County"

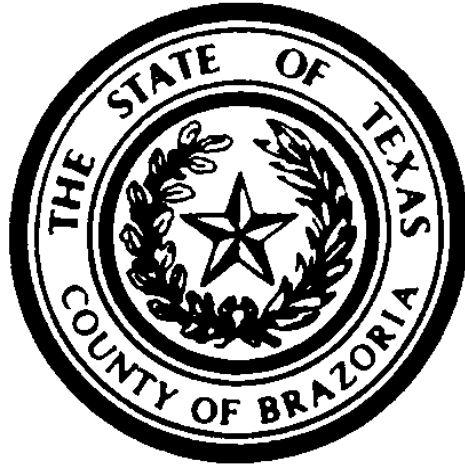
Lindsey Vaughn

"Lindsey Vaughn is the broker owner of RE/MAX American Dream. Her career in real estate started in 2000 where she was an agent for a small real estate firm. After just two short years she moved her business to the largest real estate company in the world, RE/MAX. In 2005, she finished her classes and passed her Real Estate Brokers exam. In 2014, she and her husband purchased their own RE/MAX in Alvin and in 2016 they purchased their second location in Friendswood.

Lindsey participates in the Alvin Sunrise Rotary and truly believes service above self. Every year Lindsey's hard work and determination earn her many other awards. In 2016 - 2018, she earned the Platinum Club award through RE/MAX International as well as the 5 star realtor designation through Texas Monthly. She has earned both the volunteer and ambassador of the year awards with AMACC and the Ambassador of the year for the Friendswood Chamber. She serves on many boards: Friendswood Chamber, Fireworks Committee for the City of Friendswood, TIRZ for Kendal Lakes Subdivision and many more.

After several years of mentoring and training real estate professions to lead successful lives she opened Lindsey Vaughn Business Consulting. This has provided other small business owners the opportunities to learn from her proven systems.

Lindsey looks forward to continuing her service to the community."



Brazoria County Appraisal District Board of Director's Procedures Manual

Revised April 2015

FOREWARD

The Brazoria County Appraisal District is a political subdivision of the State of Texas created by the legislature through enactment of Subchapter A, Chapter 6, and Section 6.01 of the Texas Property Tax Code. The district is responsible for the development of an appraisal roll for use by taxing units in imposing ad valorem taxes on property within the district boundaries. Taxing units bear all costs of the district's operations with each unit responsible for a share proportionate of the property taxes imposed. The employees of the district are public servants and facilitate district operations to the benefit of the taxpayer. Therefore, the district's mission statement as adopted by the board of directors states:

Our mission as public servants is to demand excellence in the services provided to the taxpayers and taxing jurisdictions of Brazoria County. The district's goal is to efficiently and timely produce an accurate, complete and equitable appraisal roll. The intent of the policies and procedures of the district is to bring about the highest possible degree of understanding, cooperation, dependability, flexibility and functionality while managing critical data in dynamic situations.

An appraisal district director participates in governing the district in accordance with state laws and rules governing appraisal district operations. The Texas Constitution Article VIII, Section 20, provides that no property be assessed for ad valorem taxes at a greater value than its fair cash market value. In addition, constitution provisions provide for a number of special appraisals and exemptions and authorize the Legislature to create local governments and provide them with taxing power.

The Texas Property Tax Code, enacted in 1979, contains most laws enacted by the Legislature that deal with property taxes. This board, along with the district chief appraiser, is responsible for ensuring that the district conducts operations in a fair and efficient manner. As government officials, directors must be responsive to the public and aware of the laws and principles that apply to their office.

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I BOARD OF DIRECTORS

The Brazoria County Appraisal District Board of Directors is a five person panel enlisted by the county's taxing units as specified by statute to include Brazoria County, all cities, school districts and junior colleges. In addition, the tax assessor-collector acts as a non-voting member unless appointed by the taxing units to be a voting member. The board must govern the appraisal district operations, select the chief appraiser, adopt the annual district budget, appoint an appraisal review board and ensure the district follow policies and procedures as prescribed by Texas law. The board *does not* appraise property or make decisions that affect the appraisal records. (Section 6.03 of the Tax Code)

ELIGIBILITY

Board members must reside within the boundaries of Brazoria County to be eligible to serve. He or she must have lived in the county for at least two years prior to being sworn in. The law bars an employee of a taxing unit that participates in the appraisal district from serving. However, an elected official or member of the governing body of a participating taxing unit may serve.

Eligibility requirements to be considered by taxing units in their voting process include that the individual has no delinquent taxes – this disqualification does not apply if the person is paying delinquent taxes under installments or has deferred or abated a suit to collect the delinquent taxes; a director cannot be related within the second degree of consanguinity or affinity to district employees who appraise property or to a person representing property owners for compensation before the districts appraisal review board. A director who continues to serve knowing he or she is related in this manner commits a Class B misdemeanor.

A person is ineligible from serving on the board of directors if for compensation, the individual appraised property for use in or represented property owners in a proceeding under the Tax Code at any time during the preceding five years. (HB 585, Section 6.035)

VACANCY

When a vacancy occurs on the board of directors, other than a vacancy in the position held by the county assessor-collector, each taxing unit that is entitled

to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. (Section 6.03 (l) of the Tax Code) The board of directors shall elect, by a majority vote of its members, one of the nominees to fill the vacancy.

RECALL

The governing body of a taxing unit that participated in the appointment of a board member may initiate the recall of that member. Members can also be recalled by election after passing a resolution calling for the recall of the representative on the board.

II ORGANIZATION

The newly selected Brazoria County Appraisal District Board of Directors member must be properly sworn into office. The board selects officers, assigns responsibilities and schedules public meetings. The Texas Constitution requires each director to sign a statement and take an oath beginning a term.

OFFICERS OF THE BOARD

The board elects a chairperson, vice-chairperson and secretary at its first meeting each calendar year. The board elects a replacement for vacancy of these positions at the first meeting after the vacancy occurs. The duties of the chairperson include:

- o presiding at the board meeting
- o appointing committee members
- o signing all legal instruments on behalf of the board
- o performing legal duties as required by statute

The chairperson may also vote on any motion. The vice-chairperson presides at meetings if the chair is absent; the secretary's duties include signing all legal instruments requiring board signature and performing legal duties as required by statute.

If both the chair and vice-chair are absent from a meeting, the secretary will act as temporary presiding officer.

BOARD COMPENSATION

The members of the board *do not* receive compensation for service on the board. Members do receive reimbursement for actual and necessary expenses incurred in the performance of their duties as provided for in the appraisal district budget.

BOARD MEETINGS

The board normally meets in the board room of the district office at 500 North Chenango in Angleton, Texas. The board may designate a different location to meet when needed. Meetings regularly start promptly at 10 a.m. on the second Tuesday of each month. The chair may call emergency meetings and the board may vote to call special meetings and/or emergency meetings with proper posting applicable by law.

A majority of the members of the board constitute a quorum.

The chief appraiser prepares and posts meeting notices as required by law on behalf of the board and the board is regulated to meet and act on only those items posted. All notices will be posted at the appraisal district in a place convenient to the public. In addition notices are posted with the county clerk, the county courthouse and on the Comptroller's website. All notices include the date, hour and place of the meeting as well as the subjects to be discussed. Emergency meeting notices must state the emergency. The chief appraiser posts notices for regular and called meetings at least seventy two hours before the meeting. Emergency meeting notices must be posted at least two hours before the meeting.

The board conducts meetings under *Roberts Rules of Order Revised* unless otherwise directed by board policy or state law. In accordance with the Open Meetings Act, the board prepares minutes and keeps a tape recording for each meeting. The minutes state the subject and indicate the vote, order and decision. These minutes and recordings are public record and are available for public inspection and copying on request. Further, a person in attendance may make an audio or visual recording of all or any part of the open board meeting.

The board may hold a closed or executive session that excludes the public to the extent permitted by law. A closed executive session may be held in accordance with the Open Meetings Act, Code 511.071, 551.072 and 551.074 for

the following: private consultation with legal counsel; consideration of employment, appointment, evaluation, reassignment, duties, discipline and/or dismissal of an employee or to hear complaints or charges against an employee; current litigation; matters concerning the purchase, exchange, lease or value of real property for the purposes of district administration. However, the board may not take any official action during a closed session. All official actions must be taken in an open meeting. The Open Meetings Act requires the board to keep minutes or tape of all meetings. The board must keep either a certified agenda or tape recording of each closed session. Each member of the board of directors is required to complete a training course on the Open Meetings Act offered by the Office of the Attorney General not later than the 90th day after taking the oath of office.

The chief appraiser, in addition to preparing the meeting notice and agenda on behalf of the board, also mails or delivers an agenda packet outlining the agenda and providing support information to each member at least forty-eight hours before the time of the next regular meeting.

CITIZEN PARTICIPATION

The board, in compliance with Section 6.04 (d), (e), (f) and (g) of the Tax Code, provides regular opportunities for the public to speak on any issue under its jurisdiction.

The board shall include on its agenda at each board meeting an item entitled "Public Comments" to permit the public a reasonable opportunity to speak on any issue under the jurisdiction of the board and for comments on appraisal district and appraisal review board policies and procedures.

The board shall allow public comments at each meeting, based on the following terms and conditions. Each person or group of persons shall be allowed five minutes in which to make their comments. A group or organization of persons shall designate one of their members to speak on their behalf.

At its discretion, the Board may grant additional time to any person making an appearance. The board may refuse to hear any person who attempts to speak on a subject unrelated to the policies and procedures of the appraisal district or the appraisal review board and unrelated to any other issue under the board's jurisdiction. (Section 6.04(d) of the Tax Code)

The following guidelines provide access to the board for non-English speaking and disabled persons:

- o Any non-English speaking person, deaf person, or person who has any physical, mental or development disability desiring to appear before the board must file a written request with the chief appraiser, who will schedule the person to present testimony at the next regularly scheduled board meeting. The request should indicate any special assistance or arrangement required to make the presentation to the board possible.
- o The chief appraiser shall appoint annually at least one bilingual person in the county to serve as an interpreter. An interpreter shall attend any meeting of the board of directors in which a non-English speaking person is scheduled to testify and shall be paid a per diem amount equal to the amount paid to members of the appraisal review board.
- o The chief appraiser shall coordinate with the area service council of the Texas Commission for the Deaf, namely (Hear-Say, 2525 Murworth #207, Houston, TX 77054 or Deaf Council of Greater Houston, P. O. Box 20594, Houston, TX 77025) in obtaining services when required, to attend any meeting of the board of directors in which a deaf person is scheduled to testify. The interpreter shall be paid a per diem amount equal to that paid to members of the appraisal review board.
- o The chief appraiser shall coordinate to provide proper arrangements for public forums, to include the correct placement of microphones, sufficient area for wheelchairs and other mobility aides, any other matter which would assist in improved access to the board of directors in a public hearing.
- o Meetings of the board of directors for which written notice has been given from persons requiring barrier free access shall be conducted in public buildings complying with the standards and specifications adopted by the State Purchasing and General Services Commission. Meetings of the board of directors are held

in the board room of the district office at 500 North Chenango, Angleton, Texas.

FACILITATING COMPLAINTS

The board must make information available to the public and the taxing jurisdictions on its procedures for handling and resolving complaints. Complaints received must be directed to the district's liaison officer and must be accepted only in written format. At the next regularly scheduled board of director's meeting the liaison officer is charged with presenting the complaint in its original form as well and providing the board with a synopsis of explanation as to how the complaint originated; what district staff is involved, if any; and what an expected resolution to the complaint might be. The board must then perform the following statutory requirements:

- o Determine if the board has authority to act on and/or resolve the complaint;
- o Notify the parties who filed the complaint and/or are named in the complaint of the status at least quarterly or until the complaint is resolved or a determination of the complaints merit is made;
- o Appoint the liaison officer and/or enlist the services of the board's attorney or any other professional agency the board feels is necessary to investigate the complaint;
- o Mandate that the liaison officer report the status of any pending complaints and/or investigations into complaints to the board during regularly scheduled meetings;
- o Provide potential complainants with a complete listing of the board's responsibilities to show what issues are within the board's jurisdiction;

GUIDELINES FOR CONDUCT IN DISTRICT OFFICES

The board mandates that certain conduct is prohibited in and/or on district premises. District premises means the building and grounds located at 500 North Chenango, Angleton, Texas. Prohibited conduct in public and non-public areas includes, but is not exclusive to:

- o public discourse – public areas are open to the general public for the limited purpose of conducting official business with employees of the district;
- o disorderly conduct – any activity which unduly interferes with the orderly conduct of the district’s business;
- o entrance by non-employee – non-public areas are intended for the use as workplace for district employees. Members of the public are not permitted to be in these areas unless accompanied by district employees;

The board prescribes that only a licensed peace officer may possess a firearm on the premises of the district. Unless otherwise authorized by applicable state law, no other person may possess a firearm, concealed or otherwise on the premises of the district. For the purposes of this section, “premises” means any property or buildings leased to or owned by the Brazoria County Appraisal District. “Firearm” has the meaning assigned to that term by Section 46.01, Texas Penal Code.

III AUTHORITY

STATUTORY RESPONSIBILITIES

The Brazoria County Appraisal District Board of Directors establishes general policies in keeping with state law. The board may exercise its authority only by majority vote in a properly posted meeting. An individual member may not bind the board by any statement or action.

The board may establish committees as needed to carry out its responsibilities. A committee acts only as an adjunct of the board and may not take any action which in any way usurps the power and/or responsibilities of the board of directors. The board establishes committees by majority vote and the chairperson appoints the committee members.

The Brazoria County Appraisal District Board of Directors, in compliance with statutory responsibilities will:

- o Establish an appraisal office (Section 6.05 of the Tax Code) – the administrative offices of the district are located at 500 North Chenango, Angleton, Texas. The board approves all contracts for office space and establishes the business hours. The district’s normal

business hours are from 8 a.m. to 5 p.m. Monday through Friday. Departments involved in public contact must maintain personnel during these hours. The board and chief appraiser periodically review office space requirements, lease arrangements and other requirements related to the establishment of the appraisal district offices.

- o Appoints the chief appraiser (Section 6.05 of the Tax Code) – the chief appraiser serves at the pleasure of the board. The chief appraiser is an officer of the appraisal district for purposes of the nepotism law, Chapter 573, Government Code. The district may not employ or contract with the chief appraiser's spouse, parent or stepparent, child or stepchild, or the spouse of any of these. (Section 6.05(g) of the Tax Code). A candidate for Chief Appraiser must be certified as a registered professional appraiser. The person may possess an MAI professional designation from the Appraisal Institute, or possess an Assessment Administration Specialist (AAS), Certified Assessment Evaluator (CAE) or Residential Evaluation Specialist (RES) designation from the International Association of Assessing Officers, however must obtain a RPA by the fifth anniversary of the date of appointment. The board evaluates the chief appraiser annually in October.
- o Appoints the taxpayer liaison officer (Section 6.052 of the Tax Code) - the liaison officer serves at the pleasure of the board. He or she administers certain public access functions required by the Tax Code and is responsible for resolving disputes that do not involve matters that may be protested under Section 41.41 of the Tax Code (Section 6.04 (d), (e) and (f)). The taxpayer liaison officer reports to the board on the status of all written complaints filed with the board at each meeting. (Section 6.04(g) of the Tax Code). The liaison is responsible for receiving and compiling a list of comments and/or suggestions filed by a chief appraiser, a property owner or property owner's agent regarding specific matters related to the ARB. The liaison is required to forward the list to the Comptroller in the form and manner prescribed by the Comptroller. If any member of the public wishes to

file a complaint with the board of directors concerning the operations of the appraisal office or any other function over which the board has responsibility, he or she may do so. Written correspondence to the chairman of the board or the liaison officer, outlining the complaint should be delivered to the chief appraiser of the district at the appraisal district office. The issues raised in such complaints or commentary will be discussed by the board at the next scheduled public meeting, and public testimony will be invited. Pursuant to the Texas Tax Code, the board of directors shall notify the parties to the complaint concerning its status on a quarterly basis until final disposition of the matter, unless notice would jeopardize an undercover investigation.

- o Approves the district budget (Section 6.06 of the Tax Code) – before June 15th of each year, the chief appraiser prepares a preliminary budget and delivers copies to each board member and each participating taxing unit with a request for the comments and recommendations. The board shall consider and adopt the annual budget before September 15th of each year, after giving notice to the public and taxing units and conducting a public hearing as required by law. Pursuant to Section 6.06 (c) of the Tax Code, the board may amend the approved budget at any time, but the secretary of the board must deliver a written copy of a proposed amendment to the presiding officer of the governing body of each taxing unit participating in the district not later than the 30th day before the date the board acts on it.
- o Credits any excess amount from total amount of payments made or due to be made by the taxing units exceeding the amount actually spent or obligated to spend during the fiscal year in compliance with Section 6.06 (j) of the Tax Code.
- o Facilitates annual financial audit (Section 6.063 of the Tax Code) – contracts for an annual audit by an independent certified public accountant which the chief appraiser delivers to the presiding officers of all taxing jurisdictions.

- o Designates a financial depository (Section 6.09 of the Tax Code) – solicits bids for the district at least once every two years and allows the extension of the contract for an additional two-year period. In choosing a depository, the board selects the institution that offers the most favorable terms and conditions for the handling of district funds. Funds must be secured in the manner provided by law for county funds.
- o Requires competitive bidding (Section 6.11 of the Tax Code) – subject to the purchasing and contracting authority as a municipality under Chapter 252, Local Government Code. The district cannot make a contract requiring an expenditure of \$50,000 or more unless it follows one of the methods specified in this code including competitive sealed bids, reverse auctions and various exceptions. Exceptions to these requirements include responses to calamity; unforeseen damage; procurement of personal, professional or planning services; work paid for on the day it is performed; purchase of land or right of way; purchase items available from only one source; and/or purchases in auction, under interlocal contracts or through the Texas Procurement Commission.
- o Purchasing and Contract Authority (Chapter 252 Local Gov. Code) - According to the Appraisal District Director's Manual – District directors will consider a variety of contracts for supplies, equipment, services and other work. Section 6.11 of the Tax Code requires competitive bidding for purchases and contracts requiring an expenditure of \$50,000 or more. Specifically, the board must follow the process set out for municipalities in Chapter 252 of the Local Government Code.

The Texas constitution prohibits political subdivisions from incurring debt that extends into fiscal years without a sinking fund, “funding out” clauses should be included in contracts that extend beyond the budget period. The clause as stated in the Texas Constitution gives the appraisal district the right to terminate the agreement if revenues do not actually become available in the future.

- o Approves members of agricultural advisory board (Section 6.12 of the Tax Code) – the chief appraiser, with the consent of the board, appoints an agricultural advisory board to advise the chief appraiser on the valuation and use of agricultural and timber land. The board must have three or more members including one member representing the county farm service agency. Other members must own agricultural or timber land that qualifies for productivity valuation. (Chapter 23, sub-chapters C, D, E of the Tax Code)
- o The board of directors of the appraisal district by resolution shall select a chairperson, vice-chairperson and secretary for the appraisal review board. The board of directors is encouraged to select as chairperson of the appraisal review board a member, if any, who has a background in law and property appraisal. (Section 6.42 (a) of the Tax Code as amended by House Bill No. 2317, Section 2, 81st Legislative Session). The appraisal review board, consisting of citizen members who serve two-year terms is appointed solely by the county's District Administrative Judge in accordance with House Bill 585, Section 6.41. An individual who has served for all or part of three previous terms on the appraisal review board is ineligible to serve on the appraisal review board during a term that begins on the next January 1st. (Section 6.412(e) of the Tax Code.) The district administrative judge appoints appraisal review board members by resolution. If a vacancy occurs, the liaison officer reports the vacancy to the administrative judge who fills it in the same manner with the appointee serving for the unexpired portion of the term.
- o Approves appraisal contracts (Section 25.01(b) and (c) of the Tax Code) – annually with private appraisal firms to perform appraisal services for the district. Appraisal services provided by each such firm are subject to the chief appraiser's approval.
- o Approves periodic reappraisal (Section 25.18 of the Tax Code) – as provided in the district's reappraisal plan presented by the chief appraiser and detailing the review of all real property and tangible personal property in the district boundaries. The district is responsible for ensuring that taxation is equal and uniform as directed by Article

VIII, Section 1 of the state constitution. In accordance with Section 6.05(i) of the Tax Code, the board must approve a biennial written reappraisal plan and hold a public hearing to consider the plan no later than September 15th of each even-numbered year. The board must distribute copies of the plan to taxing units and the Comptroller within sixty days of board approval.

IV RESPONSIBILITIES AND LIMITATIONS

In addition to performing specific statutory responsibilities, The Brazoria County Appraisal District Board of Directors must comply with other duties including, but not exclusive to:

- o Establish committees as needed
- o Requires and evaluates reports from the chief appraiser
- o Requires the development and adoption of district policies
- o Ensure policies for sound financial management of district funds
- o Assists in presenting the needs of the district to the public
- o Considers and acts on policies for the appraisal district
- o Selects the district's legal counsel
- o Approves contracts as required by law
- o Performs duties required to govern the district as permitted by law

LIMITATIONS

The Brazoria County Appraisal District Board of Directors' authority over appraisals is limited. The board *does not* appraise property or review values on individual properties. The law assigns these tasks to the chief appraiser and the appraisal review board. The board has no authority to review appraisal review board decisions, exemptions, and qualification for special appraisal or taxability determinations, except provisions made under Section 25.25 (b) of the Tax Code. Once the board of directors has appointed the appraisal review board members and the members are sworn into office, the board of directors' authority ends.

The board *does* have some authority over appraisal policy through its duties to contract, budget and plan reappraisals. The board exercises some authority over appraisals when it must grant permission to the chief appraiser for any appeal of an appraisal review board decision to district court.

V CONFLICT OF INTEREST

LAWS

Board members are subject to two conflict of interest statutes. A conflict of interest occurs when a person in government has personal or business interests that may conflict with the interests of the public. (Chapter 171, Local Government Code). The Code prohibits appraisal district directors from knowingly participating in a vote or decision on any matter involving a business entity or real estate in which the member has a substantial interest. (Section 6.036) The law defines “substantial interest” as an interest held by members or their relatives in the first degree by blood and marriage that is:

- o Ten percent or more of the voting shares or stock in a businesses entity;
- o Fifteen thousand dollars or more of the fair market value of a business entity;
- o Ten percent or more of the member’s gross income for the previous year from the business entity;
- o A legal or equitable ownership of real property worth at least two thousand five hundred dollars of the fair market value of the property;

Business entities include corporations, partnerships, holding companies, firms, sole proprietorships, joint-stock companies, receiverships, trusts or any other entity recognized in law including non-profit organizations. Under the Local Government Code, a board of director member who has substantial interest in a matter before the board must first file an affidavit declaring the extent and nature of the interest in the entity or property; and second must abstain from voting or participating in discussions or any issue involving his or her interest.

DISCLOSURE

Any district board member, to ensure compliance with Chapter 176 of the Local Government Code, must file a conflict disclosure statement when a certain person or the person’s agent contracts or seeks to contract for the sale or purchase of property, goods or services with the district. This statement – prescribed by the Texas Ethics Commission – must be filed with the chief appraiser within seven business days of the board member becoming aware of the relationship and contracts. A violation of this requirement is a Class C misdemeanor.

POLICY DEVELOPMENT

It is the policy of the Brazoria County Appraisal District Board of Directors to facilitate the development of controls, which will aid in the detection and prevention of fraud, impropriety or irregularity within the district. It is the intent of the board to promote consistent organizational behavior guidelines and assigning responsibility for the development of controls and conduct to the chief appraiser as assigned by the board's adoption of a district personnel policy manual.

(Adopted December 2009)

The chief appraiser and/or chairperson of the board of directors in conjunction with legal counsel maintain a policy and/or set of policies for the management of personnel, detection and prevention of fraud, adherence to accepted code of ethics and admonishment of abuse or any illegal act. The terms fraud, abuse and illegal acts refer to, but are not limited to: dishonesty; forgery; alteration of documents; misappropriation of funds, securities and/or supplies; profiteering; disclosure of confidential information; accepting or seeking anything of material value from persons providing services/materials to the district; accepting or seeking anything of material value from property owners, tax consultants or others affected by the district's discharge of its statutory duties; destruction, removal or inappropriate use of records, equipment and/or supplies.

VI DISTRICT ADMINISTRATION

The Brazoria County Appraisal District consists of the appraisal office, which handles appraisals and the administration of the appraisal district and the appraisal review board. The chief appraiser is the chief administrator of the appraisal office.

CHIEF APPRAISER SELECTION

The Brazoria County Appraisal District Board of Directors understands the importance of selecting and retaining a qualified chief appraiser (Section 6.05 of the Tax Code). As the district's chief administrative officer, the chief appraiser implements goals and objectives set by board policy and are required to comply with the requirements of the Tax Code as well as rules set by the state comptroller and laws set forth by the Texas Legislature. Appointed by the board

of directors, the chief appraiser serves at the pleasure of the board and is directly accountable to the board.

CHIEF APPRAISER QUALIFICATIONS

The Brazoria County Appraisal District Board of Directors sets the qualifications necessary for the position of chief appraiser. Some of those qualifications include but are not limited to the following:

- o possess advanced administrative abilities
- o demonstrates broad appraisal experience
- o maintains a high moral character
- o must comply with state law regarding qualifications and have attained or will become a registered professional appraiser by the fifth anniversary of appointment;

The board may waive the requirement of an RPA if the most qualified candidate is in the process of attaining the designation.

CHIEF APPRAISER CANDIDATE SEARCH

The Brazoria County Appraisal District Board of Directors will adhere to the following guidelines in the event there is or will be a vacancy in the position of chief appraiser:

- o interview current/retiring chief appraiser for input if possible;
- o advertise in local and metro newspapers, as well as in applicable trade publications;
- o schedule a special executive session for the interview process of qualified applicants;
- o schedule a final executive session to determine the most qualified applicant (salary and benefits are negotiable and dependent of qualifications);

CHIEF APPRAISER RESPONSIBILITIES/DUTIES

The Brazoria County Appraisal District Chief Appraiser has a statutory responsibility to discover, list, review and appraise all taxable property in the district he or she serves. The chief appraiser is prohibited from employing or

contracting with an individual or the spouse of an individual who is related to him or her within the first degree by consanguinity or affinity.

The Brazoria County Appraisal District Board of Directors charges the chief appraiser to coordinate and implement the goals and objectives established by board policy, provisions of the Property Tax Code and other applicable laws and rules. The chief appraiser's responsibilities include statutory duties related to the development of appraisal rolls and the administration of the appraisal office.

State law prescribes the chief appraiser use generally accepted appraisal techniques to facilitate the following tasks:

- o appraise all taxable property at market value except as otherwise provided by law;
- o determine eligibility for exemptions;
- o determine eligibility for special appraisal and establish both a market and special value on qualified property;
- o study property values and sales to determine prevailing market prices;
- o create appraisal records, appraisal cards, tax maps, property identification system, lists, forms, applications and other items as prescribed by law;
- o create procedures for equitable and uniform taxation;
- o send notices of appraised values;
- o determine whether property qualifies for agricultural or timber appraisal;
- o submit complete appraisal records of all property to the appraisal review board;
- o testify before the appraisal review board on proposed values or exemptions or designate a staff member to do so;
- o contract with the approval of the board of directors with private appraisal firms if needed;
- o prepare and certify by April 30 to the assessor and taxing units an estimate of the taxable value in that unit;
- o present supplemental records and other items for appraisal review board consideration;
- o correct records as ordered by the appraisal review board;

- o certify an appraisal roll and other listings to each taxing unit on or before July 25th of each year;
- o act as the district's public information officer;
- o appoint an agricultural advisory board with the advise and consent of the board of directors;
- o serve as the chief administrator of the appraisal office with responsibility to employ and compensate professional, clerical and other personnel as provided by the budget;
- o perform other legal responsibilities or duties assigned by the board of directors;
- o act as the custodian of appraisal district records or delegate the responsibilities to staff;
- o establish comprehensive program for appraisal activities
- o keep board informed and knowledgeable of appraisal activities
- o develop and implement administrative procedures
- o develop and implement effective internal budget
- o provide reports for evaluation of the district's fiscal affairs
- o prepare a proposed budget by June 15th each year
- o serve as the district's spokesperson to the public and media
- o develop and implement a personnel management system
- o employ and compensate professional personnel
- o discharge any and all other duties provided by law and/or the board of directors

TAXPAYER LIAISON OFFICER

The Brazoria County Appraisal District Board of Directors appoints a taxpayer liaison officer to be responsible for statutory duties including facilitating complaints in a manner prescribed by the board's written policy and to report to the board monthly on the status of complaints. The Tax Code also requires the liaison to develop and implement the public access functions the board is required to adopt. The performance of responsibilities of the taxpayer liaison officer includes:

- o administer the public access functions required by the Tax Code;

- o support efforts to assist taxpayers in understanding the appraisal process, protest procedures and related matters;
- o report to the board of directors at each meeting on the status of all complaints filed with the board under Section 6.04(g), of the Tax Code;
- o develop and implement policies and procedures to guarantee access to the board by non-English speaking and disabled taxpayers;
- o prepare information of public interest describing board functions and procedures involving how complaints are filed and resolved by the board;
- o perform other duties and responsibilities as assigned;

The liaison officer is not the only person charged with public assistance responsibilities. The district has personnel responsible to the chief appraiser for providing information and assistance to property owners.

APPRAISAL REVIEW BOARD ELIGIBILITY

Appraisal review board members are responsible by statute for the hearing and determination of taxpayer protests and taxing unit challenges. The board provides for compensation through the district's annual budget of \$75 per member per half day attendance; \$125 per member per day for full day attendance. All travel allowances will be set according to Internal Revenue Service Mileage Rates. Actual reimbursement will be made for other necessary expenses. The chief appraiser shall delegate appraisal staff to provide clerical assistance to the appraisal review board.

To be eligible, an individual must currently be a resident of Brazoria County and have lived in the county for at least two years. The Tax Code provides that a person is ineligible to serve on the appraisal review board if he or she:

- o is a county appraisal district employee
- o is a county appraisal district board member
- o is an officer or employee of the Comptroller's office
- o is a member of a governing body
- o is an employee of a taxing unit

The law also bars a person from serving if related to a person who operates for compensation as a tax agent or property tax appraiser. Relatives are barred within the second degree by consanguinity or affinity (Section 6.412 of the

Tax Code). Anyone contracting with the appraisal district is ineligible as is a person with a substantial interest in a business that has any type of contract with the district. (Section 6.413)

Finally, The Code disqualifies a person from serving on the appraisal review board if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known the delinquency.

APPRAISAL REVIEW BOARD COMPLAINTS

The Appraisal Review Board is responsible for operating within its bylaws and operating procedures, however, in the event the board of directors receives a written complaint against an ARB member, the board will review the issue(s) raised and supporting documentation, giving proper consideration consistent with the board's legislative authority to act under Section 6.41(f) of the Texas Property Tax Code.

APPRAISAL REVIEW BOARD MEMBER REMOVAL

Section 6.41 of the Tax Code provides for the removal of an appraisal review board member by the appraisal district board of directors through a resolution approved by a majority vote if:

- o the ARB member violates Section 6.412 of the Tax Code – restrictions on eligibility to serve and an ARB member;
- o the ARB member violates Section 6.41e of the Tax Code – interests in certain contracts;
- o the ARB member violates Section 41.66 of the Tax Code – communication outside the hearing;
- o the ARB member violates Section 41.69 of the Tax Code – participation in hearing determination of a protest in which member has interest or is related to a party by affinity within the second degree or by consanguinity within the third degree;
- o the ARB member violates Section 6.41(f)(2) of the Tax Code – failure to attend ARB meetings without good cause;

The Brazoria County Board of Directors requires ARB members to participate in a minimum of 50% of the scheduled hearings in each calendar year – beginning January 1 and ending December 31. (Amendment adopted for 2011) Failure to do so will disqualify the ARB member from reappointment to his/her next term or may result in immediate removal from the board.

Finally, the Tax Code disqualifies a person from serving on the appraisal review board if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known the delinquency.

RESOLUTION NO. _____

**A RESOLUTION OF THE _____
OF THE _____**

**NOMINATING CANDIDATE(S) FOR A POSITION ON THE BOARD OF DIRECTORS OF
THE BRAZORIA COUNTY APPRAISAL DISTRICT**

WHEREAS, those eligible taxing units participating in the Brazoria County Appraisal District have the right and responsibility to nominate up to five candidate(s) to fill the five (5) positions of the Board of Directors of the Brazoria County Appraisal District for a term of office commencing on January 1, 2022 and extending through December 31, 2023; and

WHEREAS, this governing body desires to exercise its right to nominate the said candidate(s) for such position on said board of directors; now, therefore

**BE IT RESOLVED BY THE _____
OF THE _____ :**

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That the following individuals be, and are hereby, nominated as candidate(s) for positions on the board of directors of the Brazoria County Appraisal District to be filled by those eligible taxing units participating in the Brazoria County Appraisal District for a two-year term of office commencing on January 1, 2022.

Name & Address: _____
Name & Address: _____
Name & Address: _____
Name & Address: _____
Name & Address: _____

Section 3. That the presiding officer of the governing body of this taxing unit be, and that he or she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Brazoria County Appraisal District on or before October 15, 2021.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2021.

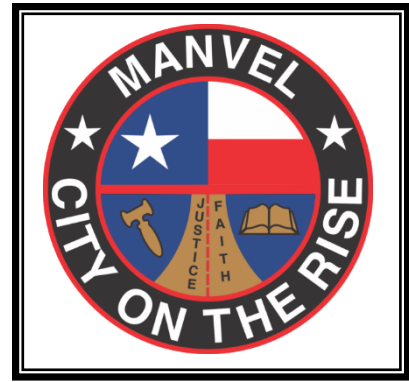
Presiding Officer

ATTEST:

Secretary

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

LARRY AKERY, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
NICCOLE TYSON, COUNCIL PLACE 3
DAN DAVIS, COUNCIL PLACE 4
JASON ALBERT, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DEBRA DAVISON, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

MINUTES 9/20/2021

Workshop Session

Mayor Davison called the workshop of the Manvel City Council to order at 6:00 p.m.
Those in attendance were:

Present: Mayor Debra Davison
City Council Member Place 1 Larry Akery
City Council Member Place 2 Lorraine Hehn
City Council Member Place 3 Niccole Tyson
City Council Member Place 4 Dan Davis
City Council Member Place 5 Jason Albert
City Council Member Place 6 Jerome Hudson

Absent: None

Also Present: Kyle Jung, City Manager
Dan Johnson, Assistant City Manager/City Engineer
Robert Gervais, City Attorney
Keith Traylor, Chief of Police
Jessica Rodriguez, Director of Development Services
Chris Thomas, Finance Director
Tammy Bell, City Secretary

Discussion on the Fiscal Year 2021-2022 Proposed Budget

Dan asked about how the budget helps the city meet its strategic goals. With this budget, what is the road map to achieving these goals?

Chris, we don't want to add a burden on the tax payers, but we also need to keep the budget affordable for the city to operate without adding a burden on the tax payers in the future. We need to provide a small buffer in the budget to not cause bigger problems later. This budget is trying to do the right thing for the city, the staff and the tax payer.

Dan - Pay scale, some are getting a raise at 3%, some higher based on the HGAC survey and some based on contractual agreements. What if the city only approved a 5% for all staff across the board.

Dan asked Kyle if there was anything missing in this proposed budget that would allow him or the staff to be successful?

Kyle, almost everything the staff has asked for has been included in this budget. Kyle asked the Council if there is anything they would like to see added?

Kyle stated the one thing that may be needed he would suggest a portable generator. In light of the recent hurricane, this could be very useful.

Dan stood strong on his view of wanting to lower the tax rate for the citizens. Suggesting the council adopt the no new revenue rate and not overburden the tax payers.

Mayor - comment on 5% across the board. Feels the assessment from a third party would be the first step.

Lorraine - Emergency Services money is available and the purchase of a portable generator would be a good use of the funds.

Lorraine - In the last meeting, it was discussed to have staff start the process of moving forward with a salary survey.

Jason - Appreciates the response if we can go to 5% across the board for raises. Council as a body needs to do right across the board. Not just for the Police Department. How can they approve the budget but not approve any raises until the City Manager can provide what's right for everyone, not just for a few people.

Mayor - Wants to see the proposed raises approved and then move forward on the survey.

Chris - The survey is going to take some time. However, this will be hard to swallow for the staff if no raises are issued during this time. 5% across the board could be achievable.

Jason - Ok the plan is 5 % across the board and then work on the salary survey. Currently, the raises are very all over the place with no rhyme or reason. The current proposal appears very unfair to him.

Dan - We are not wanting to stop things, but need to slow things down. How is it justified that some people are getting 3%, some 5%, some 10% and some over 10%? How is that justifiable?

If raises are placed in the budget, the charter allows the City Manager to issue the raises. The 5% was meant to be an even playing field across the board for all staff. Let's appropriate the funds for the salary survey and Police performance survey.

Cuts in the budget -budget based on the proposed maximum rate.

Dan - Total raises are 300,000-375,000.00

At the last meeting, he received the numbers of what staff make and what the proposed increases are. This is the reason he suggested the 5% across the board. Pull back on some other areas to make sure this can be accomplished. Cut back on the emergency service account time cut out 200,000.00 or on Croix Park cut it back maybe 50,000.00. The council, staff and community can work together on this. We need to refine what the milestones are and how to get there.

Discussion on any subject addressed on the Agenda for September 20, 2021

None.

Mayor Davison adjourned the workshop at 6:56 p.m.

Regular Session

Call To Order

Inspirational Reading - Council Member Niccole Tyson

Pledge

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

Citizen Comments: "Comment Card" Required

****Members of the public who wish to submit written comments on a listed agenda item must submit their comments via the Public Comment Request Form found on the city website www.cityofmanvel.com or by emailing tbell@cityofmanvel.com or by calling 281-489-0630 x6 for staff assistance.*

Kathryn Ducament - 6602 Mississippi - Drainage issue

My parents have lived here over 30 years. Never had any flooding issues until recently. Speaking on behalf of older residents and herself. Ditches not being addressed. Ditches not dug since 1997. Main issue is new residence behind them that city permitted, which is causing flooding in their yard. Parents had to buy flood insurance for the first time this year. Wants to see change and better stuff for them. Where is money going - not seeing anything for the community.

Presentation

1. Proclamation
Clean Energy Week - September 20 - 24, 2021.

Public Hearing

PUBLIC HEARING TO HEAR INPUT ON THE 2021 TAX YEAR PROPOSED PROPERTY TAX RATE.

A tax rate of \$0.578801 per \$100 valuation has been proposed by the governing body of City of Manvel.

PROPOSED TAX RATE \$0.578801 PER \$100

No – new revenue tax rate \$0.562856 per \$100

Voter-Approval Tax Rate \$0.578801 per \$100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for City of Manvel from the same properties in both the 2020 tax year and the 2021 tax year. The voter-approval tax rate is the highest tax rate that City of Manvel may adopt without holding an election to seek voter approval of the rate, The proposed tax rate is greater than the no-new-revenue tax rate. This means the City of Manvel is proposing to increase property taxes for the 2021 tax year.

The following table compares the taxes imposed on the average residence homestead by City of Manvel last year to the taxes proposed to be imposed on the average residence homestead by City of Manvel, this year.

	2020	2021	Change
Total tax rate (per \$100 of value)	\$0.610000	\$0.578801	decrease of \$-0.031199, or -5.11%

Average homestead taxable value	\$240,369	\$255,821	increase of \$15,452, or 6.43%
Tax on average homestead	\$1,466.25	\$1,480.69	increase of \$14.44, or 0.98%
Total tax levy on all properties	\$5,678,585	\$6,357,860	increase of \$679,275, or 11.96%

Opened at 7:14 p.m.

1st call for comments

Brian Vaughn - with the growth of the city, the cost for services increases. That being said, new revenue is coming in. Does not feel that increasing the tax rate is a good thing at this time.

2nd call for comments

None

3rd call -

None.

Closed at 7:17 p.m.

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF 1.03 ACRES OF LAND LOCATED AT 7346 TAYLOR STREET, MANVEL, TEXAS FROM OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) DISTRICT TO LIGHT COMMERCIAL (LC) DISTRICT 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.

Opened at 7:21 p.m.

First call for comments

Joe Bolduc - 8203 Magnolia Street

Property was purchased about 5-7 years ago to clean up the area they lived in. They fixed up the church and started to get requests from young ladies who wanted to get married in the church. They were having to turn down these individuals. As time has gone on, Nancy had changed her mind and decided she would like to make the church a wedding chapel. Mr. Bolduc limited the land to the smallest area of land for the sake of not wanting light commercial property that close to his property. There are 5-6 100 + year old oak trees that cannot be moved so that limits the expansion on some of what can be added.

David Lanz - 5249 Patterson. In favor of the proposal.

Brian Wilmer - Does the benefit we have today outweigh the negative we might face down the road? If it does, then we need to find a way to be creative to allow this to move forward. This is a beautiful facility and would make a great venue for weddings.

Carolyn Bowen - Last week I attended the PD&Z hearing and expressed my sentiments regarding the zoning change for the old church I visited many times in my childhood for bible school, weddings, funerals etc. The memory that stays most vivid in my mind was the funeral of Edith Kreuzer who was killed in a car accident as the family drove home from Livingston. She was wife of Bud Kreuzer, Manvel's first Mayor. Their daughter Elaine, my close friend, was in a coma at the time. All of Manvel attended and spilled out to the street. I had many sleepovers at that now restored old house across Magnolia from the church. I mentioned taking a shower there for the first time and I also recall that being the first time I used a telephone. We didn't have one; not many did, so Elaine and I had few friends we could call. There was no vandalism then and Bud kept a close eye on the church, as did Mandy Oliver with her shotgun. So Elaine and her Brother Kenneth and sister Barbara and I would go inside and play "church". It was not nearly as dressed up as it is now, but I thought it was beautiful and, yes, we pretended to have weddings and "singing".

Manvel was born in that section of town south of the railroad. That WAS downtown prior to Highway 6 and Old Manvel Road (makes sense by the train). That was the primary road where people went to the depot in Alvin and did business there. In downtown Manvel there was a hotel on Masters between Old Manvel Rd (Bissell) and King St on the East side. I remember Jack Albritten tearing down the old feed store at Masters and Old Manvel Rd and I understand a grocery store was there as well.

The church is still there and the school is across the street on Taylor. Behind the school was a welding shop and I also remember Bible School and events at the old church on King Street when it was Manvel Bible Church. The Moore family owned most of the land back then and deed records for them go back to the 1850's.

Rich Koeppen bought the old house the Kreuzer's lived in and his first body shop was on Magnolia. The Olivers lived next door. Eddie served on the school board and probably council as well.

Gates Machine is a huge industrial business right around the corner on...old Manvel...or did I hear it called Bissell?

This part of Manvel should never have been zoned residential in the first place. It was Manvel's original downtown business district. It was exactly as it is now when no one knew what was coming, so everything was zoned residential, thinking zoning would be changed as needed. (It is needed!) That area had to be residential in order to get a HUD grant for the utilities. As I understood it, that area was chosen for the grant because of the more dense population of low income families. There was no "plan" some Council group envisioned. There was grant money for badly needed utilities considering the area was sold in city-sized lots with no utilities available. It is still the same on 1128 with no utilities there. I suppose whoever platted the city expected utilities to come sooner. There are 30 & 50' lots, 100' deep, so a grant was needed.

Zoning changes are made on a regular basis for Meridiana and Lakeland and other developers. Why not a community-minded family restoring an old church? I was born in Manvel, grew up there and have been within 10 miles of it for what will be 75 years next Monday. I bought the property across the street just to save the old school. I have to say it was a horrible investment, but I cherish it and had hopes of restoring it one day. I would like my property to be commercial as well. I thought of putting my business there one day, or making it into a tea room, or maybe the City could make it an authentic museum. Manvel needs a window into its history and this is where that was lived. I can visualize Bud Kreuzer and Eddie Oliver at the Friendly Inn deciding Manvel needed to incorporate to keep Houston away and with Todd Furnace, Jimmy Del Bello, Mr. Bahlor and a few other visionaries Manvel became a City. There was no City Hall, so where did they hold meetings? Maybe in this church in "downtown" Manvel.

Mrs. Huffman mentions in her book a store in Manvel that was owned by someone she called Joe. She tells of roads all being of mud and Joe would have weeds and plants growing in the mud from seeds on the old wood floor.

She was describing where Iowa Colony folks went to do business....in downtown Manvel's business district. The fact that a council before you saw fit to zone this residential area while seeking a grant does not mean you can't correct that error now and bring the old downtown back to business. Being flexible and making changes when needed is being open-minded. There are not many homes in that area, so why not commercial?

We all agree these owners have done a beautiful job of restoring this church and we are grateful....but not grateful

enough to allow them to recover some of their money invested and spent daily on maintenance? Come on! They just want a wedding venue, but frankly, I would build a reception hall and have the entire event there, catered by local restaurants and using local florists or other businesses it would attract. Let there be a peaceful wedding chapel and noise an issue? You are aware of the train there, right? This could be Manvel's restore downtown project!

Downtown League City built a beautiful shopping district around a gazebo and an old church. The other buildings are moved in and new mixed in, but of the same style of the era when the church was built. Now it is busy with restaurants and shops....and the train.

Second call for comments

Muhammod Alam - in favor of the rezone request

Third call - no comments

Closed at 7:43 p.m.

TO HEAR INPUT FROM THE PUBLIC TO CONSIDER THE AMENDMENT OF LAND USE ASSUMPTIONS AND A CAPITAL IMPROVEMENTS PLAN AND THE IMPOSITION OF AN IMPACT FEE.

Opened at 7:43 p.m.

Russ Bynum - Hillwood communities developer of Pomona. Under contract and due to close on the Velencia property. Against the proposed impact fee as it's being presented. Requesting the item be tabled so council can reevaluate the numbers.

1. The estimates use a 25% contingency, which is significantly higher than typical cost estimates. 2. There are several items in the study that seem to be grossly overstated based on the chart I have prepared. The City of Manvel column details estimates provided in the Impact Fee study. The LJA projects column (2020 and 2021) shows pricing for 2020 projects and 2021 projects. Over the last year, prices have increased. The increases have largely been attributed to supply chain issues and demand. As you can see, most of these prices have doubled and then some. The last two columns compare the higher prices we've seen in 2021 to the Impact Fee study prices. The prices in the Impact Fee study are more than double the already doubled prices from 2020. These few line items are a representation of the grossly overstated cost estimates in this study.

3. Are all of the improvements necessary or can they be phased to further reduce or delay costs? These three items directly affect all of the city's taxpayers. Overbuilding infrastructure puts a strain on the city's financial health. In addition, the operation of the plant facilities has become underutilized and creates inefficiencies that end up costing more money. Additionally, what is the mechanism for refunding for over collecting the fees? 4. An increase that is 5 times the current rate will stifle or likely halt growth in both residential construction and commercial businesses and will discourage future development in the city. 5. The other cities that have increased their impact fee that is well above the market average (Dayton and Magnolia) have not attracted high quality commercial or residential development. Development that has come to those areas are instead developing in the ETJ and are electing to build their own water/wastewater plants. 6. The increased costs will be passed on to the taxpayer. 7. Water and sewer revenues could also be part of the way to fund the improvements. These improvements will benefit the whole city, not just the ones that pay the fee. The Impact Fee passed by the Committee is not taking this into account. This fee is being paid by new development yet benefiting many in older developments. Additionally, this impact fee will fund some of the improvements to the City Center site, which will benefit the whole city. 8. The wastewater collection system for the new development to be served by the WWTP expansion will be constructed with gasketed PVC pipe, which will result in less infiltration into the system. In addition, modern fixtures typically use less water. Therefore, it is likely that the wastewater flow from the new development will result in a lower flow rate per connection than the 315 gallons per day required by the City. Historical data from other developments indicates that the actual flow rate is 250 gallons per day per connection or less. The capacity of the WWTP expansion should be based on historical data so that the facility is not unnecessarily oversized for the number of connections allocated to it, resulting in higher costs to the taxpayers.

I would like to see the study refined more and conducted in greater detail. I hope that after reading and listening to others, you feel the same. The amount specified in the study is too great to get wrong. Additionally, I'd like to see

the impact fee adopted in accordance with usual practices whereby water and sewer revenues are factored in as a component of the cost. An increase that is 5 times the current rate will stifle or likely halt growth in both residential construction and commercial businesses and will discourage future development in the city. While I do understand the impact fees will and likely should rise from where they are today, I don't think they should increase more than double the current rate. Increasing much more than that would likely cause our builders to pause to move forward with the Valencia development.

Rich Muller - Muller Law Group.

Also against the proposed impact fees as being considered. Would like the council to allow the developers to sit down with the consultant and see if they can come up with a concept that will work for the city and the developers. This is a plea to work together and be able to get the math right.

Bradly Pepper - Director of greater Houston builders association

Points stated by Russ and Rich are important. He is here to speak on behalf of housing affordability. These types of things will affect housing affordability in a negative way. All of this is making the American dream unachievable.

Dorothy Wynne - Where was everyone when the city was working on this? If an individual had an area and needed to put in a well and septic, it would cost well over 20,000.00. The board did look at the fees and heard nothing from the developers. There are two sides to this. What the board submitted to the council was based off the professionals because there were no developers attending those meetings.

Second call for comments - None

Third call for comments - None

Closed at 8:01

City Manager Update

Update on current events and city issues.

Update on the following;

City Center

Cameron Recycling

Status on county work assistance on city roads

Status of a compliance audit of management control, and fire hydrant analysis

Covid numbers - 3417 +245 from last meeting , 302 confirmed cases +15 from last meeting, 95 probable cases, 2984 recovered, 36 deaths +7 from last meeting

City Center

Talking about the next steps

Pgal working on a feasibility study of the sports complex

Dan is working on estimates of construction on the "spine" road and the next, water, sewer and drainage for the city center portion. Estimates are 3 1/2 to 4 million.

Cameron Recycling

The staff have had several meetings. The property owner is working on finding out where the noise is coming from.

Assistance on city roads

Dan - County is going to help with Wilson and Clark. At this time, we do not have a date as to when these roads will be done. As soon as we have a good date, we will share that with the council.

Fire Hydrants Survey - 8 hydrants listed as needing to be fixed. Seven of the hydrants have been replaced. The city will continue to conduct these annual audits.

Compliance Audit - Chris - The current auditors are making sure we are in compliance. The investment policy is reviewed and statements are analyzed.

Regular Agenda

1. Consideration and possible action to approve on first and final reading, Ordinance 2021-O-29; AN ORDINANCE APPROVING AND ADOPTING THE CITY OF MANVEL, TEXAS, OPERATING, CAPITAL IMPROVEMENT PROGRAM, AND MEDC BUDGET FOR THE FISCAL YEAR 2022; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; ESTABLISHING THE PROCEDURE FOR INTRA-BUDGET TRANSFERS; APPROVING ALL PROGRAMS AND EXPENDITURES CONTAINED THEREIN; AUTHORIZING THE CITY MANAGER TO MAKE ANY BUDGETED EXPENDITURE WITHOUT FURTHER ACTION BY THE CITY COUNCIL, AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Jason - Impact fee - What is used in this budget?

Chris - Existing number

Jason - Since the council is not in agreeance with the salary recommendations, would the City Manager be willing to voluntarily withdraw his recommendation on raises for council to come up with something fair for everyone?

Kyle - No

Dan Davis - 6 amendments he'd like to offer one at a time.

1) Amend the budget to appropriate funds for the draft police performance plan

Failed for lack of a second

2) Appropriate \$30,000 for salary market study and employee satisfaction survey to be completed and submitted to council no later than six months from October 1, 2021

Jason Albert seconded

Mayor - to put a six month timer on this could be unrealistic. It takes a professional team and we can't say how long it will take.

Dan Davis makes amendment to motion to remove the time frame

Jason Albert seconded with the amendment to the motion

Motion carried with a vote of 6/1

For: Mayor Davison, Lorraine Hehn, Niccole Tyson, Dan Davis, Jason Albert, Jerome Hudson

Against: Larry Akery

3) Appropriate \$30,000 for a historic sign project through the Friends of the Library

Failed for lack of a second

4) Motion for 5% raises across the board for staff

Failed for lack of a second

5) Increase the following Community Services line items:

10-50-6035 Capital Outlay Street Reconstruction - increase by \$200,000

10-50-5456 Ditch mowing - increase by \$50,000

10-50-5570 Ditch cleaning - increase by \$50,000

Jason Albert seconded

Motion failed with a vote of 2/5 (*Mayor misstated the vote as 5/2 on recording)

For: Dan Davis, Jason Albert

Against: Mayor Davison, Larry Akery, Lorraine Hehn, Niccole Tyson, Jerome Hudson

6) Decrease the emergency response line item by \$400,000

Failed for lack of a second

7) Jason Albert made a motion to remove language in Section 5 of the budget ordinance that authorizes the City Manager to make any budgeted expenditures without further action by the City Council.

Dan Davis seconded the motion.

The motion failed with a vote of 2/5 (*Mayor misstated the vote as 5/2 on recording)

For: Dan Davis, Jason Albert

Against: Mayor Davison, Larry Akery, Lorraine Hehn, Niccole Tyson, Jerome Hudson

Council Member Lorraine Hehn made the motion to approve as amended with Dan's motions. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote:

Vote: 5/2

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent: None

Abstained: None

2. Consideration and possible action to ratify the property tax increase reflected in the 2022 fiscal year budget that was just adopted that raises more property taxes than the fiscal year 2021 budget.

Mayor Davison made the motion to approve. Council Member Lorraine Hehn seconded the motion.

The motion carried with a vote:

Vote: 5/2

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent: None

Abstained: None

3. Consideration and possible action to approve on first and final reading, Ordinance 2021-O-30; AN ORDINANCE PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES for THE CITY OF MANVEL, TEXAS, FOR THE year 2021, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Council Member Hehn made the motion to approve. Council Member Hudson seconded the motion.

The motion FAILED with a vote:

Vote: 4/3

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent:

Abstained: None

Council Member Dan Davis made the motion to approve the no new revenue rate.

The motion FAILED due to lack of a second

Council Member Dan Davis made the motion that the property tax be increased by the adoption of a tax rate of \$0.570000 (57 cents), which is effectively a 1.27% percent increase in the tax rate. The tax rate consists of \$0.400306 (40.0306 cents) for maintenance and operations, and \$0.169694 (16.9694 cents) for debt service as reflected in Ordinance 2021-O-30, to adopt the Municipal Tax Rate for Tax Year 2021. Council Member Tyson seconded the motion.

The motion carried with a vote:

Vote: 5/2

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent:

Abstained: None

4. Consideration and possible action to direct staff regarding 2021 Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees.

*Mayor Debra Davison left the meeting early and did not vote on this action item or the items that followed.

Presentation by Richard Weatherly.

Dan - Action tonight is just to give direction to staff on what numbers the council wants added to the ordinance to be adopted.

50% phase in and have a yearly report be done and adjust the fees based on actual cost.

Kyle - Depending on the impact fee rate, the utility rates will be increased to offset the impact.

Dan - 4000.00 water and 6000.00 wastewater.

Council Member Larry Akery made the motion to approve. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote:

Vote: 4/2

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent: Mayor Debra Davison

Abstained:

5. Consideration and possible action to approve Resolution 2021-R-22;
A RESOLUTION DESIGNATING A REPRESENTATIVE AND ALTERNATE HOUSTON-GALVESTON AREA COUNCIL 2022 GENERAL ASSEMBLY

Council Member Jason Albert made the motion to approve. Council Member Dan Davis seconded the motion.

The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council

Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No: None
Absent: Mayor Debra Davison
Abstained:

6. Consideration and possible action to approve, Preliminary Plat Meridiana Elementary School Site No.2;
Being a subdivision of 13.00 acres and consisting of 1 Block and 1 Reserve out of the Oliver Hall Survey, A-203, City of Manvel, Brazoria County, Texas.
(Forwarded with favorable recommendation by PD&Z FAILED with a 0/6 Vote).

Council Member Dan Davis made the motion to approve. Council Member Jason Albert seconded the motion.

The motion FAILED with a vote:

Vote: 0/6

Yes: None
No: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
Absent: Mayor Debra Davison
Abstained:

7. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-23;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND 1.03 ACRES LOCATED AT 7346 TAYLOR STREET, LOTS 1 – 6, IN BLOCK 61, OF TOWN OF MANVEL, A SUBDIVISION OF BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 139 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS, FROM OPEN-SINGLE FAMILY RESIDENTIAL DISTRICT (O-SFR) TO LIGHT COMMERCIAL DISTRICT (LC); 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.
(Forwarded with favorable recommendation by PD&Z FAILED with a 2-4 Vote. Dorothy Wynne and Ryan Miller voted for the motion).

Lorraine is in favor of the rezone.

Dan - If we change this, what are some of the next steps?

Kyle - Land use is the first step. Next steps would be platting, roads, drainage, flood plain mitigation, restrooms, parking. Since there were no permits as built, they would need to be provided for the city to review. There will need to be some inspections done on the structure to make sure it is safe as a commercial building.

Dan - At the last PD&Z meeting, the City Attorney stated that the zoning ordinance could be amended to add a SUP to this zone for this use.

Jessica - Doesn't think that the way to fix this is with a Specific Use Permit.

Jason - Wants to see us looking for ways to say yes and work with people

Mr. Bolduck - We did not ask for the rezone, we were told that is what we had to do.

Council Member Jason Albert made the motion to approve. Council Member Dan Davis seconded the motion.

The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained:

8. Consideration and possible action to approve a Subdivision Variance to Chapter 62, Section 62-111, *Additional Street Requirements* for 3.000 acres of property located on Markham Road, generally bounded by Belcher Road (north), Mustang Bayou Road (south), Ridge Road (east), and Quail Ridge Drive (west) and authorize the Mayor to execute a Development Agreement. (Tabled on 8/16/2021 and 9/7/2021)

Update from Jessica - staff emailed updated development agreement to Land Surveyor. 10 variances to the subdivision ordinance.

Jason - Are they aware and amenable?

Jessica - I'm not sure. The land surveyor is here to provide an update.

Kathy Fontenot - Land Surveyor - Did forward development agreement to property owner. Mr. Markham in agreement with knockboxes and emergency access. If what's in the development agreement is what's required, then that's what they'll have to do.

Jessica highlights that there will have to be signed and notarized statements from the property owner and Mr. Markham saying that they are agreeing to this.

Council Member Lorraine Hehn made the motion to table. Council Member Jason Albert seconded the motion.

The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained:

9. Consideration and possible action to direct staff regarding the need for city staff positions and open staff positions. (Requested by Council Member Davis).

Kyle - no new update on staffing. The main position will be the director of Fire Safety. Hoping to have the concurrent vote on the first meeting in October.

Taking applications for a waste water treatment plant position.

10. Consideration and possible action to direct staff on a Grant Policy as requested by Council Member Davis.

Dan likes the following

Page 2 items 7 and 8 gives staff some flexibility.

Page 9 assures the policy fits the vision we have for the community.

Dan would like to see Jason's point considered for addition. Possibly add to the workshop at the next meeting.

Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

1. Approve Preliminary Plat for Meridiana Pursley Boulevard Phase 7;
Being a Subdivision of 0.84 acres out of the H.T. & B.R.R. Co. Survey, Section 61, A-282, City of Manvel, Texas.
2. Approve Preliminary Plat for Meridiana Detention Reserve 'T' Phase 2;
Being A Subdivision of 0.77 acres and consisting of 1 Block and 1 Reserve out of the H.T. & B.R.R. Co. Survey, Section 61, A-282, City of Manvel, Brazoria County, Texas.
3. Approve Preliminary Plat for Meridiana Section 51A;
Being a Subdivision of 7.18 acres out of the Oliver Hall Survey, A-203, and the H.T. & B.R.R. Co. Survey, Section 61 A-282, City of Manvel, Brazoria County, Texas.
4. Approve second and final reading of Ordinance 2021-O-27;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 9.464 acreS LOCATED AT 7227 CEMETERY ROAD, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT/STATE HIGHWAY 6 OVERLAY DISTRICT (LC/SH6) TO LIGHT COMMERCIAL DISTRICT/STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (LC/SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 531130 “LESSORS OF MINI WAREHOUSES AND SELF-STORAGE UNITS”; 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. (Forwarded with favorable recommendation by PD&Z 7-0 Vote)
5. Acceptance of the infrastructure improvements for the Croix Parkway Waterline Extension and Storm Sewer Outfall in the Pomona Development and release the associated maintenance bonds.
6. Acceptance of the meeting minutes to date.

Council Member Jason Albert made the motion to approve consent agenda items 1 through 6. Council Member Dan Davis seconded the motion.

The motion carried with a vote:

Vote:

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City

Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained:

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 salutary 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 salutary 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

Council Member Jason Albert made the motion to adjourn. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote:

Vote:

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained: None

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the City of Manvel 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 September 17, 2021 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.

On File

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

Tammy Bell

From: Dan Johnson
Sent: Thursday, September 23, 2021 3:05 PM
To: Kyle Jung; Tammy Bell
Cc: Elaine Graham; Jessica Rodriguez; Gilbert Salas
Subject: FW: Pomona Lake "D" Phase 3 & Lake "E" Phase 1 - Initial Acceptance Request

Good afternoon Kyle and Tammy,

A final inspection walk-through was conducted for Pomona Lake D Phase 3 and Lake E Phase 1 to begin the two-year maintenance period. The Maintenance Bond has been submitted to the City Secretary's Office, and the As-Built Construction Plans have been submitted to the Development Coordinator's Office.

In short, we recommend that City Council accept the infrastructure improvements for this project to begin the Two Year Maintenance Period.

Please let me know if you need any further information.

~Dan

Daniel S. Johnson, P.E., CFM

Assistant City Manager

City Engineer

20025 Highway 6

Manvel, Texas 77578

(281) 489-0630

www.cityofmanvel.com



ORDINANCE NO. 2021-O-23

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND 1.03 ACRES LOCATED AT 7346 TAYLOR STREET, LOTS 1 – 6, IN BLOCK 61, OF TOWN OF MANVEL, A SUBDIVISION OF BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 139 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS, FROM OPEN-SINGLE FAMILY RESIDENTIAL DISTRICT (O-SFR) TO LIGHT COMMERCIAL DISTRICT (LC); 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, Bolduc Family Living Trust is the owner (the “Owner”) of a certain tract of land 1.03 acres located at 7346 Taylor Street, Lots 1 – 6, in Block 61, of Town of Manvel, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 3, Page 139 of the map records of Brazoria County, Texas, as shown on said map and description of which is attached hereto as Exhibit “A”; 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 did not recommended approval of such request, however, 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 1.03 acres located at 7346 Taylor Street, Lots 1 – 6, in Block 61, of Town of Manvel, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 3, Page 139 of the map records of Brazoria County, Texas, 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 Light Commercial District (LC) to for uses as permitted within such zone classification.

Section 3. 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 4. 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 5. 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 6. 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 _____, 2021.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2021.

Debra Davison, Mayor

ATTEST:

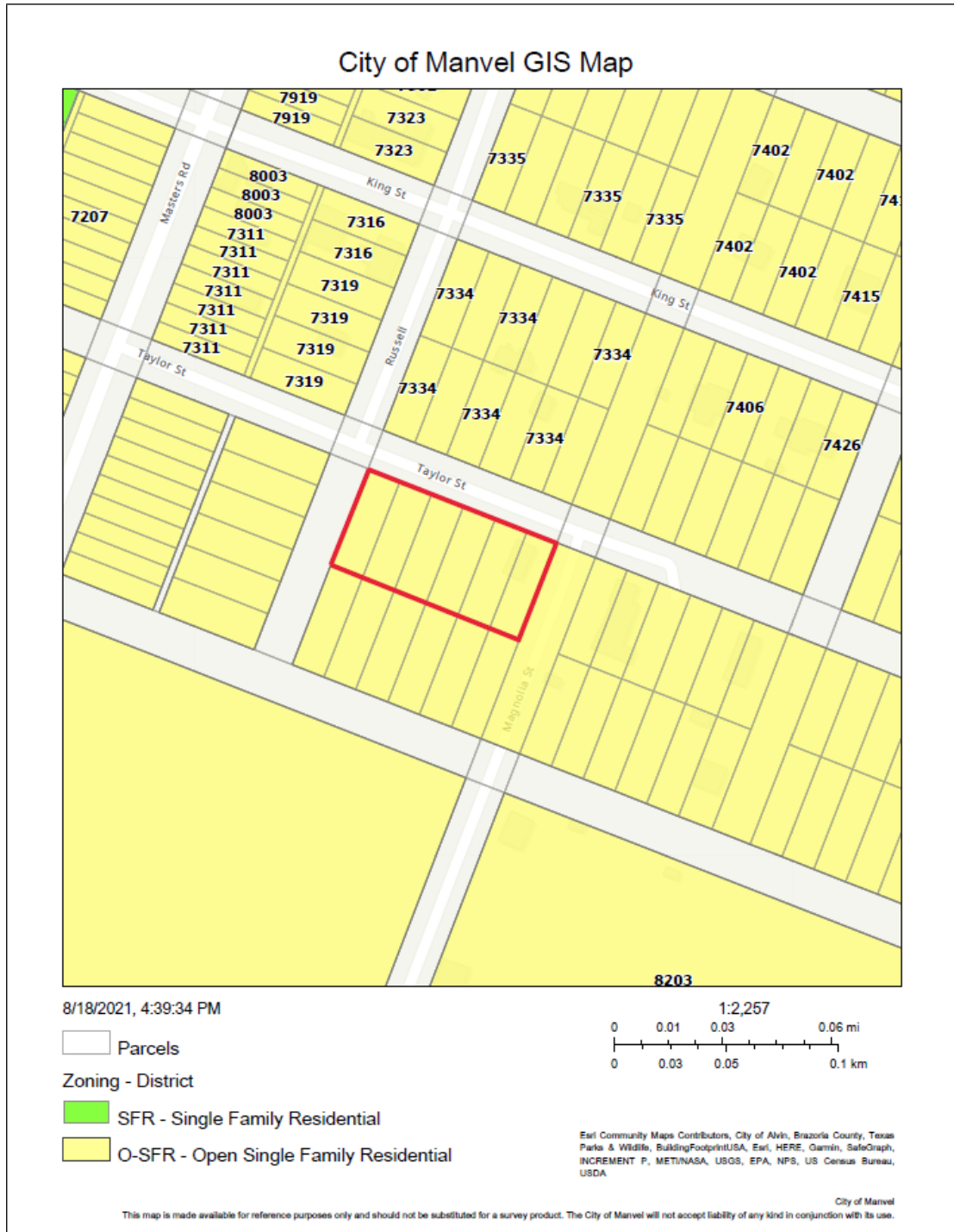
Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

EXHIBIT A

A 1.03 tract of land, Lots 1 – 6, in Block 61, of Town of Manvel, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 3, Page 139 of the map records of Brazoria County, Texas.





MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: September 20, 2021

TOPIC: A Public Hearing regarding amending the zoning ordinance by changing the zoning classification of 1.03 acres of land located at 7346 Taylor Street, from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC).

BACKGROUND: The owner, Bolduc Family Living Trust, on behalf of the applicant, Mrs. Nancy Bolduc, is requesting a rezoning from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC) in order to convert an existing building to a wedding venue. The use of a wedding venue is classified as NAICS use number 531120 "Lessors of Nonresidential Buildings (except Miniwarehouses)". Prior to 2014, a portion of the site was used as a church and housed the Disciples of Christ Church of Manvel under a previous owner. The current property owner has left the site undeveloped with the church structure since 2014. According to the property owner, construction work has been performed on the building, however, no building permits were applied for nor issued with the Permits Department. Only one permit has been issued for this address. The permit was issued for new electrical service in 2016. The property owner has stated the building is the oldest building in Manvel and is historical. The Texas Historical Commission does not recognize this building to have historical significance since a historical marker has not been awarded to the site. The surrounding property is developed with single-family residences or undeveloped, and is zoned O-SFR. The *Manvel 2015 Comprehensive Plan* focuses on preserving rural character. The O-SFR property zoning and surrounding O-SFR zoned properties upholds the goals of the Comprehensive Plan. Lastly, rezoning the property from O-SFR to LC would allow the encroachment of commercial use into a rural residential neighborhood. This could result in nuisance and noise complaints from the surrounding neighbors. City staff does not recommend rezoning the property to LC since it is not compatible with the *Manvel 2015 Comprehensive Plan* or the surrounding residentially zoned or used properties.

The Planning, Development and Zoning Commission held a public hearing and consideration and action at their September 13, 2021, meeting. At the public hearing there were nine speakers in favor of the rezoning. The meeting public hearing also had two speakers in favor of the request. The Commission's discussion focused on historic preservation, permitted uses in LC, Specific Use Permits, a church use, building codes and building occupancy.

PD&Z RECOMMENDATION: The Planning, Development and Zoning Commission did not recommend Ordinance No. 2021-O-23 to rezone 1.03 acres of land from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC) to the City Council at their September 13, 2021, meeting. The vote was one yea to five nays.

STAFF RECOMMENDATION: City staff does not recommend Ordinance No. 2021-O-23 to rezone 1.03 acres of land from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC) to the City Council. The proposed rezoning is not compatible with the *Manvel 2015 Comprehensive Plan* and will encroach upon the residential neighborhood.

ATTACHMENTS: Staff Report and Ordinance No. 2021-O-23

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



City Council Rezoning Request

Agenda of:	September 20, 2021	Initiated By:	Jessica Rodriguez Dir. Development Services
Department:	Development Services	Presented By:	Jessica Rodriguez Dir. Development Services

Subject/Proceeding

A rezoning from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC) for 1.03 acres located at 7346 Taylor Street

Exhibits

Zoning Vicinity Map, Staff Report, Site Photographs, Aerial Vicinity Map, Survey, Application, and Public Hearing Notice

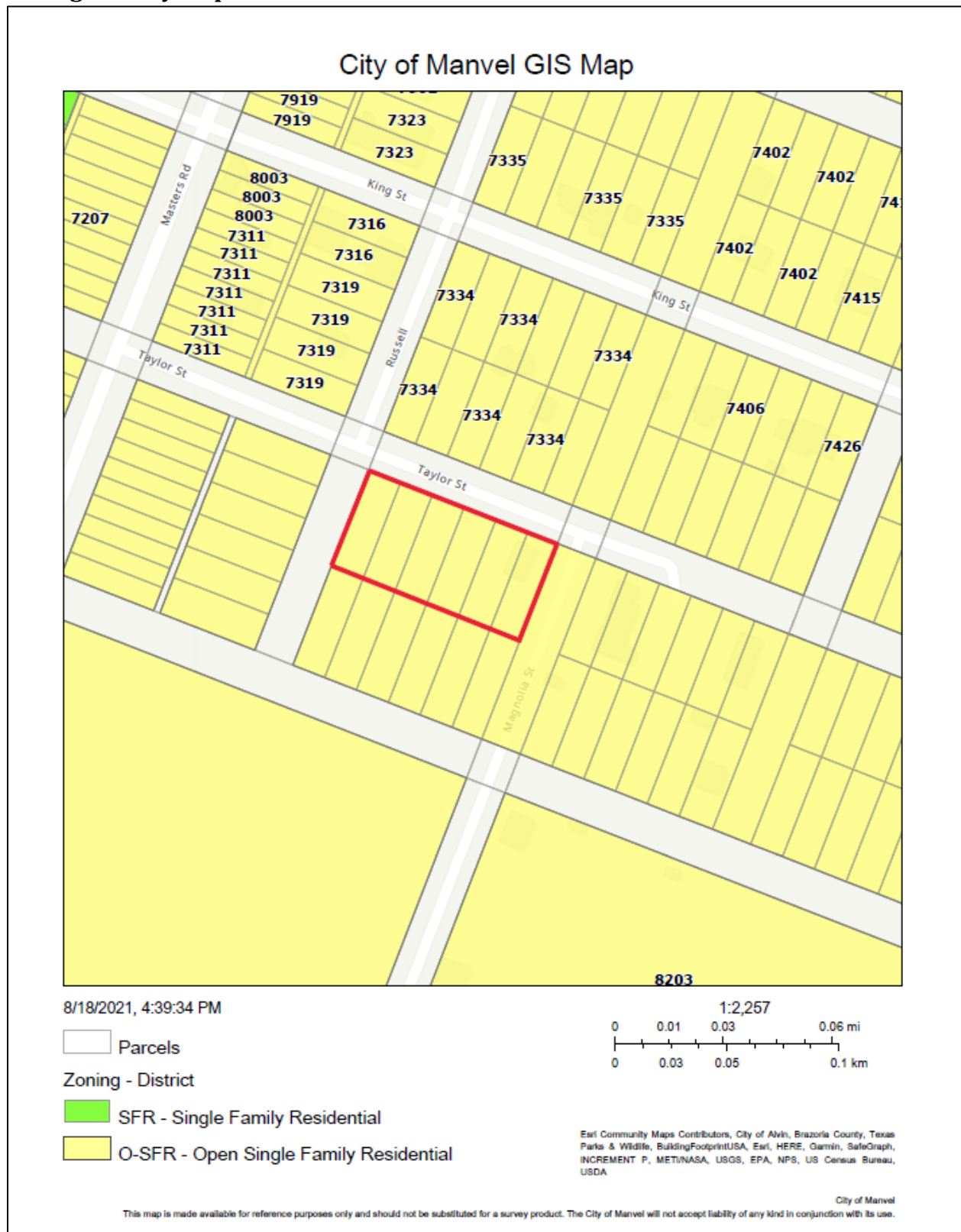
Recommended Action

A Public Hearing following by Consideration and Action from City Council

Executive Summary

The proposed rezoning is for 1.03 acres of land located at 7346 Taylor Street. The property is zoned Open-Single Family Residential District (O-SFR). The property currently has an unoccupied structure previously used as a church on the eastern portion of the site with the remaining being pasture land. The applicant, Mrs. Nancy Bolduc, on behalf of the property owner, Bolduc Family Living Trust, would like to rezone the property to Light Commercial District (LC) in order to use the existing church for a wedding venue. The use of a rented reception/wedding venue is classified as NAICS use number 531120, and is permitted in the LC zoning district. Staff overview of the proposed rezoning is contained in the Staff Report Section of this document.

Zoning Vicinity Map



Staff Report

Overview

The property owner, Bolduc Family Living Trust, on behalf of the applicant, Mrs. Nancy Bolduc, has requested to rezone the property from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC). The site is 1.03 acres of land located at 7346 Taylor Street. The site currently has an unoccupied structure previously used as a church. The church has lost its legal nonconforming status since it has sat unoccupied for more than 180 days. The property owner would like to rezone the property to LC zoning district in order to establish a wedding venue. The use of a wedding venue is classified as NAICS use number 531120 "Lessors of Nonresidential Buildings (except Miniwarehouses)". This use is permitted in the LC zoning district.

The property owner purchased a portion of the property in June 2012 from John and Billie Williams. The remaining portion of the property where the church sits was purchased in March 2014 from the Disciples of Christ Church of Manvel (Lots 1 and 2). According to the property owner, the church is one of the oldest buildings in Manvel. Staff has been unable to obtain structural information from Brazoria County CAD to determine the year the structure was built. Also, the City permitting system has only one record of a permit located at 7346 Taylor Street. A new electrical service permit was issued in 2016 (Permit No. 16-1266) for the church. City staff is unable to determine if the work done to the structure is up to current building codes since it was not permitted and inspected. Despite the structure being 'historic', the property owner has stated new interior stairs have been replaced and a new church steeple placed on the building despite no permits being obtained for the work. The current property owner or previous property owners have not taken the initiative to have the structure recognized with a Texas Historical Commission marker. However, with renovations made without permits and construction taken place without attention to its historical reference, it is unlikely the Texas Historical Commission could issue a historical marker.

The surrounding area of the property is developed with single-family houses or undeveloped, and zoned Open-Single Family Residential (O-SFR). The O-SFR zoning district maintains a minimum lot size of one acre and 120-feet of lot width, and allows single-family residences. This district recognizes the rural character of Manvel with acreage size lots. The property and surrounding properties have been zoned O-SFR zoning district since City-wide zoning was established in 2001. The *Manvel 2015 Comprehensive Plan* focused on preserving rural character in the City, and the O-SFR zoning district corresponds to the recommendations made. Further, the Manvel 2015 Comprehensive Plan stated smaller-scaled commercial development should be concentrated at the intersection of SH 6 and FM 1158. The City's Official Zoning Map supports the *Manvel 2015 Comprehensive Plan* because properties along SH 6 and FM 1128 are zoned Light Commercial District (LC) with the State Highway 6 Overlay District (SH6). The surrounding LC District zoned properties have been zoned as such when City-wide zoning was established, and properties were overlaid with the State Highway 6 Overlay District (SH6) in 2010 by Ordinance No. 200-O-32.

Rezoning the property to LC zoning district would also allow uses included in Section 77-26., *Permitted Uses*, and listed below:

1. retail bakeries;
2. printing and related support activities;
3. furniture and home furnishing stores;

4. electronic and appliance stores;
5. building material, garden equipment and supplies dealers;
6. food and beverage stores;
7. health and personal care stores;
8. clothing and clothing accessory stores;
9. sporting goods, hobby, book and music stores;
10. miscellaneous store retailers;
11. postal service;
12. finance and insurance;
13. real estate;
14. consumer good rental;
15. professional, scientific, and technical services;
16. accounting, tax preparation, bookkeeping and payroll;
17. veterinary services;
18. management of companies and enterprises;
19. administrative and support services;
20. educational support services;
21. social assistance;
22. child day care services;
23. arts, entertainment, and recreation;
24. fitness and sports centers;
25. food services and drinking places;
26. automotive glass replacement shop;
27. electronic and precision equipment repair and maintenance;
28. personal and laundry services; and
29. public administration.

For example, a child day care facility or restaurant could be used at this site if the property is rezoned to LC zoning district since it is a permitted use. Rezoning the site from O-SFR to LC would allow the encroachment of commercial uses in a predominantly used residentially used and zoned area. A rezoning could result in noise and nuisance complaints from single-family residences in the surrounding area.

Since the Planning, Development and Zoning Commission meeting, staff has researched the 2007 NAICS Uses and has found “wedding chapels (except churches) to be classified as NAICS Use No. 812990 “All Other Personal Services”. NAICS Use No. 812990 is a permitted use in the Light Commercial District (LC) just as NAICS Use No. 531120 “Lessors of Nonresidential Buildings (except Miniwarehouses)” is permitted. The request for NAICS Use No. 531120 “Lessors of Nonresidential Buildings (except Miniwarehouses)” in the rezoning was provided on the zoning application filed by the property owner. Questions of a church use was brought up by the Commission, whereby staff explained a church is considered a SUP in all zoning districts. The property owner has not expressed a change to a church since the Commission meeting to staff, therefore, staff is unable to re-process the application as such. The owner’s representative (her daughter) did not tell the Commission either their intention to zone for a church during the Planning, Development and Zoning Commission meeting.

General Site Information

Surrounding Property Zoning	North: Open-Single Family Residential District (O-SFR) South: Open-Single Family Residential District (O-SFR) East: Open-Single Family Residential District (O-SFR) West: Open-Single Family Residential District (O-SFR)
Surrounding Land Use	North: Single Family Residential & Undeveloped South: Single Family Residential & Undeveloped East: Single Family Residential West: Undeveloped

Points for Consideration

- The *Manvel 2015 Comprehensive Plan* focuses on preserving rural character in the City. The O-SFR zoning district corresponds to the recommendations made in the Comprehensive Plan.
- The *Manvel 2015 Comprehensive Plan* identifies the area around SH 6 and FM 1128 to be developed with mixed-use smaller-scale urban development. This site is not within the area zoned or identified in the Comprehensive Plan for commercial development.
- The property and surrounding area have been zoned Open-Single Family Residential District (O-SFR) since City-wide zoning was established in 2001.
- The surrounding property is developed rural single-family residential or undeveloped.
- A commercial use permitted in the LC zoning district would encroach upon an existing rural residential neighborhood that is zoned O-SFR.

Planning, Development and Zoning Commission Discussion

The Planning, Development and Zoning Commission held a consideration and action after a public hearing held on September 13, 2021. During the discussion, the Commission requested further clarification if the property could be approved for a Specific Use Permit (SUP). Staff explained to the Commission that the wedding venue (NAICS use number 531120) was an out-right permitted use in the Light Commercial District (LC) and a prohibited use in the O-SFR District. Meaning the zoning ordinance does not recognize specific instances where this use could or could not be permitted. Staff further explained to the Commission a change of occupancy had been approved for such use for LC zoned property on SH 6. Staff also spoke about how churches are permitted in the zoning ordinance. Churches are a SUP in all zoning districts; however, the owner's request was not for a church use and was never stated otherwise by the owner's daughter during the public hearing. Staff also provided some clarification to the Commission regarding numerous comments made regarding historic preservation. Staff explained the land use decision before them had nothing to do with preservation but the ability to allow all uses permitted in the LC zoning district at this site. The issue of land use (zoning) and historic preservation were different topics since the land owner still has rights to use the property as a residence. The Commission also had a question building occupancy. Staff stated that the building occupancy is determined on the use classification which is determined by the Fire Marshal. The discussion also focused on building codes and permits. The Commission wanted to know why worked performed without building permits was an issue. Staff stated that without building permits and inspections there was no way to determine the building was remodeled to current building codes such as electrical (for a commercial use). If the building was not brought up to current codes and occupied it would be a hazard to the public.

Staff Recommendation

City Staff does not recommend reclassifying subject property from Open-Single Family Residential District (O-SFR) to Light Commercial (LC) District to the City Council. The proposed rezoning is not compatible with the *Manvel 2015 Comprehensive Plan* and will encroach upon the residential neighborhood.

Planning, Development and Zoning Commission Recommendation

At the September 15, 2021, Planning, Development and Zoning Commission meeting, the Commission did not recommend Ordinance No. 2021-O-23 to rezone 1.03 acres of land from Open-Single Family Residential District (O-SFR) to Light Commercial District (LC) to the City Council. The vote was one ye to five nays. Commissioner Miller voted nay, Commissioner Marasckin voted nay, Commissioner Diaz voted nay, Commissioner Rogers voted nay, Commissioner Wynne voted ye, and Commissioner Alam voted nay.

Planning, Development and Zoning Commission Public Hearing

The Planning, Development and Zoning Commission held a public hearing on September 13, 2021. During the public hearing there were nine speakers. The first speaker was Kelly K. This first speaker indicated she was in support of the venue and proposed time limits of operation. The second speaker was Carolyn Bowen. Ms. Bowen spoke of other historical structures in the area and stated she was in support of the wedding venue. The third speaker was Brian Wilmer. Mr. Wilmer talked about the importance of history and that a lot of money and time to refurbish the church has been made by the property owners. Mr. Wilmer also stated he was in favor of the wedding venue. The fourth speaker was Dan Davis. Mr. Davis stated the City should put an emphasis on history and we should find more ways to say 'yes'. Mr. Davis is in favor of the request and stated the Manvel community is in support of it also. The fifth speaker was Zack Beagler. Mr. Beagler stated he was in support of the wedding venue especially since he had just gotten engaged and would have loved to be married at the facility. The sixth speaker was Adrian Gaspard. Mr. Gaspard stated the road needed to be 'done' in front of the church building and was in favor of the wedding venue. The seventh speaker was Lindsey Dow. Ms. Dow stated her love of Manvel history and memories of going to the old Manvel Library. She stated she was in support of the venue and historic preservation. The eight speaker was Alyssa Weekly. Ms. Weekly stated she was in favor of the wedding venue and historic preservation in the City. The ninth speaker was Amy Grotheson. Ms. Grotheson is the daughter of the property owner and spoke on their behalf. She stated it was the property owner's dream to open a wedding chapel in the structure. Ms. Grotheson is in favor of the wedding venue. During the meeting public hearing there were two speaker, Adrian Gaspard and David Lands. Both Mr. Gaspard and Mr. Lands stated they were in support of Ordinance No. 2021-O-23. Mr. Gaspard told the Commission they should get paid to be a Commissioner similar to a recommendation from the Charter Review Commission and we should support historic preservation. Mr. Lands also stated the importance of historic preservation.

City Council 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, staff received one informational inquiry.

Site Photographs



Looking at 7346 Taylor Street (south).



Looking at 7346 Taylor Street (south).

Site Photographs



Looking north to 7346 Taylor Street from Magnolia Street.



Looking east across the street from the site at a single-family residence on Magnolia St.

Site Photographs



Looking north on Taylor St at nearby single-family residential.

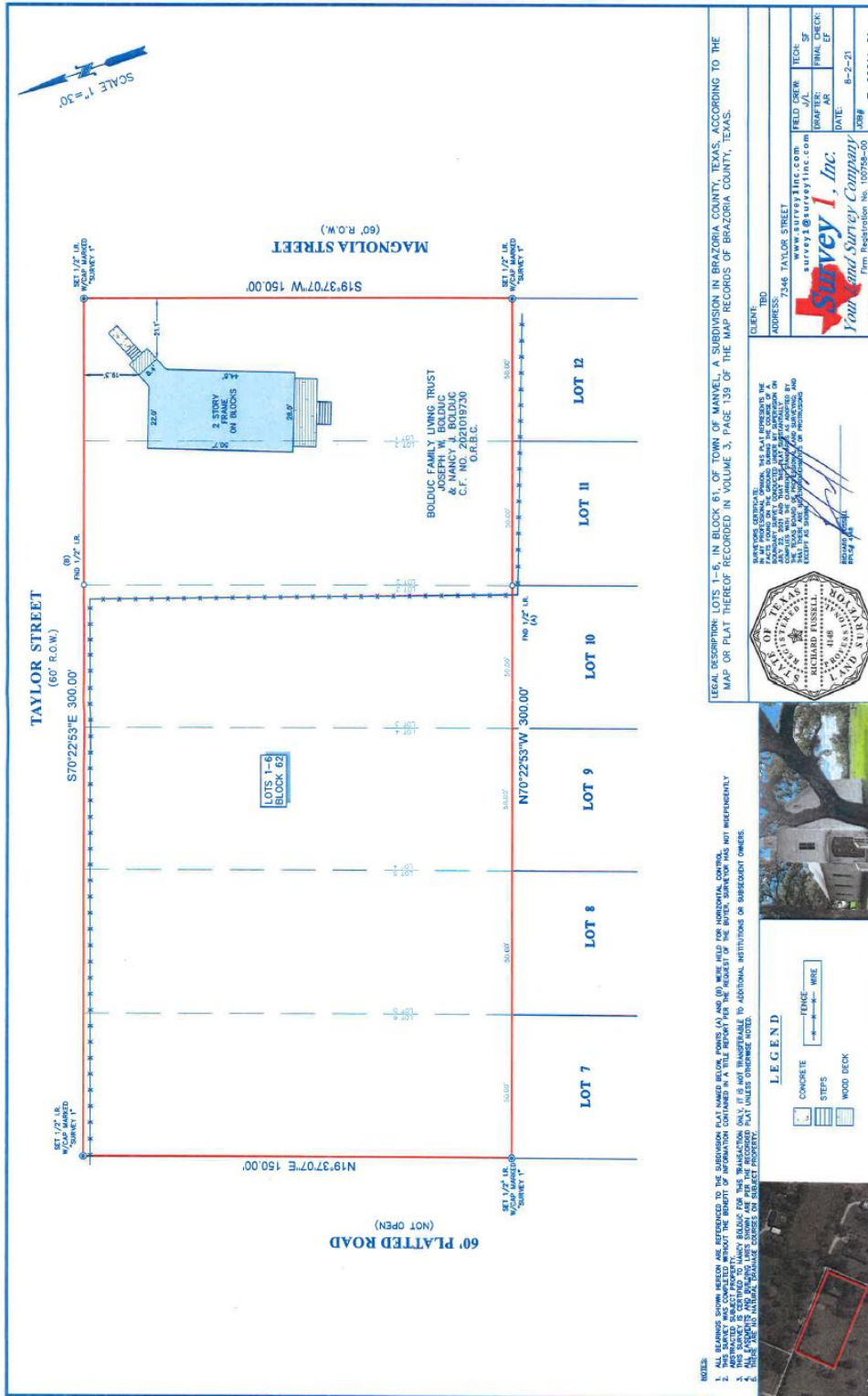


Looking west on Taylor St to South Masters Rd.

Aerial Vicinity Map



Survey



Application



2C 210616-1376

DEVELOPMENT SERVICES DEPARTMENT

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

REZONING APPLICATION

PROJECT INFORMATION

Project Name: 2Hearts Wedding Chapel
Project Location/Address: 7346 Taulor St., Manvel, TX 77578
Legal Description: 6 lots - see attached PLAT
Current Zoning: OSFR Proposed Zoning: Light Commercial NO. 531120
Parcel/Tax ID# (s): 228140 Total Acreage: ? Proposed Land Use: Wedding chapel

APPLICANT INFORMATION

Applicant Name: Nancy J. Bolduc / Bolduc Family Living Trust
Company Name: _____
Address: 8203 Magnolia St City: Manvel State: TX Zip: 77578
Phone #: 281.468.3627 Email: njb4019@comcast.net

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.

Nancy J. Bolduc
Applicant Signature (REQUIRED)

6/16/21
Date

PROPERTY OWNER INFORMATION

Owner(s) Name: Nancy J. Bolduc
Address: 8203 Magnolia St City: Manvel State: TX Zip: 77578
Phone #: 281.468.3627 Email: njb4019@comcast.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.

Nancy J. Bolduc
Owner's Signature (REQUIRED)

6/16/21
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)	✓
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.

Nancy J. Baldue
Applicant Signature

6/16/21
Date

Public Hearing Notice

Public Hearing Notice to run on Sunday 08/29/2021

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 7:00 P.M. ON MONDAY, SEPTEMBER 13, 2021, BEFORE THE MANVEL PLANNING, DEVELOPMENT AND ZONING COMMISSION AND AT 7:00 P.M. ON MONDAY, SEPTEMBER 20, 2021, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF 1.03 ACRES OF LAND LOCATED AT 7346 TAYLOR STREET, MANVEL, TEXAS FROM OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) DISTRICT TO LIGHT COMMERCIAL (LC) DISTRICT 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.



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

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

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☒
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Date of Request: September 27, 2021 PDZ & October 4, 2021 City Council

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Jared Bowlin

Daytime Phone: 713-784-4500 ext. 2306 Fax Number: 713-784-4577

E-mail Address: jbowlin@ehrainc.com

Description of Request and Physical Address:

Consideration and possible action to forward with recommendation to City Council,
Final Plat for Meridiana Pursley Boulevard Phase 6B, being a subdivision of 0.0201 acres
out of the H.T. & B.R.R. Co. Survey, Section 61, Abstract 282, in the City of Manvel,
Brazoria County, Texa.

Plats:

Preliminary _____

Final x

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Jessica Rodriguez Digitally signed by Jessica Rodriguez
Date: 2021.09.17 12:12:04 -05'00'

SIGNATURE

September 17 2021

DATE



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

Plat Name	Meridiana Pursley Boulevard Phase 6B Final Plat
Applicant	Lacey Bell, EHRA
PD&Z Meeting Date	September 27, 2021
Recommendation	Approval
Submitted By	Jessica Rodriguez, Director of Development Services

Staff Recommendation

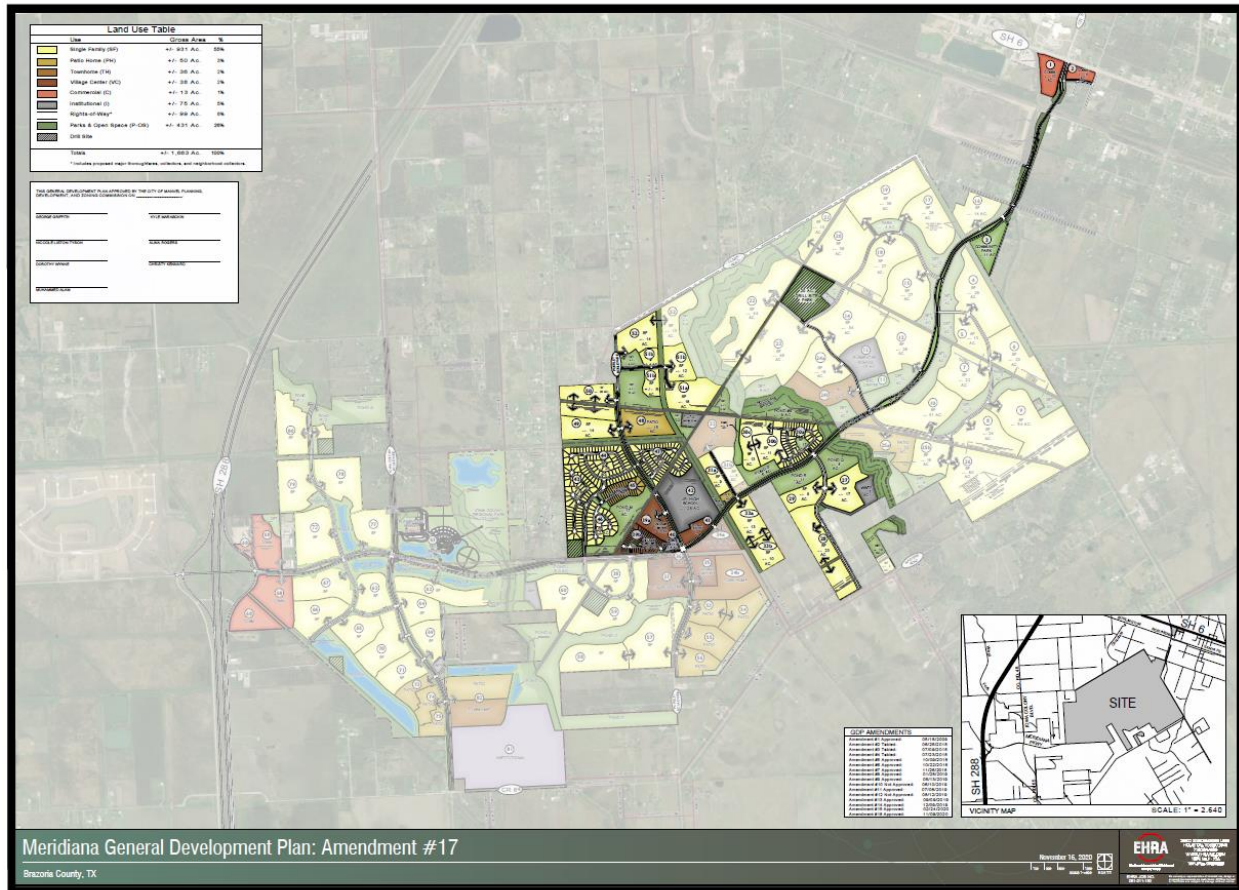
The City staff recommends approval of the Meridiana Pursley Boulevard Phase 6B Final Plat.

[illegible]



DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020)



MERIDIANA
PURSLEY BOULEVARD PHASE 6B
0.0201 ACRES (874 SQUARE FEET) OF LAND IN THE
H. T. & B. R.R. CO. SURVEY, SECTION 61, ABSTRACT 282
BRAZORIA COUNTY, TEXAS

A 0.0201 ACRE (874 SQUARE FOOT) TRACT OF LAND IN THE H. T. & B. R.R. COMPANY SURVEY, SECTION 61, ABSTRACT 282, BEING OUT OF THAT CERTAIN TRACT CALLED 207.892 ACRES CONVEYED TO GR-M1, LTD. AS DESCRIBED UNDER BRAZORIA COUNTY CLERK FILE NO. 2006037042; SAID 0.0201 ACRE (874 SQUARE FOOT) TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 SOUTH CENTRAL ZONE AS DETERMINED BY GPS MEASUREMENTS):

COMMENCING at a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" found marking the southwestern corner of the said called 207.892 acre tract being the southeasterly corner of Colony West (an unrecorded subdivision), same being the southwestern corner of Reserve "C" of Meridiana Section 43 as recorded in Brazoria County Plat Records Number (B.C.P.R. No) 2020024243;

THENCE, North 87°19'17" East, along the southerly line of the said called 207.892 acre tract for a distance of 2,693.48 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" found marking the easterly corner of Meridiana Parkway East Phase 3 as per plat recorded under B.C.C.F. NO. 2020044096, and the southerly corner of Meridiana Parkway Phase 4 as per plat recorded under B.C.C.F. NO. 2020024860, also being the westerly corner and POINT OF BEGINNING of the herein described tract of land;

1) THENCE, North 66°22'08" East, along the southeasterly line of said Meridiana Parkway Phase 4 for a distance of 67.63 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" found marking the arc of a curve in the easterly right-of-way line of Pursley Boulevard (120 foot wide) and the northeasterly corner of the herein described tract;

2) THENCE, in a southeasterly direction along the arc of said curve to the right having a radius of 2,060.00 feet, a central angle of 00°43'07", an arc length of 25.83 feet, and a chord bearing of South 23°16'18" East, for a distance of 25.83 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" set for corner;

3) THENCE, South 87°19'17" West, for a distance of 72.24 feet to the POINT OF BEGINNING and containing 0.0201 acres (874 square feet) of land.

This is to certify that the Planning, Development and Zoning Commission of the City of Manvel, Texas, has recommended approval of this plat of MERIDIANA PURSLEY BOULEVARD PHASE 6B in conformance with laws of the State of Texas and the ordinances of the City of Manvel as shown hereon and authorizes the recording of this plat this _____ day of _____, 2021.

Planning, Development and Zoning Commission

This is to certify that the City Council of the City of Manvel, Texas, has approved this plat of MERIDIANA PURSLEY BOULEVARD PHASE 6B in conformance with laws of the State of Texas and the ordinances of the City of Manvel as shown hereon and authorizes the recording of this plat this _____ day of _____, 2021.

City Council

APPROVED BY BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5

Lee Walden 9/6/21
Lee Walden, P.E.,
President

Kerry L. Osburn 9/8/21
Kerry L. Osburn
Vice President

Brandon Middleton
Secretary/Treasurer

Jarrod D. Aden 9/8/2021
Jarrod D. Aden, P.E., C.F.M.
District Engineer

Note: Project field startup will start within 365 calendar days from date here shown. Continuous and reasonable field site work is expected.

BCDD #5 REF ID # B210024

STATE OF TEXAS:

COUNTY OF BRAZORIA:

We, GR-M1, LTD., a Texas Limited Partnership, acting by and through Matt Lawson, President of Rise Communities, LLC, A Nevada Limited Liability Company, its Authorized Agent for GR-M1, LTD., a Texas Limited Partnership, owner of the property subdivided in this plat, MERIDIANA PURSLEY BOULEVARD PHASE 6B, do hereby make subdivision of said property for and on behalf of said GR-M1, LTD., a Texas Limited Partnership, according to the lines, lots, building lines, streets, alleys, parks and easements as shown hereon and dedicate for public use, the streets, alleys, parks and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

IN TESTIMONY WHEREOF, GR-M1, LTD., a Texas limited partnership, has caused these presents to be signed by Matt Lawson, President of Rise Communities, LLC, a Nevada Limited Liability Company, Authorized Agent for GR-M1, LTD., a Texas Limited Partnership, thereunto authorized, this 30th day of August, 2021.

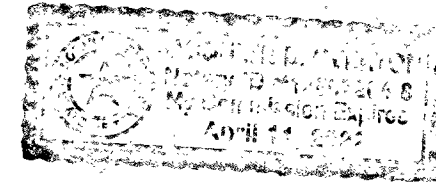
OWNER
GR-M1, LTD., A Texas Limited Partnership
By: Rise Communities, LLC,
A Nevada Limited Liability Company,
Authorized Agent

BY: *mt*
Print Name: Matt Lawson
Title: President

STATE OF TEXAS }
COUNTY OF HARRIS }

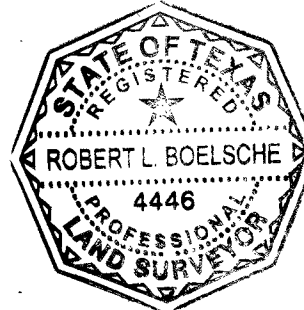
BEFORE ME, the undersigned authority, on this day personally appeared Matt Lawson, President of Rise Communities, LLC, a Nevada Limited Liability Company, Authorized Agent for GR-M1, LTD., a Texas Limited Partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and as the act and deed of said limited liability company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 30th day of August, 2021.

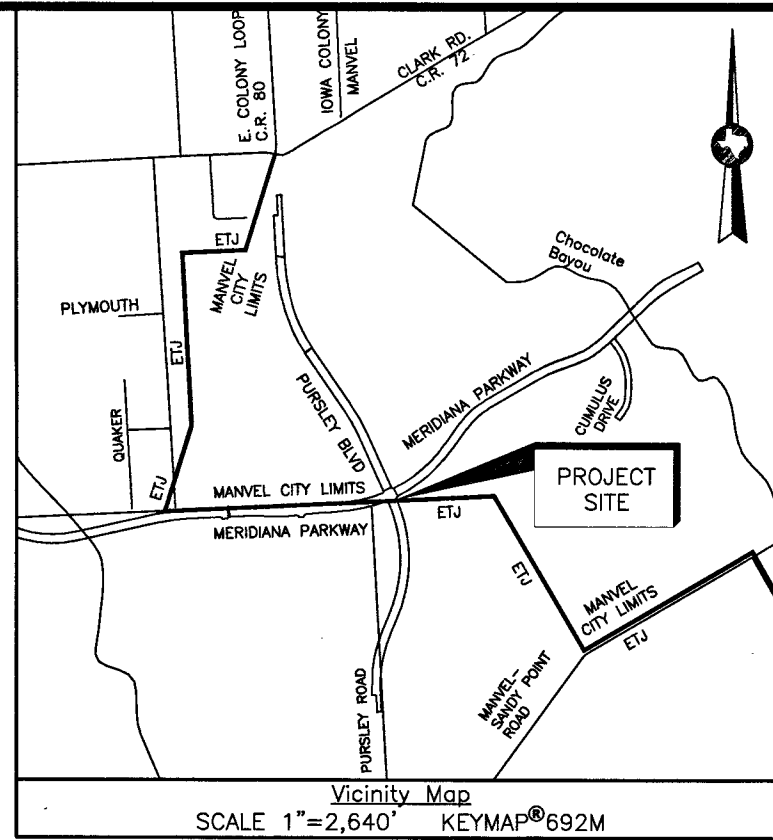
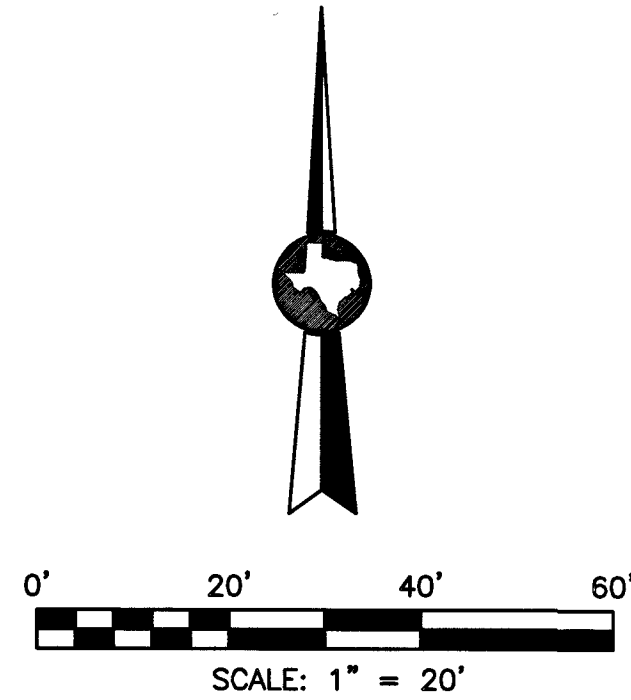


Jacqueline Queiroz
Notary Public in and for the
State of Texas
My Notary Commission Expires April 11, 2022

I, Robert Boelsche, a Registered Professional Land Surveyor of the State of Texas, hereby certify that this subdivision is true and correct; was prepared from an actual boundary survey of the property made on the ground under my supervision according to the standards of practice of the Texas Board of Professional Land Surveyors; that the plat boundary corners have been tied to the nearest street intersection; that the boundary corners, angle points, points of curvature/tangency and interior corners of this subdivision were not set at the time this plat was signed by me and that these corners are to be set after construction of the public infrastructure and final lot grading within the subdivision; and that all previously existing property markers are sufficiently described on this document as found and all set markers are a minimum of 5/8-inch diameter iron rod with surveyor's cap.



Robert L. Boelsche
Robert Boelsche, Registered Professional Land Surveyor
Texas Registration No. 4446



FINAL PLAT MERIDIANA PURSLEY BOULEVARD PHASE 6B

BEING A SUBDIVISION OF 0.0201 ACRES OUT OF THE
H. T. & B. R.R. CO. SURVEY, SECTION 61, ABSTRACT 282,
IN THE CITY OF MANVEL,
IN BRAZORIA COUNTY, TEXAS.

OWNER

GR-M1, LTD.
A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, SUITE 100
KATY, TEXAS 77493
PH (832) 437-7863

SEPTEMBER 17, 2021

ENGINEER/SURVEYOR



10011 MEADOWGLEN LN
HOUSTON, TEXAS 77042
713-784-4500
WWW.EHRAINCO.COM
TBPE No. F-726
TBPELS No. 10092300

GENERAL NOTES:

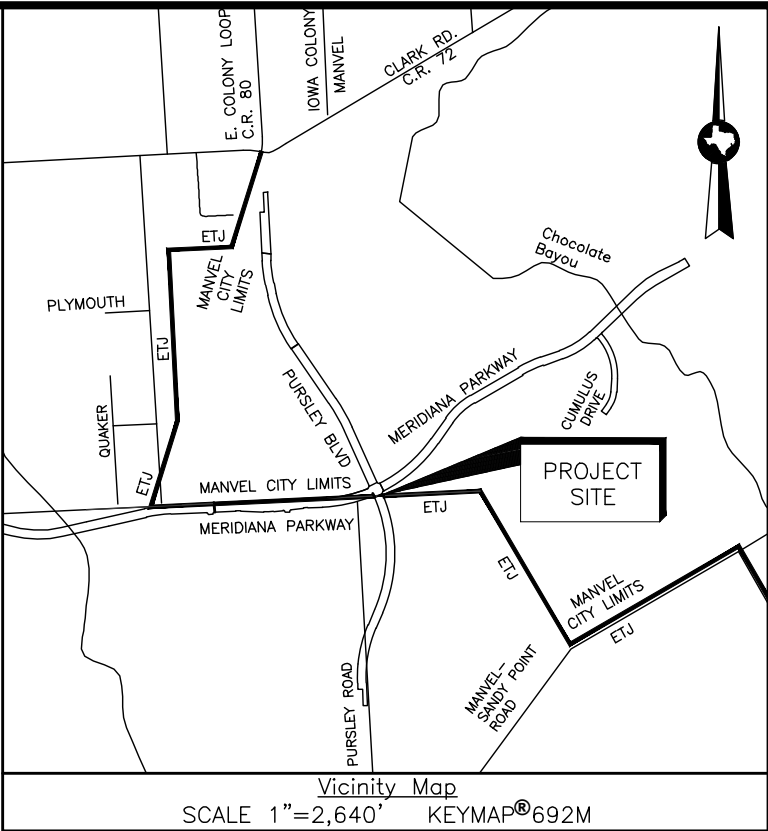
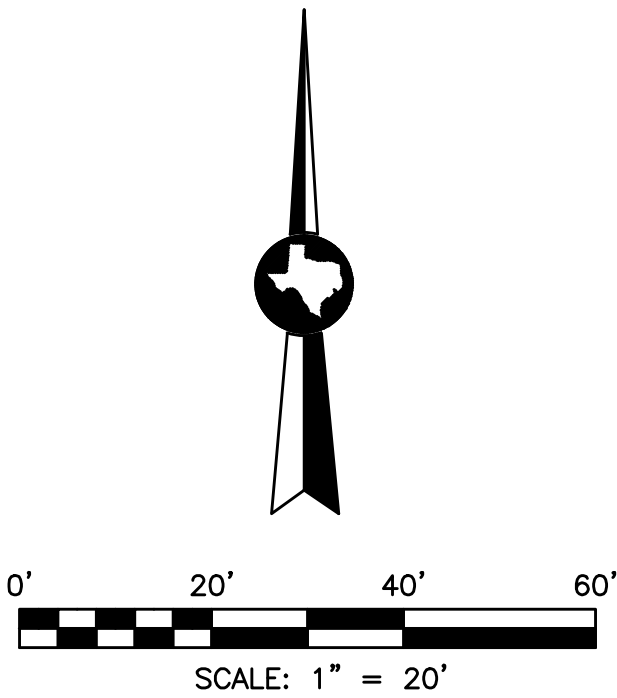
- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor: 0.99966742165.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No. 48039C0110K, dated December 30, 2020. The subject property shown hereon lies within Unshaded Zone "X" (areas determined to be outside of the 500-year flood plain).

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.
- All boundary corners for the plat shown hereon are set 5/8-inch iron rods with cap stamped "E.H.R.A 713-784-4500", unless otherwise noted.
- A- Indicates Abstract.
AC indicates Acres
B.C.C.F. No. indicates Brazoria County Clerk's File Number.
B.C.P.R. NO. Brazoria County Plat Records Number.
P.O.B. indicates Point Of Beginning.
P.O.C. indicates Point Of Commencing.
R.O.W. indicates Right-Of-Way.
(F) indicates Found 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500"
(S) indicates Found 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500"
- The terms and conditions of Ordinance numbers 2009-0-03, 2009-0-04, and 2009-0-05 of the City of Manvel, Texas dated February 23, 2009, may affect this plat.
- All sidewalks shall be constructed in accordance with City of Manvel Ordinance No. 2009-0-04.
- Permanent structures, including fences and permanent landscaping, shall not be erected in a drainage easement or fee strip.
- The boundary for this plat has a closure in excess of 1:15,000.
- The property subdivided in the foregoing plat lies in Brazoria County, the City of Manvel, Brazoria County M.U.D. No. 56, Alvin Independent School District and Brazoria County Drainage District #5.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, plantings, and other obstructions.
- One-foot reserves dedicated to the public in fee as a buffer separation between the side or end of streets in subdivisions where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one-foot reserves shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and revest in the dedicator, his heirs, assigns, or successors.
- There are 0.00 acres of unencumbered open space within the boundary of this plat.
- 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.
- This final plat will expire two (2) years after final approval by City Council, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by Council.
- Plan review and approval shall be the responsibility of the City of Iowa Colony. All future maintenance and repairs shall also be the responsibility of the City of Iowa Colony.
- Building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed.
- The development regulations and city permits are required on all property.

BENCHMARK(S):

NOS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL- 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.
ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

CURVE TABLE						
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH	
C1	2060.00'	0°43'07"	25.83'	S 23°16'18" E	25.83'	
C2	2000.00'	0°05'01"	2.92'	N 23°35'21" W	2.92'	
C3	2000.00'	0°44'30"	25.89'	N 24°00'07" W	25.89'	



BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5:

- Slab elevations (finished floor) shall be a minimum of 2 feet above finished grade.
- All drainage easements shown hereon shall be kept clear of fences, buildings, plantings and other obstructions to the operation and maintenance of drainage facilities.
- All property shall drain into the drainage easement only through an approved drainage structure.
- All drainage easements and detention pond reserves shown on this plat will be maintained by the property owners and/or business owners; provided, however, and governmental entity have jurisdiction, including, without limitation, Brazoria County, Texas and Brazoria County Drainage District #5, shall have the right, but not the obligation to enter upon the drainage easements to perform maintenance operations at any time after the date hereof.
- The property identified in the foregoing plat lies within Brazoria County Drainage District #5.
- This rural subdivision employs a natural drainage system, which is intended to provide drainage for the subdivision that is similar to that which existed under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but such ponding should not remain for an extended period of time.
- Land use within the subdivision is limited to an average imperviousness of no more than 72 percent. The drainage and/or detention system has been designed with the assumption that this average percent, imperviousness will not be exceeded. If this percentage is to be exceeded, a replot and/or redesign of the system may be necessary.
- Other than shown hereon, there are no pipeline easements or pipelines within the boundaries of this plan.
- All storm water drainage pipes, culverts, tiles or other (includes driveway culverts) will be minimum 24" I.D. or equal.
- Dedicated drainage easement(s) granted to Brazoria County Drainage District #5 for drainage maintenance purposes shall include 45 feet top of bank, plus the sum (footage) of both side slopes and channel bottom and 45 feet of bank on the opposite bank.
- Dedicated ingress/egress accesses are granted to Brazoria County Drainage District #5 (see District Resolution No 2007-06 & 2007-07). Access will be gated and locked with Brazoria County Drainage District #5's lock.
- Prohibited use of "metal" pipe in storm water/sewer applications (See District Resolution No. 2007-08).
- Prohibited use of "rip rap" in storm water/sewer applications. (District Policy).
- Pipelines, utility lines and other crossing under any Brazoria County Drainage District #5 ditch require approval and permitting prior to construction.
- All dedicated storm sewer drainage and/or access easements to be granted to Brazoria County Drainage District #5 by the property owner will be initiated and recorded, at the property owner's expense, in Brazoria County, Texas with a "Recorded Document Number" affixed to said easement prior to final approval granted by Brazoria County Drainage District #5 Board of Commissioners.
- It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 "dedicated" drainage easements are on or cross their property, if so, the property owner will comply as stated within the recorded easement.
- Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1, Introduction; Sub-Section 1.5, Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.

**FINAL PLAT
MERIDIANA
PURSLEY BOULEVARD PHASE 6B**

BEING A SUBDIVISION OF 0.0201 ACRES OUT OF THE
H. T. & B. R.R. CO. SURVEY, SECTION 61, ABSTRACT 282,
IN THE CITY OF MANVEL,
BRAZORIA COUNTY, TEXAS.

OWNER

GR-MI, LTD.
A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, SUITE 100
KATY, TEXAS 77493
PH (832) 437-7863

SEPTEMBER 17, 2021

ENGINEER/SURVEYOR



10011 MEADOWGLEN LN
HOUSTON, TEXAS 77042
713-784-4500
WWW.EHRAINCC.COM
TBPE No. F-726
TBPELS No. 10092300

Land Use Table		
Use	Gross Area	%
Single Family (SF)	+/- 931 Ac.	55%
Patio Home (PH)	+/- 50 Ac.	3%
Townhome (TH)	+/- 36 Ac.	2%
Village Center (VC)	+/- 38 Ac.	2%
Commercial (C)	+/- 13 Ac.	1%
Institutional (I)	+/- 75 Ac.	5%
Rights-of-Way*	+/- 99 Ac.	6%
Parks & Open Space (P-OS)	+/- 431 Ac.	26%
Drill Site		
Totals	+/- 1,663 Ac.	100%
* Includes proposed major thoroughfares, collectors, and neighborhood collectors.		

THIS GENERAL DEVELOPMENT PLAN APPROVED BY THE CITY OF MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION ON _____

GEORGE GRIFFITH

NICOLE LISTON-TYSON

DOROTHY WYNNE

MUHAMMAD ALAM

KYLE MARASCKIN

ALINA ROGERS

CHRISTY KENNARD



GDP AMENDMENTS	
Amendment #1 Approved:	05/18/2009
Amendment #2 Tabled:	06/25/2019
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Amendment #9 Approved:	05/13/2019
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Amendment #11 Approved:	07/08/2019
Amendment #12 Not Approved:	08/12/2019
Amendment #13 Approved:	09/09/2019
Amendment #14 Approved:	12/09/2019
Amendment #15 Approved:	02/24/2020
Amendment #16 Approved:	11/09/2020





City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

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

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☒
--------------------------------	--------------------------	--------------	--------------------------	------	-------------------------------------

Date of Request: September 27, 2021 PDZ and October 4, 2021 City Council

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Brad Sweitzer

Daytime Phone: 713-784-4500 Fax Number: N/A

E-mail Address: bsweitzer@ehrainc.com

Description of Request and Physical Address:

Consideration and possible action to approve and move forward with recommendation to City Council,
Preliminary Plat for Meridiana Detention Reserve 'V' Phase 2. A Subdivision of 1.07
acres and consisting of 1 Block and 1 Reserve out of the H.T. & B.R.R. Co. Survey,
Section 61, A-282, City of Manvel, Brazoria County, Texas.

Plats:

Preliminary X

Final

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Brad Sweitzer

SIGNATURE

8/25/2021

DATE



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

Plat Name	Meridiana Detention Reserve V Phase 2 Preliminary Plat
Applicant	Brad Sweitzer, EHRA
PD&Z Meeting Date	September 27, 2021
Recommendation	Approval
Submitted By	Jessica Rodriguez, Director of Development Services

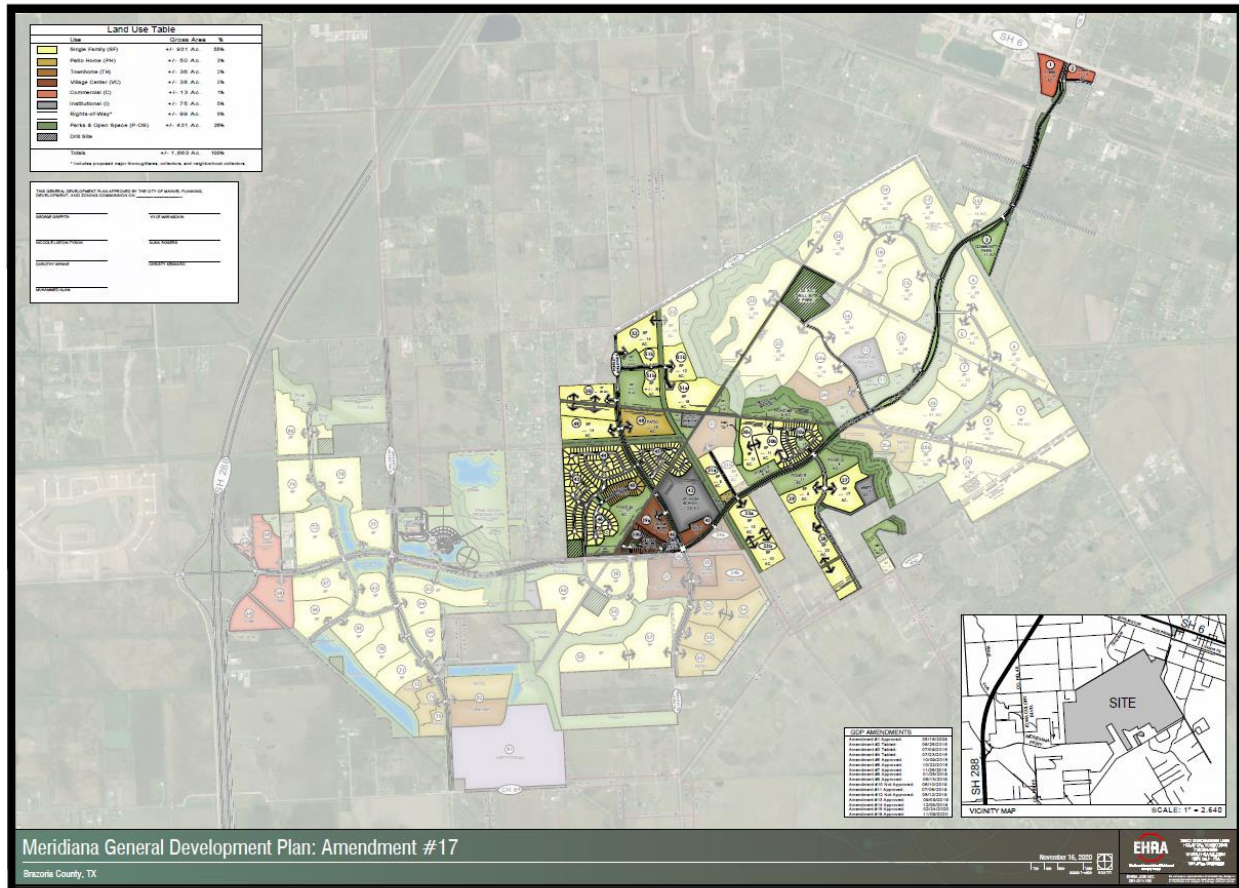
Staff Recommendation

The City staff recommends approval of the Meridiana Detention Reserve V Phase 2 Preliminary Plat.



DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020)



GENERAL NOTES:

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurement.
- The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.99986742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.480392010K, dated December 30, 2020, the property lies partially within Unshaded Zone X, partially within Shaded Zone X, and partially within Zone AE.
- This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinchey, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinchey, Russ & Associates, Inc. d/b/a EHRA.
- B.C.C.F. indicates Brazoria County Clerk's File.
B.C.P.R. indicates Brazoria County Plat Records.
B.L. indicates Building Line.
D.E. indicates Drainage Easement.
M.H. indicates Manhole.
P.B. indicates Page.
P.A.E. indicates Permanent Access Easement.
P.O.B. indicates Point of Beginning.
P.U.E. indicates Public Utility Easement.
P.V. indicates Private.
R indicates Radius.
R.O.W. indicates Right-Of-Way.
S.E. indicates Sanitary Sewer Easement.
S.M.S.E. indicates Storm Sewer Easement.
U.E. indicates Utility Easement.
V.L. indicates Volume.
W.L.E. indicates Water Line Easement.
↗ Indicates change in street name.
- The property subdivided in the foregoing plat lies in Brazoria County, the City of Manvel, Brazoria County M.U.D. No. 56, Alvin Independent School District, and Brazoria County Drainage District #5.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences buildings, plantings, and other obstructions.
- The Developer/Municipal Utility District/Homeowners' Association shall be responsible for maintenance of all reserves.
- The terms and conditions of Ordinance numbers 2009-0-03, 2009-0-04, and 2009-0-05 of the City of Manvel, Texas dated February 23, 2009, may affect this plat.
- All sidewalks shall be constructed in accordance with City of Manvel Ordinance No. 2009-0-04.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
- 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 council approval, unless the final plat has been submitted to council for final approval during that time. Upon written request of the subdivider, an extension of time may be given, at the discretion of the council, 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.
- Reserve "V-2" provides a total of 0.37 acres of unencumbered open space within the boundary of this plat.

BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:

- Slab elevations (finished floor) shall be a minimum of 2 feet above finished grade.
- All drainage easements shown hereon shall be kept clear of fences, buildings, plantings and other obstructions to the operation and maintenance of drainage facilities.
- All property shall drain into the drainage easement only through an approved drainage structure.
- All drainage easements and detention pond reserves shown on this plat, will be maintained by the property owners and/or business owners; provided, however, and governmental entity have jurisdiction, including, without limitation, Brazoria County, Texas and Brazoria County Drainage District #5, shall have the right, but not the obligation to enter upon the drainage easements to perform maintenance operations at any time after the date hereof.
- The property identified in the foregoing plat lies within Brazoria County Drainage District #5.
- This rural subdivision employs a natural drainage system, which is intended to provide drainage for the subdivision that is similar to that which existed under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but such ponding should not remain for an extended period of time.
- Land use within the subdivision is limited to an average imperviousness of no more than 72 percent. The drainage and/or detention system has been designed with the assumption that this average percent imperviousness will not be exceeded. If this percentage is to be exceeded, a replat and/or redesign of the system may be necessary.
- Other than shown hereon, there are no pipeline easements or pipelines within the boundaries of this plat.
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- It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 "Dedicated" drainage easements are on or cross their property. If so, the property owner will comply as stated within the recorded easement.
- Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1, Introduction; Sub-Section 1.5. Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.

BENCHMARK(S):

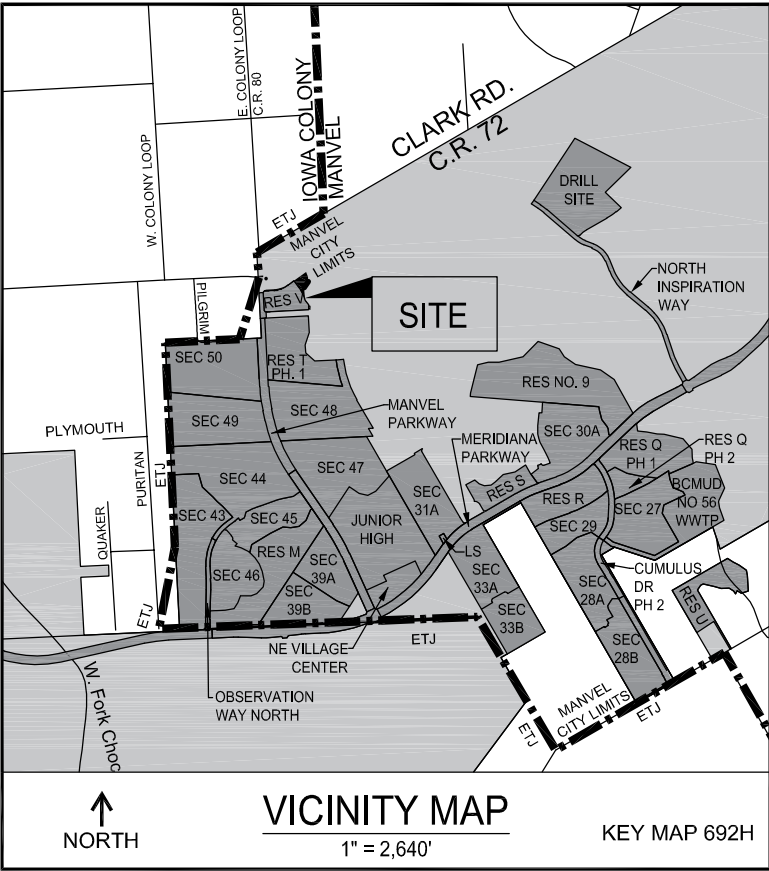
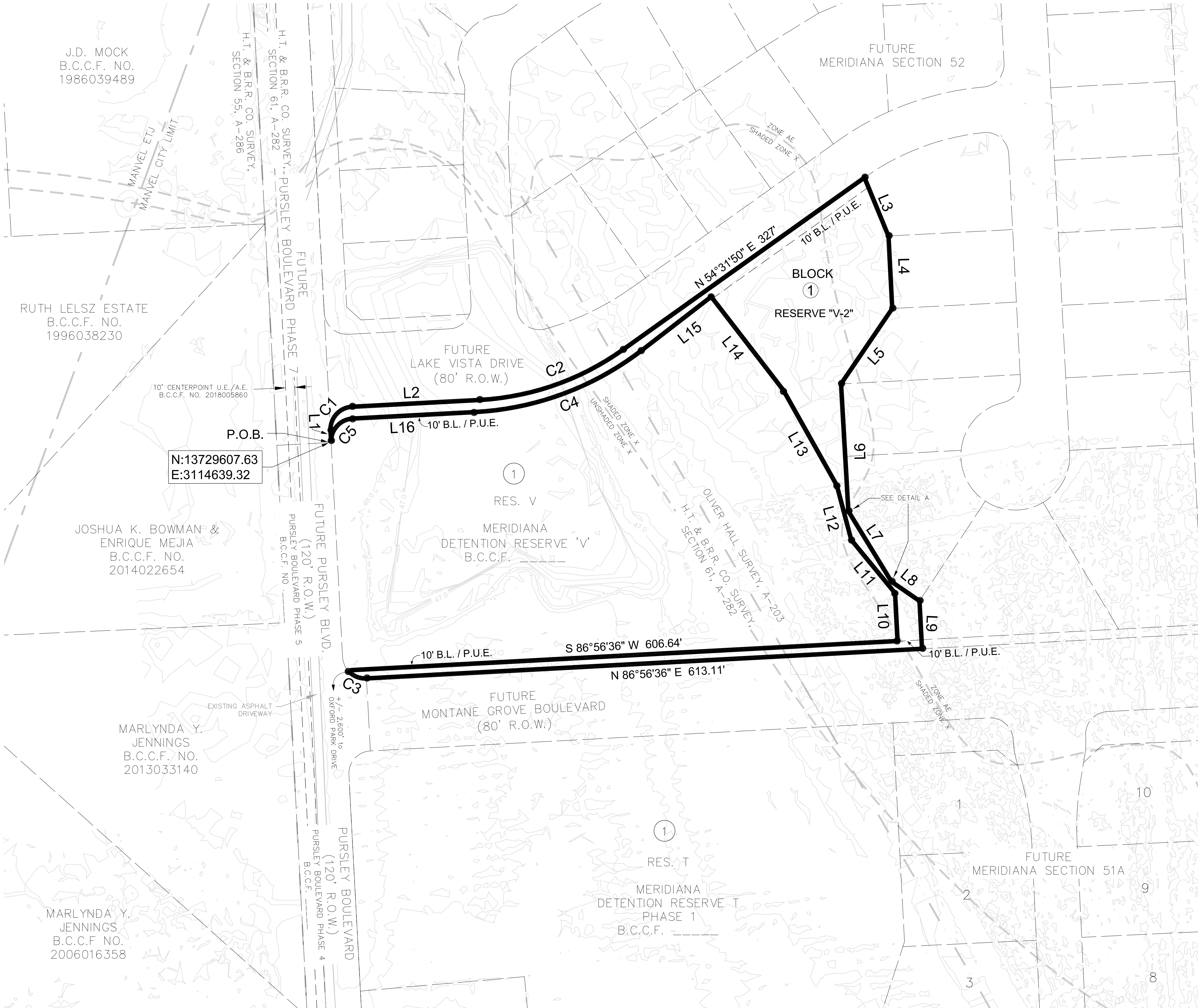
NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, S-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.
ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS RECOMMENDED APPROVAL OF THIS PLAT OF MERIDIANA DETENTION RESERVE 'V' PHASE 2 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS DAY OF 2021.

PLANNING, DEVELOPMENT AND ZONING COMMISSION

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF MERIDIANA DETENTION RESERVE 'V' PHASE 2 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS DAY OF 2021.

CITY COUNCIL



LINE TABLE

LINE	ANGLE	DISTANCE
L1	N 03°03'24" W	131.1'
L2	N 86°56'36" E	140.56'
L3	S 22°23'4" E	69.59'
L4	S 2°58'3" E	80'
L5	S 34°13'5" E	100.42'
L6	S 3°18'27" E	140.55'
L7	S 31°29'48" E	90.92'
L8	S 55°24'50" E	37.48'
L9	S 3°3'24" E	52.80'
L10	N 03°03'24" W	62.92'
L11	N 39°27'07" W	75.78'
L12	N 14°53'27" W	62.32'
L13	N 29°20'20" W	120.30'
L14	N 31°47'09" W	130.00'
L15	S 52°18'51" W	96.07'
L16	N 86°56'36" E	135.18'

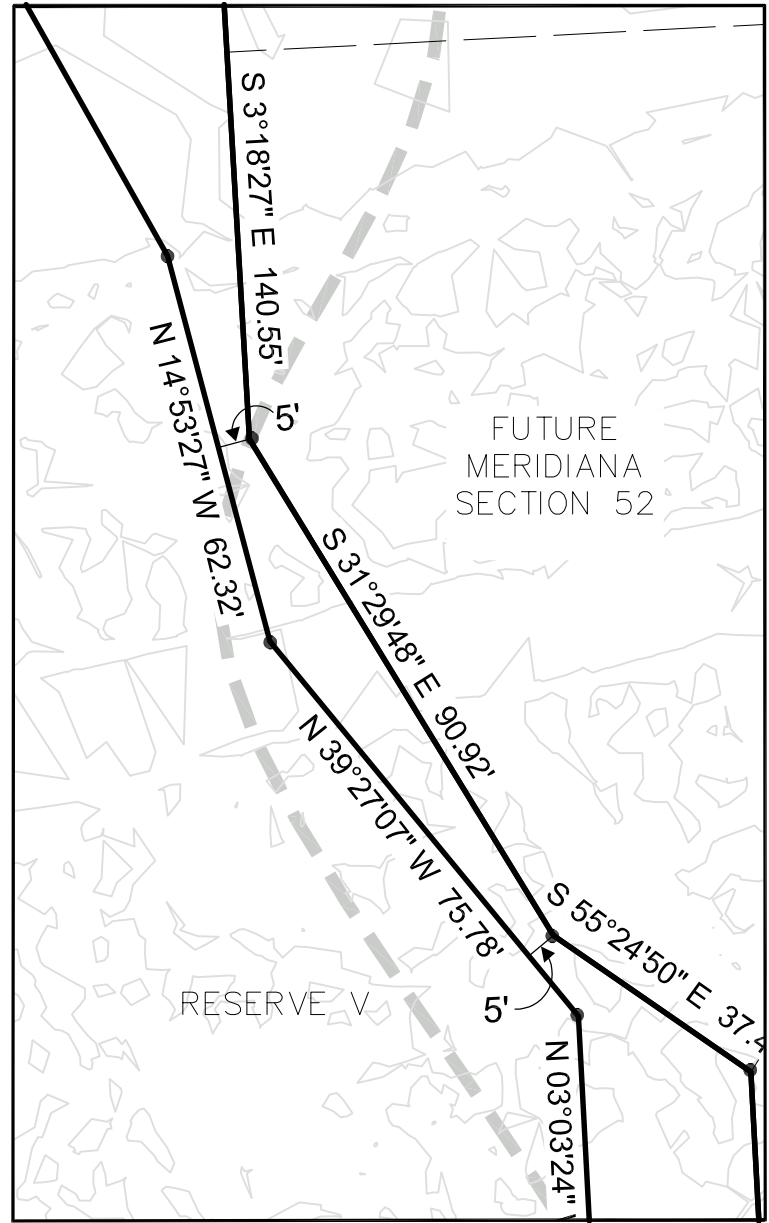
CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	25.00'	39.27'	N 41°56'36" E	35.36'
C2	300.00'	169.71'	N 57°35'14" E	167.46'
C3	25.00'	23.18'	N 36°52'12" W	22.36'
C4	330.00'	199.45'	S 55°22'15" W	196.43'
C5	25.00'	39.27'	S 41°56'36" W	35.56'

RESERVE TABLE

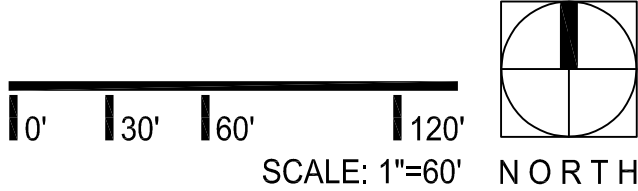
RESERVE	RESTRICTIONS	SQ. FT.	ACREAGE
"V-2"	DETENTION, LANDSCAPE, OPEN SPACE, RECREATION & UTILITY PURPOSES	46,803	1.07

DETAIL A



SCALE: 1"= 30'

OWNER CONTACT INFORMATION
GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, STE. 100
KATY, TX 77493
832-916-2162



Meridiana Detention Reserve 'V' Phase 2 Preliminary Plat

A Subdivision of 1.07 acres out of the Oliver Hall Survey, Section 61, A-282, City of Manvel, Brazoria County, Texas.

1 Block and 1 Reserve

Owner: GR-M1, LTD., a Texas Limited Partnership

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
WWW.EHRAINC.COM
TBE No. F-726
TBP L No. 1002300



EHRA JOB NO.
081-011-206

No warranty or representation of intended use, design or construction is made by EHRA. The user of this plat and/or facilities are subject to change without notice.

Land Use Table		
Use	Gross Area	%
Single Family (SF)	+/- 931 Ac.	55%
Patio Home (PH)	+/- 50 Ac.	3%
Townhome (TH)	+/- 36 Ac.	2%
Village Center (VC)	+/- 38 Ac.	2%
Commercial (C)	+/- 13 Ac.	1%
Institutional (I)	+/- 75 Ac.	5%
Rights-of-Way*	+/- 99 Ac.	6%
Parks & Open Space (P-OS)	+/- 431 Ac.	26%
Drill Site		
Totals	+/- 1,663 Ac.	100%
* Includes proposed major thoroughfares, collectors, and neighborhood collectors.		

THIS GENERAL DEVELOPMENT PLAN APPROVED BY THE CITY OF MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION ON _____

GEORGE GRIFFITH

NICOLE LISTON-TYSON

DOROTHY WYNNE

MUHAMMAD ALAM

KYLE MARASCKIN

ALINA ROGERS

CHRISTY KENNARD



GDP AMENDMENTS	
Amendment #1 Approved:	05/18/2009
Amendment #2 Tabled:	06/25/2019
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Amendment #14 Approved:	12/09/2019
Amendment #15 Approved:	02/24/2020
Amendment #16 Approved:	11/09/2020



Meridiana General Development Plan: Amendment #17

Brazoria County, TX

November 16, 2020

SCALE: 1" = 600'



10211 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.368.4500
WWW.EHRAINC.COM
TYPE No. F-726
TBDPL No. 10092300

ENGINEERING THE FUTURE

EHRA JOB NO. 081-011-150

No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land of easement are subject to change without notice.



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

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

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☒
--------------------------------	--------------------------	--------------	--------------------------	------	-------------------------------------

Date of Request: September 27, 2021 PDZ and October 4, 2021 City Council

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Person to Speak: Brad Sweitzer

Daytime Phone: 713-784-4500 Fax Number: N/A

E-mail Address: bsweitzer@ehrainc.com

Description of Request and Physical Address:

Consideration and possible action to approve and move forward with recommendation to
City Council, Preliminary Plat for Meridiana Section 52, being a subdivision of 21.88
acres, consisting of 2 Blocks and 3 Reserves out of the Oliver Hall Survey, A-203,
and the H.T. & B.R.R. Co. Survey, Section 61, A-282, City of Manvel, Brazoria County, Texas.

Plats:

Preliminary X

Final

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Brad Sweitzer

SIGNATURE

8/30/2021

DATE



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

Plat Name	Meridiana Section 52 Preliminary Plat
Applicant	Brad Sweitzer, EHRA
PD&Z Meeting Date	September 27, 2021
Recommendation	Approval
Submitted By	Jessica Rodriguez, Director of Development Services

Staff Recommendation

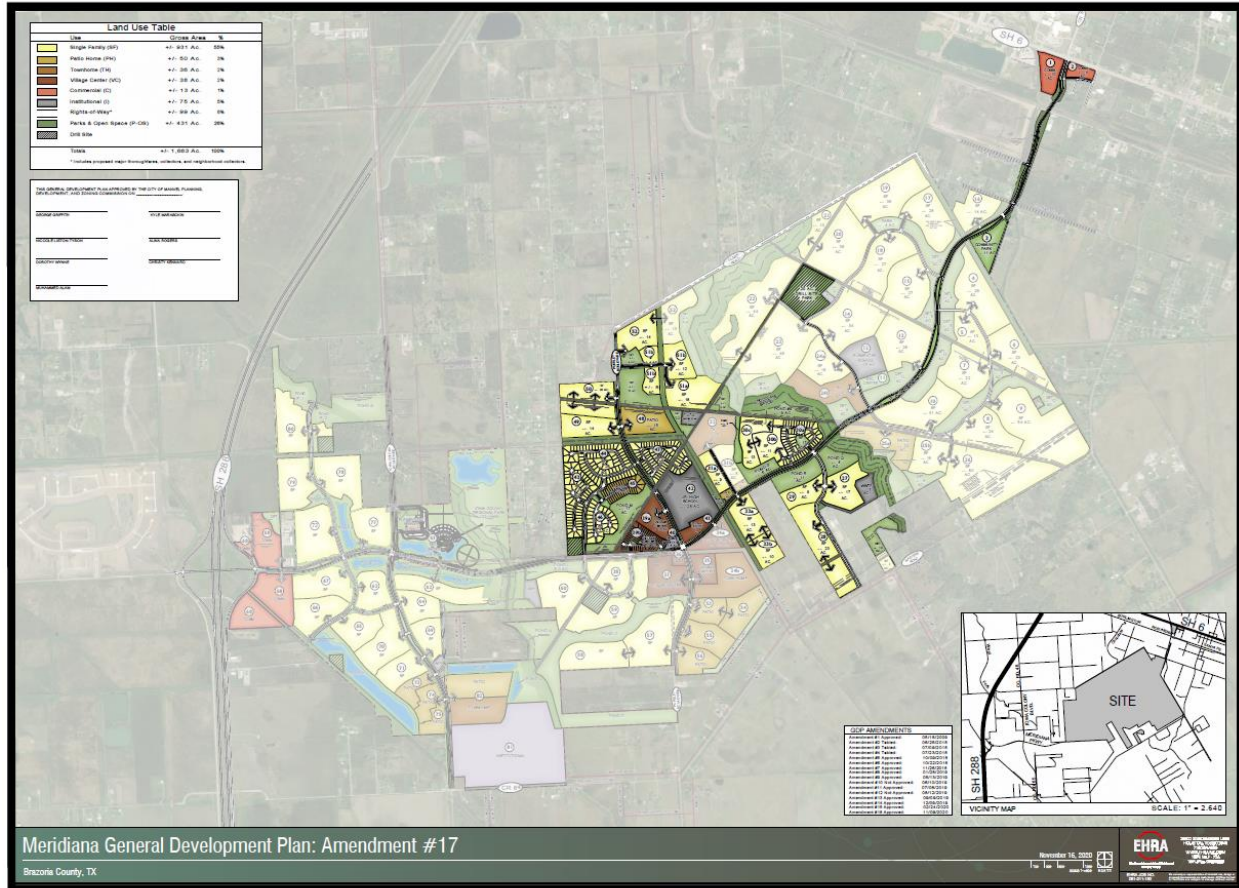
The City staff recommends approval of the Meridiana Section 52 Preliminary Plat.



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020)



GENERAL NOTES:

1. Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
2. The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.99986742185.
3. According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.480392010K, dated December 30, 2020, the flood zone lies partially within Zone AE, partially within Shaded Zone X, and partially within Unshaded Zone X.

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4. B.C.C.F. indicates Brazoria County Clerk's File.
B.L. indicates Building Line.
D.E. indicates Drainage Easement.
M.H. indicates Manhole.
P.A.E. indicates Permanent Access Easement.
P.O.B. indicates Point of Beginning.
P.U.E. indicates Public Utility Easement.
P.V. indicates Private.
R. indicates Radius.
R.O.W. indicates Right-Of-Way.
S.S.E. indicates Sanitary Sewer Easement.
S.W.S.E. indicates Storm Sewer Easement.
U.E. indicates Utility Easement.
VOL. indicates Volume.
W.L.E. indicates Water Line Easement.
X indicates change in street name.

5. The property subdivided in the foregoing plat lies in Brazoria County, the City of Manvel, Brazoria County M.U.D. No. 36, Alvin Independent School District, and Brazoria County Drainage District #5.
6. Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences buildings, plantings, and other obstructions.
7. The Developer/Homeowners' Association/Municipal Utility District shall be responsible for maintenance of all reserves.
8. The terms and conditions of Ordinance numbers 2009-0-03, 2009-0-04, and 2009-0-05 of the City of Manvel, Texas dated February 23, 2009, may affect this plat.
9. All sidewalks shall be constructed in accordance with City of Manvel Ordinance No. 2009-0-04.
10. Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
11. 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, as per Manvel Ordinance Sec. 62-116a.

12. Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
13. 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 council approval, unless the final plat has been submitted to council for final approval during that time. Upon written request of the subdivider, an extension of time may be given, at the discretion of the council, 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.

14. Reserve "A" provides a total of 0.90 acres of unencumbered open space within the boundary of this plat.
15. Driveway access to Lot 16, Block 1, is prohibited from Fountainhead Lane.

BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:

1. Slab elevations (finished floor) shall be a minimum of 2 feet above finished grade.
2. All drainage easements shown hereon shall be kept clear of fences, buildings, plantings and other obstructions to the operation and maintenance of drainage facilities.
3. All property shall drain into the drainage easement only through an approved drainage structure.
4. All drainage easements and detention pond reserves shown on this plat, will be maintained by the property owners and/or business owners; provided, however, and governmental entity having jurisdiction, including, without limitation, Brazoria County, Texas and Brazoria County Drainage District #5, shall have the right, but not the obligation to enter upon the drainage easements to perform maintenance operations at any time after the date hereof.
5. The property identified in the foregoing plat lies within Brazoria County Drainage District #5.
6. This rural subdivision employs a natural drainage system, which is intended to provide drainage for the subdivision that is similar to that which existed under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but such ponding should not remain for an extended period of time.
7. Land use within the subdivision is limited to an average imperviousness of no more than 72 percent. The drainage and/or detention system has been designed with the assumption that this average percent imperviousness will not be exceeded. If this percentage is to be exceeded, a replat and/or redesign of the system may be necessary.
8. Other than shown hereon, there are no pipeline easements or pipelines within the boundaries of this plat.
9. All storm water drainage pipes, culverts, tiles or other (includes driveway culverts) will be minimum 24" I.D. or equal.
10. Dedicated drainage easement(s) granted to Brazoria County Drainage District #5 for drainage maintenance purposes shall include 45 feet top of bank, plus the sum (footage) of both ditch side slopes and channel bottom and 45 feet of bank on the opposite bank.
11. Dedicated ingress/egress accesses are granted to Brazoria County Drainage District #5 (see District Resolution No 2007-06 & 2007-07). Access will be gated and locked with Brazoria County Drainage District #5's lock.
12. Prohibited use of "metal" pipe in storm water/sewer applications (See District Resolution No. 2007-08).
13. Prohibited use of "rip rap" in storm water/sewer applications. (District Policy).
14. Pipelines, utility lines and other crossing under any Brazoria County Drainage District #5 ditch require approval and permitting prior to construction.
15. All dedicated storm water drainage and/or access easements to be granted to Brazoria County Drainage District #5 by the property owner will be initiated and recorded, at the property owner's expense, in Brazoria County, Texas with a "Recorded Document Number" affixed to said easement prior to final approval granted by Brazoria County Drainage District #5 Board of Commissioners.
16. It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 Dedicated drainage easements are on or cross their property. If so, the property owner will comply as stated within the recorded easement.
17. Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1, Introduction; Sub-Section 1.5. Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.

THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS RECOMMENDED APPROVAL OF THIS PLAT OF MERIDIANA SECTION 52 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2021.

PLANNING, DEVELOPMENT AND ZONING COMMISSION

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF MERIDIANA SECTION 52 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2021.

CITY COUNCIL

KENNETH H. JOHNS
B.C.C.F. NO. 2003010946

FRANK & JEAN BRINK
B.C.C.F. NO. 2008042271

BENNIE FRANK
PORTER
B.C.C.F. NO.
1987025097

J.D. MOCK
B.C.C.F. NO.
1986039489

RUTH LELSZ
B.C.C.F. NO.
1996038230

JOSHUA K. BOWMAN &
ENRIQUE MEJIA
B.C.C.F. NO.
2014022654

MARLYNDA Y.
JENNINGS
B.C.C.F. NO.
2013033140

MARYLYNDA JENNINGS
B.C.C.F. NO.
2006016358

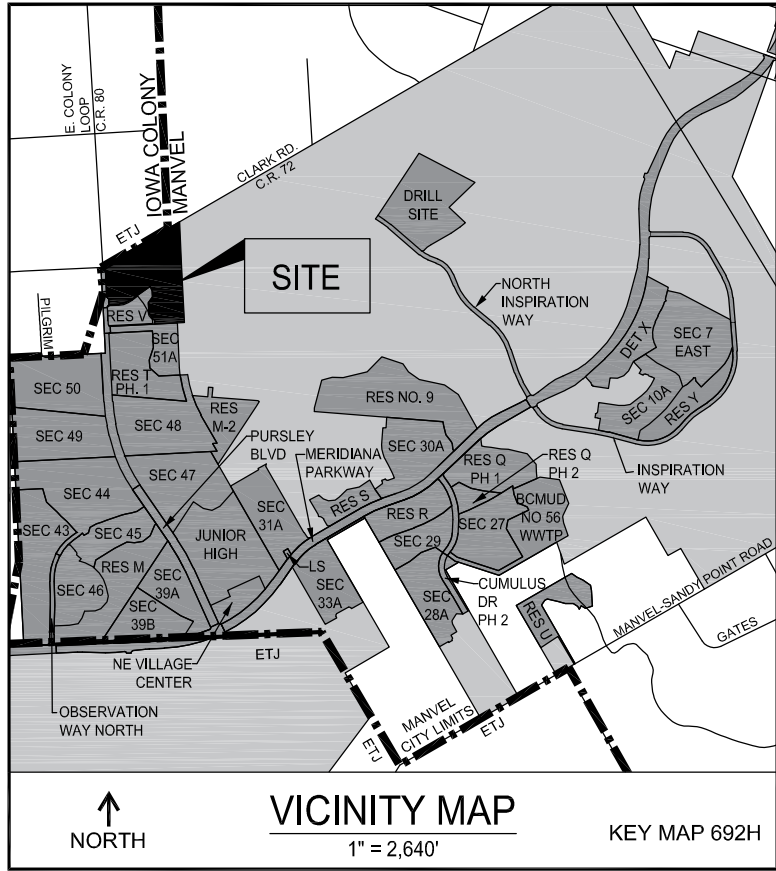
BENCHMARK(S):

NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.
ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

RESERVE TABLE				
RESERVE	RESTRICTIONS	SQ. FT.	ACREAGE	
A	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	39,320.14	0.90	
B	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	131,756.90	3.02	
C	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	3,106.70	0.07	
TOTAL		174,183.74	3.99	

LINE TABLE		
LINE	ANGLE	DISTANCE
L1	N 03°03'24" W	80.00'
L2	N 30°11'48" W	40.00'
L3	N 03°03'24" W	52.80'
L4	N 55°24'50" W	37.48'
L5	N 31°29'48" W	90.92'
L6	N 34°13'05" E	100.42'
L7	N 02°58'03" W	80.00'
L8	N 22°23'04" W	69.59'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	25.00'	39.27'	N 48°03'24" W	35.36'
C2	25.00'	27.43'	N 28°22'24" E	26.07'
C3	300.00'	169.71'	S 70°44'13" W	167.46'



LOT SIZE TABLE			
BLOCK NO.	LOT NO.	LOT AREA (SQ. FT.)	* LOT WIDTH (LINEAR FT.)
1	1	11,525.66	85.00
	2	10,992.10	80.00
	3	11,736.24	80.00
	4	16,678.79	80.00
	5	13,490.43	80.00
	6	11,653.98	80.00
	7	10,960.00	80.00
	8	10,960.00	80.00
	9	10,960.00	80.00
	10	10,960.00	80.00
	11	11,168.79	80.00
	12	11,650.23	80.00
	13	11,930.20	80.46
	14	12,753.23	81.69
	15	17,514.98	97.29
	16	16,637.90	109.58
	17	10,987.01	80.00
	18	10,960.00	80.00
	19	10,960.00	80.00
	20	10,960.00	80.00
	21	10,960.00	80.00
	22	10,960.00	80.00
	23	10,960.00	80.00
	24	10,960.00	80.00
	25	26,476.95	83.51
	26	22,053.02	83.25
	27	16,755.24	83.25
	28	12,880.53	102.76
	29	13,388.91	80.00
	30	10,961.14	80.00
	31	14,458.89	77.93
2	1	16,439.88	78.82
	2	11,357.03	79.60
	3	10,456.50	80.00
	4	10,400.00	80.00
	5	12,970.28	87.72
	6	17,169.09	90.85
	7	11,050.33	85.00
	8	13,043.70	85.00
	9	14,587.71	84.75
	10	11,584.93	84.75
	11	11,824.74	84.75
	12	11,979.33	84.75
	13	16,041.91	88.12

* LOT WIDTH MEASURED AT THE LESSER OF THE FRONT OR REAR BUILDING SETBACK LINE.

OWNER CONTACT INFORMATION
GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, STE. 100
KATY, TX 77493
832-916-2162

SCALE: 1"=100' NORTH

Meridiana Section 52 Preliminary Plat
A Subdivision of 21.88 acres out of the Oliver Hall Survey, A-203, and the H.T. & B.R.R. Co. Survey, A-282, City of Manvel, Brazoria County, Texas.

44 Lots, 2 Blocks and 3 Reserves
Owner: GR-M1, LTD., a Texas Limited Partnership

August 30, 2021

EHRA
ENGINEERING THE FUTURE
SINCE 1936
"EHRA" JOB NO. 081-011-52

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
WWW.EHRAINCC.COM
TBE REG. F-726
TBP L No. 10092300

No warranty or representation of intended use, design or construction is made by EHRA. The user of the plat and its contents shall be responsible for obtaining all necessary permits and for obtaining all necessary approvals from the appropriate authorities. The user of the plat and its contents shall be responsible for obtaining all necessary permits and for obtaining all necessary approvals from the appropriate authorities.

Land Use Table		
Use	Gross Area	%
Single Family (SF)	+/- 931 Ac.	55%
Patio Home (PH)	+/- 50 Ac.	3%
Townhome (TH)	+/- 36 Ac.	2%
Village Center (VC)	+/- 38 Ac.	2%
Commercial (C)	+/- 13 Ac.	1%
Institutional (I)	+/- 75 Ac.	5%
Rights-of-Way*	+/- 99 Ac.	6%
Parks & Open Space (P-OS)	+/- 431 Ac.	26%
Drill Site		
Totals	+/- 1,663 Ac.	100%
* Includes proposed major thoroughfares, collectors, and neighborhood collectors.		

THIS GENERAL DEVELOPMENT PLAN APPROVED BY THE CITY OF MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION ON _____

GEORGE GRIFFITH

NICOLE LISTON-TYSON

DOROTHY WYNNE

MUHAMMAD ALAM

KYLE MARASCKIN

ALINA ROGERS

CHRISTY KENNARD



GDP AMENDMENTS	
Amendment #1 Approved:	05/18/2009
Amendment #2 Tabled:	06/25/2019
Amendment #3 Tabled:	07/09/2018
Amendment #4 Tabled:	07/23/2018
Amendment #5 Approved:	10/09/2018
Amendment #6 Approved:	10/22/2018
Amendment #7 Approved:	11/26/2018
Amendment #8 Approved:	01/28/2019
Amendment #9 Approved:	05/13/2019
Amendment #10 Not Approved:	06/10/2019
Amendment #11 Approved:	07/08/2019
Amendment #12 Not Approved:	08/12/2019
Amendment #13 Approved:	09/09/2019
Amendment #14 Approved:	12/09/2019
Amendment #15 Approved:	02/24/2020
Amendment #16 Approved:	11/09/2020



Meridiana General Development Plan: Amendment #17

Brazoria County, TX

November 16, 2020

SCALE: 1" = 600'



10211 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.368.4500
WWW.EHRAINC.COM
TYPE No. F-726
TBDPL No. 10092300

ENGINEERING THE FUTURE

EHRA JOB NO. 081-011-150

No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

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

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☒
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Date of Request: September 27, 2021 PDZ & October 4, 2021 City Council

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Brad Sweitzer

Daytime Phone: 713-784-4500 Fax Number: N/A

E-mail Address: bsweitzer@ehrainc.com

Description of Request and Physical Address:

Consideration and possible action to forward a 30-day plat extension to City Council,
Preliminary Plat for Meridiana Detention Reserve M-2, being a subdivision of
4.58 acres out of the Oliver Hall Survey, A-203, and the H.T. & B.R.R. Co. Survey,
A-282, City of Manvel, Brazoria County, Texas.

Plats:

Preliminary X

Final

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Jessica Rodriguez Digitally signed by Jessica Rodriguez

Date: 2021.09.21 09:21:28 -05'00'

SIGNATURE

September 21, 2021

DATE

**DEVELOPMENT SERVICES DEPARTMENT**

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

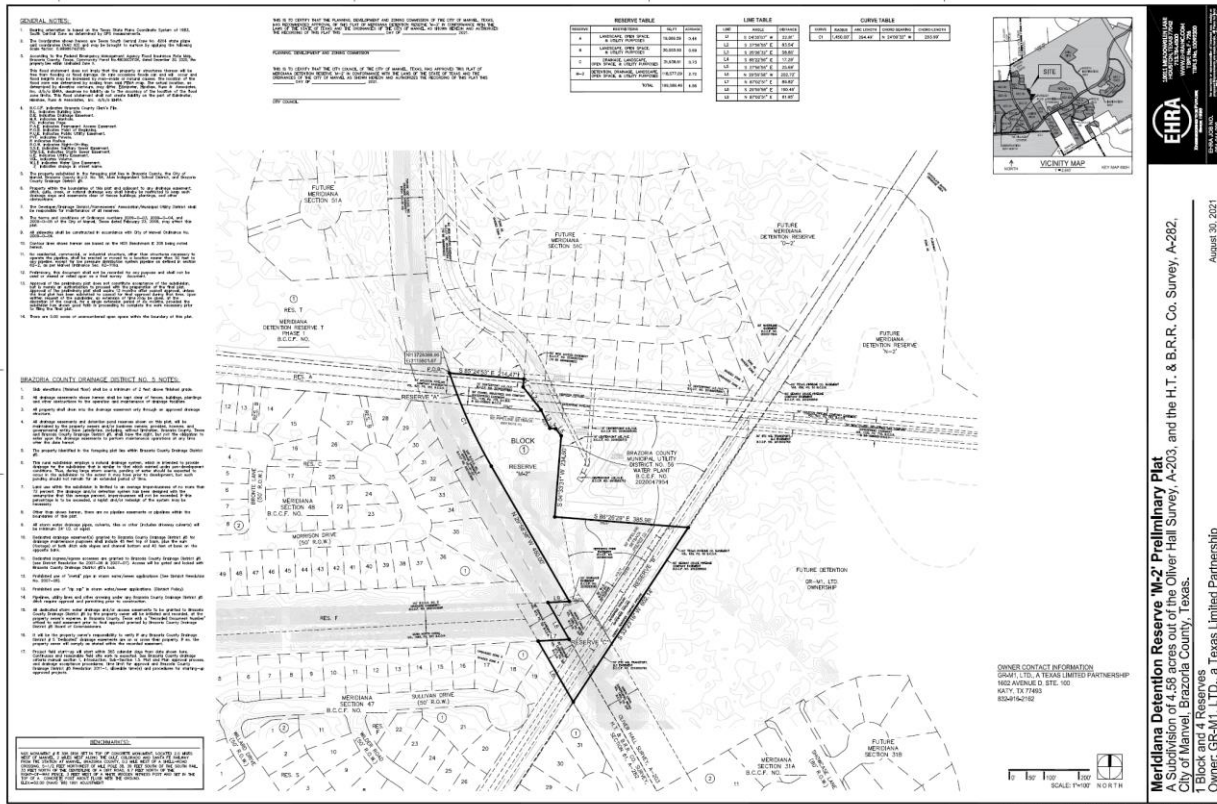
Plat Name	Meridiana Detention Reserve M-2 Preliminary Plat
Applicant	Brad Sweitzer, EHRA
PD&Z Meeting Date	September 27, 2021
Recommendation	Denial
Submitted By	Jessica Rodriguez, Director of Development Services

Staff Recommendation

Staff recommends a 30-day extension for Meridiana Detention Reserve M-2 Preliminary Plat per Texas Local Government Code Section 212.009, whereby an applicant can request the extension in writing to the municipal authority responsible for approving the plats or the governing body of the municipality and the municipal authority or governing body approves the extension request.

The developer has requested the 30-day extension in writing in order to submit Meridiana Section 53 Preliminary Plat. This preliminary plat takes road access from Meridiana Section 53. The Meridiana Section 53 Preliminary Plat was submitted for review on September 13, 2021, and will be brought to the October 12, 2021, Planning, Development and Zoning Commission meeting and October 18, 2021, City Council meeting.

Plat Exhibit

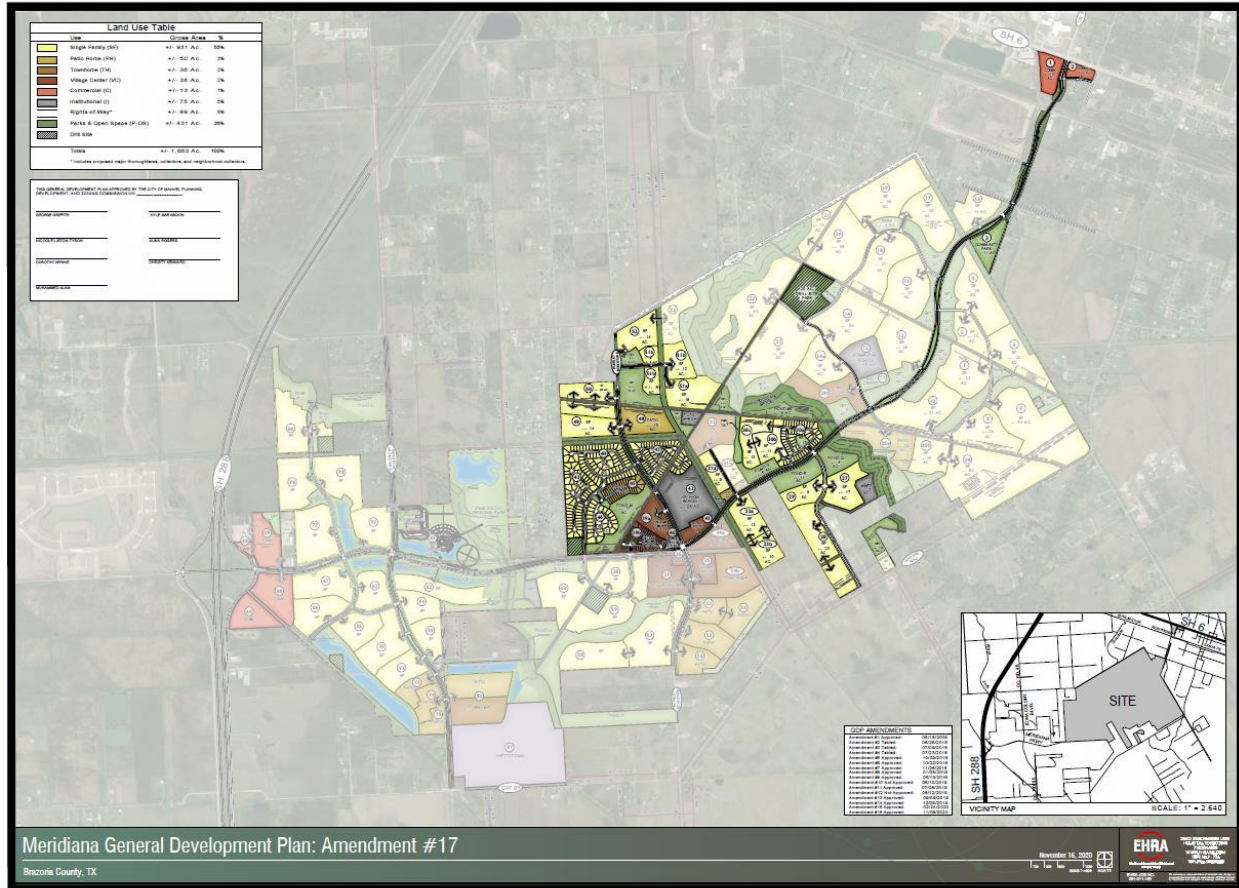




DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020)



GENERAL NOTES:

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The Coordinates shown hereon are Texas South Central Zone NA 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.99986742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.48039C010K, dated December 30, 2020, the property lies within Unshaded Zone X.
- This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA.
- B.C.C.F. indicates Brazoria County Clerk's File.
B.L. indicates Building Line.
D.E. indicates Drainage Easement.
M.H. indicates Manhole.
P. indicates Page.
P.A.E. indicates Permanent Access Easement.
P.O.B. indicates Point of Beginning.
P.U.E. indicates Public Utility Easement.
P.V. indicates Private.
R indicates Radius.
R.O.W. indicates Right-Of-Way.
S.S.E. indicates Sanitary Sewer Easement.
S.M.S.E. indicates Storm Sewer Easement.
U.E. indicates Utility Easement.
VOL. indicates Volume.
W.L.E. indicates Water Line Easement.
X indicates change in street name.

- The property subdivided in the foregoing plot lies in Brazoria County, the City of Manvel, Brazoria County M.U.D. No. 56, Avin Independent School District, and Brazoria County Drainage District #5.
- Properly within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences buildings, plantings, and other obstructions.
- The Developer/Drainage District/Homeowners' Association/Municipal Utility District shall be responsible for maintenance of all reserves.
- The terms and conditions of Ordinance numbers 2009-0-03, 2009-0-04, and 2009-0-05 of the City of Manvel, Texas dated February 23, 2009, may affect this plat.
- All sidewalks shall be constructed in accordance with City of Manvel Ordinance No. 2009-0-04.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- 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, as per Manvel Ordinance Sec. 62-116a.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
- 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 council approval, unless the final plat has been submitted to council for final approval during that time. Upon written request of the subdivider, an extension of time may be given, at the discretion of the council, 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.
- There are 0.00 acres of unencumbered open space within the boundary of this plat.

BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:

- Slab elevations (finished floor) shall be a minimum of 2 feet above finished grade.
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- Dedicated ingress/egress accesses are granted to Brazoria County Drainage District #5 (see District Resolution No 2007-06 & 2007-07). Access will be gated and locked with Brazoria County Drainage District #5's lock.
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- Prohibited use of "rip rap" in storm water/sewer applications. (District Policy).
- Pipelines, utility lines and other crossing under any Brazoria County Drainage District #5 ditch require approval and permitting prior to construction.
- All dedicated storm water drainage and/or access easements to be granted to Brazoria County Drainage District #5 by the property owner will be initiated and recorded, at the property owner's expense, in Brazoria County, Texas with a "Recorded Document Number" affixed to said easement prior to final approval granted by Brazoria County Drainage District #5 Board of Commissioners.
- It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 Dedicated drainage easements are on or cross their property. If so, the property owner will comply as stated within the recorded easement.
- Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1, Introduction; Sub-Section 1.5. Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.

BENCHMARK(S):

NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.
ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS RECOMMENDED APPROVAL OF THIS PLAT OF MERIDIANA DETENTION RESERVE 'M-2' IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS DAY OF 2021.

PLANNING, DEVELOPMENT AND ZONING COMMISSION

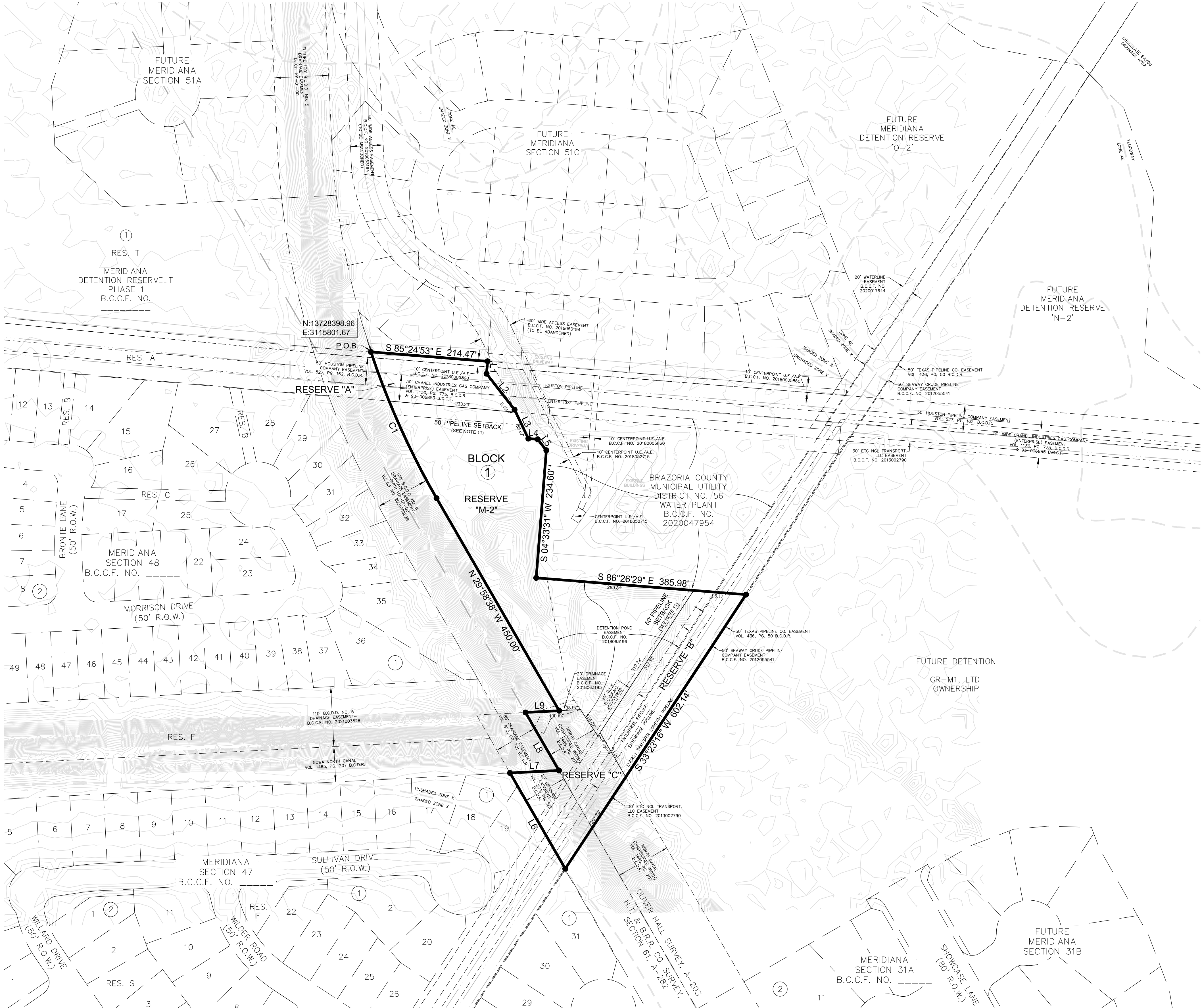
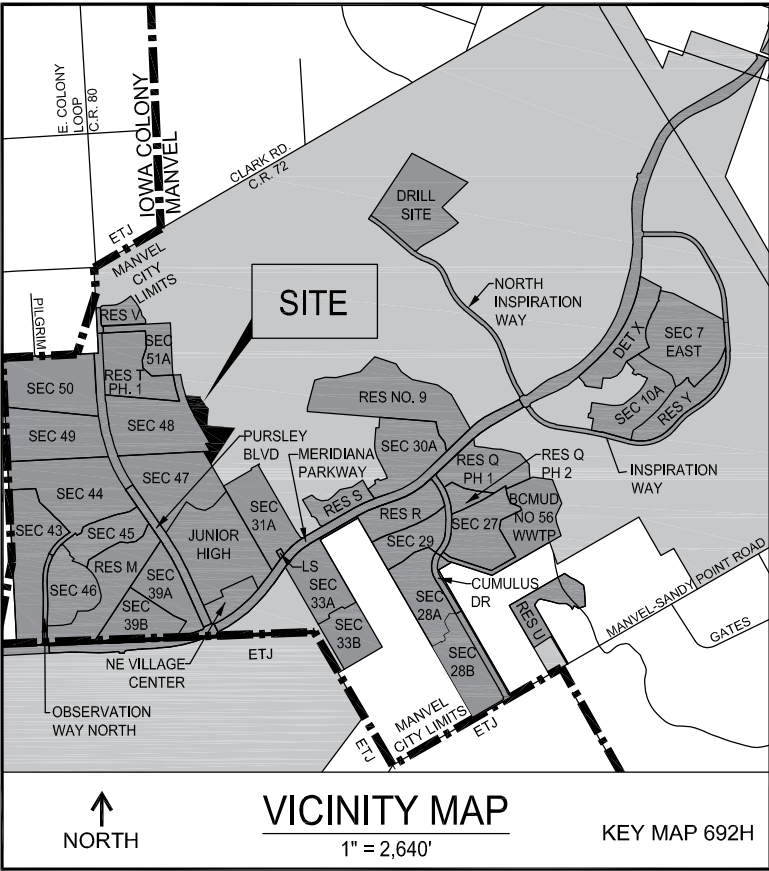
THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF MERIDIANA DETENTION RESERVE 'M-2' IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS DAY OF 2021.

CITY COUNCIL

RESERVE TABLE			
RESERVE	RESTRICTIONS	SQ. FT	ACREAGE
A	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	19,069.59	0.44
B	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	30,003.90	0.69
C	DRAINAGE, LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	31,938.91	0.73
M-2	DETENTION, DRAINAGE, LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	118,577.09	2.72
TOTAL		199,589.49	4.58

LINE TABLE		
LINE	ANGLE	DISTANCE
L1	S 04°35'07" W	22.81'
L2	S 37°56'55" E	83.54'
L3	S 25°26'32" E	58.80'
L4	S 85°22'56" E	17.29'
L5	S 37°56'55" E	25.68'
L6	N 29°59'58" W	202.72'
L7	N 87°02'51" E	89.82'
L8	S 29°59'58" E	190.46'
L9	N 87°02'51" E	61.95'

CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	CHORD BEARING
C1	1,450.00'	294.49'	N 24°09'32" W
			CHORD LENGTH
			293.99'



OWNER CONTACT INFORMATION
GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, STE. 100
KATY, TX 77493
832-916-2162

SCALE: 1"=100'
NORTH

Meridiana Detention Reserve 'M-2' Preliminary Plat
A Subdivision of 4.58 acres out of the Oliver Hall Survey, A-203, and the H.T. & B.R.R. Co. Survey, A-282, City of Manvel, Brazoria County, Texas.

1 Block and 4 Reserves

Owner: GR-M1, LTD., a Texas Limited Partnership

August 30, 2021

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Land Use Table

Use	Gross Area	%
Single Family (SF)	+/- 931 Ac.	55%
Patio Home (PH)	+/- 50 Ac.	3%
Townhome (TH)	+/- 36 Ac.	2%
Village Center (VC)	+/- 38 Ac.	2%
Commercial (C)	+/- 13 Ac.	1%
Institutional (I)	+/- 75 Ac.	5%
Rights-of-Way*	+/- 99 Ac.	6%
Parks & Open Space (P-OS)	+/- 431 Ac.	26%
Drill Site		
Totals	+/- 1,663 Ac.	100%

* Includes proposed major thoroughfares, collectors, and neighborhood collectors.

THIS GENERAL DEVELOPMENT PLAN APPROVED BY THE CITY OF MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION ON _____

GEORGE GRIFFITH

KYLE MARASCKIN

NICOLE LISTON-TYSON

ALINA ROGERS

DOROTHY WYNNE

CHRISTY KENNARD

MUHAMMAD ALAM



GDP AMENDMENTS

Amendment #1 Approved:	05/18/2009
Amendment #2 Tabled:	06/25/2019
Amendment #3 Tabled:	07/09/2018
Amendment #4 Tabled:	07/23/2018
Amendment #5 Approved:	10/09/2018
Amendment #6 Approved:	10/22/2018
Amendment #7 Approved:	11/26/2018
Amendment #8 Approved:	01/28/2019
Amendment #9 Approved:	05/13/2019
Amendment #10 Not Approved:	06/10/2019
Amendment #11 Approved:	07/08/2019
Amendment #12 Not Approved:	08/12/2019
Amendment #13 Approved:	09/09/2019
Amendment #14 Approved:	12/09/2019
Amendment #15 Approved:	02/24/2020
Amendment #16 Approved:	11/09/2020

