

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 7/24/2023

Regular Session

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

Present: Ryan Miller
Mary Ann Atkinson
Kenneth Haynes
Christy Kennard
Muhammed Alam

Absent: Kyle Marasckin
Dorothy Wynne

Also Present: Dan Johnson, Interim City Manager
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Jose Abraham, City Planner
Brooke Cyphers, Public Information Officer

Pledge

Public Comments: "Comment Card" Required

None

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 Chair Ryan Miller opened the Public Hearing at 6:02 p.m.

PDZ Chair Ryan Miller recognized comments sent online from Del Bello Lakes Residents: Kendrick Miller, Abigail Te, Charles Belocura, Tina Ncube, Courtland Washington, Yolanda Miller, Athena Reynolds, Lisa Pavlatos, Keith Stephens, and Jamal Cheeks all sent in emails of opposition to gas station

In person Del Bello Lakes Subdivision Residents:

Monica Britton - Opposed to the gas station, shared that she was able to obtain 160 signatures on a change.org online petition opposing the gas station (did not provide a copy)

Deidra and Rich Lane - Opposed to the gas station, concerned about crime and the environment

Yolanda Luis - Opposed to the gas station

Louis Leija - Opposed to the gas station due to air pollution concerns.

Yvette Holly - Opposed to the gas station due to the air pollution and health concerns

Dexter Taylor - Opposed to the gas station due to safety concerns

Donna Barbara - Opposed to the gas station due to health and safety concerns

TCEQ employee for 27 years - Opposed to the gas station due to environmental concerns, traffic concerns, and safety concerns.

Geneva - Opposed to the gas station and requests the gas station owner consider building down the road not in the DelBello Lakes Community.

Anthony Rivera - Opposed to the gas station due to safety concerns of the children walking to use the swimming pool

Leann Lions - Opposed to the gas station due to safety concerns about increased traffic

Louis Bueno - Opposed to the gas station due to the same concerns as others, as well as noise pollution.

Second call for comments - none

Third call for comments - none

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

Consent PDZ

- A. Approve the meeting minutes to date.

PDZ Member Kenneth Haynes made the motion to approve. PDZ Member Ryan Miller seconded the motion.

The motion carried with a vote: 5/0

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

No: None

Absent: Kyle Marasckin, Dorothy Wynne

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.)

Voted on with Regular Agenda Item B

- B. Consideration and possible action to approve the Final Plat of Valencia Section 7;
BEING A SUBDIVISION OF 9.466 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 33, 34, AND 42 OF SECTION 73 OF THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 91-92, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

The City staff recommends approval of the Valencia Section 2 Final Plat with two (2) conditions. The conditions include:

1. Revise vicinity map to place the Manvel ETJ label within the ETJ area (Section 62-41 (b) (2)).
2. Revise note 2 to reference accurate date based on the provided CPL (Section (b)(5) & (b)(21)).

The City staff recommends approval of the Valencia Section 7 Final Plat with three (3) conditions. The conditions include:

1. The total acreage on the plat title block is not consistent with the City Planning Letter. Revise for accuracy and consistency (Section 62-41 (b)(5) & (b)(21)).
2. Remove the 10-foot building line along Pollard Boulevard and include a 25-foot building line as provided in the approved Preliminary Plat (Section 62-41 (b)(13)).
3. Please revise note #16 to expand PDZ to Planning Development and Zoning Commission or add PDZ to the list of Legend (Section 62-41 (b)(24) & (b)(27)).

PDZ Member Christy Kennard made the motion to approve A and B with conditions. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 5/0

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

- C. 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 Christy Kennard seconded the motion.

The motion carried with a vote: 5/0

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

- D. 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

July 24, 2023 PLANNING DEVELOPMENT AND ZONING MINUTES

PROVISION HEREOF. (Tabled at the request of the applicant at the 6-26-2023 PD&Z meeting)

Representative:

4 million dollar high end gas station with Chevron or Exxon. Held to high environmental standards.

Jose Abraham, Staff is not recommending approval based on the 2020 restriction put in place limiting gas stations to a distance of 2+ miles from another.

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

The motion FAILED with a vote: 0/5

Yes: None

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

Absent: Kyle Marasckin, Dorothy Wynne

Abstained: None

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

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

The motion carried with a vote: 5/0

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

No: None

Absent: Kyle Marasckin, Dorothy Wynne

Abstained: None

Adjourn

PDZ Member Christy Kennard made the motion to adjourn the meeting at 6:57 p.m. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 5/0

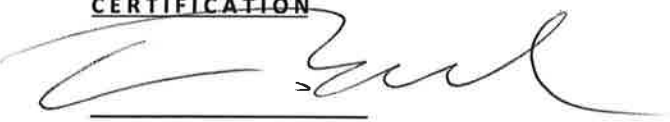
Yes: Ryan Miller, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Muhammed Alam

No: None

Absent: Kyle Marasckin, Dorothy Wynne

Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS