

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



**MANVEL PLANNING DEVELOPMENT AND ZONING COMMISSION
NOTICE IS HEREBY GIVEN
6:15 P.M.**

MINUTES 10/23/2023

Regular Session

PDZ Member Ryan Miller called the meeting of the PDZ to order at 6:15 p.m.

Those in attendance were:

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

Absent: Christy Kennard

Also Present: Robert Gervais, City Attorney
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner
Brooke Cyphers, Public Information Officer

Pledge

Public Comments: "Comment Card" Required

None

Consent PDZ

A. Approve the Final Plat for 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.).

B. Approve the Final Plat for 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 OF 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.).

October 23, 2023 PLANNING DEVELOPMENT AND ZONING MINUTES

- C. Approve the Final Plat for Meridiana Section 13A;
BEING A SUBDIVISION OF 17.22 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203; CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
- D. Approve the Final Plat for Meridiana Section 24A;
BEING A SUBDIVISION OF 18.64 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
- E. Approve the Final Plat for 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.).
- F. Approve the meeting minutes to date.

PDZ Member Kyle Marasckin made the motion to approve. PDZ Member Mary Ann Atkinson 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 Preliminary Plat for Valencia Lake B;
BEING A SUBDIVISION OF 8.460 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, ALSO BEING A PORTION OF OUTLOTS 180, AND 195 OF THE DR. A.A. LUTHER SUBDIVISION OF THE TOWN OF MANVEL AND SURROUNDING ACREAGE PROPERTY, A SUBDIVISION RECORDED IN VOL. 1, PGS. 71-72, AND VOL. 3, PGS. 139-140 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.).

Mary Ann - what is the drilling for if they're making a pond?

Jose - The reserve would be open play area and landscaping. There are mineral rights on reserve.

Applicant - LJA - the drill site is to access the mineral rights. The detention pond will be dry. If they ever want to drill, that's where it would occur.

PDZ Member Mary Ann Atkinson made the motion to approve with the following condition:

1. The proposed plat includes a drilling site. Revise Note 22 to elaborate that drilling within the drilling site shall be confined to Reserve A" and all drilling activity shall be in conformance with Chapter 35, Article V of the City of Manvel Code of Ordinances (Section 62-38. (a)(8)).

PDZ 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

- B. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2023-O-40;

AN ORDINANCE AMENDING CHAPTER 77 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE I, "IN GENERAL" PERTAINING TO DEFINITIONS AND PROCESS OF REZONING; BY AMENDING ARTICLE II, "DISTRICT REGULATIONS" PERTAINING TO AN EXEMPTION TO MINIMUM LOT AREA REQUIREMENT FOR NON-CONFORMING LOTS RESULTING FROM RIGHT-OF-WAY DEDICATION WITHIN OPEN-SINGLE-FAMILY RESIDENTIAL DISTRICT; AMENDING FENCE REQUIREMENTS; AND SECTIONS PERTAINING TO BUILDING MATERIAL REQUIREMENTS FOR BUILDING FACADES TO ACCURATELY REFLECT HOUSE BILL 2439, WHICH ENACTED CHAPTER 3000 OF THE TEXAS LOCAL GOVERNMENT CODE; MAKING OTHER CHANGES TO RECTIFY TYPOGRAPHIC ERRORS THROUGHOUT THE ORDINANCE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

Ryan Miller - Why so many requirements for engineered drawings on things like wood fences?

Jose - This is only for more than 6ft.

Ryan - all perimeter fences for subdivisions are more than 6ft tall.

Jessica - this came about due to some failures with fencing. Council gave staff direction that they wanted to see a fence permit and that they wanted some standards associated with that. Wind requirements and integrity are two factors.

Ryan - doesn't agree with the requirement for wood fences. Understands for the brick fences, etc.

Jose - Top caps and rot boards will not be added in the 6ft. Engineering is only for masonry fences, those with concrete footing, and subdivision type permitter fencing.

Dorothy - you're only allowing for another 8 inches with rot board and top cap.

Ryan - would either allow or disallow the rot board or top cap and not have the inch requirements on them.

Jose - the goal was to include a fence requirement since there hasn't been one and city council had received complaints. It will require concrete base and rot board for residential type wood fences. Permit not required for maintenance and repair.

Ryan - has an issue with no footing depth for the fences that are not required to obtain a permit.

Jose - commercial is 8ft in height. Shares that they can consider adding language to exempt reconstruction to prevent homeowners from having to pay for engineering.

Jessica - reiterates that council brought this to staff due to community fences that previous developers had constructed not to standard.

Ryan - understands the permitting, but there can be well established standards for wood fencing that doesn't require engineering.

Jose - community fence can go up to 8ft. Will change the language to make things more clear.

Clarifies that the commission would like to see: In the case of wooden fences, do not require engineering for wooden fence even if it goes over 6ft, or even at 6ft for community fencing. If 8ft, then yes. Also adding a minimum footing depth requirement.

Jose Abraham, City Planner, reviews other changes. Minimum lot size exemption is based on previous experience. Some of the lots include the ROW. Fixes the need for needing a variance. Building facade requirements - HB2439 prohibits cities from restricting building materials. Need to remove that section.

PDZ Member Ryan Miller made the motion to table. PDZ Member Dorothy Wynne 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

- 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 Kyle Marasckin made the motion to approve. PDZ 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 excused committee member absences.

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

No: None

Absent: Christy Kennard

Abstained: None

Adjourn

PDZ Member Ryan Miller made the motion to adjourn the meeting at 7:00 p.m. PDZ 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

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS