ORDINANCE NO.
---------------

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING CHAPTER 14, ZONING OF THE CITY OF MANOR, TEXAS CODE OF ORDINANCES REZONING A PARCEL OF LAND FROM AGRICULTURAL TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned from the temporary zoning district Agricultural (A) to zoning district Planned Unit Development (PUD);

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:

- **Section 1.** Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.
- **Section 2.** <u>Amendment of Ordinance</u>. City of Manor Code of Ordinances, Chapter 14, Zoning ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.
- **Section 3.** Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A", attached hereto and incorporated herein as if fully set forth (the "Property"), from the temporary zoning district Agricultural (A) to zoning district Planned Unit Development (PUD) including the PUD site plan as further described in Exhibit "B" attached hereto and incorporated herein as if fully set forth (the "PUD Site Plan").
- **Section 4.** <u>Amendment of Conflicting Ordinances</u>. All ordinances and parts of ordinances in conflict with this ordinance are amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any code or ordinance of the city, the terms and provisions of this ordinance shall govern.
- **Section 5.** Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Gov't. Code.

ORDINANCE	NO.	P	age 2
PASSED AND A	APPROVED FIRST	<b>READING</b> on this the 21 <sup>st</sup> day of December 2022.	
PASSED AND	APPROVED SECO_20	OND AND FINAL READING on this the day	y of
		THE CITY OF MANOR, TEXAS	
ATTEST:		Dr. Christopher Harvey, Mayor	
Lluvia T. Almara	az, TRMC		

City Secretary

### **EXHIBIT "A"**

Property Legal Description:

59.765 ACRES SUMNER BACON SURVEY No. 62, ABSTRACT No. 63 TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 59.765 ACRES, BEING A PORTION OF THAT CERTAIN TRACT OF LAND STATED TO CONTAIN 60.292 ACRES, MORE OR LESS, OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS AS DESCRIBED IN DISTRIBUTION DEED RECORDED IN DOCUMENT NO. 2020120760 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME LAND CONVEYED TO THE CARRILLO FAMILY PARTNERSHIP IN DOCUMENT NO. 2013001967, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 59.765 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found in the north right-of-way of Gregg Lane (variable width right-of-way), being the southeast corner of said 60.292 acre tract, and also the southwest corner of a 15.74 acre tract described in Document No. 2016051094 of the Official Public Records of Travis County, Texas, from which a TxDot Type II disk found in the north right-of-way of Gregg Lane, for the southeast corner of a 36.14 acre tract described in Document No. 2014113251 of the Official Public Records of Travis County, Texas bears South 62°01'41" East a distance of 1995.25 feet;

**THENCE** North 62°17'26" West, with the south line of the 60.292 acre tract, same being the north right-of-way line of Gregg Lane, a distance of 2133.10 feet to a calculated point in the approximate centerline of Wilbarger Creek;

**THENCE** with the approximate centerline of Wilbarger Creek, being the west line of said 60.292 acre tract, and the east line of an 85.796 acre tract described Document No. 2008118667 of the Official Public records of Travis County, Texas, the following thirty-two (32) courses:

- 1. North 73°18'55" East, a distance of 46.89 feet to a to a calculated point;
- 2. North 65°28'25" East, a distance of 50.67 feet to a to a calculated point;
- 3. North 51°10'42" East, a distance of 48.58 feet to a to a calculated point;
- 4. North 48°30'24" East, a distance of 46.23 feet to a to a calculated point;
- 5. North 49°14'49" East, a distance of 52.77 feet to a to a calculated point;

6.	North 45°14'55"	East, a	distance	of 55.96	feet to	a to a	calculated	point
7.	North 43°43'26"	East, a	distance	of 52.86	feet to	a to a	calculated	point;
8.	North 41°05'22"	East, a	distance	of 48.00	feet to	a to a	calculated	point;
9.	North 32°42'55"	East, a	distance	of 42.39	feet to	a to a	calculated	point;
10.	North 36°20'34"	East, a	distance	of 43.28	feet to	a to a	calculated	point;
11.	North 24°58'46"	East, a	distance	of 45.09	feet to	a to a	calculated	point;
12.	North 20°50'58"	East, a	distance	of 58.26	feet to	a to a	calculated	point;
13.	North 11°43'28"	East, a	distance	of 55.36	feet to	a to a	calculated	point;
14.	North 12°03'40"	East, a	distance	of 59.87	feet to	a to a	calculated	point;
15.	North 11°44'50"	East, a	distance	of 49.40	feet to	a to a	calculated	point;
16.	North 20°31'26"	East, a	distance	of 49.47	feet to	a to a	calculated	point;
17.	North 26°12'00"	East, a	distance	of 48.98	feet to	a to a	calculated	point;
18.	North 19°47'54"	East, a	distance	of 56.22	feet to	a to a	calculated	point;
19.	North 08°36'09"	East, a	distance	of 45.62	feet to	a to a	calculated	point;
20.	North 32°55'35"	East, a	distance	of 52.23	feet to	a to a	calculated	point;
21.	North 47°27'44"	East, a	distance	of 55.81	feet to	a to a	calculated	point;
22.	North 45°04'59"	East, a	distance	of 51.38	feet to	a to a	calculated	point;
23.	North 43°53'12"	East, a	distance	of 32.75	feet to	a to a	calculated	point;
24.	North 08°50'46"	East, a	distance	of 41.41	feet to	a to a	calculated	point;
25.	North 05°45'16"	West, a	distance	of 32.84	feet to	a to a	calculated	point
26.	North 01°15'08"	East, a	distance	of 35.86	feet to	a to a	calculated	point;
27.	North 14°04'03"	East, a	distance	of 26.74	feet to	a to a	calculated	point;
28.	North 34°11'10"	East, a	distance	of 54.41	feet to	a to a	calculated	point;

- 29. North 26°59'21" East, a distance of 41.68 feet to a to a calculated point;
- 30. North 36°09'53" East, a distance of 43.97 feet to a to a calculated point;
- 31. North 25°00'27" East, a distance of 44.74 feet to a to a calculated point;
- 32. North 00°27'57" East, a distance of 24.90 feet to a to a calculated point for the northwest corner of the 60.292 acre tract, being the southwest corner of a 39.4 acre tract described in Document No. 2004009801 of the Official Public Records of Travis County, Texas;

**THENCE** South 61°38'01" East with the south line of said 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar at 20.62 feet, and continuing for a total distance of 1100.33 feet to a 1/2" rebar with 'Chaparral' cap set;

**THENCE** South 00°41'52" East, crossing the 60.292 acre tract a distance of 308.96 feet to a 1/2" rebar found for an interior corner of the 60.292 acre tract, same being the southernmost southwest corner of the 39.4 acre tract;

**THENCE** South 62°04'50" East with the north line of the 60.292 acre tract, same being the south line of the 39.4 acre tract, a distance of 551.18 feet to a 1/2" rebar found with plastic cap for the southeast corner of the 39.4 acre tract;

**THENCE** South 61°50'55" East, continuing with the north line of the 60.292 acre tract, a distance of 250.39 feet to a 2" iron pipe found in for the northeast corner of the 60.292 acre tract, same being the northwest corner of said 15.74 acre tract;

**THENCE** South 27°32'42" West, with the east line of the 60.292 acre tract, same being the west line of said 15.74 acre tract, a distance of 1131.13 feet to the **POINT OF BEGINNING**; containing 59.765 acres of land, more or less;

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-59.765ac

Paul J. Flugel

Registered Professional Land Surveyor

State of Texas No. 5096 TBPLS Firm No. 10124500

Paul J. Flagel

30.580 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 30.580 ACRES OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS, BEING A WESTERN PORTION OF THAT CERTAIN CALLED 39.4 ACRE TRACT DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2004009801 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 30.580 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with 'CHAPARRAL' cap set in the north line of a 60.292 acre tract described in Document No. 2013001967 of the Official Public Records of Travis County, Texas, same being the south line of said 39.4 acre tract, from which a 1/2" rebar found for the northernmost northeast corner of the 60.292, same being an angle point in the south line of the 39.4 acre tract, bears South 61°38'05" East a distance of 575.95 feet;

**THENCE** North 61°37'58" West with the south line of the 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar found at a distance of 648.82 feet, and continuing 20.62 feet, for total distance of 669.44 feet to a calculated point in the approximate centerline of Wilbarger Creek, also being the west line of the 39.4 acres and the being also the east line of an 85.769 acre tract described Document No. 2008118667 of the Official Public Records of Travis County, Texas;

**THENCE** with the approximate centerline of Wilbarger Creek, being the west line of the 39.4 acre tract and the east line of 85.796 acres described in Document No. 2008118667 of the Official Public Records of Travis County, Texas, the following forty (40) courses:

- 1. North 00°28'28" East, a distance of 9.07 feet to a to a calculated point;
- 2. North 05°17'24" West, a distance of 31.85 feet to a to a calculated point;
- 3. North 01°00'43" West, a distance of 39.99 feet to a to a calculated point;
- 4. North 13°37'54" West, a distance of 36.17 feet to a to a calculated point;
- 5. North 03°30'27" West, a distance of 43.17 feet to a to a calculated point;
- 6. North 10°14'35" West, a distance of 42.68 feet to a to a calculated point;

7. North 22°31'57" West, a distance of 57.70 feet to a to a calculated point; 8. North 44°39'48" West, a distance of 45.77 feet to a to a calculated point; 9. North 54°56'29" West, a distance of 58.93 feet to a to a calculated point; 10. North 82°53'28" West, a distance of 51.24 feet to a to a calculated point; 11. South 71°16'10" West, a distance of 39.96 feet to a to a calculated point; 12. South 66°38'21" West, a distance of 51.94 feet to a to a calculated point; 13. North 89°22'53" West, a distance of 39.25 feet to a to a calculated point; 14. North 83°41'50" West, a distance of 51.08 feet to a to a calculated point; 15. North 89°13'01" West, a distance of 53.52 feet to a to a calculated point; 16. North 76°23'07" West, a distance of 54.75 feet to a to a calculated point; 17. North 76°02'03" West, a distance of 65.60 feet to a to a calculated point; 18. North 78°19'56" West, a distance of 54.07 feet to a to a calculated point; 19. South 73°52'38" West, a distance of 52.35 feet to a to a calculated point; 20. North 82°54'47" West, a distance of 58.96 feet to a to a calculated point; 21. North 48°39'03" West, a distance of 54.65 feet to a to a calculated point; 22. North 21°40'43" West, a distance of 61.82 feet to a to a calculated point; 23. North 00°14'42" East, a distance of 52.83 feet to a to a calculated point; 24. North 08°20'31" East, a distance of 53.76 feet to a to a calculated point; 25. North 08°21'04" East, a distance of 38.04 feet to a to a calculated point; 26. North 12°10'56" West, a distance of 48.92 feet to a to a calculated point; 27. North 26°26'40" West, a distance of 51.72 feet to a to a calculated point; 28. North 09°59'30" West, a distance of 51.78 feet to a to a calculated point; 29. North 09°26'58" West, a distance of 65.60 feet to a to a calculated point;

- 30. North 23°17'46" East, a distance of 51.71 feet to a to a calculated point;
- 31. North 34°54'31" East, a distance of 42.87 feet to a to a calculated point;
- 32. North 48°43'04" East, a distance of 60.00 feet to a to a calculated point;
- 33. South 79°51'17" East, a distance of 39.39 feet to a to a calculated point;
- 34. South 58°38'03" East, a distance of 48.87 feet to a to a calculated point;
- 35. North 59°05'59" East, a distance of 54.70 feet to a to a calculated point;
- 36. North 00°19'10" East, a distance of 38.05 feet to a to a calculated point;
- 37. North 15°36'04" West, a distance of 56.41 feet to a to a calculated point;
- 38. North 06°24'18" East, a distance of 49.34 feet to a to a calculated point;
- 39. North 34°41'25" East, a distance of 55.35 feet to a to a calculated point;
- 40. North 08°45'25" West, a distance of 12.36 feet to a to a calculated point;

**THENCE** South 70°46'58" East, a distance of 13.00, to a 1/2" rebar found for an angle point in the west line of the 39.4 acres, same being the east line of the 85.796 acres;

**THENCE** North 22°06'01" East, a distance of 137.89 feet to a 1/2" rebar with 'CHAPARRAL' cap found for the northwest corner of the 39.4 acre tract, same being an interior corner of the 85.796 acre tract;

**THENCE** South 62°49'58" East, with the north line of the 39.4 acre tract, same being a south line of the 85.796 acre tract, a distance of 155.36 feet to a 1/2" rebar found for an angle point on the north line of the 39.4 acre tract, also being the southernmost northeast corner of the 85.796 acre tract, also being the southwest corner of a 170 acre tract described in Volume 8293, Page 104 of the Deed Records of Travis County, Texas;

THENCE South 62°31'16" East, continuing with the north line of the 39.4 acre tract, same being the south line of said 170 acre tract, being the south line of a 57.215 acre tract described in Document No. 2002251950 of the Official Public Records of Travis County, Texas; also being the south line of 39.00 acres described in Volume 8947, Page 802 of the Real Property Records of Travis County, Texas; a distance of 1513.14 feet to a 1/2" iron pipe found in the south line of the 39.00 acre tract, for the most northernmost corner of the 39.4 acre tract, same being the northwest corner of a 3.56 acre tract described in Document No. 2009010572 of the Official Public Records of Travis County, Texas;

**THENCE** South 27°51'31" West, with an east line of the 39.4 acre tract, same being the west line of said 3.56 acre tract, also being the west line of a 75.37 acre tract described in Document No. 2008031946 of the Official Public Records of Travis County, Texas, passing a 1/2" iron pipe found for the most westerly southwest corner of said 75.37 acre tract at a distance of 548.40 feet and continuing 321.78 feet, for a total distance of 870.18 feet to the **POINT OF BEGINNING**, containing 30.580 acres of land, more or less.

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-30.580ac

Paul J. Flugel

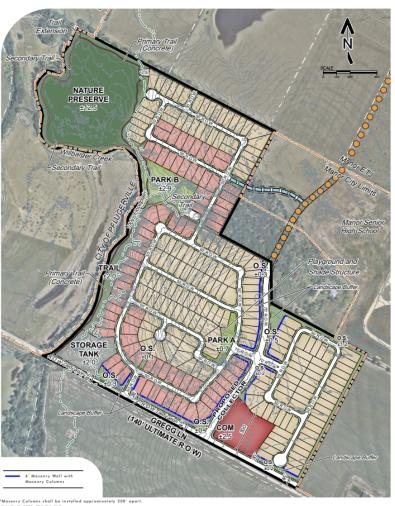
Registered Professional Land Surveyor

State of Texas No. 5096 TBPLS Firm No. 10124500

Paul A Fluge

## **EXHIBIT "B"**

Planned Unit Development Site Plan
[attached]



Vicinity Map /Scale: 1" ≠ 2000'

### GENERAL NOTES:

1) A MINIMUM FOUR(4) FOOT WIDE, CONCRETE SIDEWALK SHALL BE PRO-VIDED WITHIN THE GREGG LANE LANDSCAPE BUFFER OR THE EXPANDED RIGHT OF WAY FOR GREGG LANE. LOCATION AND ALIGNMENT OF THE SIDEWALK SHALL BE COORDINATED DURING THE PRELIMINARY PLAN STAGE OF DEVLOPMENT.

2) THE CONSTRUCTION OF SIDEWALKS IN RESIDENTIAL AND COMMERCIAL AREAS NEED NOT BE COMPLETED PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF A FINAL PLAT, BUT MUST BE COMPLETED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR WITHIN 2 YEARS FROM THE APPROVAL OF THE FINAL PLAT A COST ESTIMATE FOR THE CONTINUED THE CONTINUED THE PRIOR OF STATE OF THE CONTINUED PRIOR TO THE FINAL PROVIDE AND A COST ESTIMATE FOR THE CONTINUED PRIOR TO THE FINAL PROVIDE AND A COST SHALL BE PROSTED WITH THE FINAL PLAT SHALL BE PREPARED AND A BOND FOR 110% OF SUCH COSTS SHALL BE POSTED WITH THE CITY EACH YEAR THE PREVIOUS YEAR AND REDUCE THE AMOUNT OF THE ADDITIONAL SIDEWALKS IN RESIDENTIAL AREAS THAT WERE COMPLETED DURING THE PREVIOUS YEAR AND REDUCE THE AMOUNT OF THE BOND TO REFLIECT THE CONSTRUCTION COSTS OF THE SIDEWALKS IN THAT HAVE BEEN COMPLETED SIDEWALKS IN RESIDENTIAL AREAS NOT COMPLETED PRIOR TO THE END OF THE 2-YEAR PERIOD SHALL BE COMPLETED BY THE DEVELOPER OR BY THE CITY WITH THE BOND FUNDS, FAILURE TO PROVIDE SUFFICIENT BONDS OR COMPLETE THE SIDEWALKS IN RESIDENTIAL AREAS SHALL BE COMPLETED DURING SUBDIVISION CONSTRUCTION.

3) MIN SETBACK ON COMMERICIAL IS 25'. PROPOSED LANDPLAN PROVIDES 300 DEPTH WITH 275' USABLE OUTSIDE BUILDING LINE.

### PUD DATA TABLES:

### 1) APPROVED LAND USES

AND	USES	LOTS	ACRES*	TOTAL 1
3.7	SF RESIDENTIAL - TYP: 50'x120'	190 LOTS	36.3 Ac.	40%
37	SF RESIDENTIAL - TYP: 60'x125'	81 LOTS	23.1 Ac.	20%
COM	COMMERCIAL		2.5 Ac.	3%
BT	UTILITY		2.0 Ac.	2%
DET	DETENTION/NATURE PRESERVE		12.5 Ac.	14%
20	PARK/OPEN SPACE		7.1 Ac.	8%
TR	TRAILS		2.0 Ac.	2%
_	COLLECTOR		4.8 Ac.	5%
OTA	LS	271 LOTS	90.3 Ac.	100%

### 2) MINIMUM LOT SIZE HEIGHT AND PLACEMENT REQUIREMENTS

	Setbacks			Minimum	Minimum	Maximum	Maximum	
Land Use	Front	Side	Corner side	Rear	Lot SF	Lot Width	Height	Density
SF-50"	25'/20' on cul de sac	2,	15"	30,	5,750	50'	35'	6 du/ac
57-60"	25'/20' on cul de sac	5'	15"	30'	7,200	60'	35'	5 du/ac
Commercial	25'	5'	15"	201	n/a	40'	351	n/a

Land Use	Net Lot Area
5F-50°	20%
SF-60"	20%
Commercial	15%
Open Space/Park	20%

PARKLAND WILL BE PROVIDED BY FEE-IN-LIEU (\$550.00 PER LOT) OF DEDICATION PER APPLICABLE CITY ORDINANCES.

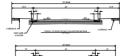


77 AMENITES SIGNED FOR THE STATE OF THE STAT	BRIDE S  1 Consent Privacy Tried (Sin Connessing)  2 Consent Recently Tried (Sin Connessing)  2 Consent Recently Tried (Sin Connessing)  4 Consent Recently Tried (Sin Connessing)  4 Connessing Connessing Spaceting  4 Connessing Connessing Spaceting  5 Connessing Connessing Connessing Spaceting  5 Connessing Connessing Connessing Connessing  6 A Area Spaces for Spacet Connessing Connessing  6 Connessing
1. & Concrete Primary Trail (Site Connectivity)	g. Yoseysan Court

54 - 50"	26.3 AC	190 LOSE	290 LUST
57 - 67	23.3 AC	82 to %	92 1165
Commercial	2.5 Ac	1145	SO LUSS
	62.1 AC		322 LUE

10) PERMITTED USES - COMMERCIAL C-1 A. ALCOHOLIC BEVERAGE ESTABLISHMENT, BREWPUB, LIQUOR SALES, SMOKE SHOP

OHICULO BEVERAGE ESTABLISHMENT, INCOMPUS. LAGOGA STATE
B. ANTIQUE SHOP, ART STUDIO OR GALLERY, BUSINESS SUPORT SERVICES, GENERAL.
B. ALES(CONVENIENCE), GENERAL RETAL SALES (GENERAL), LAUNDRY SERVICES(BELF). . SALES(CONVENERALE), GENEROL THE ONE GREAT STATES (SEE ALTER)
F. SITE ACCESSORY PARKING.
C. CHLDCARE CENTER, GOVERNMENT FACILITIES, OFFICES, GOVERNMENT, SCHOOL,
NING, SCHOOL, BUSINESS OR TRADE, SCHOOL, PRIVATE OR PAROCHIAL, AND SCHOOL



### 12.) LIST OF ALL REQUESTED VARIANCES

Item	Standard Code	Variance Requested
Setback-Front	25 Feet	25 feet (20' on cui-de-sac)
Setback-Side	7.5 Feet	S feet
Setback-Rear	20 Feet	10 feet
Lot Width	70 Feet	SO feet/SO feet
Lot Coverage- Rec Main.	40%	60%
Lot Coverage- RecMain + Accessory	SON	65N.
Lot Coverage- Comm. Main	60%	85%
Comm. Man + Accessory	70%	85%
Parkland	Non-floodplain	Within floodplain

a planned unit development final site plan for

## **NEWHAVEN PUD**

±90.3 ACRES OF LAND

### ASHTON GRAY DEVELOPMENT

LAND PLANNER: META

ENGINEER:





MTA-78007 DECEMBER 5, 2022