

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 6/26/2023

Regular Session

Call to Order

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

Those in attendance were:

Present: Ryan Miller
Mary Ann Atkinson
Kenneth Haynes
Christy Kennard
Dorothy Wynne (Late)
Muhammed Alam

Absent: Kyle Marasckin

Also Present: Dan Johnson, Acting City Manager/City Engineer
Robert Gervais, City Attorney
Jose Abraham, City Planner
Alyssa Deaton, Assistant City Secretary
Brooke Cyphers, Public Information Officer

Pledge

*PDZ Member Dorothy Wynne arrived after the pledges

Public Comments: "Comment Card" Required

Public Hearing

- A. TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING ORDINANCE NO. 2020-O-14, BEING THE ORDINANCE PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO (1) AUTHORIZE NAICS USE CODE 447110 "GASOLINE STATIONS WITH CONVENIENCE STORES" AND (2) AMEND SIGNAGE RELATED PROVISIONS; FOR A PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEL BELLO BOULEVARD AND CEDAR CREEK LANE INTERSECTION; 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 Ryan Miller opened the Public Hearing at 6:03 p.m.

Emailed comments (all Del Bello Lakes residents):

Leanne Lyons - Opposed
Brittany Rae - Opposed
Leija Family - Opposed
Tina NcCue - Opposed
Tawana Stevens - Opposed
Airah - Opposed
No name - Opposed
Reynaldo Nathaniel - Opposed

In person speakers:

Residents spoke about environmental impacts, health concerns, property value impacts, increased crime, safety of children, traffic, aesthetics.

Kevin Barber - Opposed
Monica Britton - Opposed
Damon Davis - Opposed
Dr. Pamela Hardy Shepard - Opposed
Dr. Chris Zaparteza - Opposed
Anthony Rivera - Opposed
Jamal Cheeks - Opposed
Donna Barber - Opposed
Geneva Rivera - Opposed
Luis Leija - Opposed

Developer - In hearing the voices of the residents, makes him want to go back and do more research. Thinks tabling and speaking with the residents and going back to review some of the comments would be the best thing at this time.

PDZ Member Ryan Miller closed the Public Hearing at 6:36 p.m.

- B. TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A PORTION OF A 40' WIDE RIGHT-OF-WAY BEING APPROXIMATELY 1.086 ACRES GENERALLY LOCATED SOUTH OF RODEO PALMS RESIDENTIAL DEVELOPMENT AND NORTH OF MANVEL TOWN CENTER. IDENTIFIED IN VOLUME 2, PAGE 81 IN THE PLAT RECORDS OF BRAZORIA COUNTY, WITHIN THE EMIGRATION LAND COMPANY SUBDIVISION OF THE H.T.&B.R.R. CO. SURVEY, ABSTRACT 47; OF THE BRAZORIA COUNTY PLAT RECORDS IN BRAZORIA COUNTY, TEXAS, ABANDONING, AND CLOSING SAID PUBLIC UNIMPROVED RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

PDZ Member Ryan Miller opened the Public Hearing at 6:37 p.m.

1st call for comments - None
2nd call for comments - None
3rd call for comments - None

PDZ Member Ryan Miller closed the Public Hearing at 6:37 p.m.

Consent PDZ

- A. Approve the meeting minutes to date.

PDZ Member Dorothy Wynne made the motion to approve. PDZ Member Christy Kennard seconded the motion.

The motion carried with a vote: 6/0

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

Regular Agenda

- A. Consideration and possible action to approve the Final Plat of Valencia Section 2;
BEING A SUBDIVISION OF 12.956 ACRES OF LAND LOCATED IN 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 OUTLOTS 175 AND 180 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 & 140, OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS, (B.C.P.R.).

Jose Abraham, City Planner, provided an overview. Staff is not recommending approval based on the eleven items that need to be addressed.

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: Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Dorothy Wynne, Muhammed Alam
Absent: Kyle Marasckin
Abstained: None

- B. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance No. 2023-O-21;

An ordinance amending Del Bello Lakes Planned Development (PUD) to (1) authorize NAICS use code 447110 "Gasoline Stations with Convenience Stores" and (2) amend signage related provisions.

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING ORDINANCE NO. 2020-O-14, BEING THE ORDINANCE PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO (1) AUTHORIZE NAICS USE CODE 447110 "GASOLINE STATIONS WITH CONVENIENCE STORES" AND (2) AMEND SIGNAGE RELATED PROVISIONS; FOR A PROPERTY LOCATED AT THE NORTHWEST CORNER OF DEL BELLO BOULEVARD AND CEDAR CREEK LANE INTERSECTION; 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. Based on the 2020 amendment to the zoning ordinance with respect to gas stations and distance between gas stations, staff is not able to recommend approval of this request.

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

The motion carried with a vote: 6/0

Yes: Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Dorothy Wynne, Muhammed Alam

No: None

Absent: Kyle Marasckin

Abstained: None

- C. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2023-O-23;

An ordinance abandoning a portion of a 40' right-of-way as requested by Foxtail Sky, LLC.

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A PORTION OF A 40' WIDE RIGHT-OF-WAY BEING APPROXIMATELY 1.086 ACRES GENERALLY LOCATED SOUTH OF RODEO PALMS RESIDENTIAL DEVELOPMENT AND NORTH OF MANVEL TOWN CENTER. IDENTIFIED IN VOLUME 2, PAGE 81 IN THE PLAT RECORDS OF BRAZORIA COUNTY, WITHIN THE EMIGRATION LAND COMPANY SUBDIVISION OF THE H.T.&B.R.R. CO. SURVEY, ABSTRACT 47; OF THE BRAZORIA COUNTY PLAT RECORDS IN BRAZORIA COUNTY, TEXAS, ABANDONING, AND CLOSING SAID PUBLIC UNIMPROVED RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Jose Abraham, City Planner, provided an overview. Brazoria County has already abandoned their portion. One of the conditions in their abandonment is that the City of Manvel abandons their portion as well. Staff is recommending approval.

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

The motion carried with a vote: 6/0

Yes: Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Dorothy Wynne, Muhammed Alam

No: None

Absent: Kyle Marasckin

Abstained: None

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

The motion carried with a vote: 6/0

Yes: Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Dorothy Wynne, Muhammed Alam

No: None

Absent: Kyle Marasckin

Abstained: None

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

PDZ Member Ryan Miller made the motion to approve. PDZ Member Christy Kennard seconded the motion.

The motion carried with a vote: 6/0

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

Adjourn

PDZ Member Christy Kennard made the motion to adjourn the meeting at 6:50 p.m. PDZ Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

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

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS