

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



**MANVEL PLANNING DEVELOPMENT AND ZONING COMMISSION
NOTICE IS HEREBY GIVEN
6:00 P.M.**

MINUTES 2/13/2023

Regular Session

Call to Order

PDZ Member Wynne called the meeting of the PDZ to order at 6:00 p.m.

Those in attendance were:

Present: Kyle Marasckin
Alina Rogers
Dorothy Wynne
Muhammed Alam
Ryan Miller
Christine Diaz

Absent: Christy Kennard

Also Present: Kyle Jung, City Manager
Dan Johnson, Assistant City Manager/City Engineer
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner
Brooke Cyphers, Public Information Officer

Pledge

Public Comments: "Comment Card" Required

PD&Z applicants in attendance:

Kenneth Haynes
Mary Ann Adkinson
Derek Dalmolin

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 1.641 ACRE TRACT OF LAND LOCATED AT THE SOUTHWESTERN CORNER OF STATE HIGHWAY

6 / MORRIS AVE AND BLUEWATER STREET INTERSECTION, MANVEL, TEXAS (ACROSS THE STREET FROM STARBUCKS AT 7326 BLUEWATER ST, MANVEL, TX), 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 811192 "CAR WASHES"; 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.

PDZ Member Dorothy Wynne opened the Public Hearing at 6:03 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

PDZ Member Dorothy Wynne closed the Public Hearing at 6:04 p.m.

Consent PDZ

- A. Approve the meeting minutes to date.

PDZ Member Ryan Miller made the motion to approve the Consent Agenda. PDZ Member Alina Rogers seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller, Christine Diaz

No: None

Absent: Christy Kennard

Abstained: None

Executive Session

- A. The Planning, Development, and Zoning will convene into Executive Session pursuant to Texas Local Government Code, Section 551-071: "Consultation with Attorney" to discuss the following: Update on Litigation – Rise Communities, LLC and GR-MI, LTD. VS. Manvel Planning Development and Zoning Commission, and Jose Abraham, City Planner.

PDZ Member Dorothy Wynne recessed the meeting at 6:04 p.m. for the executive session.

PDZ Member Dorothy Wynne reconvened the meeting at 6:23 p.m.

There was no action taken during the executive session.

Regular Agenda

- A. Consideration and possible action to approve Preliminary Plat for Meridiana Section 10A; BEING A SUBDIVISION OF 11.19 ACRES OUT OF THE OLIVER HALL SURVEY, A-203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
- B. Consideration and possible action to approve Preliminary Plat for Meridiana Section 10B; BEING A SUBDIVISION OF 16.99 ACRES, BEING A PARTIAL REPLAT OF LOTS 13, 14, & 15, BLOCK 1, OF LULLING STONE SECTION 1, A PLAT RECORDED AT VOLUME 21, PAGES 267-270, BRAZORIA COUNTY PLAT RECORDS, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

Jessica Rodriguez, Director of Development Services provided an overview and reasons as to why staff recommends denying the approval of items A and B.

Brad Sweitzer of EHRA addressed PD&Z members about the plats.

PDZ Member Ryan Miller made the motion to approve regular agenda items A and B. PDZ Member Kyle Marasckin seconded the motion.

The motion FAILED with a vote: 0/6

Yes: None

No: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller, Christine Diaz

Absent: Christy Kennard

Abstained: None

- C. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2023-O-09;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 1.641 ACRE TRACT OF LAND LOCATED AT THE SOUTHWESTERN CORNER OF STATE HIGHWAY 6 / MORRIS AVE AND BLUEWATER STREET INTERSECTION, MANVEL, TEXAS (ACROSS THE STREET FROM STARBUCKS AT 7326 BLUEWATER ST, MANVEL, TX), 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 811192 "CAR WASHES"; 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.

Jose Abraham, City Planner provided an overview to PD&Z. Staff recommends approval with 10 conditions:

1. A plat shall be prepared and approved in conformance with Chapter 62 – Subdivisions, prior to developing the subject site for the proposed carwash;
2. A recorded copy of the agreement with adjacent property owner regarding access to the subject site shall be provided prior to plat approval and referenced on the plat;
3. Any changes to the presented concept site development plan that may be required to conform to adopted City of Manvel codes and ordinances shall be made as part of the construction plan and building permit review process;
4. The proposed carwash on the subject site must comply with all pollution control related requirements of Chapter 77, Article III, Appendix A - Pollution Control;
5. Sidewalk shall be provided in conformance with Section 62-113, Sidewalks;
6. An opaque fence shall be provided at the rear property line in conformance with Section 77-43, Fences;
7. In addition to complying with all trees, landscaping, fencing and screening requirements of Section 77-44, a continuous row of shrubs shall be provided along the front property line to provide screening;
8. A minimum of 33 parking spaces as shown on the site plan shall be provided;
9. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, 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;
10. Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting

onto abutting properties shall not exceed five-tenths foot-candles, measured vertically and horizontally.

PDZ Member Muhammed Alam made the motion to approve with conditions. PDZ Member Alina Rogers seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller, Christine Diaz

No: None

Absent: Christy Kennard

Abstained: None

- D. Consideration and possible action to approve an Extended Stay Permit for a recreational vehicle (RV) located at 7716 Bissell Road.

Jose Abraham, City Planner provides an overview and shares that staff recommends approval based on specific criteria being met.

PDZ Member Alina Rogers made the motion to approve. PDZ Member Ryan Miller seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller, Christine Diaz

No: None

Absent: Christy Kennard

Abstained: None

- E. Discussion/update on a Subdivision Ordinance Amendment presented by Staff.

Jessica Rodriguez shared that staff is working on some subdivision ordinance amendments and tightening up some things to be in line with state law and making clarifications in language.

- F. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.

PDZ Member Ryan Miller made the motion to approve. PDZ Member Kyle Marasckin seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller, Christine Diaz

No: None

Absent: Christy Kennard

Abstained: None

- G. Consideration and possible action to approve excused committee member absences.

PDZ Member Alina Rogers made the motion to approve. PDZ Member Ryan Miller seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller,

Christine Diaz
No: None
Absent: Christy Kennard
Abstained: None

Adjourn

PDZ Member Kyle Marasckin made the motion to adjourn the meeting at 6:54 p.m. PDZ Member Ryan Miller seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Alina Rogers, Dorothy Wynne, Muhammed Alam, Ryan Miller, Christine Diaz
No: None
Absent: Christy Kennard
Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS