



**PLANNING AND ZONING COMMISSION
REGULAR SESSION MINUTES
MAY 11, 2022**

PRESENT:

COMMISSIONERS:

Julie Leonard, Chair, Place 1
Anthony Butler, Place 2
Cresandra Hardeman, Place 3
Vacant, Place 4
Jennifer Wissman, Place 5
Cecil Meyer, Place 6
Lakesha Small, Vice Chair, Place 7

CITY STAFF:

Scott Dunlop, Interim City Manager
Mandy Miller, Administrative Assistant

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

With a quorum of the Manor Planning and Zoning (P&Z) Commission present, the regular session of the Manor P&Z Commission was called to order by Chair Julie Leonard at 6:36pm on Wednesday May 11, 2022, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas

PUBLIC COMMENTS

Due to the length of the agenda, Chair Leonard requested individuals who wish to speak consolidate their comments to one item with the allowance of speaking on multiple items at one time for a length of time not to exceed 3 minutes.

No one appeared to speak at this time.

PUBLIC HEARING

- 1. Conduct a public hearing on a Rezoning Application for 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH). Applicant: SEC Planning, LLC. Owner: Manor 290 OZ Real Estate, LP.**

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Leonard opened the public hearing.

Development Services Director Dunlop gave a summary of the location and current zoning of the property. Mr. Dunlop stated no site plans have been filed with the city.

Gary with SEC Planning answered questions from the Commissions regarding the preliminary plans for this property. The site plans would possibly include hotel, box retail, frontage retail along Hwy 290 with townhomes in the back of the property. The total number of townhomes would be approximately 240 with buffers between the commercial and residential sections.

MOTION: Upon a motion made by Vice Chair Small and seconded by Commissioner Butler to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

- 2. Conduct a public hearing on a Rezoning Application for 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2). Applicant: Metcalfe, Wolff, Stuart & Williams, LLP. Owner: Dwyer Realty Companies.**

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Leonard opened the public hearing.

Katherine Nicely with Metcalfe, Wolff, Stuart & Williams, submitted a speaker card to speak in support of this item. Ms. Nicely introduced herself and informed the Commission she would be representing DD&B for this project. Ms. Nicely stated that she would like Sushil Mettka, the owner of DD&B to speak first for this item.

Sushil Mettka owner of DD&B Construction Inc. submitted a speaker card to speak in support of this item. Mr. Mettka gave a brief presentation regarding the history of DD&B Construction. He detailed the level of involvement his company has with the projects they take on to provide a very high-quality product.

Katherine Nicely with Metcalfe, Wolff, Stuart & Williams stated she reached out to the surrounding neighbors of the property for feedback including The Lions Club. She addressed questions regarding the amenities that were planned for this development.

MOTION: Upon a motion made by Commissioner Butler and seconded by Commissioner Hardeman to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

- 3. Conduct a public hearing on a Rezoning Application for 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2). Applicant: Metcalfe, Wolff, Stuart & Williams, LLP. Owner: Edward Butler.**

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Leonard opened the public hearing

Katherine Nicely with Metcalfe, Wolff, Stuart & Williams, detailed the location of the property and its relation to the Butler Manor Project. Ms. Nicely gave a presentation regarding the concept plan. (See attached)

Mark Johnson with GenCap Partners, 12750 Merit Dr., Dallas, Texas, submitted a speaker card in support of this item. Mr. Johnson answered questions about the amenities giving specific details regarding the concept of a bier garden.

Katherine Nicely answered additional questions from the commission regarding the buffering between the property being developed and the adjacent residential area.

Talley Williams with Metcalfe, Wolff, Stuart, & Williams submitted a speaker card in support of this item. She did not wish to speak; however, was available for questions.

MOTION: Upon a motion made by Commissioner Butler and seconded by Commissioner Meyer to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

- 4. Conduct a public hearing on a Rezoning Application for 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH). Applicant: Lexington Manor LLC. Owner: Lexington Manor LLC.**

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Julie Leonard opened the public hearing.

Brian Winkler, 410 Lexington St., Manor, Texas, submitted a speaker card to speak in opposition of this item. Mr. Winkler expressed his concern regarding his mother's safety, traffic increases in the area, and the financial impact to his family. He stated the most pressing concern with granting the rezoning application for the property was the history of the property owner's lack of upkeep and compliance with the City's Code.

Stacy Rowen with Lexington Manor introduced herself as the current property manager for this property. Ms. Rowen stated they have owned the property since 2019. She answered questions from the Commission regarding the plans for renovations, commercial and affordable housing.

MOTION: Upon a motion made by Vice Chair Small and seconded by Commissioner Hardeman to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

- 5. Conduct a public hearing on a Rezoning Application for 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).
*Applicant: BGE, Inc. Owner: Flintrock Office Suites, LLC.***

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Leonard opened the public hearing.

Development Services Director Scott Dunlop informed the Commission this item was slated to be postponed; however, it has been approved by the City Engineers. Mr. Dunlop gave a brief history of the property that is in the process of being annexed. Mr. Dunlop answered questions from the Commission regarding traffic flow, the restoration of the property and drainage flow for water runoff.

The Applicant, Mary Jane with BGE, Inc., answered questions about the amenities and planned layouts of the housing units proposed for this project.

MOTION: Upon a motion made by Vice Chair Small and seconded by Commissioner Butler to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

- 6. Conduct a public hearing on a Rezoning Application for 62.84 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract No. 154, and being located near the intersection of US Hwy 290 E and Old Kimbro Rd., Manor, TX to Townhome (TH) and**

Medium Commercial (C-2). Applicant: Kimley-Horn & Associates. Owner: Millcreek Residential.

Development Services Director Dunlop informed the Commission of the request to postpone this item until the June 8th P&Z Commission Regular Session.

MOTION: Upon a motion made by Vice Chair Small and seconded by Commissioner Butler to postpone this agenda item to the June 8, 2022, P&Z Commission Regular Session.

There was no further discussion.

The Motion to Postpone carried 6-0.

7. Conduct a public hearing on a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use. Applicant: JAB Engineering, LLC. Owner: Platinum 973, LLC.

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Leonard opened the public hearing.

Development Services Director Dunlop gave a brief description of this item. Mr. Dunlop detail the prior history of this applicant's requests for this property and the reason for the Specific Use request.

Joshua Baran with JAB Engineering, 4500 Williams Dr., Georgetown, Texas, submitted a speaker card to speak in support of this item. Mr. Baran presented a 3-page handout to the Commissioners. (see attached) He explained his belief of the necessity of a fueling station at this specific location. He stated he felt this would help relieve traffic issues in the area by providing an alternative to clustering at other gas stations nearby.

Ritiq Karediya, 13917 Carolina Lane, Austin, Texas, submitted a speaker card to speak in support of this item. Mr. Karediya addressed questions from the Commission regarding the restaurant types that would be inside the convenient store.

Discussion was held regarding the pathway options for the traffic going on and off the property. It was clarified there were 2 access points on 973 and 2 access points on Suncrest. The number of fueling stations and charging ports were also discussed.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Hardeman to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

8. Conduct a public hearing on a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the

intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: Carlson, Brigance & Doering, Inc. Owner: KB Home Lone Star, Inc.

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Julie Leonard opened the public hearing.

Crista Swier, 15226 N. FM 973, Manor, Texas, submitted a speaker card to speak regarding this item. Ms. Swier expressed her dissatisfaction with the printout she received that detailed the purposed development. She requested there be a better document to read for this concept plan. She listed her concerns regarding potential increase in flooding due to this development, invasion of her property that has occurred by surveyors coming onto her property and marking tress, and very little communication from the developers when emails or phone calls are made.

Chair Julie Leonard requested the applicant or owner to address the P&Z Commission to answer questions from the Commissioners and address the expressed concerns of the neighbors.

Jeff Guerrero with Carlson Brigance & Doering, introduced himself. Mr. Guerrero apologized for the delay of communication from his office due to being out of town. He addressed the comments from the audience and offered to supply a copy of the Development Agreement. He expressed his desire to work with the community to address any concerns people may have.

Discussion was held regarding the intended land use for the development that borders the neighboring properties.

MOTION: Upon a motion made by Commissioner Butler and seconded by Commissioner Hardeman to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

9. Conduct a public hearing on a Preliminary Plat for the Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: BGE, Inc. Owner: DR Horton

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Julie Leonard opened the public hearing.

Development Services Director Dunlop gave a brief description of this item. Details were given to the Commission regarding the revisions made since the original approval in November 2021 due to changes in Federal Regulations. Mr. Dunlop answered questions from the Commission.

Discussion was held regarding the purposed development of duplexes, traffic impact analysis, and possible roadway changes.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Butler to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

10. Conduct a public hearing on a Preliminary Plat for the Shadowglen Subdivision, Phase 3, Sections 1 and 2, three hundred sixty-one (361) lots on 103.73 acres, more or less, and being located near the intersection of Gregg Manor Road and Rector Loop, Manor, TX. Applicant: Kimley-Horn & Associates. Owner: SG Land Holdings, LLC.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card to speak in opposition of this item. Mr. Battaile expressed his dislike with the developer for this item. He encouraged the Commission and City of Manor to reconsider doing business with them based on their history with failing to follow through with promises made. Mr. Battaile cited examples of failing to develop the parkland, failing to provide adequate parking while restricting parking for people other than Shadowglen residents, and failing to provide items like benches for visitors to the park. He stated that he felt the park was inaccessible to anyone other than people living in the Shadowglen subdivision.

Chair Julie Leonard opened the public hearing.

Discussion was held regarding the flood plain areas, time frames of the development of walking trails, parking and the controlling entity responsible for maintaining or developing these items.

Development Services Director Dunlop answered question from the Commissioners regarding the discussed items related to this agenda item. He informed the Commission there was a request to postpone this item.

MOTION: Upon a motion made by Vice Chair Small and seconded by Commissioner Butler to postpone this agenda item.

There was no further discussion.

The Motion to Postpone carried 6-0.

11. Conduct a public hearing on a Short Form Final Plat for the Duque Estates Subdivision, one (1) lot on 10.945 acres, more or less, and being located at 15001 US Hwy 290 E, Manor, TX. Applicant: I.T. Gonzalez Engineers. Owner: Duque States, LLC.

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Julie Leonard opened the public hearing.

Development Services Director Dunlop gave a summary of the one lot subdivision located on Hwy 290 where Tahoe Boats use to be. Mr. Dunlop informed the Commission of the rezoning request for the property however no development plans has been filed yet. Mr. Dunlop answered questions from the Commission regarding transportation plans for this area.

MOTION: Upon a motion made by Commissioner Butler and seconded by Vice Chair Small to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

12. Conduct a public hearing on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

The City staff recommended that the P&Z Commission conduct a public hearing.

Chair Leonard opened the public hearing.

Development Services Director Dunlop gave a summary of the changes being made to the definitions listed in the Zoning Ordinance. Mr. Dunlop highlighted the changes to each section that would be amended within the Zoning Ordinance.

Discussion was held regarding the ability to suggest changes to the proposed amendment.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Butler to close the public hearing.

There was no further discussion.

The Motion to Close carried 6-0.

CONSENT AGENDA

13. Consideration, discussion, and possible action to approve the Planning and Zoning Commission Minutes.

- **March 9, 2022, P&Z Commission Regular Session Minutes**
- **April 13, 2022, P&Z Commission Regular Session Minutes**

MOTION: Upon a motion made by Commissioner Meyer and seconded by Vice Chair Small to accept the minutes.

There was no further discussion.

The Motion to Approve carried 6-0.

REGULAR AGENDA

14. Consideration, discussion, and possible action on a Rezoning Application for 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB). Applicant: Wenkai Chen. Owner: Wenkai Chen

Wenkai Chen, 109 W. Lane, Manor, Texas, submitted a speaker card to speak in support of this item. Ms. Wenkai answered questions from the Commission regarding the rezoning application. Discussion was held regarding the ability to accommodate 2 to 3 small businesses with a shared bathroom facility that is ADA compliant.

Discussion was held regarding the zoning of the surrounding properties. Ms. Chen informed the P&Z Commission that she was in contact with the neighbors, many of whom were businesses.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commission Butler to approve the rezoning application.

There was no further discussion.

The Motion to Approve carried 4-2. Chair Leonard and Commissioner Small opposed.

15. Consideration, discussion, and possible action on a Rezoning Application for 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2). Applicant: Duque States, LLC. Owner: Duque States, LLC.

The City staff recommended approval for the rezoning application for this item.

Development Services Director Dunlop reminded the Commissioners the public hearing was held at the prior P&Z Commission meeting. Mr. Dunlop answered questions from the Commissioners regarding the location of the property, street access and traffic flow.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Vice Chair Small to approve the rezoning application for 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

There was no further discussion.

The Motion to Approve carried 6-0

16. Consideration, discussion, and possible action on a Rezoning Application for 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH). Applicant: BGE, Inc. Owner: Lane Ave Development, LLC.

The City staff recommended approval of the rezoning application.

Development Services Director Dunlop reminded the Commissioners the public hearing was held at the prior P&Z Commission meeting. Mr. Dunlop answered questions from the Commissioners regarding the location of the property, street access and traffic flow. He clarified for the Commission this item was discretionary.

Discussion was held regarding the amount of land in relation to the number of Townhomes being purposed.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Butler to approve the rezoning application for 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).

There was no further discussion.

The Motion to Approve carried 5-1. Commissioner Wissman opposed.

17. Consideration, discussion, and possible action on a Rezoning Application for 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH). Applicant: SEC Planning, LLC. Owner: Manor 290 OZ Real Estate, LP

Development Services Director Dunlop gave a summary of the roadway improvements in the area that are currently in process. Parkland, in lieu fee, and open space requirement details were given to the Commission. The improvement to the flooding issues and traffic routes on the major thoroughfares were also discussed.

MOTION: Upon a motion made by Commissioner Hardeman and seconded by Vice Chair Small to approve the rezoning application for 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH)

There was no further discussion.

The Motion to Approve carried 5-1. Commissioner Meyer opposed.

18. Consideration, discussion, and possible action on a Rezoning Application for 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2). Applicant: Metcalfe, Wolff, Stuart & Williams, LLP. Owner: Dwyer Realty Companies.

The City staff recommended approval of this rezoning application.

Development Services Director Dunlop detailed the roadway improvement that will be required for this development. Requirements for a Traffic Impact Analysis (TIA) were given to the Commission.

Talley Williams with Metcalfe, Wolff, Stuart, & Williams address the Commission regarding the TIA. This project is part of the Las Entradas Development Agreement. The Development Agreement outlined road improvements including the building of new road.

Katherine Nicely with Metcalfe, Wolff, Stuart, & Williams answered questions from the Commission. Ms. Nicely confirmed the property would be gated.

MOTION: Upon a motion made by Commissioner Butler and seconded by Commissioner Hardeman to approve the rezoning application for 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2)

There was no further discussion.

The Motion to Approve carried 5-1. Commissioner Wissman opposed.

Vice Chair Small excused herself from the dais at 8:50 pm. She gave notice prior to the meeting of a mandatory work obligation starting at 9 p.m.

19. Consideration, discussion, and possible action on a Rezoning Application for 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH). Applicant: Lexington Manor LLC. Owner: Lexington Manor LLC.

Development Services Director gave a summary of this item.

The City Staff is recommending approval of the rezoning application for this item.

Discussion was held by the Commission regarding the plans for this property if the rezoning application was approved. The subject of the number of units for this lot was considered.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Wissman to deny the rezoning application for 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH). Applicant: Lexington Manor LLC. Owner: Lexington Manor LLC.

There was no further discussion.

The Motion to Deny carried 3-2. Commissioner Meyer and Commissioner Butler opposed.

20. Consideration, discussion, and possible action on a Rezoning Application for 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH). Applicant: BGE, Inc. Owner: Flintrock Office Suites, LLC.

Development Services Director Dunlop clarified that this item had the public hearing earlier in the meeting; the postponement was no longer needed. Mr. Dunlop reminded the Commissioners that this item is near Carriage Hills.

Discussion was held by the Commission with concerns expressed on the subject of the number of units for this property due to the increase of traffic on Old Hwy 20.

MOTION: Upon a motion made by Commissioner Hardeman and seconded by Commissioner Meyer to approve the rezoning application for 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH). Applicant: BGE, Inc. Owner: Flintrock Office Suites, LLC.

There was no further discussion.

The Motion to Approve carried 3-2. Chair Leonard and Commissioner Wissman opposed.

21. Consideration, discussion, and possible action on a Rezoning Application for 62.84 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract No. 154, and being located near the intersection of US Hwy 290 E and Old Kimbro Rd., Manor, TX to Townhome (TH) and Medium Commercial (C-2). Applicant: Kimley-Horn & Associates. Owner: Millcreek Residential.

Development Services Director stated this item was requested to be postponed.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Wissman to postpone this item until the June 8, 2022, P&Z Regular Session.

There was no further discussion.

The Motion to Postpone carried 5-0.

22. Consideration, discussion, and possible action a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use. Applicant: JAB Engineering, LLC. Owner: Platinum 973, LLC.

The City staff recommended approval of the Specific Use Permit Application.

MOTION: Upon a motion made by Commissioner Wissman and seconded by Commissioner Butler to approve the Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use. Applicant: JAB Engineering, LLC. Owner: Platinum 973, LLC.

There was no further discussion.

The Motion to Approve carried 5-0.

23. Consideration, discussion, and possible action on a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: Carlson, Brigrance & Doering, Inc. Owner: KB Home Lone Star, Inc.

The City staff recommended approval of this Concept Plan.

Development Services Director Dunlop gave a brief description of the Concept Plan. Mr. Dunlop reminded the Commission that this item involved a subdivision, therefore, was a non-discretionary item.

The Commissioners voiced their agreement with the map layout that was brought up by Ms. Swier earlier in the meeting.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Butler to approve the Concept Plan for the KB Homes Subdivision with reservations.

There was no further discussion.

The Motion to Approve with Reservations carried 5-0.

24. Consideration, discussion, and possible action on a Preliminary Plat for the Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: BGE, Inc. Owner: DR Horton.

Development Services Director gave a brief recap of this item.

The City staff recommended approval of the Preliminary Plat for the Palomino Subdivision.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Butler to approve the Preliminary Plat for the Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.

There was no further discussion.

The Motion to Approve with Reservations carried 5-0.

25. Consideration, discussion, and possible action on a Preliminary Plat for the Shadowglen Subdivision, Phase 3, Sections 1 and 2, three hundred sixty-one (361) lots on 103.73 acres, more or less, and being located near the intersection of Gregg Manor Road and Rector Loop, Manor, TX. Applicant: Kimley-Horn & Associates. Owner: SG Land Holdings, LLC.

Development Services clarified this item will be going back through Engineering approval due to changes in Federal Guidelines.

The City staff recommended that the P&Z Commission postpone this item until the new approval from the City Engineer has been received.

MOTION: Upon a motion made by Commissioner Butler and seconded by Commissioner Wissman to postpone the Preliminary Plat for Shadowglen Subdivision, Phase 3, Section 1 and 2.

There was no further discussion.

The Motion to Postpone until new approval from Engineers carried 5-0.

26. Consideration, discussion, and possible action on a Short Form Final Plat for the Duque Estates Subdivision, one (1) lot on 10.945 acres, more or less, and being located at 15001 US Hwy 290 E, Manor, TX. Applicant: I.T. Gonzalez Engineers. Owner: Duque States, LLC.

The City staff recommended that the P&Z Commission Deny per Engineer Comments for the Duque Estates Subdivision.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Butler to deny the Short Form Final Plat for the Duque Estates Subdivision, one (1) lot on 10.945 acres, more or less, and being located at 15001 US Hwy 290 E, Manor, TX. Applicant: I.T. Gonzalez Engineers. Owner: Duque States, LLC. Due to Engineering Comments.

There was no further discussion.

The Motion to Deny carried 5-0.

27. Consideration, discussion, and possible action on a Final Plat for Manor Heights Phase 3, Section 1, being one hundred fifty (150) lots and being located near the intersection of US Hwy 290 E and Old Kimbro Road, Manor, TX. Applicant: Kimley-Horn & Associates. Owner: Forestar (USA) Real Estate Group, Inc.

The City staff recommended approval of the Final Plat for Manor Heights Phase 3, Section 1.

Development Services Director Dunlop answered questions from the Commission regarding the Final Plat for Manor Heights, Phase 3 regarding prior approvals by the Commission.

MOTION: Upon a motion made by Commission Butler and seconded by Commissioner Hardeman to approve the Final Plat for Manor Heights Phase 3, Section 1, being one hundred fifty (150) lots and being located near the intersection of US Hwy 290 E and Old Kimbro Road, Manor, TX.

There was no further discussion.

The Motion to Approve carried 5-0.

28. Consideration, discussion, and possible action on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

MOTION: Upon a motion made by Commission Meyer and seconded by Chair Leonard to amend the Section 5 setback for 4-story buildings to increase 80 feet setback to 100 feet setback.

The Motion to Amend the Amendment to change 80 feet setback to 100 feet setback carried 5-0.

Discussion was held by the Commission regarding the changes that were in the Zoning Ordinance Amendment. Concerns for the quality of living for the neighbors who live next to a 4-story building. Commissioners expressed their appeal for the way of life in Manor that may be affected by the changes proposed. The pros and cons of increasing the height and number of stories allowed was discussed in detail by the Commissioners. Amendment alternatives were suggested.

MOTION: Upon a motion made by Commission Wissman and seconded by Chair Leonard to completely strike Section 5 of the Zoning Ordinance Amendment.

The Motion to Strike Section 5 changes carried 4-1. Commissioner Meyer opposed.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Hardeman to recall / cancel the previous amendment changing the setbacks from 80 to 100.

The Motion to recall the setback amendment carried 4-1. Commissioner Meyer opposed.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Butler to approve the Zoning Ordinance Amendment as presented except for striking Section 5.

There was no further discussion

The Motion to Approve the Zoning Ordinance Amendment as presented with the Strike to Section 5 carried 5-0

EXECUTIVE SESSION

The 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 551.087, Texas Government Code, Texas Disciplinary Rules of Professional Conduct to deliberate Economic Development Negotiations regarding real property located at the intersection of FM 973 and US Hwy 290 East at 9:20 p.m. on Wednesday, May 11, 2022.

The Executive Session was adjourned at 9:51 p.m.

OPEN SESSION

The Planning and Zoning Commission reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on the item discussed during Closed Executive Session at 9:51 p.m.

Chair Leonard informed the audience that the Commission had additional questions pertaining to Item #29 on the agenda before taking any action.

There was no action taken at this time.

REGULAR AGENDA

29. Consideration, discussion, and possible action on a Rezoning Application for 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2). Applicant: Metcalfe, Wolff, Stuart & Williams, LLP. Owner: Edward Butler.

Mark Johnson with GenCap Partners address questions from the Commission regarding the number of units planned for this project. He stated there were a total of 589 units. He stated they were not willing at this time to reduce the total number of units or consider a lesser zoning of MF-1.

The Commission expressed their concerns regarding a planned development of this size.

Katherine Nicely with Metcalfe, Wolff, Stuart, & Williams outlined for the Commission the amenities scheduled for this project, cost of development, and the additional funding for road and traffic improvements that play part in the number of units they have chosen. Reduction in the number of units would be impossible with the current plans. Ms. Nicely informed the Commission of some of the concessions made for this project due to the surrounding neighbors.

Development Services Director Dunlop outlined some of the positive outcomes for the citizens of Manor like the amount of parkland fees that would be collected over the course of the project.

Discussion was held regarding the phased-in development of the planned development. Time frames of each phase with improvements at each phase was reviewed.

MOTION: Upon a motion made by Chair Leonard and seconded by Commissioner Butler to approve the rezoning application for 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

There was no further discussion.

The Motion to Approve carried 4-1. Commissioner Wissman opposed.

ADJOURNMENT

MOTION: Upon a motion made by Commissioner Hardeman and seconded by Commissioner Butler to adjourn the regular session of the P&Z Commission at 10:05 p.m. on Wednesday, May 11, 2022.

There was no further discussion.

Motion to adjourn carried 5-0

These minutes approved by the P&Z Commission on the 13th day of July 2022.

APPROVED:

Julie Leonard
Chairperson

ATTEST:

Scott Dunlop
Development Services Director