

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 6/12/2023

Regular Session

Call to Order

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

Those in attendance were:

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

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

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 0.8616 ACRES LOCATED AT 7218 NORTH MASTERS ROAD, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT (LC) TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE EXISTING USE OF PROPERTY FOR 621210 "OFFICES OF DENTISTS"; 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.

PD&Z Member Ryan Miller opened the public hearing at 6:01 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

PD&Z Member Ryan Miller closed the public hearing at 6:02 p.m.

Consent PDZ

A. Approve the Final Plat of Valencia Lift Station;

BEING A SUBDIVISION OF 0.207 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 64, (A.K.A.) MARY V. O'DONNELL, SURVEY, ABSTRACT 483, BRAZORIA COUNTY, TEXAS, BEING A PART OF OUTLOT 180 OF THE DR. A.A. LUTHER SUBDIVISION OF MANVEL AND SURROUNDING ACREAGE PROPERTY, A SUBDIVISION RECORDED IN VOLUME 1, PAGES 71 & 72 AND VOLUME 3, PAGES 139 & 140 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.).

B. Approve the Preliminary plat of Pomona Section 25;

BEING A SUBDIVISION OF 46.321 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A.) J.S. TALMAGE SURVEY, ABSTRACT 563 AND THE A.C.H. & B.R.R. CO. SURVEY, SECTION 89, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 25, 26, 35, 36, 45, 46, 55, 56, AND 57, OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.P.R.) AND A PORTION OF LOTS 6 AND 7, OF SECTION 89, OF SAID ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.P.R.).

C. Approve the Preliminary Plat of Pomona Section 26;

BEING A SUBDIVISION OF 29.564 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A.) J.S. TALMAGE SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 22, 23, 32, 33, AND 41-44, SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS (B.C.P.R.).

D. Approve the meeting minutes to date.

PD&Z Member Kyle Marasckin made the motion to approve. PD&Z Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne, Muhammed Alam

No: None

Absent: Christy Kennard

Abstained: None

Regular Agenda

A. Consideration and possible action to approve the Final Plat of Pomona Section 25;

BEING A SUBDIVISION OF 46.321 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78, (A.K.A.) J.S. TALMAGE SURVEY, ABSTRACT 563 AND THE A.C.H. & B.R.R. CO. SURVEY, SECTION 89, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 25, 26, 35, 36, 45, 46, 55, 56, AND 57, OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.P.R.) AND A PORTION OF LOTS 6 AND 7, OF SECTION 89, OF SAID ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.P.R.).

PD&Z Member Kenneth Haynes made the motion to approve. PD&Z Member Kyle Marasckin seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Dorothy

Wynne, Muhammed Alam
No: None
Absent: Christy Kennard
Abstained: None

- B. Consideration and possible action to approve Preliminary Plat for Meridiana Section 10A;
BEING A SUBDIVISION OF 18.19 ACRES, BEING A PARTIAL REPLAT OF LOTS 11, 12, 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.

Voted on with Agenda Item C.

- C. Consideration and possible action to approve Preliminary Plat for Meridiana Section 10B;
BEING A SUBDIVISION OF 10.05 ACRES, BEING A PARTIAL REPLAT OF LOTS 11, 12, 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.

Jose Abraham, City Planner -

Staff recommends approval with both items having the same condition, being;

1. Provide drainage district approval of a preliminary drainage plan. The letter of no objection provided does not reference approval of the drainage plans (Ord No. 2004-0-17, Article II, Section 21. A.14).

PD&Z Member Kyle Marasckin made the motion to approve agenda item B and C with conditions. PD&Z Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

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

- D. Consideration and possible action to approve and forward with recommendation to City Council, a Design Criteria Modification request from Scott R. Sheridan, PE, RPLS, CFM, on behalf of the property owner, HJR Hwy 6, to the City of Manvel *Design Criteria Manual*, Section 5, Drainage, 1.04. G. 5.a. and Section 5, Drainage, 2.02 F. for 3.76 acres located on the south side of Highway 6, approximately 1,200 feet west from the intersection with SH 288.

Jessica Rodriguez explained that pump detention is not allowed in the city and shared staff concerns with the possibility of allowing it, some of which being; power failures, lack of maintenance, opening the door for others to request this, etc.

Daniel Scott, Engineer for the project, explained how the pump detention works with PD&Z members. He also shared that because this is part of DD4 and TXDOT, there will be stringent criteria that they have to follow and specific maintenance timelines and required equipment, as well as quarterly reports and an escrow.

Dan Johnson agreed with the Engineer's points, but pointed out that ultimately, pump detention is not allowed, and there is always the what if in the case of flooding.

Kenneth Haynes asked if this will be a two-pump system and if they plan to install a back-up generator. Daniel Scott confirmed.

The Developer spoke about how he has developed other properties in Manvel prior to 2018 DCM barring pump detention, he developed with pump detention with DD4. Explains that it doesn't matter whether it's gravity or pump in a major flood event.

Daniel Scott shares that he does not think staff recommendation of a berm is a good idea.

The developer confirms a natural gas generator that will be elevated.

PD&Z Member Ryan Miller made the motion to approve and forward with recommendation to City Council with **two conditions being: 1. A Natural Gas Emergency Backup Generator with an Automatic Transfer Switch, and 2. Release of indemnity and liability request.** PD&Z Member Kenneth Haynes seconded the motion.

The motion FAILED with a vote: 2/4

Yes: Ryan Miller, Mary Ann Atkinson

No: Kyle Marasckin, Kenneth Haynes, Dorothy Wynne, Muhammed Alam

Absent: Christy Kennard

Abstained: None

- E. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance No. 2023-O-19;

An ordinance amending the zoning classification of 0.8616 acres located at 7218 North Masters Road, Manvel, Texas, from Light Commercial District (LC) to Light Commercial District with Specific Use Permit (LC-SUP) to authorize the existing use of property for 621210 "Offices of Dentists";

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 0.8616 ACRES LOCATED AT 7218 NORTH MASTERS ROAD, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT (LC) TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE EXISTING USE OF PROPERTY FOR 621210 "OFFICES OF DENTISTS"; 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 - General dentistry, low intensity use. In line with the goals of the comprehensive plan. Staff is recommending approval with ten conditions being;

1. A plat shall be prepared and approved in conformance with Chapter 62 – Subdivisions, prior to developing the subject site for the proposed dental office;
2. The proposed dental office on the subject site shall be in conformance with Section 77-31, Light-commercial (LC) district requirements;
3. A minimum six-foot-high wooden or masonry fence shall be constructed and retained in conformance with Section 77-43, Fences where the proposed dental office abuts a vacant land or residentially used/zoned property.
4. 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;
5. 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 three-tenths foot-candles, measured vertically and horizontally;
6. Any changes to the presented concept site development plan needed to conform to adopted City of Manvel codes and ordinances shall be made as part of the construction plan and building permit review process.
7. Parking shall be provided at the rate of 1 space per 250 gross square feet.
8. The facility is only permitted to operate during the hours of 8:00 a.m. to 10:00 p.m. each day.
9. All waiting and/or lobby areas shall maintain an unobstructed view from the outside; and
10. All doors shall remain unlocked and accessible during normal business hours.

Owner/Developer - Approval from TXDOT and architect has designed detention pond. Detention will be fenced.

PD&Z Member Mary Ann Atkinson made the motion to approve. PD&Z Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne, Muhammed Alam

No: None

Absent: Christy Kennard

Abstained: None

- 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.

PD&Z Member Dorothy Wynne made the motion to approve. PD&Z Member Kyle Marasckin seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne, Muhammed Alam

No: None

Absent: Christy Kennard

Abstained: None

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

PD&Z Member Dorothy Wynne made the motion to approve. PD&Z Member Ryan Miller seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne, Muhammed Alam

No: None

Absent: Christy Kennard

Abstained: None

Adjourn

PD&Z Member Dorothy Wynne made the motion to adjourn the meeting at 6:52 p.m. PD&Z Member Ryan Miller seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Dorothy Wynne, Muhammed Alam

No: None

Absent: Christy Kennard

Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS