



**PLANNING AND ZONING COMMISSION
REGULAR SESSION MINUTES
APRIL 10, 2024**

This meeting was live streamed on Manor's YouTube Channel at:
<https://www.youtube.com/@cityofmanorsocial/streams>

PRESENT:

COMMISSIONERS:

Felix Paiz, Chair, Place 4
Prince Chavis, Vice Chair, Place 2
Julie Leonard, Place 1
Cresandra Hardeman, Place 3 (Absent)
Celestine Sermo, Place 5 (Absent)
Cecil Meyer, Place 6
Jim Terry, Place 7 (Absent)
Gabriel Nila, Alternate No. 1
Gabrielle Orion, Alternate No. 2

CITY COUNCIL:

Sonia Wallace, Council Member, Place 4
Aaron Moreno, Council Member, Place 5

CITY STAFF:

Scott Dunlop, Development Services Director
Mandy Miller, Development Services Supervisor
Officer Goodman

REGULAR SESSION: 6:30 P.M.

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

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 Paiz at 6:38 p.m. on Wednesday, April 10, 2024, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

Chair Paiz requested Alternate P&Z Commissioner Nila join the Commissioners on the dais in the position of Place 5. Chair Paiz requested Alternate P&Z Commissioner Orion join the Commissioners on the dais in the position of Place 3.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card to speak during public comments regarding his concerns. Mr. Battaile spoke regarding his Tubman mural and American Tribal ideas for the Art Park. He gave suggestions for the use of park and H.O.T Funds.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card to speak regarding Agenda Item No. 7, 8, 9, 12, and 13. Mr. Battaile expressed his opposition for townhomes near the cemetery. He stated his desire to see plazas in all commercial development over 10 acres. He criticized the policies and guidelines for meeting procedures. He suggested creating a handbook for Commissioners. He voiced his opposition to the development in downtown and the City's Comprehensive Plan. Mr. Battaile spoke regarding the Ethics Committee and the power of the Commission.

PUBLIC HEARING

- 1. Conduct a public hearing on Rezoning Application for two (2) lots on 12.627 acres, more or less, and being located at 13105 FM 1100, Manor, TX from Agricultural (A) to Medium Commercial (C-2).** Applicant: Professional StruCIVIL Engineers Inc. Owner: Najib Wehbe.

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

Chair Paiz opened the public hearing.

Najib Wehbe with Wehbe Properties, 5808 Balcones Drive, Austin, Texas, submitted a speaker card in support of this item. Mr. Wehbe did not wish to speak; however, he was available for any questions.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card to speak on this item. He suggested requiring a plaza for this development due to the amount of acreage. He referenced the HEB development and their planned amenities.

Director Dunlop summarized the location, zoning, and annexation history of this property. He gave details of the specific use permit request associated with this request. He stated this zoning request was consistent with the other zoning types along the 290 corridor.

Discussion was held concerning the number of businesses that could occupy this size property. Traffic flow and potential job creation was considered. Director Dunlop spoke regarding the floodplain areas, the land not being utilized, and the purposed plans that involved a couple acres at the corner of the property. He explained the possible need to replat the property and detailed the zonings of the nearby properties.

Concerns were expressed regarding the homes in the area. Daryl Swenson, 1120 W. Lovers Lane, Arlington, Texas, responded to questions about the homes in the area.

Mirra Tahir Balg with PSCE, Inc., 2205 W. Parmer Lane, Austin, Texas, submitted a speaker card in support of this item. He specified that he was the Civil Engineer for this development. Mr. Balg confirmed the house at the corner of the lot would be demolished.

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

There was no further discussion.

Motion to Close carried 6-0.

- 2. Conduct a public hearing on a Specific Use Request for one (1) lot on 1.273 acres, more or less, and being located at 13105 FM 1100, Manor, TX to allow for a that includes a 14,020sf general retail / Mexican market building, six MPDs, three diesel MPDs, and associated parking and drive aisles.** Applicant: Professional StruCIVIL Engineers Inc. Owner: Najib Wehbe.

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

Chair Paiz opened the public hearing.

Najib Wehbe with Wehbe Properties, 5808 Balcones Drive, Austin, Texas, submitted a speaker card in support of this item. Mr. Wehbe did not wish to speak; however, he was available for any questions.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card to speak on this item. He questioned why this gas station did not have electrical charging ports. He suggested not allowing overnight parking of big commercial trucks on the lot.

Darly Swenson, 1120 W. Lovers Lane, Arlington, Texas, submitted a speaker card to speak in opposition to this item. He voiced concerns for FM 1100 being narrow with no shoulders. He stated that he felt the amount and type of traffic this development would draw would cause significant deuteriation of the roads around the property. Mr. Swenson expressed additional concerns for the dangerous conditions the vehicles entering and exiting the property would create on US Hwy 290. He stated that he could not support this type of development without major roadway improvements on FM 1100 and deceleration lanes on US Hwy 290.

Director Dunlop gave detailed description of the site plan that has been submitted for this development. He reviewed the distance between fueling stations along this area of US Hwy 290. He explained the varied options for the site layout. He spoke regarding TXDOT involvement and the potential traffic impact analysis that may be required for this project.

Discussion was held regarding the need for road improvements.

Mirra Tahir Balg with PSCE, Inc., 2205 W. Parmer Lane, Austin, Texas, submitted a speaker card in support of this item. Mr. Tahir stated they were pending TXDOT decision on the TIA requirements; however, they plan to comply with any TXDOT recommendations. They are providing parking for electrical vehicles and have a future plan of providing charging stations. There were spaces dedicated for fueling only for the big trucks but not for overnight parking. Mr. Tahir stated this project was still in the concept plan stages and confirmable details would be worked out in the site plan stages.

Discussion was held regarding the layout of the pumps. Safety was a consideration for the vehicles entering and exiting parking spaces conflicting with the travel flow of vehicles exiting the pumping station areas. Director Dunlop explained the recommendations that could be imposed.

Concerns were raised regarding the developer not making any traffic flow and roadway improvements if a TIA is not required by TXDOT.

Discussion was held regarding the number of gas stations verses the population in the area. Director Dunlop stated that he was not aware of any metrics related to this, however, the need for gas stations are usually determined by the amount of traffic in the area and not population.

Consideration was given to the number of electrical charging stations in the area and the future need to provide this resource. Director Dunlop confirmed charging stations in the area were limited.

Mr. Tahir answered questions regarding the amount of land being used for this project and the future plans for the remaining acreage. He explained a large portion of the property was in a floodplain. He stated there were no future plans for development on the remaining portion of the property at this time.

Mr. Tahir spoke regarding the TIA for this project. He stated he had other similar projects in Manor and a TIA with improvements were required. He would be expected the same outcome for this project. He confirmed that the owner would be willing to add charging stations to the layout.

The commissioners requested the site plan and TIA from the other gas station project by this developer. Director Dunlop stated the other project was the Mini-Max with Carwash. He answered questions regarding the Mini-Max and the improvements related to the project.

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

There was no further discussion.

Motion to Close carried 6-0.

- 3. Conduct a public hearing on a Rezoning Application for one lot (1) lot on .23 acres, more or less, being Lot 6A, Block 1, Town of Manor, and being located at 707 Bastrop St, Manor, TX from Single-Family Suburban (SF-1) to Two-Family Residential (TF). Applicant: Savvy ATX Realty, LLC. Owner: Wenkai Chen.**

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

Chair Paiz opened the public hearing.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card to speak on this item. He spoke regarding the alleyway related to this item and others within the historic downtown area. He voiced his opposition to any townhomes or apartment complexes being allowed in the historic areas. He expressed his desire to preserve the history of Manor through the development that is allowed.

Director Dunlop stated summarized the history of this request. He reminded the commissioners that this request was recommended for denial last year due to fire safety concerns related to the back duplex. He stated the owner has since revised the conceptional layout and structure to be more accommodating to these concerns.

Discussion was held regarding the garage access being through the alleyway. Director Dunlop explained the use of the alleyway and answered questions regarding alleyway and encroachments into the alleyway by the neighboring property. He verified parking spaces were adequate.

Discussion was held regarding the differences between this submittal and the prior on that was recommended for denial.

Wenkai Chen, 1132 Northwestern Avenue, Unit A, Austin, Texas, submitted a speaker card in support of this item. Ms. Chen answered questions from the Commissioners. She confirmed the structure was reduced to allow more space for emergency vehicles which was verified with the Fire Department. Ms. Chen stated the duplex was the only viable option for development because 2 singular homes were not permissible by the current Manor Code of Ordinance.

Discussion was held regarding the price points for rent or sales. Ms. Chen stated price points have not been decided. She reviewed the cost of building the residential structures. She confirmed she would build and then sale. Sale price would depend on market value once they are built out but would be approximately 15 to 20 percent markup from build cost.

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

There was no further discussion.

Motion to Close carried 6-0.

4. Conduct a public hearing on a Subdivision Short Form Final Plat for Sanchez Acres, one (1) lot on 7.99 acres, more or less, and being located at 14614 Bois D’Arc Lane, Manor TX.

Applicant: Radius Civil Engineering. Owner: Maleny Sanchez

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

Chair Paiz opened the public hearing.

Tim Jackson, 14627 Bois D’Arc Lane, Manor, Texas, submitted a speaker card to speak in support of this item. He stated he was unaware of this development. He expressed concerns about the current tax exemptions for his own property located near this area and how this would impact his exemptions.

Director Dunlop explained this item would allow the owner to create a single legal lot out of the two lots for the property. He stated the owner was setting aside right of way dedication which would allow future roadway improvement on Bois D’Arc. The property is located in Manor’s ETJ; however, it is being reviewed to ensure it conforms with Manor’s Subdivision Code. Director Dunlop reiterated that the plat was to combine 2 (two) lots into 1 (one) lot and that the City of Manor could not regulate land use due to the property being outside of the City Limits.

Discussion was held regarding the required approval and the types of conditions that could be imposed. Director Dunlop explained conditions would be limited to items like right of ways or easements because we do not regulate land use in our ETJ. Director Dunlop explained property exemptions would be outside the scope of the City’s jurisdictional control. Exemptions for any individual property would be determined, implemented, and controlled by the Central Appraisal District.

Discussion was held regarding the owner not being present.

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

There was no further discussion.

Motion to Close carried 6-0.

- 5. Conduct a public hearing on a Subdivision Short Form Final Plat for Las Entradas North Section 3, one (1) lot on 6.8 acres, more or less, and being located at the northwest corner of the intersection of US HWY 290 and Tillgang Pass, Manor, TX.** Applicant: Kimley Horn. Owner: LVE Las Entradas Reg, LP.

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

Chair Paiz opened the public hearing.

Director Dunlop gave a summary for this item. He explained the location and current zoning.

Jonathan Sosebee with Kimley Horn, 10814 Jollyville Road, Austin, Texas, submitted a speaker card in support of this item. Mr. Sosebee answered questions regarding the expected commercial use for this property. He stated that it was currently undecided. They plan to lease out the space but were still in the early stages of the development.

It was suggested for future submissions to provide better renderings for the proposed use and site location maps. Complaints were given regard trying to figure out what the project could potentially look like and the locate of the property.

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

There was no further discussion.

Motion to Close carried 6-0.

CONSENT AGENDA

- 6. Consideration, discussion, and possible action to approve the minutes for the March 13, 2024, Planning and Zoning Commission Regular Session.**

MOTION: Upon a motion made by Commissioner Leonard and seconded by Commissioner Meyer to approve the consent agenda with corrections to the vote on item #5 and #7.

There was no further discussion.

Motion to Approve carried 6-0.

REGULAR AGENDA

- 7. Consideration, discussion, and possible action on Rezoning Application for two (2) lots on 12.627 acres, more or less, and being located at 13105 FM 1100, Manor, TX from Agricultural (A) to Medium Commercial (C-2).** Applicant: Professional StruCIVIL Engineers Inc. Owner: Najib Wehbe.

City Staff recommended that the P&Z Commission approve the Rezoning Application for two (2) lots on 12.627 acres, more or less, and being located at 13105 FM 1100, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

Director Dunlop answered questions regarding the scope of this request. He reiterated this item was just for the zoning request.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Nial to approve the Rezoning Application for two (2) lots on 12.627 acres, more or less, and being located at 13105 FM 1100, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

There was no further discussion.

Motion to Approve carried 4-2. Opposed by Commissioner Leonard and Commissioner Orion.

8. Consideration, discussion, and possible action on a Specific Use Request for one (1) lot on 1.273 acres, more or less, and being located at 13105 FM 1100, Manor, TX to allow for a that includes a 14,020sf general retail / Mexican market building, six MPDs, three diesel MPDs, and associated parking and drive aisles. Applicant: Professional StruCIVIL Engineers Inc. Owner: Najib Wehbe.

City Staff recommended that the P&Z Commission discuss the site layout, commercial/tractor-trailer overnight parking, and any other site requirements then approve a Specific Use Request for one (1) lot on 1.273 acres, more or less, and being located at 13105 FM 1100, Manor, TX to allow for a that includes a 14,020sf general retail / Mexican market building, six MPDs, three diesel MPDs, and associated parking and drive aisles.

Commissioner Orion recapped the previously stated concerns stating she was in agreeance with the issues with this project.

Commissioner Leonard stated Manor residents have expressed their desire to see commercial retail that is not just another gas station which she felt should be considered. Consideration was given to EV Station. Displeasure with the diesel portion of the project was expressed.

Vice Chair Chavis wanted to see some of the concerns addressed before making any decisions regarding this request. He clarified that he wanted to make sure the development was in the best interest of not only Manor but also the residents in the area near this development before moving forward.

Commissioner Nila was in favor of adding the EV Stations as requirement and voiced his support of having a one-stop shopping experience available to travels entering Manor. He stated that he felt that would be a better way to capitalize on the amount of tax revenue available from a business like this.

Commissioner Leonard expressed concerns for the overnight stays. She stated that if approved, no overnight parking needed to be a required condition.

Discussion was held regarding the potential safety and crime aspects of this development for the nearby neighborhood if limitations were not put in place. Other businesses that offer the same or similar services that were close by to this development were considered.

Director Dunlop answered questions regarding TIAs. He explained TIAs as part of a site plan would be handled administratively. Any discretionary actions occur during the zoning and specific use permit portion of the development. He clarified that the Commission had the ability to postpone this item and request additional information.

Additional discussion was held regarding a TIA for this development. Director Dunlop cautioned that TXDOT may not require a TIA. He clarified that this development included 2 diesel and 6 gas fueling stations which are double-sided.

Suggestions were made to limit truck access to the property making sure they did not exit onto FM 1100.

MOTION: Upon a motion made by Commissioner Leonard and seconded by Commissioner Orion to postpone this item pending a response from TXDOT regarding a TIA recommendation. It was also recommended to the developer to make the following changes: (1) rotate pumps 90 degree to assist with traffic safety, (2) decrease or remove diesel pumps, (3) add EV Charging Stations, and (4) make stipulations of No Overnight Parking part of the Specific Use Permit request.

There was no further discussion.

Motion to Approve carried 5-1. Opposed by Commissioner Nila

9. Consideration, discussion, and possible action on a Rezoning Application for one lot (1) lot on .23 acres, more or less, being Lot 6A, Block 1, Town of Manor, and being located at 707 Bastrop St, Manor, TX from Single-Family Suburban (SF-1) to Two-Family Residential (TF). Applicant: Savvy ATX Realty, LLC. Owner: Wenkai Chen.

City Staff recommended that the P&Z Commission approve the Rezoning Application for one lot (1) lot on .23 acres, more or less, being Lot 6A, Block 1, Town of Manor, and being located at 707 Bastrop St, Manor, TX from Single-Family Suburban (SF-1) to Two-Family Residential (TF).

Director Dunlop recapped this item. He stated this request complies with the Comprehensive Plan.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Leonard to deny the Rezoning Application for one lot (1) lot on .23 acres, more or less, being Lot 6A, Block 1, Town of Manor, and being located at 707 Bastrop St, Manor, TX from Single-Family Suburban (SF-1) to Two-Family Residential (TF).

Director Dunlop requested clarification on the reason for the denial. He stated he would need the information for the purpose of notifying City Council. Commissioner Meyer stated he did not feel this type of development was appropriate for this lot.

There was no further discussion.

Motion to Approve carried 5-1. Opposed by Commissioner Nila

10. Consideration, discussion, and possible action on a Subdivision Short Form Final Plat for Sanchez Acres, one (1) lot on 7.99 acres, more or less, and being located at 14614 Bois D'Arc Lane, Manor TX. Applicant: Radius Civil Engineering. Owner: Maleny Sanchez.

City Staff recommended that the P&Z Commission approve the Subdivision Short Form Final Plat for Sanchez Acres, one (1) lot on 7.99 acres, more or less, and being located at 14614 Bois D'Arc Lane, Manor TX.

MOTION: Upon a motion made by Commissioner Leonard and seconded by Commissioner Meyer to approve the Subdivision Short Form Final Plat for Sanchez Acres, one (1) lot on 7.99 acres, more or less, and being located at 14614 Bois D'Arc Lane, Manor TX

There was no further discussion.

Motion to Approve carried 6-0.

11. Consideration, discussion, and possible action on a Subdivision Short Form Final Plat for Las Entradas North Section 3, one (1) lot on 6.8 acres, more or less, and being located at the northwest corner of the intersection of US HWY 290 and Tillgang Pass, Manor, TX. Applicant: Kimley Horn. Owner: LVE Las Entradas Reg, LP.

City Staff recommended that the P&Z Commission approve the Subdivision Short Form Final Plat for Las Entradas North Section 3, one (1) lot on 6.8 acres, more or less, and being located at the northwest corner of the intersection of US HWY 290 and Tillgang Pass, Manor, TX.

Director Dunlop gave a recap for this item.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Nila to approve the Subdivision Short Form Final Plat for Las Entradas North Section 3, one (1) lot on 6.8 acres, more or less, and being located at the northwest corner of the intersection of US HWY 290 and Tillgang Pass, Manor, TX.

There was no further discussion.

Motion to Approve carried 6-0.

12. Consideration, discussion, and possible action on a Final Plat for the Shadowglen Subdivision Phase 3, Section 1, one hundred and ninety-nine (199) lots on 58.39 acres, more or less, and being located near the intersection of Rector Loop and Fuchs Grove, Manor, Texas. Applicant: Kimley-Horn. Owner: Meritage Homes of Texas, LLC.

City Staff recommended that the P&Z Commission approve the Final Plat for the Shadowglen Subdivision Phase 3, Section 1, one hundred and ninety-nine (199) lots on 58.39 acres, more or less, and being located near the intersection of Rector Loop and Fuchs Grove, Manor, Texas.

Director Dunlop gave a summary for this item. He stated this item has been approved by the City Engineer.

MOTION: Upon a motion made by Commissioner Leonard and seconded by Commissioner Nila to approve Final Plat for the Shadowglen Subdivision Phase 3, Section 1, one hundred and ninety-nine (199) lots on 58.39 acres, more or less, and being located near the intersection of Rector Loop and Fuchs Grove, Manor, Texas.

There was no further discussion.

Motion to Approve carried 6-0.

13. Consideration, discussion, and possible action on next step items from the February 13, 2024, Planning and Zoning Commission Workshop.

City Staff recommended that the P&Z Commission discuss next step items from the February 13, 2024, Planning and Zoning Commission Workshop.

Director Dunlop spoke regarding this item. He stated he included information in the backup that was requested by the Commission. It was placed on the agenda mainly to get instruction and direction from the Commissioners on how they would like to proceed with the items discussed during the last workshop.

Director Dunlop recapped his notes from the workshop which included review of the zoning application procedures, subdivision code, parkland dedication requirements, and instituting rules, procedures, and policies similar to what is used by City Council. A copy of the City Council Rules of Procedure was provided in the agenda packet.

Director Dunlop requested any additional information they would like to review. He wanted suggestions on how to proceed regarding these reviews whether it be in a regular meeting or in a special called workshop.

Discussion was held regarding having separate workshops quarterly to review these types of items.

The Commissioners deliberated on ways to create a generalized Rules of Procedure for the Commission, Boards, and Committees. Meeting dates and times were considered.

Chair Paiz suggested sending out meeting survey with different times and dates to poll on which dates would be best.

Vice Chair Chavis stated that he would like to review the information the City Secretary has on file from other cities about the policy and guidelines of their Committees, Commissions and Boards. He stressed the necessity of having a clear plan or agenda for the meeting so the meeting can be more productive. He stated his desire to investigate the sections of code related to Committees as well.

Chair Paiz voiced his agreement with Vice Chair Chavis's thoughts.

There was no further discussion.

No Action Taken at this time.

ADJOURNMENT

MOTION: Upon a motion made by Vice Chair Chavis and seconded by Commissioner Leonard to adjourn the Regular Session of the Manor P&Z Commission at 9:17 p.m. on Wednesday, April 10, 2024.

There was no further discussion.

Motion to Adjourn carried 6-0.

These minutes were approved by the Planning and Zoning Commission on the 8th day of May 2024.

APPROVED:

Felix Paiz
Chairperson

ATTEST:

Mandy Miller
Development Services Supervisor