



**PLANNING AND ZONING COMMISSION
REGULAR SESSION MINUTES
MARCH 8, 2023**

PRESENT:

COMMISSIONERS:

LaKesha Small, Chair, Place 7
Felix Paiz, Vice Chair, Place 4
Julie Leonard, Chair, Place 1
Anthony Butler, Place 2 (Absent)
Cresandra Hardeman, Place 3 (Absent)
Vacant, Place 5
Cecil Meyer, Place 6

CITY STAFF:

Scott Dunlop, Development Services Director
Mandy Miller, Permit Technician
Michael Pachnick, IT Technician

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 Small at 6:43 p.m. on Wednesday, March 8, 2023, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card to speak during public comment. Mr. Battaile spoke regarding his concerns about the historical district of Manor. He expressed his displeasure with the townhome development near the cemetery and the layout for growth within the Comprehensive Plan.

Mr. Battaile also spoke regarding Agenda Items 6, 7 and 8. He expressed his desire to see more parkland dedicated in the developments specifically with Monarch Ranch. He stated he felt the parkland in lieu fees should be increased.

PUBLIC HEARING

1. **Conduct a public hearing Regarding the submission of a Rezoning Application for one (1) lot on 22.78 acres, more or less, out of the AC Caldwell Survey 52, Abstract 154 and being located at 14807 E US 290, Manor, TX from Agricultural (A) to Multi-Family 25 (MF-2).** Applicant: Jackson Walker. Owner: Krantz Properties.

Chair Small opened the public hearing.

Robert Battaile submitted written comments prior to the meeting regarding this item. (See attached.)

Director Dunlop stated the applicant has requested postponement to the April 12th meeting, therefore City staff recommended postponement of this item.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Leonard to postpone the public hearing until the April 12th P&Z Commission Regular Scheduled meeting.

There was no further discussion.

Motion to Postpone carried 4-0

2. **Conduct a public hearing on a Preliminary Plat for the Shadowglen Subdivision, three hundred and sixty one (361) lots on 103.728 acres, more or less, and being located near the intersection of Gregg Manor Rd and Rector Loop, Manor, TX.** Applicant: Kimley Horn. Owner: SG Land Holdings, LLC.

Chair Small opened the public hearing.

City Staff recommended the Planning and Zoning Commission conduct the public hearing.

Robert Battaile submitted written comments prior to the meeting regarding this item. (See attached.)

Diane Moellenberg submitted written comments prior to the meeting regarding this item. (See attached.)

Diane Moellenberg, P.O. Box 156, Manor, Texas submitted a speaker card to speak in support of this item with qualifications. Mrs. Moellenberg expressed her concerns regarding the increase in traffic, driving hazards with the blind hill, and the road conditions near Rector Loop.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card concerning this item. He expressed his disapproval of the current rate of development regarding the trails and parks within the Shadowglen subdivision. He also stated his displeasure with not knowing the owner of the development and their lack of presence at meetings when they have items on the agenda.

Director Dunlop stated this item has Engineering approval. He reiterated that Shadowglen is in Manor's Extraterritorial Jurisdiction (ETJ) therefore the county would oversee any Traffic Impact Analysis (TIA) done for this item. He stated there was a TIA on file with Travis County that was approved. He recapped the trail development for Shadowglen laid out in the Construction Plans.

Director Dunlop answered questions regarding proposed road improvements for Greg Manor Road and potential timelines. He stated there were no current plans or timelines. He stated the City was working closely with Travis County regarding these types of concerns. He responded to questions regarding the meetings held by the county for future roadway bond projects.

Director Dunlop addressed the concerns expressed regarding the applicant and owner. He stated Kimley Horn represents SG Holdings. The City of Manor and Travis County work with Kimley Horn to ensure they satisfy code requirements. He also confirmed this item is non-discretionary.

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

There was no further discussion.

Motion to Close carried 4-0

- 3. Conduct a public hearing on a Preliminary Plat for the Monarch Ranch Subdivision, four hundred (400) lots on 123.5 acres, more or less, and being located near the intersection of Gregg Ln and FM-973, Manor, TX.** Applicant: Jamison Civil Engineering LLC. Owner: Monarch Ranch at Manor, LLC.

Chair Small opened the public hearing.

City Staff recommended the Planning and Zoning Commission conduct a public hearing.

Robert Battaile submitted written comments via email prior to the meeting regarding this item. (See attached.)

Steve Jamison with Jamison Civil Engineering LLC, 13812 Research Blvd, Austin, Texas submitted a speaker card regarding this item. He stated the details regarding the amenity center and trail plan were laid out in the PUD agreement, however he did not have a copy of the agreement with him to answer specific questions.

Director Dunlop answered questions regarding the approximate 2 acres of land set aside for the amenity center and the concrete trails that will attach with the trail systems of the surrounding subdivisions.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card concerning this item. Mr. Battaile expressed his disagreement with the parkland dedication for his development debating parkland verses open space. He also stated he felt they should include a plaza for the 10-acre commercial area.

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

There was no further discussion.

Motion to Close carried 4-0

CONSENT AGENDA

4. Consideration, discussion, and possible action to approve the minutes of February 8, 2023, P&Z Commission Regular Meeting.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Vice Chair Paiz to approve the consent agenda with correction to the spelling of Vice Chair Paiz's name.

There was no further discussion.

Motion to Approve carried 4-0

REGULAR AGENDA

5. Consideration, discussion, and possible action on a Rezoning Application for one (1) lot on 22.78 acres, more or less, out of the AC Caldwell Survey 52, Abstract 154 and being located at 14807 E US 290, Manor, TX from Agricultural (A) to Multi-Family 25 (MF-2). Applicant: Jackson Walker. Owner: Krantz Properties.

City Staff recommended the Planning and Zoning Commission postpone the Rezoning Application for one (1) lot on 22.78 acres, more or less, out of the AC Caldwell Survey 52, Abstract 154 and being located at 14807 E US 290, Manor, TX from Agricultural (A) to Multi-Family 25 (MF-2) until the April 5, 2023, P&Z Commission Regular Session.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Leonard to postpone the Rezoning Application for one (1) lot on 22.78 acres, more or less, out of the AC Caldwell Survey 52, Abstract 154 and being located at 14807 E US 290, Manor, TX from Agricultural (A) to Multi-Family 25 (MF-2) until the April 5, 2023, P&Z Commission Regular Session.

There was no further discussion.

Motion to Approve Carried 4-0

6. Consideration, discussion, and possible action on a Preliminary Plat for the Shadowglen Subdivision, three hundred and sixty one (361) lots on 103.728 acres, more or less, and being located near the intersection of Gregg Manor Rd and Rector Loop, Manor, TX. Applicant: Kimley Horn. Owner: SG Land Holdings, LLC.

City Staff recommended that the Planning and Zoning Commission approve the Preliminary Plat for the Shadowglen Subdivision, three hundred and sixty one (361) lots on 103.728 acres, more or less, and being located near the intersection of Gregg Manor Rd and Rector Loop, Manor, TX.

Director Dunlop stated this item has been approved by the City Engineers. He stated it was consistent with the Comprehensive Plan for Shadowglen, the development agreement, and had approved TIAs through the city and county.

Director Dunlop answered questions from the Commission regarding traffic mitigations. He explained the county had jurisdiction.

MOTION: Upon a motion made by Commissioner Leonard and seconded by Vice Chair Paiz to approve the Preliminary Plat for the Shadowglen Subdivision, three hundred and sixty one (361) lots on 103.728 acres, more or less, and being located near the intersection of Gregg Manor Rd and Rector Loop, Manor, TX.

There was no further discussion.

Motion to Approve Carried 4-0

7. **Consideration, discussion, and possible action on a Preliminary Plat for the Monarch Ranch Subdivision, four hundred (400) lots on 123.5 acres, more or less, and being located near the intersection of Gregg Ln and FM-973, Manor, TX.** Applicant: Jamison Civil Engineering LLC. Owner: Monarch Ranch at Manor, LLC.

Steve Jamison with Jamison Civil Engineering LLC, 13812 Research Blvd, Austin, Texas submitted a speaker card on this item. He did not wish to speak; however, he was available for any questions.

City Staff recommended that the Planning and Zoning Commission approve the Preliminary Plat for the Monarch Ranch Subdivision, four hundred (400) lots on 123.5 acres, more or less, and being located near the intersection of Gregg Ln and FM-973, Manor, TX.

Director Dunlop stated this item has been approved by City Engineers. He stated it was in compliance with their PUD in terms of parkland, block counts, commercial and roadway alignments.

Director Dunlop answered questions concerning parkland dedications, in lieu fees, and amenities including amenity center, trails, and pavilions. He also addressed questions regarding the PUD agreement specific to TIAs, roadway improvements, and parkland amenities.

Commissioner Meyer requested more or additional information surrounding the City staff's recommendations for future items.

MOTION: Upon a motion made by Commissioner Leonard and seconded by Vice Chair Paiz to approve the Preliminary Plat for the Monarch Ranch Subdivision, four hundred (400) lots on 123.5 acres, more or less, and being located near the intersection of Gregg Ln and FM-973, Manor, TX.

There was no further discussion.

Motion to Approve Carried 4-0

8. **Consideration, discussion, and possible action on a Final Plat for the Monarch Ranch Subdivision Phase 1, one hundred and forty-one (141) lots on 44.680 acres, more or less, and being located near Gregg Lane and FM 973, Manor, TX.** Applicant: Jamison Civil Engineering. Owner: Monarch Ranch at Manor, LLC.

City Staff recommended that the Planning and Zoning Commission approve the Final Plat for the Monarch Ranch Subdivision Phase 1, one hundred and forty-one (141) lots on 44.680 acres, more or less, and being located near Gregg Lane and FM 973, Manor, TX.

Steve Jamison with Jamison Civil Engineering LLC, 13812 Research Blvd, Austin, Texas submitted a speaker card on this item. He did not wish to speak; however, he was available for any questions.

Director Dunlop stated this item was approved by City Engineers.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Vice Chair Paiz to approve the Final Plat for the Monarch Ranch Subdivision Phase 1, one hundred and forty-one (141) lots on 44.680 acres, more or less, and being located near Gregg Lane and FM 973, Manor, TX.

There was no further discussion.

Motion to Approve Carried 4-0

9. Consideration, discussion, and possible action on a Final Plat for the Shadowview Commercial Subdivision Section 3, three (3) lots on 16.725 acres, more or less, and being located near Gregg Manor Road and Hill Lane, Manor, TX. Applicant: Kimley-Horn & Associates. Owner: Cottonwood Holdings, LTD.

City Staff's recommendation that the Planning and Zoning Commission approve a Final Plat for the Shadowview Commercial Subdivision Section 3, three (3) lots on 16.725 acres, more or less, and being located near Gregg Manor Road and Hill Lane, Manor, TX.

Director Dunlop stated this item was approved by our City Engineer; therefore city staff recommended approval. He summarized the new section of Hill Lane between Gregg Manor Road and Lexington which included 3 new commercial lots. He verified that no plans had been filed with the city regarding the commercial lots.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Commissioner Leonard to approve the Final Plat for the Shadowview Commercial Subdivision Section 3, three (3) lots on 16.725 acres, more or less, and being located near Gregg Manor Road and Hill Lane, Manor, TX.

There was no further discussion.

Motion to Approve Carried 4-0

10. Consideration, discussion, and possible action on a Final Plat for the Palomino Subdivision, one hundred sixteen (116) residential lots on 42.933 acres, more or less, and being located near FM 973 and Johnson Road, Manor, TX. Applicant: BGE, Inc. Owner: Continental Homes of Texas, LP.

City Staff recommended that the Planning and Zoning Commission approve a Final Plat for the Palomino Subdivision, one hundred sixteen (116) residential lots on 42.933 acres, more or less, and being located near FM 973 and Johnson Road, Manor, TX.

Director Dunlop stated this item has been approved by City Engineers. He gave details regarding the subdivision. He gave details regarding the duplexes that are planned for this development. He also spoke about the roadway improvements planned for the area.

Discussion was held regarding the changes made to the original information submitted to the Commission. Director Dunlop confirmed a few of the lots were relocated within the development due to federal regulations. He also answered questions from the Commission regarding the zoning and development plans for the commercial sections.

MOTION: Upon a motion made by Commissioner Meyer and seconded by Vice Chair Paiz to approve the Final Plat for the Palomino Subdivision, one hundred sixteen (116) residential lots on 42.933 acres, more or less, and being located near FM 973 and Johnson Road, Manor, TX.

There was no further discussion.

Motion to Approve Carried 4-0

11. Consideration, discussion, and possible action on Setback Waivers for Lots 1, 2, 3, and 4, Block 2, Town of Manor, locally know as 301, 303, 305, 307 W. Lane Ave, to reduce the front setback to 20', rear setback to 10, and side setback to 5'. Applicant: Brenda Perez. Owner: Brenda Perez.

City Staff's recommendation that the Planning and Zoning Commission approve Setback Waivers for Lots 1, 2, 3, and 4, Block 2, Town of Manor, locally know as 301, 303, 305, 307 W. Lane Ave, to reduce the front setback to 20', rear setback to 10, and side setback to 5'.

Director Dunlop gave details regarding the current zoning, location of the properties, and lot dimensions to the Commissioners. He summarized the setback waivers.

Discussion was held regarding the setback request. Concerns regarding road conditions and traffic patterns on W. Lane Ave., and driveway connections. Director Dunlop answered general questions regarding the development of single-family lots. Director Dunlop addressed concerns regarding the quality of homes this applicant has built by this applicant in Manor prior to these future developments.

Discussion was held by the Commissioners regarding the discretionary setback waiver requests. Director Dunlop responded to questions from the Commission regarding zoning, feasible and practical development. He detailed the new development standards listed in City Code. He stated this request was not inconsistent with the Comprehensive Plan or other waiver requests of this type.

MOTION: Upon a motion made by Commissioner Leonard and seconded by Vice Chair Paiz to approve the Setback Waivers for Lots 1, 2, 3, and 4, Block 2, Town of Manor, locally know as 301, 303, 305, 307 W. Lane Ave, to reduce the front setback to 20', rear setback to 10, and side setback to 5'.

There was no further discussion.

Motion to Approve Carried 4-0

ADJOURNMENT

MOTION: Upon a motion made by Vice Chair Paiz and seconded by Commissioner Leonard to adjourn the meeting at 7:46 p.m. on Wednesday, March 8, 2023.

There was no further discussion.

Motion to Adjourn Carried 4-0

These minutes approved by the Planning and Zoning Commission on the 12th day of April 2023.
(Audio recording archived)

APPROVED:



LaKesha Small
Chairperson

ATTEST:



Scott Dunlop
Development Services Director



Item 1

AC CALDWELL Survey ~ Item 1 for Public Discussion.

To cut to the chase... ***they are playing you for Fools.*** You denied/postponed their previous request because you wanted more info about how they were going to put 400 homes/apartments on a "flag" lot with limited egress in case of fires because it's 90% FLOODPLAIN. They are providing NOTHING new; and are just hoping you forgot what you did a month ago. It's an insult that Scott Dunlop is pushing on us.

Robert Battaile

512-662-2955



From: Diane Moellenberg [REDACTED]
Sent: Wednesday, March 1, 2023 2:38 PM
To: Michael Burrell <mburrell@manortx.gov>
Subject: Case Number 2018-P-1154-PP (Shadowglen Plan 3, Sectoins 1 and 2)

Mr. Burrell,

Please see our comments below regarding the above and please email me back so I know you received this email and will submit it to the hearing on March 8, 2023.

Comments

We (Jerry and Diane Moellenberg, 13306 Rector Loop, Manor Texas) received from the City of Manor Development Services a letter dated 02/22/23 regarding the Subdivision Preliminary Plat for Shadowglen Subdivision Phase 3, Sections 1 and 2 near the location of Gregg Manor Rd and Rector Loop and the meeting to be held on March 8. Below are our comments/concerns.

1) For individuals to leave this subdivision, they have to first enter Rector Loop and then exit Rector Loop at either Gregg Manor or Fuchs Grove.

(a) The intersection of Rector Loop and Gregg Manor is already a hazardous intersection as vehicles traveling north on Gregg Manor (from Manor) crest a hill and IMMEDIATELY on their descent encounter individuals exiting Rector Loop. With hundreds of new residents attempting to exit there (without a traffic light) there is sure to be terrible accidents. A traffic light will need to be installed (along with signage) to prevent loss of life.

(b) The intersection of Rector Loop and Fuchs Grove is not as dangerous as the intersection of Rector and Gregg Manor but it also is hazardous. It is a sharp/narrow turn and during most of the year grass/sunflowers and other foliage grows tall, preventing clear view to determine the ability to safely exit. Calls are usually made throughout the year to Travis County to cut the foliage.

Additionally the bridge/road at the intersection of Rector Loop and Fuchs Gove has a big dip/drop and individuals must slow down to not damage their vehicle when traveling over the bridge.

2. Rector Loop is in terrible shape and should be completely redone in order to maintain the current traffic much less the future traffic that will be produced once the subdivision is completed. The road is also narrow and needs to be widened.

(3) An additional subdivision, Twin Creeks Crossing - Lennar Homes -

<https://newhomesmate.com/community/austin-tx/2601-two-creeks-crossing-by-lennar-fuchs-grove-rd-gregg-manor-rd-tx-78653> is planned for the corner of Gregg Manor and Fuchs Grove. This will add additional traffic to the road and helps substantiate the need for a traffic light (see No. 2 above).

Bottom line - The future traffic issues (including road improvements) need to be addressed. If not, death and injury will occur. Additionally we most likely will not be able to exit our property, especially during the busy times of the day unless there is some type of traffic control installed.

Thank you,

Diane Moellenberg for Jerry and Diane Moellenberg

Item 2

Also up for Public Discussion is **ShadowGlen Item 2**. 354 Homes. (I think we shouldn't even talk to them until they put more of the trails in that they promised us 10 years ago... but anyway.) Here again, we want want the 5.36 acres of parkland (one word) more than the fees. We want the park situated ON GREEG LANE! A beautiful park visible as people drive by.

Please ask our Attorney:

1) Are they still getting the "sweetheart" in-lieu Park Fee rate of \$250 per household INSTEAD OF the current rate of \$550 per home? If so, why and for how long? This is the difference between SG Land Holdings LLC (which is registered in Delaware so we will NEVER know the actual owners without a subpoena) paying \$88,500 of in-lieu fees vs \$194,700 which equals a LOSS of \$106,200 to our community.

2) Can we require the parkland and put it where we want to?

3) Where is the **NATURE TRAIL** that is supposed to be built along with this Section? When will you start building it? Will there be any parking for it? Woodlands Park should have had 2 or 3 miles of trails by now. We've had this park since 2003. We NEED public parking for it. Not just for us; but also for the ShadowGlen residents that ARE NOT ALLOWED TO PARK ON THE STREETS THERE.

Robert Battaile

512-662-2955



Item 3

Monarch Ranch is on the Public Hearings Item 3 at Wed's mtg. Perhaps you're aware that my time to speak has been cut back for "efficiency." Yeah, right.

VERY VERY IMPORTANT: The map with the color-coded land uses (Residential, Commercial, Open Space and Floodplain) is **NO LONGER** in your packet. They are hoping you don't remember it. And won't ask them about it.

They don't want you to specifically ask them "what amenities are going in the Open Space (sidewalk around a water retention pond)?"

Scott Dunlop IS CONFUSED about a lot of things. PLEASE ask the Attorneys these questions? One by one, and wait for a **full and COMPLETE answer**.

1) What is the difference between "Park Land" (two words) and "parkland." (Paige said she's heard my discussions ~ but note: She's done nothing to help clarify this.) [Here's the difference per our codes: Park Land (two words) includes **FOUR things**: Floodplain, Open Space, Wildlife Preserve and Parkland (ONE word). Think of parkland (one word) as land that you can put "active" amenities on. Things like basketball courts, tennis courts, soccer fields, baseball diamonds, etc.

2) Is there any such thing in our codes as "Park Acreage?" Monarch Ranch claims they have 20 acres of this. There's no such word. They don't get to EVADE \$220,000 of In-lieu parks fees by claiming this.

3) What does the word "**OR**" mean in 14.02.032 when it says "Municipal parks can be parkland (one word) **OR** Open Space" ? (Scott thinks "or" means "equals.") I think it means "or" as in "either - or" as in "mutually exclusive" as in "they are two distinct and DIFFERENT THINGS." Monarch Ranch has no parkland; and therefore owes parkland (6 acres) or in-lieu fees (\$220,000).

4) In Section 48(a)(4), does "the City reserves the right to require the dedication of land for public park purposes" mean that the City reserves the right to require the dedication of land for public park purposes? In other words, if we want THE LAND more than the money ~ can we take it? There's no incentive for any future developers to give us 6 acres of land when that represents \$2,000,000 of PROFIT. We need a dozen parks spread throughout the City.

5) In Section 48(a)(3), when it says that "the City... may designate a different tract of parcel to be dedicated" [as parkland] ~ does that mean WE get to tell THEM where we want the park? In other words, we want the land for a park AND we want it ON THE STREET ~ not hidden and tucked away in the back or interior of their subdivision. We need a nice park in this part of town. With active amenities for TEENS! And Seniors. And ALL AGES.

Robert Battaile

512-662-2955

