

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 10/15/2024

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
Kyle Marasckin
Mary Ann Atkinson
Kenneth Haynes
Delores Martin
William Richardson

Absent: Christy Kennard

Also Present: Dan Johnson, City Manager
Robert Gervais, City Attorney
Jose Abraham, Development Services Director
Tammy Bell, City Secretary
Elaheh Roohbakhsh, Associate Planner
Jessica Portie, Associate Planner
Matt De La Rosa, Assistant City Engineer
Percy Ben, Associate Engineer
James McClain, Administrative Captain

Pledge

Public Comments: "Comment Card" Required

Workshop/Presentation

Discussion/Update on Ordinance 2024-O-35;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE NO. 2020-O-14 PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO AUTHORIZE NAICS USE CODE 4411 "MOTOR VEHICLE DEALER" FOR THE COMMERCIAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 288 AND DEL

BELLO BOULEVARD; 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. (Tabled at the 8/26/2024 PD&Z meeting and postponed to the following PD&Z Meeting at the 9/23/2024 PD&Z Meeting)

David Minsberg, representative for the proposed project, addressed some of the PD&Z and citizen concerns from previous meetings. Drainage, lighting, and test cars driving through the neighborhood were discussed.

PD&Z members discuss the conditions provided by staff if they were to approve it and members discuss adding the following additional conditions:

- 6ft fence to 8ft
- Car carriers must be accommodated on the property and not on the roadway
- Lighting measurements at the perimeter and dimmable lighting
- Additional drainage requirements

Elaheh Roohbakhsh, Associate Planner, provided a presentation.

Staff Presentation on Public Hearing Item(s)

Elaheh Roohbakhsh, Associate Planner, provided the presentation. The applicant is seeking reapproval of the same SUP to establish a religious use on the property.

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 AN APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH), THE BRISCOE CANAL (EAST), AND RESIDENTIALLY DEVELOPED PROPERTIES (SOUTH AND EAST), FROM HUD- CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 "RELIGIOUS ORGANIZATIONS"; 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.

Ryan Miller opened the Public Hearing at 6:46 p.m.

First call for comments - None

Second call for comments - None

Third call for comments - None

Ryan Miller closed the Public Hearing at 6:47 p.m.

Consent PDZ

- A. Approve the Final Plat of Valencia Lake H;
BEING A SUBDIVISION OF 7.656 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING PART OF LOTS 6, 7, 14, AND 15 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 PLAT RECORDS (B.C.P.R.).
- B. Approve the meeting minutes to date.

PDZ Member Kyle Marasckin made the motion to approve the Consent Agenda. PDZ Member Delores Martin seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Delores Martin, William Richardson

No: None

Absent: Christy Kennard

Abstained: None

Regular Agenda

- A. Consideration and possible action to approve the Final Plat of Valencia Section 10; BEING A SUBDIVISION OF 10.427 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, A-301, BRAZORIA COUNTY, TEXAS, BEING A PART OF LOTS 42 AND 50 IN THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SUBDIVISION SECTION 73, VOL. 2 PAGES 91 & 92 OF THE BRAZORIA COUNTY PUBLIC RECORDS (B.C.P.R.).

Jesica Portie, Associate Planner, provided an overview.

The City staff recommends approval of the Valencia Section 10 Final Plat with two (2) conditions. The conditions include:

1. Revise to remove 10' S.S.E along Reserves A, B, and D for accuracy (Sec 62-41 (b) (13)).
2. In accordance with the approved first amendment to the Interlocal and Development Agreement between the City of Manvel and Brazoria County MUD No. 83 regarding public improvement, the second deposit for the reservation of an additional 840 ESFCs is required to be paid. Please make a payment to satisfy this requirement. (Section 3.2 (C) Recordation No. 2024022770)

PDZ Member Delores Martin made the motion to approve with conditions. PDZ Member William Richardson seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Delores Martin, William Richardson

No: None

Absent: Christy Kennard

Abstained: None

- B. Consideration and possible action to approve the Final Plat of Valencia Section 11; BEING A SUBDIVISION OF 9.618 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS; AND ALSO BEING A PORTION OF LOTS 34, 35, 42, AND 43 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SUBDIVISION SECTION 73, ACCORDING TO THE PLAT RECORDED IN VOL. 2 PAGES 91 & 92 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.).

Jesica Portie, Associate Planner, provided an overview.

The City staff recommends approval of the Valencia Section 11 - Final Plat with one (1) condition. The condition includes:

1. In accordance with the approved first amendment to the Interlocal and Development Agreement between the City of Manvel and Brazoria County MUD No. 83 regarding public improvement, the second deposit for the reservation of an additional 840 ESFCs is required to be paid. Please make a payment to satisfy this requirement. (Section 3.2 (C) Recordation No. 2024022770)

PDZ Member Kenneth Haynes 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, Delores Martin, William Richardson

No: None

Absent: Christy Kennard

Abstained: None

- C. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2024-O-35;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE NO. 2020-O-14 PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO AUTHORIZE NAICS USE CODE 4411 "MOTOR VEHICLE DEALER" FOR THE COMMERCIAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 288 AND DEL BELLO BOULEVARD; 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. (Tabled at the 8/26/2024 PD&Z meeting and postponed to the following PD&Z Meeting at the 9/23/2024 PD&Z Meeting)

Recommended staff conditions:

1. Motor Vehicle Sales use on the southside of del bello road shall be limited to 16 acres of land as shown in the proposed concept plan.
2. Only motor vehicle sales use which primarily sells new cars shall be permitted.
3. A minimum 25-foot landscaping buffer shall be provided between the car dealership and abutting residential lots with a minimum of one tree planted every twenty feet.
4. A minimum 6-foot-tall masonry fence shall be installed within the landscape buffer.
5. 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.
6. 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.

Additional conditions by PD&Z:

1. Engineered 8ft masonry wall requirement instead of 6ft
2. Change staff recommendation number 3 to a minimum of 45 feet instead of 25 feet with one tree every 20 feet.
3. Add dimmable to staff recommendation number 6
4. The dealership must accommodate any vehicle transport deliveries on property

PDZ Member Mary Ann Atkinson made the motion to approve with conditions as discussed. PDZ Member Ryan Miller seconded the motion.

The motion FAILED with a vote: 1/5

Yes: Mary Ann Atkinson

No: Ryan Miller, Kyle Marasckin, Kenneth Haynes, Delores Martin, William Richardson
Absent: Christy Kennard
Abstained: None

- D. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2024-O-41;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH), THE BRISCOE CANAL (EAST), AND RESIDENTIALLY DEVELOPED PROPERTIES (SOUTH AND EAST), FROM HUD-CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 "RELIGIOUS ORGANIZATIONS"; 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.

Staff recommends approval of the Specific Use Permit with the following conditions:

1. A plat shall be prepared and approved in conformance with Chapter 62 – Subdivisions, prior to developing the subject site for the proposed AutoZone;
2. The site development shall generally conform to the attached site plan. However, changes necessary to conform to any adopted City of Manvel codes and ordinances shall be made part of the construction plan and building permit review process;
3. 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;
4. 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;
5. Buildings shall be designed in conformance with all adopted technical codes, including Building and Fire Codes.

PDZ Member Kenneth Haynes made the motion to approve with conditions. PDZ Member William Richardson seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Delores Martin, William Richardson
No: None
Absent: Christy Kennard
Abstained: None

- E. Consideration and possible action to approve an Extended Stay Permit for a recreational vehicle (RV) located at 6403 Del Bello Rd.

Jessica Portie, Associate Planner, provided an overview. Staff recommends approval.

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: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Delores Martin, William Richardson

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.

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, Delores Martin, William Richardson

No: None

Absent: Christy Kennard

Abstained: None

Adjourn

PDZ Member Kyle Marasckin made the motion to adjourn the meeting at 7:09 p.m. PDZ Member Delores Martin seconded the motion.

The motion carried with a vote: 6/0

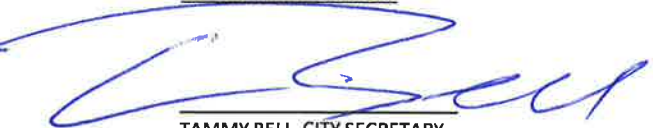
Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Delores Martin, William Richardson

No: None

Absent: Christy Kennard

Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS