



Dr. Christopher Harvey, Mayor
Emily Hill, Mayor Pro Tem, Place 1
Anne Weir, Place 2
Maria Amezcua, Place 3
Sonia Wallace, Place 4
Aaron Moreno, Place 5
Vacant, Place 6

City Council Regular Meeting

Wednesday, May 18, 2022 at 7:00 PM

Manor City Hall, Council Chambers, 105 E. Eggleston St.

AGENDA

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three (3) minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please complete the white card and present it to the City Secretary prior to the meeting. No Action May be Taken by the City Council During Public Comments.

PUBLIC HEARINGS

- 1. Conduct a public hearing on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
- 2. Conduct a public hearing on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director

- 3. Conduct a public hearing on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
- 4. Conduct a public hearing on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
- 5. Conduct a public hearing on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
- 6. Conduct a public hearing on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
- 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
Submitted by: Scott Dunlop, Development Services Director
- 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.
Submitted by: Scott Dunlop, Development Services Director

9. **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.**
Submitted by: Scott Dunlop, Development Services Director
10. **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
Submitted by: Scott Dunlop, Development Services Director
11. **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
Submitted by: Scott Dunlop, Development Services Director
12. **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
Submitted by: Scott Dunlop, Development Services Director
13. **Conduct a public hearing on an ordinance annexing 14.45 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.**
Submitted by: Scott Dunlop, Development Services Director

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

14. Consideration, discussion, and possible action to approve the City Council Minutes.

Submitted by: Lluvia T. Almaraz, City Secretary

- **May 4, 2022, City Council Workshop – Charter Review; and**
- **May 4, 2022, City Council Regular Meeting**

15. Consideration, discussion, and possible action on the acceptance of the April 2022 Departmental Reports.

Submitted by: Scott Moore, City Manager

- **Economic Development – Scott Jones, Economic Development Director**
- **Development Services – Scott Dunlop, Development Services Director**
- **Community Development – Debbie Charbonneau, Heritage and Tourism Manager**
- **Police – Ryan Phipps, Chief of Police**
- **Municipal Court – Sarah Friberg, Court Clerk**
- **Public Works – Michael Tuley, Director of Public Works**
- **Finance – Lydia Collins, Director of Finance**
- **Human Resources – Tracey Vasquez, HR Manager**
- **IT – Phil Green, IT Director**

EXECUTIVE SESSION

The City Council will now Convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in:

- Sections 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Butler FM 973/Hwy 290 mixed use development;

- Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding the Agreement Regarding Wastewater Easement; and

- Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding the Interlocal Agreement for Fire Code Enforcement Services between the City of Manor and Travis County Emergency Services District No. 12;

OPEN SESSION

The City Council will now reconvene 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.

REGULAR AGENDA

16. **Consideration, discussion, and possible action on the Agreement Regarding Wastewater Easement for Lot 4, Block 55, Town of Manor located in Travis County, Texas.**
Submitted by: Scott Dunlop, Development Services Director
17. **Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
18. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
19. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
20. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director

21. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 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 Steet, Manor TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).
Applicant: Metcalfe, Wolff, Stuart & Williams, LLP
Owner: Dwyer Realty Companies
Submitted by: Scott Dunlop, Development Services Director

22. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director

23. 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
Submitted by: Scott Dunlop, Development Services Director

24. 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, Brigance & Doering, Inc.
Owner: KB Home Lone Star, Inc.
Submitted by: Scott Dunlop, Development Services Director

25. **First Reading:** 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.
Submitted by: Scott Dunlop, Development Services Director

26. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director

27. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
28. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 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
Submitted by: Scott Dunlop, Development Services Director
29. **First Reading: Consideration, discussion, and possible action on an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.**
Submitted by: Scott Dunlop, Development Services Director
30. **Consideration, discussion, and possible action on a resolution authorizing the City to apply and/or enter into an agreement with Travis County to participate in the Travis County Urban County CDBG Program for Fiscal Year 2023.**
Submitted by: Scott Moore, City Manager
31. **Consideration, discussion, and possible action of items relating to May 7, 2022, City of Manor Special Election.**
Submitted by: Lluvia T. Almaraz
- **Canvass of the Election Returns for the City Council Special Election**
32. **Consideration, discussion, and possible action on an ordinance declaring the results of May 7, 2022, City of Manor Special Election.**
Submitted by: Lluvia T. Almaraz

EXECUTIVE SESSION

The City Council will now Convene 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 a Notice of Claim regarding an incident dated November 5, 2021; and

- Section 551.074 (Personnel Matters) to discuss duties of the City Manager

OPEN SESSION

The City Council will now reconvene 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.

ADJOURNMENT

In addition to any executive session already listed above, the City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices) and §551.087 (Deliberations regarding Economic Development Negotiations).

CONFLICT OF INTEREST

In accordance with Section 12.04 (Conflict of Interest) of the City Charter, "No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest."

Further, in accordance with Chapter 171, Texas Local Government Code (Chapter 171), no City Council member and no City officer may vote or participate in discussion of a matter involving a business entity or real property in which the City Council member or City officer has a substantial interest (as defined by Chapter 171) and action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the general public. An affidavit disclosing the conflict of interest must be filled out and filed with the City Secretary before the matter is discussed.

POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, May 13, 2022, by 5:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Lluvia T. Almaraz, TRMC
City Secretary for the City of Manor, Texas

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at 512.272.5555 or e-mail lalmaraz@cityofmanor.org