



**PLANNING AND ZONING COMMISSION
REGULAR SESSION MINUTES
SEPTEMBER 8, 2021**

PRESENT:

Philip Tryon, Chair, Place 3

COMMISSIONERS:

Julie Leonard, Place 1

Tasha Green, Place 2

Prince John Chavis, Place 4

Grant E. Loveless, Place 5

Cecil Meyer, Place 6 (Absent)

Lakesha Small, Place 7

CITY STAFF:

Scott Dunlop, Interim City Manager

Veronica Rivera, City Attorney, The Knight Law Firm, LLP

Mandy Miller, Administrative Assistant

REGULAR SESSION – 6:30 P.M.

With a quorum of the Planning and Zoning (P&Z) Commission present, the regular session of the Manor P&Z Commission was called to order by Chair Tryon at 6:30 p.m. on Wednesday, September 8, 2021, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PUBLIC COMMENTS

No one appeared to speak at this time.

Chair Tryon adjourned the regular session of the Manor P&Z Commission into Executive Session at 6:32 p.m. on Wednesday, September 8, 2021, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor Planning and Zoning Commission convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in - *Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Manor RV Park, LLC v. City of Manor, ET AL* at 6:32 p.m. on Wednesday, September 8, 2021.

The Executive Session was adjourned at 7:02 p.m. on Wednesday, September 8, 2021.

OPEN SESSION

The Manor Planning and Zoning Commission reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session at 7:02 p.m. on Wednesday, September 8, 2021.

Chair Tryon opened the floor for action to be taken on the items discussed in the Executive Session.

There was no action taken.

PUBLIC HEARING

- 1. Public Hearing: Conduct a public hearing on a rezoning request for 137 acres, more or less, out of the Sumner Back Survey, Abstract No. 63, and being located near the intersection of N. FM 973 and Arnhamn Lane, Manor, TX to Single Family Standard (SF-2). Applicant: Carlson, Brigance & Doering, Inc. Owner: Estate of Mary Ruth Arnold Holley.**

Benny Gundy, 15230 FM 973 North, Manor, Texas, submitted a speaker card wishing to speak regarding this item. Mr. Gundy stated he had concerns with the future development of this project due to an increase in issues with the water run-off / drainage from the property since the beginning of the construction.

Interim City Manager Dunlop addressed questions from Mr. Gundy regarding information distribution and time frames for notifications.

Crista Swier submitted a speaker card wishing to speak regarding this item. Mrs. Swier stated that she wanted the water situation and flooding in the area to be considered by the Developers in the future plans of the project. Mrs. Swier also wanted to express her concerns for the wildlife and natural habitat of the area. As a business owner and mother, she is very apprehensive about the impact this project will have on her privacy, safety, and security for the future of her, her business, and her family.

MOTION: Upon a motion made by Vice Chair Leonard and Seconded by Commissioner Loveless to close the public hearing.

There was no further discussion.

Motion to close carried 6-0

- 2. Public Hearing: Conduct a public hearing on a rezoning request for 30.89 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315, and being located at 13119 US Hwy 290 E, Manor, TX to Medium Commercial (C-2) and Multi-Family 25 (MF-2). Applicant: Jackson Walker, LLP. Owner: Manor RV Park, LLC.**

Interim City Manager Scott Dunlop gave an update on the annexation progress for this property stating that the zoning process will run concurrent with the annexation.

MOTION: Upon a motion made by Vice Chair Leonard and Seconded by Commissioner Loveless to close the public hearing.

There was no further discussion.

Motion to close carried 6-0

CONSENT AGENDA

3. Consideration, discussion, and possible action to approve the Planning and Zoning Commission Minutes of August 11, 2021, Regular Session.

MOTION: Upon a motion made by Vice Chair Leonard and Seconded by Commissioner Chavis to approve the consent agenda.

Chair Tryon answered Commissioner Small's request for clarification on the motion to approve minutes verses approve consent agenda.

There was further discussion.

Motion to approve carried 5-1 (Commissioner Small opposed)

REGULAR AGENDA

4. Consideration, discussion, and possible action on a rezoning request for 137 acres, more or less, out of the Sumner Back Survey, Abstract No. 63, and being located near the intersection of N. FM 973 and Arnham Lane, Manor, TX to Single Family Standard (SF-2). Applicant: Carlson, Brigance & Doering, Inc. Owner: Estate of Mary Ruth Arnold Holley.

The City staff recommended approval of the rezoning request.

Interim City Manager Dunlop informed the Commission that the property owner filed, and City Council accepted, a request for annexation last week to run concurrent with the rezoning requests. The property owners will also be proposing to create a public improvement district that will go through the City and will allow for some negotiations on some points.

The discussion was held. City Attorney Rivera and Interim City Manager Dunlop answered questions and outlined the current requirements placed on this type of project by the City of Manor. Attorney Rivera gave the Commission examples on how they could respond with recommendations to City Council.

MOTION: Upon a motion made by Vice Chair Leonard and Seconded by Commissioner Chavis to approve the rezoning request with the recommendation that City Council look into Natural Habitat use requirements above the minimum.

There was no further discussion.

Motion to approve carried 6-0

5. Consideration, discussion and possible action on a rezoning request for 30.89 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315, and being located at 13119 US Hwy 290 E, Manor, TX to Medium Commercial (C-2) and Multi-Family 25 (MF-2). Applicant: Jackson Walker, LLP. Owner: Manor RV Park, LLC.

The City staff recommended approval of the rezoning request.

Interim City Manager Dunlop answered questions about the zoning layout of the property reiterating that not all of the property is developable.

Chair Tryon thanked all those involved for their hard work and dedication to this project.

MOTION: Upon a motion made by Commissioner Chavis and Seconded by Commissioner Green to approve the staff recommendation to approve the rezoning request for 30.89 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315, and being located at 13119 US Hwy 290 E, Manor, TX to Medium Commercial (C-2) and Multi-Family 25 (MF-2) and also add that their use of the property as an RV Park development would be a non-conforming use that if discontinued for a 90 day period could not be resumed.

There was no further discussion.

Motion to approve carried 6-0

- 6. Consideration, discussion, and possible action on a Final Plat for Presidential Heights Subdivision Phase 6, one hundred twenty-seven (127) lots on 25.26 acres, more or less, and being located near the intersection of Jamie Drive and Shooter McGavin Drive, Manor, TX. Applicant: Kimley-Horn & Associates. Owner: West Elgin Development Corp.**

The city Staff recommended approval of the Final Plat for Presidential Heights Subdivision Phase 6.

Interim City Manager Dunlop stated that the plat has been approved by the engineers. It is the final phase for Presidential Heights.

MOTION: Upon a motion made by Commissioner Green and Seconded by Commissioner Loveless to approve the Final Plat for Presidential Heights Subdivision Phase 6.

There was no further discussion.

Motion to approve carried 6-0

- 7. Consideration, discussion, and possible action on a Short Form Final Plat for the Ryper Subdivision, one (1) lot on 8.834 acres, more or less, and being located at 13300 US Hwy 290 E, Manor, TX. Applicant: Professional StruCIVIL Engineers, Inc. Owner: Timmermann Properties, Inc.**

The city Staff recommended denial of the Short Form Final Plat based on engineer's comments.

MOTION: Upon a motion made by Vice Chair Leonard and Seconded by Commissioner Green to deny the request on a Short Form Final Plat for the Ryper Subdivision, one (1) lot on 8.834 acres, more or less, and being located at 13300 US Hwy 290 E, Manor, TX.

There was no further discussion.

Motion to deny carried 6-0

Chair Tryon stated this would be his last meeting. He stated that it has been a privilege working with everyone and he will miss everyone.

ADJOURNMENT

MOTION: Upon a motion made by Chavis and Seconded by Commissioner Green to adjourn the regular session of the P&Z Commission at 7:31 p.m. on Wednesday, June 9, 2021.

There was no further discussion.

Motion to approve carried 5-0

APPROVED:

Philip Tryon
Chairperson

ATTEST:

Scott Dunlop
Assistant Development Services Director