

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 5/22/2023

Regular Session

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

Those in attendance were:

Present: Kyle Marasckin
Christy Kennard
Muhammed Alam
Ryan Miller
Mary Ann Atkinson
Kenneth Haynes
Absent: Dorothy Wynne
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

Consent PDZ

- A. Approve the Final Plat of Valencia Lake D;
BEING A SUBDIVISION OF 12.339 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING A PART OF LOTS 14, 15, 22, 23, 30, AND 31 IN THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SEC 73, A SUBDIVISION RECORDED IN VOLUME 2, PAGES 91 & 92 IN BRAZORIA COUNTY PUBLIC RECORDS (B.C.P.R.).
- B. Approve the Final plat of Pomona Section 28;
BEING A SUBDIVISION OF 74.541 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A.) J.S. TAMLAGE SURVEY, ABSTRACT 563, AND THE A.C.H. & B.R. R. CO. SURVEY, SECTION 89, ABSTRACT 417, BRAZORIA COUNTY, TEXAS; BEING ALL OF LOTS 37, 38, 48, 49, AND 58, AND A PORTION

OF LOTS 50, 57, 59, AND 60 OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, PLAT RECORD OF SAID BRAZORIA COUNTY, TEXAS, AND A PORTION OF LOTS 7, 8, AND 9 OF SECTION 89 OF SAID ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, BRAZORIA COUNTY, TEXAS.

- C. Approve the meeting minutes to date.

PDZ Member Mary Ann Atkinson made the motion to approve. PDZ Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes

No: None

Absent: Dorothy Wynne

Abstained: None

Regular Agenda

1. Consideration and possible action to approve the Final Plat of Valencia Section 3;
BEING A SUBDIVISION OF 24.833 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, AND THE H.T. & B.R.R. COMPANY SURVEY, SECTION 64, ALSO KNOWN AS THE MARY V. O'DONNELL SURVEY, ABSTRACT 483, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF LOTS 15, 16, 23, 24, 31, AND 32 OF THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION OF RECORD UNDER VOLUME 2, PAGE 91 AND 92 OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS, (B.C.P.R.), AND OUTLOT 195 OF THE DR. A.A. LUTHER SUBDIVISION OF THE TOWN OF MANVEL AND SURROUNDING ACREAGE PROPERTY, A SUBDIVISION OF RECORD UNDER VOLUME 1, PAGES 71 & 72 AND VOLUME 3, PAGES 139 AND 140, B.C.P.R.

Jose Abraham, City Planner, stated that staff recommends approval with one condition, being;

1. Fill in the blank space included for document number for a 10-foot temporary water line easement near the west boundary or remove reference to it if not applicable (Section 62-41 (b)(13)).

PDZ Member Christy Kennard made the motion to approve with the one condition. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes

No: None

Absent: Dorothy Wynne

Abstained: None

2. Consideration and possible action to approve the Final Plat of Valencia Section 4;
BEING A SUBDIVISION OF 21.112 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 14, 21, 22, 29, 30, AND 31 IN THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION OF RECORD IN VOLUME 2, PAGES 91-92, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS (B.C.P.R.).

Jose Abraham, City Planner, stated that staff recommends approval with one condition, being;

1. Fill in the blank space included for the document number for easements near the west and north boundaries or remove reference to it if not applicable (Section 62-41 (b)(13)).

PDZ Member Christy Kennard made the motion to approve with the one condition. PDZ Member Kyle Marasckin seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes
No: None
Absent: Dorothy Wynne
Abstained: None

3. Consideration and possible action to approve, Preliminary Plat for Valencia Section 9;
BEING A SUBDIVISION OF 21.96 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SEC. 64, A-483, AND IN THE H.T. & B.R.R. COMPANY SURVEY, SEC. 73, A-301, BRAZORIA COUNTY, TEXAS, BEING A PART OF OUTLOTS 195 OF THE DR. A.A. LUTHER SUBDIVISION OF THE MANVEL AND SURROUNDING ACREAGE PROPERTY, A SUBDIVISION RECORDED IN VOL. 1, PAGES 71 & 72, VOL. 3, PAGES 139 & 140 OF THE BRAZORIA COUNTY PUBLIC RECORDS (B.C.P.R.) AND BEING A PART OF LOTS 31, 32, 39, AND 40 IN THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SEC. 73, VOL. 2, PAGES 91 & 92 OF THE BRAZORIA COUNTY PUBLIC RECORDS (B.C.P.R.).

Jose Abraham, City Planner, stated that staff recommends approval with four conditions, being;

1. Revise number of Lots in the title block on page 2 from 61 to 62 (Section 62-38(a)(10)).
2. Revise the lot width of Block 2, Lot 11 on the plat for accuracy and conformance to the approved Master Plan (Section 62-38.10).
3. Revise to provide the master plan approval date in general note #11 (Section 62-38 (a)(15)).
4. Note: Review and revise general note #7 to indicate accurate date.

Additionally, staff recommends providing the following note to be addressed at the time of Final plat submittal:

- The Development Agreement only reserved 410 connections in the first phase of development. Ensure that utility capacity availability beyond 410 connections at the time of final plat submittal (Resolution No. 2021-R-18, approved August 16, 2021).

Kyle Jung, City Manager, shares that there are no more available connections available and the City is working with Freese and Nichols on a new plant to add capacity. This will be brought to Council in the near future.

PDZ Member Kenneth Haynes made the motion to approve with conditions. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes
No: None
Absent: Dorothy Wynne
Abstained: None

4. Consideration and possible action to approve, Preliminary Plat for Valencia Section 8;
BEING A SUBDIVISION OF 19.9 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, A-301, BRAZORIA COUNTY, TEXAS, BEING A PART OF LOTS 30, 31, 37, 38, 39, 46 AND 47 IN THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION RECORDED IN VOL. 2, PAGES 91 & 92 OF THE BRAZORIA COUNTY PUBLIC RECORDS (B.C.P.R.).

Jose Abraham, City Planner, stated that staff recommends approval with one condition, being;
The City staff recommends approval of the Valencia Section 8 Preliminary Plat with the following one (1) condition: 1. Revise to provide the master plan approval date in general note #9 (Section

62-38(a)(15)). Additionally, staff recommends providing the following note to be addressed at the time of Final plat submittal:

•The Development Agreement only reserved 410 connections in the first phase of development. Ensure that utility capacity availability beyond 410 connections at the time of final plat submittal(Resolution No. 2021-R-18, approved August 16, 2021).

Mary Ann Atkinson shares her concern that there are not enough connections available for the subdivision to be built out.

PDZ Member Christy Kennard made the motion to approve with the one condition. PDZ Member Kyle Marasckin seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes

No: None

Absent: Dorothy Wynne

Abstained: None

5. Consideration and possible action to approve the Preliminary Plat of Hampton Business Park;
BEING A SUBDIVISION OF 13.82 ACRES / 602,164 SQ.FT. SITUATED IN THE H.T. & R.R. CO. SURVEY, ABSTRACT NO. 298, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

Jose Abraham, City Planner -

Subject site is located at intersection of Kirby Drive and Magnolia Parkway. This property was recently rezoned from OSFR to LC. Land use will be general retail.

Staff is recommending denial based on twenty-two comments, being;

1. Revise the vicinity map to show the City Limit Line and City Extra Territorial Jurisdiction (ETJ) area. Additionally provide full date on the plat (Section 62-38 (a)(2)).
2. Include property owner's phone number to the title block. Additionally, revise owner's address to their office address instead of the address of the subject site (Section 62-38 (a)(3)).
3. Provide ownership or subdivision information for adjoining property on the northwest side of the subject site (Lot 4) (Section 62-38 (a)(5)).
4. Revise the plat to show existing pavement, sewers, water mains, culverts, or other underground structures adjacent to and within 200 feet of the tract, with pipe sizes, grades, and locations indicated.
5. Revise to dedicate 10-foot additional ROW for Kirby Drive. The City's Major Thoroughfare Plan indicates the ultimate ROW width for Kirby Drive is 120 feet (Section 62-38 (a)(8)).
6. Clarification of Note 7 may be needed. It is not clear whether the access rights to parking is granted to all reserves within this subdivision or if it also applies to any adjoining property outside this subdivision (Section 62-38 (a)(8)).
7. Revise to include 25-foot building setback line (Section 62-38 (a)(10)).
8. Revise to show the City Limit Line and any MUD boundary lines (Section 62-38 (a)(11)).
9. Provide draft copy of any restrictive covenant established as part of a commercial property association mentioned in Note 4 (Section 62-46 (c)(17)).
10. Provide a preliminary drainage plan per this item (Section 62-38 (a)(12)).
11. Provide a traffic study (Section 62-38 (a)(13)).
12. Provide utility one-line plans for the site. Additionally, specify how water and sewer services will be provided for the proposed development (Section 62-38 (a)(14)).
13. Please note that Preliminary plats are not signed.
14. Revise Note 4 to reference "City of Manvel" instead of "Brazoria County." Additionally revise to show the open spaces and easements specified in Note 4 (Section 62-38 (a)(12)).
15. Detention for the subject site must be located within a separate reserve on the plat.

Additionally, include a reserve table that specifies the use, area, and ownership & maintenance responsibility (Section 62-38 (a)(12)).

16. The subject site is located within the city limits and is zoned Light Commercial (LC). Therefore, the proposed reserves cannot be unrestricted reserves (Section 62-38 (a)(8)).

17. Revise Note 17 to reference "Alvin ISD" instead of "Pearland ISD" (Section 62-38 (a)(11)).

18. Upon approval of this preliminary plat, the final plat shall be approved by Planning, Development, and Zoning commission. Revise Note 16 accordingly based on Section 62-38 (f).

19. Please note that on the Final plat, dedication language pertaining to CenterPoint Energy aerial easements must be included (Section 62-41 (b)(6)).

20. Provide an Agenda Request form that uses the following standard language. (Do not specify proposed lots or reserves):

"Consideration and possible action to approve (plat name), being a subdivision of (number of) acres out of (legal description indicated on the plat title block)."

(Section 62-38 (d)).

21. Verify floodplain reqd. slab elevation. Development is in Zone Unshaded X. Per Sec. 32-52 of Code of Ordinance, lowest floor elevations shall be 18" above top of curb or minimum 12" above adjacent grade.

22. Provide utility and preliminary drainage plans (Section 62-38 (a)(12) & (a)(14)).

PDZ Member Christy Kennard made the motion to approve. PDZ Member Kenneth Haynes seconded the motion.

The motion FAILED with a vote: 0/6

Yes: None

No: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes

Absent: Dorothy Wynne

Abstained: None

6. Consideration and possible action to approve Final Plat for Kirby Drive and Rodeo Palms Parkway Street Dedication;

BEING A SUBDIVISION OF 11.038 ACRES OUT OF THE H.T. & B. R.R. CO. SURVEY, SECTION 75, A-299, IN THE CITY OF MANVEL, IN BRAZORIA COUNTY, TEXAS; AND ALSO BEING A REPLAT OF LOTS 3, 4, 14 AND UNNUMBERED OF THE LIPPER SUBDIVISION, RECORDED IN VOLUME 2, PAGE 18 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, CITY OF MANVEL, TEXAS, BRAZORIA COUNTY, TEXAS.

Jessica Rodriguez -

Denied in April 2023. The Development Agreement has expired. Trying to get something together to bring to council, but the biggest hurdle is that there are liens on the property that are holding things up.

Staff is again not able to recommend approval based on the following comment:

1. Provide Lienholder's acknowledgement on the plat and include signatures at the time of final submittal (Section 62-41 (b) (6)).

PDZ Member Kenneth Haynes made the motion to approve. PDZ Member Mary Ann Atkinson seconded the motion.

The motion FAILED with a vote: 0/6

Yes: None

No: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes

Absent: Dorothy Wynne

Abstained: None

7. 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 Mary Ann Atkinson made the motion to approve. PDZ Member Kyle Marasckin seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes
No: None
Absent: Dorothy Wynne
Abstained: None

8. Consideration and possible action to approve excused committee member absences.

PDZ Member Muhammed Alam made the motion to approve. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes
No: None
Absent: Dorothy Wynne
Abstained: None

Adjourn

PDZ Member Christy Kennard made the motion to adjourn the meeting at 6:23 p.m. PDZ Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

Yes: Kyle Marasckin, Christy Kennard, Muhammed Alam, Ryan Miller, Mary Ann Atkinson, Kenneth Haynes
No: None
Absent: Dorothy Wynne
Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS