



Dr. Larry Wallace Jr., Mayor  
Dr. Christopher Harvey, Mayor Pro Tem, Place 3  
Emily Hill, Place 1  
Anne Weir, Place 2  
Sonia Wallace, Place 4  
Deja Hill, Place 5  
Gene Kruppa, Place 6

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## City Council Regular Meeting

Wednesday, January 20, 2021 at 7:00 PM

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

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### AGENDA

#### Via Telephone/Video Conference

This meeting will be live streamed on Manor Facebook Live

You can access the meeting at <https://www.facebook.com/cityofmanor/>

*Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Wednesday, January 20<sup>th</sup>, will only be open to the public via remote access.*

#### **Instructions for public speaking:**

- *Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting [www.cityofmanor.org](http://www.cityofmanor.org) where a registration link will be posted on the calendar entry for each public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org). Once registered, instructions will be emailed to you on how to join the videoconference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.*

#### **Upon receiving instructions to join zoom meeting the following rules will apply:**

- *All speakers must address their comments to the Mayor rather than to individual Council Members or city staff. Speakers should speak clearly into their device and state their name and address prior to beginning their remarks. Speakers will be allowed three (3) minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting.*

## CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

- [A.](#) Declaring Monday, January 18, 2021, as “*Martin Luther King, Jr. Day*”
- [B.](#) Declaring the Month of February, as “*Black History Month*”

## PUBLIC COMMENTS

*Comments will be taken from the audience participating in zoom meeting 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 register and submit the speaker card following the instructions for public speaking above.* **No Action May be Taken by the City Council During Public Comments.**

## REPORTS

*Reports about items of community interest on which no action will be taken.*

- A. Public Safety Committee**  
*Submitted by: Chief Phipps*
- B. Emergency Management Committee**  
*Submitted by: Chief Phipps*
- C. Education Committee**  
*Submitted by Council Member Emily Hill*
- D. Economic Development Committee**  
*Submitted by Mayor Wallace*
- E. Tower Repainting**  
*Submitted by Director of Finance Collins*
- F. CivStart**  
*Submitted by Heritage & Tourism Manager Charbonneau*
- G. Peace Challenge**  
*Submitted by Mayor Wallace*

## PUBLIC HEARINGS

- 1. Conduct a public hearing regarding a Concept Plan for the Manor-OZ Subdivision being 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.**  
*Applicant: Carlson, Brigance & Doering, Inc.*  
*Owner: Manor Apartments, LLC*  
*Submitted by: Scott Dunlop, Assistant Development Services Director*

**2. Conduct a public hearing regarding a Concept Plan for the Manor Downs Multi-Family Subdivision and being 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.**

*Applicant: Kimley-Horn & Associates, Inc.*

*Owner: 2020 Adelante, LLC*

*Submitted by: Scott Dunlop, Assistant 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.*

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

*Submitted by: Lluvia T. Almaraz, City Secretary*

- January 6, 2021, City Council Regular Meeting; and
- January 9, 2021, City Council Workshop

**4. Consideration, discussion, and possible action on the acceptance of the December 2020 Departmental Reports.**

*Submitted by: Thomas Bolt, City Manager*

- Police – Ryan Phipps, Chief of Police
- Development Services – Scott Dunlop, Asst. Dev. Services Director
- Community Development – Debbie Charbonneau, Heritage and Tourism Manager
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Michael Tuley, Director of Public Works
- Finance – Lydia Collins, Director of Finance

**5. Consideration, discussion, and possible action to approve the Purchase Contract with Timmermann Commercial Investments, LP for a special warranty deed, slope easement and temporary construction easement.**

*Submitted by: Sam Kiger, P.E., City Engineer*

## REGULAR AGENDA

**6. Consideration, discussion, and possible action on a Concept Plan for the Manor-OZ Subdivision being 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.**

*Applicant: Carlson, Brigrance & Doering, Inc.*

*Owner: Manor Apartments, LLC*

*Submitted by: Scott Dunlop, Assistant Development Services Director*

**7. Consideration, discussion, and possible action on a Concept Plan for the Manor Downs Multi-Family Subdivision and being 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.**

*Applicant: Kimley-Horn & Associates, Inc.*

*Owner: 2020 Adelante, LLC*

*Submitted by: Scott Dunlop, Assistant Development Services Director*

- 8. Consideration, discussion, and possible action on a Rate and Fee Adjustment Letter Agreement with Waste Connections Lonestar, Inc.**  
*Submitted by: Lydia Collins, Director of Finance*

- 9. Consideration, discussion, and possible action on an ordinance amending Manor Code of Ordinances Chapter 15 Site Development by providing for the amendment of off-street parking requirements, landscaping and screening definitions, fence and wall standards, sign definitions, prohibited signs, illuminated signs, and outdoor lighting requirements.**  
*Submitted by: Scott Dunlop, Assistant Development Services Director*

## 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, January 15, 2021, 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](mailto:lalmaraz@cityofmanor.org).



## PROCLAMATION

**WHEREAS**, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

**WHEREAS**, Dr. King’s teachings can continue to guide and inspire us in addressing challenges in our communities; and

**WHEREAS**, in 1994, Congress designated the Martin Luther King Jr. holiday as a national day of a volunteer service, and charged AmeriCorps with leading this effort; and

**WHEREAS**, since 1994 millions of Americans have been inspired by the life and work of Dr. Martin Luther King Jr. to serve their neighbors and communities on the King Holiday; and

**WHEREAS**, serving on MLK Day is an appropriate way to honor Dr. King, meet local and national needs, bring our citizens together, and strengthen our communities and nation; and

**WHEREAS**, MLK Day offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year; and

**WHEREAS**, virtual and COVID-19 appropriate MLK Day service projects are being organized by a wide range of nonprofit and community organizations, educational institutions, public agencies, private businesses, and other organizations across the nation to meet important community needs; and

**WHEREAS**, each of us can and must contribute to making our communities better with increased opportunity for all our citizens, and

**WHEREAS**, citizens of Manor have the opportunity to participate in virtual and safe service events throughout our city on the Martin Luther King Jr. Day of service, January 18, 2021, as well as create and implement community service projects where they identify the need.

**NOW THEREFORE**, I, Dr. Larry Wallace Jr., Mayor of the City of Manor, Texas, and on behalf of the Manor City Council, do hereby proclaim Monday, January 18, 2021, as:

### “Martin Luther King Jr. Day”

in the City of Manor and call upon the citizens to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Jr. Day and throughout the year.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Manor to be affixed this 20<sup>th</sup> day of January 2021.

\_\_\_\_\_  
Dr. Larry Wallace Jr., Mayor  
City of Manor



## *PROCLAMATION*

*WHEREAS*, During Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual and political development; and

*WHEREAS*, In 1915, Dr. Carter Godwin Woodson, noted Black scholar and son of former slaves, founded the Association for the Study of African American Life and History; and

*WHEREAS*, Dr. Woodson initiated Black History Week, February 12, 1926; and for many years, the second week of February, chosen to coincide with the birthdays of Frederick Douglas and Abraham Lincoln, was celebrated by African Americans in the United States; and

*WHEREAS*, In 1976, as part of the nation's bicentennial, Black History Week was expanded and became established as Black History Month, and is now celebrated all over North America; and

*WHEREAS*, After the Civil War, many black Americans sought a better life, free from oppression and in search of new economic opportunities, and the liberty to create their own lives; and

*WHEREAS*, The observance of Black History Month calls our Nation's attention to the continued need to battle racism and to build a society that lives up to its democratic ideals.

*NOW, THEREFORE*, I, Dr. Larry Wallace Jr., Mayor of the City of Manor, Texas, and on behalf of the Manor City Council, do hereby proclaim the month of February 2021 as:

### *“Black History Month”*

In the City of Manor and urge all citizens to celebrate our diverse heritage and culture and continue our efforts to create a world that is more just, peaceful and prosperous for all.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Manor to be affixed this 20<sup>th</sup> day of January 2021.

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Dr. Larry Wallace Jr., Mayor  
City of Manor

AGENDA ITEM NO. \_\_\_\_\_



**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Scott Dunlop, Assistant Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Conduct a public hearing on a Concept Plan for the Manor-OZ Subdivision and being 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.

*Applicant: Carlson, Brigance, & Doering, Inc.*

*Owner: Manor Apartments, LLC*

**BACKGROUND/SUMMARY:**

This 10.88 acre tract is behind Riata Ford and will have primary access from the extension of Gregg Manor. It is zoned Multi-family 25 (MF-2) and there is a site plan in review for an apartment complex. This concept plan has been approved by our engineers.

**LEGAL REVIEW:** Not Applicable  
**FISCAL IMPACT:** Not Applicable  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

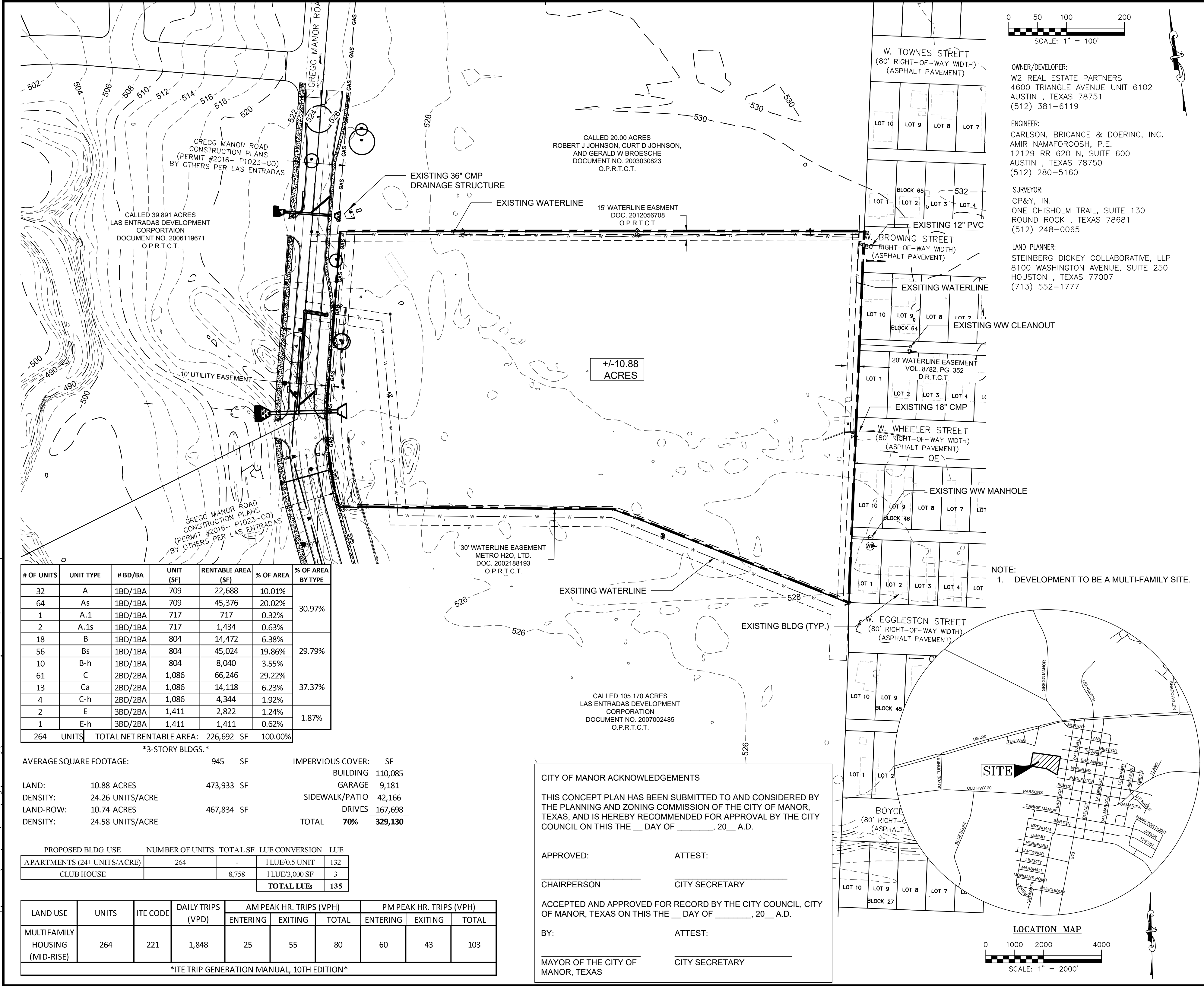
- Concept Plan
- Notice Letter
- Mailing Labels

**STAFF RECOMMENDATION:**

It is the City Staff's recommendation that the City Council conduct a public hearing.

**PLANNING & ZONING COMMISSION:**      **Recommend Approval**      **Disapproval**      **None**

FILE PATH: \\caddata1\data\AC3D\5163-CONCEPT PLAN.dwg - Oct 08, 2020 - 2:08pm



OWNER/DEVELOPER:  
W2 REAL ESTATE PARTNERS  
4600 TRIANGLE AVENUE UNIT 6102  
AUSTIN, TEXAS 78751  
(512) 381-6119

ENGINEER:  
CARLSON, BRIGANCE & DOERING, INC.  
AMIR NAMAFOROOSH, P.E.  
12129 RR 620 N, SUITE 600  
AUSTIN, TEXAS 78750  
(512) 280-5160

SURVEYOR:  
CP&Y, IN.  
ONE CHISHOLM TRAIL, SUITE 130  
ROUND ROCK, TEXAS 78681  
(512) 248-0065

LAND PLANNER:  
STEINBERG DICKEY COLLABORATIVE, LLP  
8100 WASHINGTON AVENUE, SUITE 250  
HOUSTON, TEXAS 77007  
(713) 552-1777

**+/-10.88 ACRES**

# OF UNITS	UNIT TYPE	# BD/BA	UNIT (SF)	RENTABLE AREA (SF)	% OF AREA	% OF AREA BY TYPE
32	A	1BD/1BA	709	22,688	10.01%	30.97%
64	As	1BD/1BA	709	45,376	20.02%	
1	A.1	1BD/1BA	717	717	0.32%	
2	A.1s	1BD/1BA	717	1,434	0.63%	29.79%
18	B	1BD/1BA	804	14,472	6.38%	
56	Bs	1BD/1BA	804	45,024	19.86%	
10	B-h	1BD/1BA	804	8,040	3.55%	37.37%
61	C	2BD/2BA	1,086	66,246	29.22%	
13	Ca	2BD/2BA	1,086	14,118	6.23%	
4	C-h	2BD/2BA	1,086	4,344	1.92%	1.87%
2	E	3BD/2BA	1,411	2,822	1.24%	
1	E-h	3BD/2BA	1,411	1,411	0.62%	
264	UNITS	TOTAL NET RENTABLE AREA:		226,692 SF	100.00%	

\*3-STORY BLDGS.\*

AVERAGE SQUARE FOOTAGE:	945 SF	IMPERVIOUS COVER:	SF
LAND:	10.88 ACRES	BUILDING	110,085
DENSITY:	24.26 UNITS/ACRE	GARAGE	9,181
LAND-ROW:	10.74 ACRES	SIDEWALK/PATIO	42,166
DENSITY:	24.58 UNITS/ACRE	DRIVES	167,698
		TOTAL	<b>70% 329,130</b>

PROPOSED BLDG USE	NUMBER OF UNITS	TOTAL SF	LUE CONVERSION	LUE
APARTMENTS (24+ UNITS/ACRE)	264	-	1 LUE/0.5 UNIT	132
CLUB HOUSE		8,758	1 LUE/3,000 SF	3
<b>TOTAL LUEs</b>				<b>135</b>

LAND USE	UNITS	ITE CODE	DAILY TRIPS (VPD)	AM PEAK HR. TRIPS (VPH)			PM PEAK HR. TRIPS (VPH)		
				ENTERING	EXITING	TOTAL	ENTERING	EXITING	TOTAL
MULTIFAMILY HOUSING (MID-RISE)	264	221	1,848	25	55	80	60	43	103

\*ITE TRIP GENERATION MANUAL, 10TH EDITION\*

**CITY OF MANOR ACKNOWLEDGEMENTS**

THIS CONCEPT PLAN HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MANOR, TEXAS, AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE CITY COUNCIL ON THIS THE \_\_\_ DAY OF \_\_\_\_, 20\_\_ A.D.

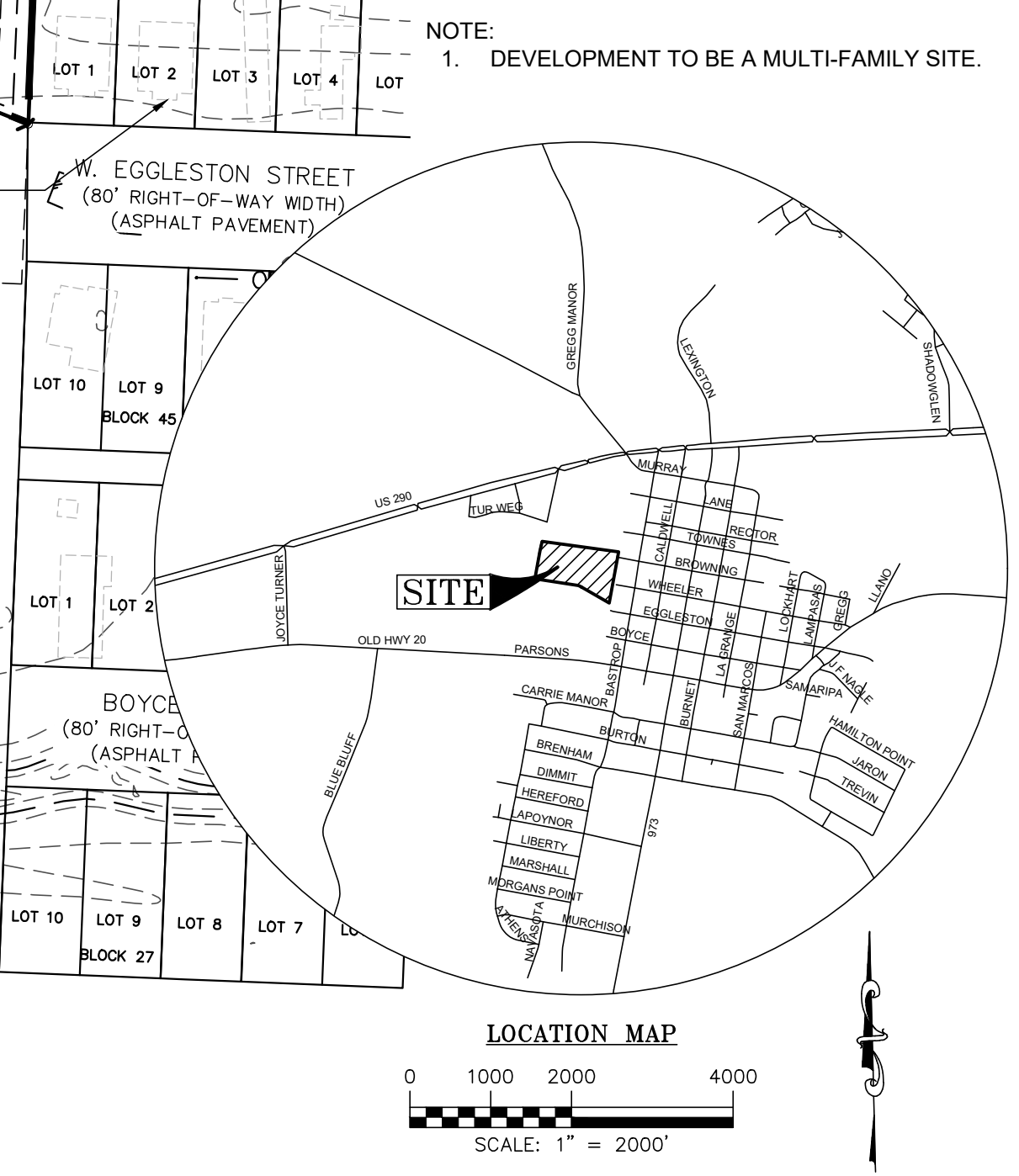
APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ CITY SECRETARY \_\_\_\_\_

ACCEPTED AND APPROVED FOR RECORD BY THE CITY COUNCIL, CITY OF MANOR, TEXAS ON THIS THE \_\_\_ DAY OF \_\_\_\_, 20\_\_ A.D.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

MAYOR OF THE CITY OF MANOR, TEXAS \_\_\_\_\_ CITY SECRETARY \_\_\_\_\_



DESIGNED BY: AN	DRAFTED BY: LMW
OWNER/DEVELOPER: W2 REAL ESTATE PARTNERS 4600 TRIANGLE AVENUE UNIT 6102 AUSTIN, TEXAS 78751 (512) 381-6119	
ENGINEER: CARLSON, BRIGANCE & DOERING, INC. AMIR NAMAFOROOSH, P.E. 12129 RR 620 N, SUITE 600 AUSTIN, TEXAS 78750 (512) 280-5160	
SURVEYOR: CP&Y, IN. ONE CHISHOLM TRAIL, SUITE 130 ROUND ROCK, TEXAS 78681 (512) 248-0065	
LAND PLANNER: STEINBERG DICKEY COLLABORATIVE, LLP 8100 WASHINGTON AVENUE, SUITE 250 HOUSTON, TEXAS 77007 (713) 552-1777	
SHEET NAME: CONCEPTUAL PLAN JOB NAME: MANOR-OZ PROJECT: LUXURY APARTMENTS	
CARLSON, BRIGANCE & DOERING, INC. ID# F3791 <b>10/08/2020</b>	
DATE: OCT 2020	
JOB NUMBER: 5163	
SHEET: 1 OF 1	





December 15, 2020

RE: Notification for Manor-OZ Concept Plan Subdivision

Dear Property Owner,

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Concept Plan for 10.88 acres near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX. The request will be posted on the agenda as follows:

**Public Hearing: Conduct a public hearing upon a Concept Plan for the Manor-OZ Subdivision and being 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.**

The Planning and Zoning Commission will meet at 6:30PM on January 13, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

The City Council will meet at 7:00PM on January 20, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

You are being notified because you own property within 300 feet of the property for which this Concept Plan has been filed.

If you have no interest in the case there is no need for you to attend\*\*. You may address any comments to me at the email address or phone number below. Any communications I receive will be made available to the Commissioners and Council Members during the discussion of this item.

\*\* Due to the declared Public Health Emergency related to COVID-19, at the time of this notification Planning and Zoning Commission and City Council meetings are being conducted via video conference and livestreamed on the City's Facebook page ([facebook.com/cityofmanor](https://www.facebook.com/cityofmanor)) and the Chambers is closed to the public.

Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting [http://www.cityofmanor.org/page/homepage\\_calendar](http://www.cityofmanor.org/page/homepage_calendar) where registration information will be posted with the agenda for the public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org). Once registered, instructions will be emailed to you on how to join the video conference by calling in. Your speaker card must be received two (2) hours prior to scheduled meeting.

To see how the meeting will be conducted, whether via video conference or in-person, you may refer to the posted agendas for the January 13<sup>th</sup> Planning and Zoning Commission and January 20<sup>th</sup> City Council or by calling 512-215-8116. Planning and Zoning Commission agendas, City Council agendas, and speaker registration information can be found here under the date of the meeting: [http://www.cityofmanor.org/page/homepage\\_calendar](http://www.cityofmanor.org/page/homepage_calendar). Agendas are posted 72 hours prior to the scheduled meeting.

Sincerely,

Scott Dunlop,  
Assistant Development Director  
[sdunlop@cityofmanor.org](mailto:sdunlop@cityofmanor.org) - 512-215-8262

Lynda & Ruben Jaime  
310 Browning Street  
Manor, TX 78653

Guajardo Herminia  
P.O. Box 97  
Manor, TX 78653

Samaripa Matildy Vasquez Jr  
401 N. Bastrop Street  
Manor, TX 78653

Newsome Florence ET AL  
310 Wheeler Street  
Manor, TX 78653

Garcia Delgado & Maribel Delgado  
306 Wheeler Street  
Manor, TX 78653

Wheeler Street Partenership  
304 Wheeler Street  
Manor, TX 78653

Loggins Raydell  
302 Wheeler Street  
Manor, TX 78653

Bradley & Paula Bowen  
309 Eggleston Street  
Manor, TX 78653

Bradley & Paula Bowen  
307 Eggleston Street  
Manor, TX 78653

SEPECO  
P.O. BOX 170309  
Austin, TX 78717

SEPECO  
303 Eggleston  
Manor, TX 78653

AAA Fire & Safety Equipment Co Inc.  
6700 Guadalupe Street  
Austin, TX 78752

Filiberto & Eduviges De La Luz  
204 Red Oak Circle  
Austin, TX 78753

Guajardo Anselma  
P.O. Box 295  
Manor, TX 78653

Robert & Curt P Johnson  
10507 E US HWY 290  
Manor, TX 78653

LAS ENTRADAS DEVELOPMENT CORP  
9900 US HWY 290 E  
Manor, TX 78653

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**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Scott Dunlop, Assistant Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Conduct a public hearing on a Concept Plan for the Manor Downs Multi-Family Subdivision and being 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.

*Applicant: Kimley-Horn & Associates, Inc.*  
*Owner: 2020 Adelante, LLC*

**BACKGROUND/SUMMARY:**

This property is past the High School and future St. Joseph Parish property on Hill Lane. It was recently rezoned to Multi-Family 15 (MF-1) but no development plans have filed. This concept plan has been approved by our engineers.

**LEGAL REVIEW:** Not Applicable  
**FISCAL IMPACT:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Concept Plan
- Notice Letter
- Mailing Labels

**STAFF RECOMMENDATION:**

It is the City Staff's recommendation that the City Council conduct a public hearing.

**PLANNING & ZONING COMMISSION:**      **Recommend Approval**      **Disapproval**      **None**

Plotted By: Jones, Kalle Date: December 15, 2020 03:49:37pm File Path: K:\AUS-Civil\069267203 - Manor Downs 250\069267203 - Manor Downs 250\069267203 - Concept Plan.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

**PROJECT NAME:** MANOR DOWNS MULTI-FAMILY  
**SITE ADDRESS:** 9910 HILL LANE, MANOR, TEXAS 78653  
**RECORD OWNER/DEVELOPER:**  
 2020 ADELANTE, LLC  
 3800 N. LAMAR BLVD., STE 350  
 AUSTIN, TX 78756  
 CONTACT: GREG GITCHO  
 PH. 512-698-6019  
**ENGINEER:**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 10814 JOLLYVILLE ROAD  
 BUILDING 4, SUITE 200  
 AUSTIN, TEXAS 78759  
 CONTACT: JASON REECE, P.E.  
 PH. 512-418-1771  
**SURVEYOR:**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 601 NW LOOP 410  
 SUITE 350  
 SAN ANTONIO, TEXAS 78216  
 PH. 210-307-4356

**PREPARED ON:**  
 OCTOBER 19, 2020

**CURRENT ZONING:**  
 MF-1

**WATERSHED STATUS:**  
 THIS SITE IS LOCATED IN THE  
 GILLELAND CREEK WATERSHED.

**FLOODPLAIN INFORMATION:**  
 NO PORTION OF THIS SITE LIES WITHIN THE BOUNDARIES OF  
 THE 100 YR. FLOODPLAIN AS SHOWN ON THE FLOOD  
 INSURANCE RATE MAP COMMUNITY PANEL NO. 48453CO480J,  
 DATED AUGUST 18, 2014.

**LEGAL DESCRIPTION:**  
 ABS 63 SUR 62 BACON S ACR 22.310  
 ABS 63 SUR 62 BACON S ACR 2.500

**TRAFFIC**

Land Use	ITE Land Use Code	Units	Daily Trips	AM Trips	PM Trips
Multi-Family Dwelling	221	365	1986	131	161

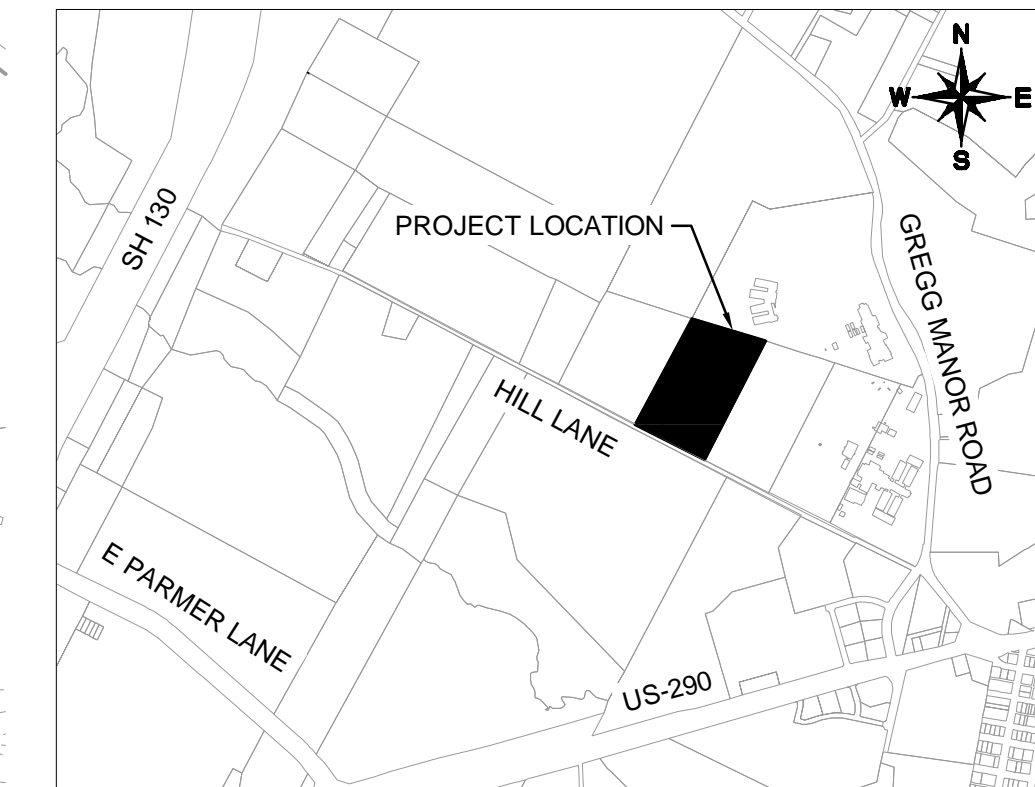
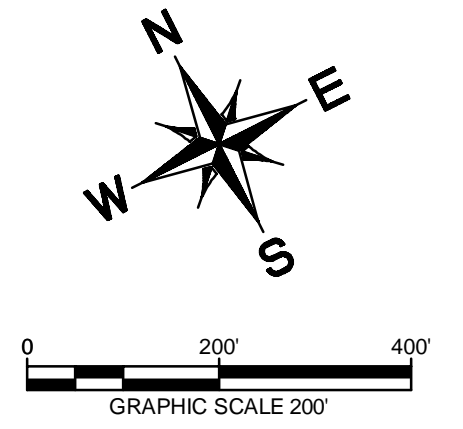
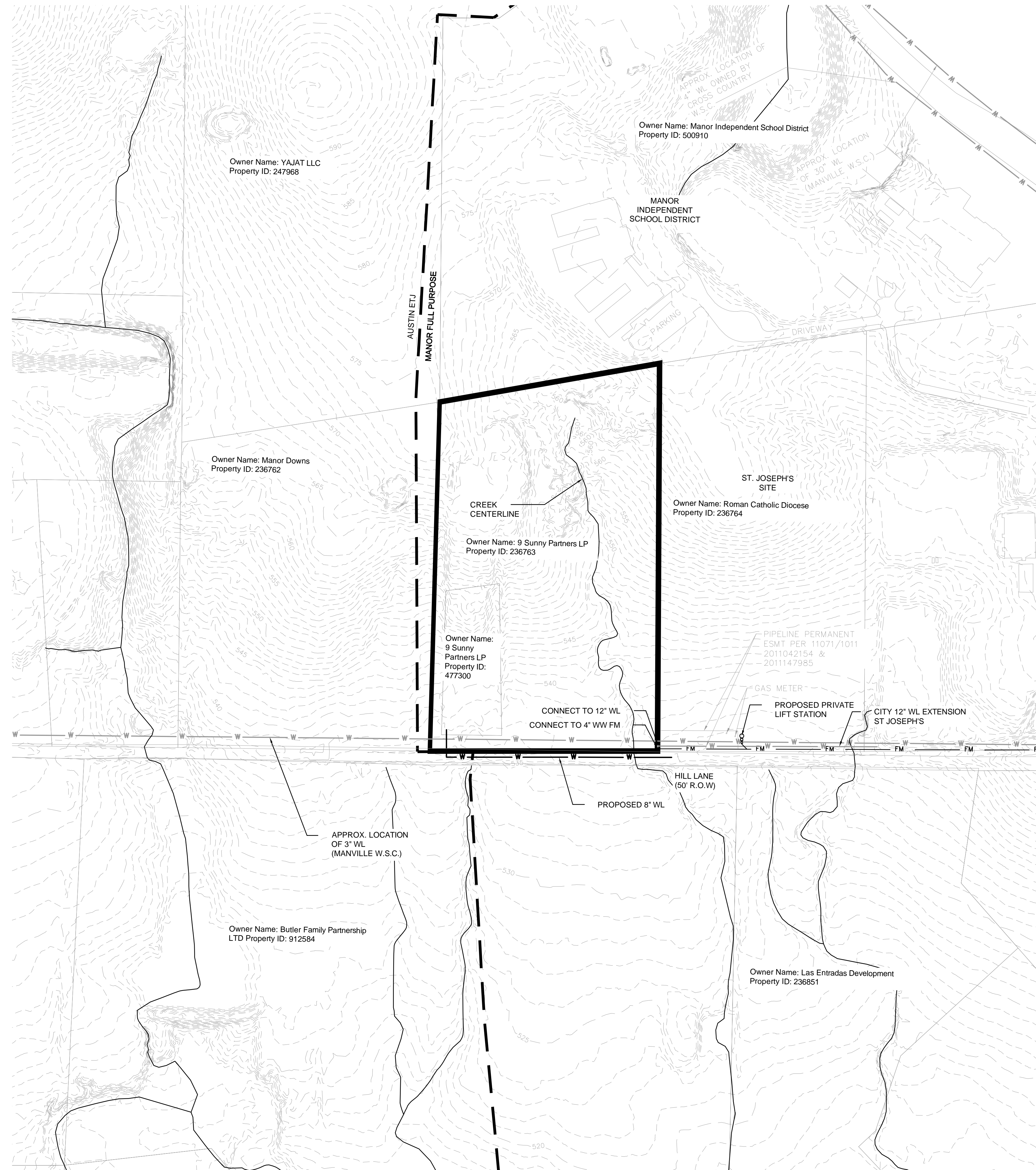
**UTILITY DEMAND (LIVING UNIT EQUIVALENT)**

LUE BREAKDOWN		
LOT #	ACRES	LUES
1	24.81	183

**LAND USE AND PHASING**

LAND USE AND PHASING TABLE				
PHASE	LOT	ACREAGE	LAND USE	ANTICIPATED TIMING
1	1	24.81	MULTI-FAMILY	2021

\*THE LAND USE AS INDICATED ABOVE IS ALLOWED BY THE  
 CURRENT ZONING ON THE PROPERTY AND IS CONSISTENT  
 WITH THE CITY'S MASTER PLAN



VICINITY MAP  
SCALE: 1"=2000'

**LEGEND**



**CITY OF MANOR ACKNOWLEDGEMENTS**

THIS CONCEPT PLAN HAS BEEN SUBMITTED TO AND CONSIDERED BY THE  
 PLANNING AND ZONING COMMISSION OF THE CITY OF MANOR, TEXAS,  
 AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE CITY COUNCIL ON  
 THIS THE \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_ A.D.

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
 CHAIRPERSON CITY SECRETARY

ACCEPTED AND APPROVED FOR RECORD BY THE CITY COUNCIL, CITY OF  
 MANOR ON THIS THE \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_ A.D.

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_

HONORABLE MAYOR CITY SECRETARY  
 MAYOR OF THE CITY OF MANOR, TEXAS

**MANOR DOWNS MULTI-FAMILY  
 CONCEPT PLAN**

**Kimley-Horn**  
 10814 JOLLYVILLE ROAD AVALON IV SUITE 200 AUSTIN, TX  
 PHONE: 512-418-1771 FAX: 512-418-1791  
 WWW.KIMLEY-HORN.COM  
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 TBPE Firm No. 928



December 15, 2020

RE: Notification for Manor Downs Multi-Family Concept Plan Subdivision

Dear Property Owner,

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Concept Plan for 24.81 acres located at 9910 Hill Lane, Manor, TX. The request will be posted on the agenda as follows:

**Public Hearing: Conduct a public hearing upon a Concept Plan for the Manor Downs Multi-Family Subdivision and being 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.**

The Planning and Zoning Commission will meet at 6:30PM on January 13, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

The City Council will meet at 7:00PM on January 20, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

You are being notified because you own property within 300 feet of the property for which this Concept Plan has been filed.

If you have no interest in the case there is no need for you to attend\*\*. You may address any comments to me at the email address or phone number below. Any communications I receive will be made available to the Commissioners and Council Members during the discussion of this item.

\*\* Due to the declared Public Health Emergency related to COVID-19, at the time of this notification Planning and Zoning Commission and City Council meetings are being conducted via video conference and livestreamed on the City's Facebook page ([facebook.com/cityofmanor](https://www.facebook.com/cityofmanor)) and the Chambers is closed to the public.

Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting [http://www.cityofmanor.org/page/homepage\\_calendar](http://www.cityofmanor.org/page/homepage_calendar) where registration information will be posted with the agenda for the public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org). Once registered, instructions will be emailed to you on how to join the video conference by calling in. Your speaker card must be received two (2) hours prior to scheduled meeting.

To see how the meeting will be conducted, whether via video conference or in-person, you may refer to the posted agendas for the January 13<sup>th</sup> Planning and Zoning Commission and January 20<sup>th</sup> City Council or by calling 512-215-8116. Planning and Zoning Commission agendas, City Council agendas, and speaker registration information can be found here under the date of the meeting: [http://www.cityofmanor.org/page/homepage\\_calendar](http://www.cityofmanor.org/page/homepage_calendar). Agendas are posted 72 hours prior to the scheduled meeting.

Sincerely,

Scott Dunlop,  
Assistant Development Director  
[sdunlop@cityofmanor.org](mailto:sdunlop@cityofmanor.org) - 512-215-8262

**Roman Catholic Diocese**

6225 Hwy 290 E  
Austin, TX 78723-1025



**Butler Family Partnership, Ltd.**

PO Box 9190  
Austin, TX 78766-9190



**Yajat, LLC**

12404 S Saddle Lakes Dr.  
Abilene, TX 79602-5472



**Manor Downs**

PO Box 141309  
Austin, TX 78714-1309



**Manor Independent School District**

PO Box 359  
Manor, TX 78653



**Las Entradas Development Corp**

9900 Hwy 290 E.  
Manor, TX 78653-9720



**Roman Catholic Diocese**

6225 Hwy 290 E  
Austin, TX 78723-1025



**Butler Family Partnership, Ltd.**

PO Box 9190  
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Austin, TX 78714-1309



**Manor Independent School District**

PO Box 359  
Manor, TX 78653



**Las Entradas Development Corp**

9900 Hwy 290 E.  
Manor, TX 78653-9720





**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Lluvia T. Almaraz, City Secretary  
**DEPARTMENT:** Administration

**AGENDA ITEM DESCRIPTION:**

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

- January 6, 2021, City Council Regular Meeting; and
- January 9, 2021, City Council Workshop

**BACKGROUND/SUMMARY:**

**LEGAL REVIEW:** Not Applicable

**FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No

**ATTACHMENTS:** Yes

- January 6, 2021, City Council Regular Meeting; and
- January 9, 2021, City Council Workshop

**STAFF RECOMMENDATION:**

It is the City Staff's recommendation that the City Council approve the City Council Minutes of the January 6, 2021, City Council Regular Meeting; and January 9, 2021, City Council Workshop.

**PLANNING & ZONING COMMISSION:**                      **Recommend Approval**                      **Disapproval**                      **None**



**CITY COUNCIL  
REGULAR SESSION MINUTES  
JANUARY 6, 2021  
Via Telephone/Video Conference  
(Zoom Meeting)**

The meeting was live streamed on Manor Facebook Live beginning at 7:00 p.m.  
<https://www.facebook.com/cityofmanor/>

*Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Wednesday, January 6<sup>th</sup>, was only open to the public via remote access.*

The following instructions were provided to the general public.

*Instructions for Public Speaking:*

- Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting [www.cityofmanor.org](http://www.cityofmanor.org) where a registration link will be posted on the calendar entry for each public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org). Once registered, instructions will be emailed to you on how to join the videoconference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.

*Upon receiving instructions to join zoom meeting the following rules will apply:*

- All speakers must address their comments to the Mayor rather than to individual Council Members or city staff. Speakers should speak clearly into their device and state their name and address prior to beginning their remarks. Speakers will be allowed three (3) minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting.

Mayor Wallace Jr. advised that all votes would be conducted by a Roll Call Vote, meaning each City Council Member would be called on separately to cast their vote.



**PRESENT VIA ZOOM:**

Dr. Larry Wallace Jr., Mayor

**COUNCIL MEMBERS:**

Dr. Christopher Harvey, Mayor Pro Tem, Place 3  
Emily Hill, Place 1  
Anne Weir, Place 2  
Sonia Wallace, Place 4  
Deja Hill, Place 5  
Gene Kruppa, Place 6

**CITY STAFF:**

Lluvia T. Almaraz, City Secretary  
Scott Dunlop, Assistant Development Services Director  
Heath Ferguson, IT Manager  
Tracey Vasquez, HR Manager  
Frank T. Phelan, P.E., City Engineer  
Veronica Rivera, Legislative and General Counsel

**REGULAR SESSION – 7:00 P.M.**

With a quorum of the Council Members present via video/telephone conference, the regular session of the Manor City Council was called to order by Mayor Wallace Jr. at 7:00 p.m. on Wednesday, January 6, 2021.

**PLEDGE OF ALLEGIANCE**

At the direction of Mayor Wallace Jr., Council Member Kruppa led the Pledge of Allegiance.

**PUBLIC COMMENTS**

There were no public comments received prior to the meeting.

**PUBLIC HEARINGS**

- 1. Conduct a public hearing regarding amending the Community Impact Fees for Water and Wastewater.**

The City staff recommended that the City Council conduct the public hearing.

Mayor Wallace Jr. opened the public hearing.

Assistant Development Services Director Dunlop discussed the amendment to the Community Impact Fees for Water and Wastewater.

**MOTION:** Upon a motion made by Council Member Wallace and seconded by Council Member Kruppa, to close the Public Hearing.

There was no further discussion.

**Motion to close carried 7-0**

### CONSENT AGENDA

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

- **December 16, 2020, City Council Regular Meeting; and**
- **December 19, 2020, City Council Workshop**

**MOTION:** Upon a motion made by Council Member Weir and seconded by Council Member Emily Hill, to approve and adopt all items on the Consent Agenda.

There was no further discussion.

**Motion to approve carried 7-0**

### REGULAR AGENDA

**3. Second and Final Reading: Consideration, discussion, and possible action on an ordinance amending Chapter 14, Zoning, of the Manor Code of Ordinances of the City of Manor, Texas by providing for the amendment of definitions; residential land uses, and land use conditions; modifying general development regulations for two-family, townhome, and multi-family districts; amending non-residential and mixed-use districts land uses, amending non-residential and mixed-use districts conditions; amending development standards for outdoor storage and display, single-family detached and two-family; and amending planned unit development procedures.**

The City staff recommended that the City Council approve the second and final reading of Ordinance No. 599 as set forth in the caption above with additions.

Assistant Development Services Director Dunlop was available to address any questions posed by the City Council.

Ordinance No. 599: An Ordinance of The City of Manor, Texas, Amending Chapter 14, Zoning, of the Code of Ordinances of The City of Manor, Texas, by Providing for the Amendment of Definitions, Residential Land Uses, and Land Use Conditions; Modifying General Development Regulations for Two-Family, Townhome and Multi-Family Districts; Amending Non-Residential and Mixed-Use Districts Land Uses; Amending

Non- Residential and Mixed-Use Districts Conditions; Amending Development Standards for Outdoor Storage and Display, Single Family Detached and Two-Family; Amending Planned Unit Development Procedures; Providing a Severability Clause, Providing Savings, Open Meetings and Effective Date Clauses; and Providing For Related Matters.

**MOTION:** Upon a motion made by Council Member Weir and seconded by Council Member Kruppa, to approve the second and final reading of Ordinance No. 599 as set forth in the caption above with addition definitions of Section 3 (g) The definition for “Motor Vehicle” is hereby added to read as follows: “Motor vehicle means any motor vehicle subject to registration pursuant to the Certificate of Title Act, chapter 501, Tex. Trans. Code, as amended.” (h) The definition for “Watercraft” is hereby added to read as follows: “Watercraft means a vessel subject to registration under chapter 31, Tex. Parks & Wildlife Code, as amended.” and Section 30. Amendment of Section 14.02.049(c) Outdoor Storage and Display. Section 14.02.049(c) of the Zoning Ordinance is hereby deleted in its entirety amended to add and revise the following subsections to read as follows: (a) Subsection (c) is hereby deleted in its entirety to read as follows: (b) Subsection (f) is hereby added to read as follows: “(f) Storage of Motor Vehicles, Recreational Vehicles, and Watercraft on Residential Property (1) Motor vehicles, recreational vehicles and watercraft (collectively “vehicles”) not operable due to expired registration or similar, excluding racing vehicles, antique vehicles, and vehicles belonging to members of armed forces who are on active duty, shall be parked or stored only in completely enclosed buildings. (2) No vehicle shall be parked or stored on any lot except that it shall be enclosed in a building or parked on an approved surface of concrete or asphalt installed for such purpose. (3) Recreation vehicles and watercraft shall not be parked or stored in any right-of-way.

The discussion was held regarding boat parking.

There was no further discussion.

**Motion to approve carried 7-0**

- 4. Consideration, discussion, and possible action on an ordinance amending Ordinance No. 402; Amending Chapter 10, Subdivision Regulation, Article 10.03, Impact Fees, Code of Ordinances of Manor; Adopting a Capital Improvements Plan; Establishing a Community Impact Fee-Based Upon Living Unit Equivalents.**

The City staff recommended that the City Council approve Ordinance No. 600 as set forth in the caption above.

Ordinance No. 600: An Ordinance of the City of Manor, Texas, Amending Ordinance No. 402; Amending Chapter 10, Subdivision Regulation, Article 10.03, Impact Fees, Code of Ordinances of Manor; Adopting a Capital Improvements Plan; Establishing a Community Impact Fee Based Upon Living Unit Equivalents; Providing Severability, Open Meeting and Effective Date Provisions; and Providing for Related Matters.

**MOTION:** Upon a motion made by Mayor Pro Tem Dr. Harvey and seconded by Council Member Wallace, to approve Ordinance No. 600 as set forth in the caption above.

The discussion was held regarding the increase cost of the wastewater.

There was no further discussion.

**Motion to approve carried 7-0**

- 5. Consideration, discussion, and possible action on a resolution accepting the petition for annexation of 52.019 acres, more or less, of land located in Travis County, Texas, and setting an annexation schedule.**

The City staff recommended that the City Council approve Resolution No. 2021-01 accepting the petition for annexation of 52.019 acres, more or less, of land located in Travis County, Texas and setting an annexation schedule.

Assistant Development Services Director Dunlop discussed the Resolution accepting the petition.

Resolution No. 2021-01: A Resolution of The City of Manor, Texas, Accepting the Petition for Annexation of 52.019 Acres, More or Less, of Land Located in Travis County, Texas; Setting an Annexation Schedule; Providing for Open Meetings and Other Related Matters.

**MOTION:** Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Kruppa, to approve Resolution No. 2021-01 accepting the petition for annexation of 52.019 acres, more or less, of land located in Travis County, Texas and setting an annexation schedule.

There was no further discussion.

**Motion to approve carried 7-0**

- 6. Consideration, discussion, and possible action on an ordinance authorizing a change to the health benefits plan which would extend coverage to City retirees.**

The City staff recommended that the City Council approve Ordinance No. 601; and direct the City Manager to submit the ordinance and other information required by TML Health to change the City health benefits coverages.

HR Manager Vasquez discussed the proposed ordinance.

The discussion was held regarding the cost to the city for eligible employees.

Mayor Wallace asked for additional time to discuss and review further.

**MOTION:** Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to table item to the February 3, 2021, regular council meeting.

There was no further discussion.

**Motion to approve carried 7-0**

**7. Consideration, discussion, and possible action to amend the City of Manor Personnel Policies & Procedures Handbook to extend health benefits coverage to City retirees.**

The City staff recommended that the City Council approve the proposed changes to the City of Manor Personnel Policies & Procedures Handbook to extend health benefits coverage to City retirees.

**MOTION:** Upon a motion made by Mayor Pro Tem Dr. Harvey and seconded by Council Member Emily Hill, to table item to the February 3, 2021, regular council meeting.

There was no further discussion.

**Motion to approve carried 7-0**

**8. Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project.**

The City staff recommended that the City Council approve Change Order No. 1 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project with Austin Engineering Company, Inc., in the amount of \$39,296.00.

City Engineer Phelan discussed the proposed change order.

**MOTION:** Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Dr. Harvey to approve Change Order No. 1 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project with Austin Engineering Company, Inc., in the amount of \$39,296.00.

There was no further discussion.

**Motion to approve carried 7-0**

**9. Acknowledge the resignation of Planning and Zoning Commissioner Isaac Rowe, Place No. 4, and declare a vacancy.**

The City staff recommended that the City Council acknowledge the resignation of Planning and Zoning Commissioner Isaac Rowe, Place No. 4 and declare a vacancy.

**MOTION:** Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to acknowledge the resignation of Planning and Zoning Commissioner Isaac Rowe, Place No. 4 and declare a vacancy.

Mayor Wallace thanked Issac Rowe for his contributions and organization within the City of Manor.

There was no further discussion.

**Motion to approve carried 7-0**

Mayor Wallace Jr. adjourned the regular session of the Manor City Council into Executive Session at 7:42 p.m. on Wednesday, January 6, 2021, in accordance with the requirements of the Open Meetings Law.

Legislative and General Counsel Rivera joined Executive Session via zoom.

**EXECUTIVE SESSION**

The Manor City Council convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Section 551.074 Personnel Matters – Interview Candidates for appointments to the Planning and Zoning Commission for Place No. 4; Discussion of City Manager’s Evaluation; and HR Directives; and Section 551.087 Deliberations regarding Economic Development Negotiations - EntradaGlen* PID at 7: 42 p.m. on Wednesday, January 6, 2021.

The Executive Session was adjourned at 9:50 p.m. on Wednesday, January 6, 2021.

**OPEN SESSION**

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during Closed Executive Session at 9:50 p.m. on Wednesday, January 6, 2021.

Mayor Wallace Jr. opened the floor for action to be taken on the items discussed in the Executive Session.

**MOTION:** Upon a motion made by Mayor Pro Tem Dr. Harvey and seconded by Council Member Kruppa, to appoint Prince John Chavis to fill an unexpired term on the Planning and Zoning Commission, Place No. 4.

There was no further discussion.

**Motion to approve carried 7-0**

There was no further action taken.

**ADJOURNMENT**

The Regular Session of the Manor City Council Adjourned at 9:53 p.m. on Wednesday, January 6, 2021.

These minutes approved by the Manor City Council on the 20<sup>th</sup> day of January 2021.

**APPROVED:**

\_\_\_\_\_  
Dr. Larry Wallace Jr.  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary

Draft Minutes



**CITY COUNCIL  
WORKSHOP MINUTES  
JANUARY 9, 2021  
Via Telephone/Video Conference  
(Zoom Meeting)**

**THIS MEETING WAS FOR REVIEW AND DISCUSSION ONLY; NO ACTION WAS TAKEN**

*Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Saturday, January 9<sup>th</sup>, was only open to the public via remote access.*

The following instructions were provided to the general public.

*Instructions for Public Speaking:*

- Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting [www.cityofmanor.org](http://www.cityofmanor.org) where a registration link will be posted on the calendar entry for each public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org). Once registered, instructions will be emailed to you on how to join the videoconference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.

*Upon receiving instructions to join zoom meeting the following rules will apply:*

- All speakers must address their comments to the Mayor rather than to individual Council Members or city staff. Speakers should speak clearly into their device and state their name and address prior to beginning their remarks. Speakers will be allowed three (3) minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting.



**PRESENT VIA ZOOM:**

Dr. Larry Wallace Jr., Mayor

**COUNCIL MEMBERS:**

Dr. Christopher Harvey, Mayor Pro Tem, Place 3 (Absent)  
Emily Hill, Place 1  
Anne Weir, Place 2  
Sonia Wallace, Place 4  
Deja Hill, Place 5  
Gene Kruppa, Place 6

**CITY STAFF:**

Lluvia T. Almaraz, City Secretary  
Lydia Collins, Director of Finance  
Scott Dunlop, Assistant Development Services Director

**WORKSHOP SESSION – 9:00 A.M.**

With a quorum of the Council Members present via video/telephone conference, the workshop session of the Manor City Council was called to order by Mayor Wallace Jr. at 9:00 a.m. on Saturday, January 9, 2021.

**PUBLIC COMMENTS**

There were no public comments received prior to the meeting.

Mayor Wallace introduced Zindia Thomas, J.D.

Zindia Thomas discussed the attached PowerPoint presentation.

• **Discussion of the TML Revenue Manual for Texas Cities.**

- *Assessments (petition, advisory committee, improvement & tourism)*
- *Certificates of Obligation*
- *Child Safety Fines*
- *Felony Forfeiture Funds*
- *Hotel Occupancy Taxes (7% max)*
- *Investments (ordinance/resolution)*
- *Municipal Court Fines*
- *Tax Freeze*
- *Right-of-Way Rental Fees*

- **Discussion of the TML Economic Development Handbook.**
  - *Property Tax Abatement*
  - *Tax Increment Financing*
  - *Economic Development Through Tourism*
  - *Other Economic Development Initiative – Public Improvement Districts*

**ADJOURNMENT**

The Workshop Session of the Manor City Council Adjourned at 12:00 p.m. on Saturday, January 9, 2021.

These minutes approved by the Manor City Council on the 20<sup>th</sup> day of January 2021.

**APPROVED:**

\_\_\_\_\_  
Dr. Larry Wallace Jr.  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary

Draft Minutes

# ECONOMIC DEVELOPMENT CHOICES

ZINDIA  
THOMAS,  
J.D.

# PRESENTATION OUTLINE

**Property Tax Abatement** – Chapter 312 of the Tax Code

**Tax Increment Financing** – Chapter 311 of the Tax Code

**Public Improvement Districts & Assessments** – Chapter 372 of the Local Government Code

**Hotel Occupancy Tax** – Chapter 351 of the Tax Code

**Certificates of Obligation** – Section 271.041 -271.064 of the Local Government Code

**Investments** – Chapter 2256 of the Government Code

**Child Safety Fines** – Article 102.014 of the Code of Criminal Procedure

**Municipal Court Fines** – Section 54.001 of the Local Government Code

**Felony Forfeiture Funds** – Chapter 59 of the Code of Criminal Procedure

**Property Tax Freeze** – Section 11.261 of the Tax Code

**Right-of-Way Rental Fees** – Article III, § 53 of the Texas Constitution

# PROPERTY TAX ABATEMENT

## TAX CODE CHAPTER 312

**A local agreement between a taxpayer and a taxing unit that exempts all or part of the increase in the value of the real property and/or tangible personal property from taxation for a period not to exceed 10 years.**

- ❖ Used to attract new industry and commercial enterprises and to encourage the retention and development of existing businesses.
- ❖ All local governments are allowed to enter into tax abatements (except school districts).
- ❖ Initiation of a tax abatement agreement depends on the location of the property.

# PROPERTY TAX ABATEMENT

## TAX CODE CHAPTER 312

### Property Tax Abatement Procedure

1. Each Taxing Unit must adopt a resolution indicating intention to participate in tax abatement.
2. Each Taxing Unit must adopt tax abatement guidelines and criteria.
3. Notice & Public Hearing on Designation of a Reinvestment Zone.
4. Leading Taxing Unit designates Reinvestment Zone.
5. Written Notice of Intent to enter a tax abatement agreement must be sent to presiding officers of each of the other taxing units in which the property is located.
6. Adopt Tax Abatement Agreement.
7. Other Taxing Units may or may not enter into an abatement agreement.

# TAX INCREMENT FINANCING

## TAX CODE CHAPTER 311

**A tool that local governments can use to publicly finance needed structural improvements and enhanced infrastructure within a designated area known as a reinvestment zone.**

- ❖ Used to publicly finance needed structural improvements and enhanced infrastructure in a defined area (reinvestment zone).
- ❖ Improvement undertaken to promote the viability of existing businesses and to attract new commercial enterprises to the area.
- ❖ **Tax Increment:** additional incremental tax revenue that is received from the affected properties.

# TAX INCREMENT FINANCING

## TAX CODE CHAPTER 311

- ❖ The cost of improvements to the reinvestment zone is repaid by the future tax revenues of each taxing unit that levies taxes against the property.
- ❖ Only cities or counties can initiate.
- ❖ Each taxing unit can choose to dedicate all, a portion of, or none of the tax revenue gained as a result of improvements within the reinvestment zone.



# TAX INCREMENT FINANCING

## TAX CODE CHAPTER 311

- ❖ Designated area must meet at least one of these specific criteria to be considered for tax increment financing:
  - ❖ Present condition must substantially impair the city or county's growth, retard the provision of housing, or constitute an economic or social liability to the public health, safety, morals or welfare & condition must exist because of the presence of one or more of the following\*:
    - ❖ Substantial number of substandard or deteriorating structures,
    - ❖ Inadequate sidewalks or street layout,
    - ❖ Unsanitary or unsafe conditions.
  - ❖ Predominately open or undeveloped land that substantially impairs the growth of the city or county because of obsolete platting, deteriorating structures or other factors.
  - ❖ In or adjacent to a "federally assisted new community".

OR

- ❖ Described in a petition requesting that the area be designated as a reinvestment zone.
  - ❖ Petition must be submitted by the owners of the property constituting at least 50% of the appraised property value within the proposed zone.

\*not the whole list

### Tax Increment Financing Procedure

# TAX INCREMENT FINANCING

# TAX CODE CHAPTER 311

1. GB must prepare a preliminary reinvestment zone financing plan.
2. GB must publish notice of a public hearing at least seven days before hearing on the creation of the reinvestment zone.
3. GB must hold public hearing on the creation of the reinvestment zone.
4. City or county designate a contiguous area as a reinvestment zone for tax increment financing purposes and create the board of directors for the reinvestment zone by ordinance or order.
5. Board of directors must prepare both a "project plan" and a "reinvestment zone financing plan".
6. Other taxing units with property within the zone must collect the percentage of their increased tax revenues that will be dedicated to the tax increment fund after approval of project plan and reinvestment zone financing plan by board of directors and city/county.
7. Board of directors must make recommendations to the city/county on the implementation of the tax increment financing once reinvestment zone is established.
8. City/County must submit an annual report to the chief executive officer of each taxing unit that levies taxes on property within the zone.

# PUBLIC IMPROVEMENT DISTRICTS & ASSESSMENTS

## LOCAL GOVERNMENT CODE CHAPTER 372

**Any city can levy and collect special assessments on property within the city or within the city's ETJ to finance certain improvements to infrastructure to facilitate economic growth within an area.**

- ❖ **Assessments:** fees levied against property owners who will benefits from assessment-financed improvements within PIDs.
- ❖ Following Improvements\* may be accomplished:
  - ❖ Landscaping
  - ❖ Acquiring, constructing, improving, widening, narrowing, closing or rerouting sidewalks, streets, or any other roadways or their right-of-way
  - ❖ Acquisition, construction or improvement of water, wastewater or drainage improvements
  - ❖ The establishment or improvement of parks
  - ❖ Construction or improvement of pedestrian malls
  - ❖ Acquisition, construction, or improvement of off-street parking facilities

\*not the whole list

**Payment of Costs of Improvement:**

- ❖ Cost payable by city: city may use general funds available for the purpose of improvements or other available general funds.
- ❖ Cost payable from special assessments that have been paid in full: must be paid from that assessment.
- ❖ Cost payable from special assessment that is payable in installments: may be paid by any combination of the following:
  - ❖ Under an installment sales contract or a reimbursement agreement b/w city and person who acquires, installs, or constructs the improvements;
  - ❖ As provided by a temporary note or time warrant issued by the city and payable to the person who acquires, installs, or constructs the improvements; or
  - ❖ By the issuance and sale of revenue or general obligation bonds.

**PUBLIC  
IMPROVEMENT  
DISTRICT  
&  
ASSESSMENTS**

**LOCAL  
GOVERNMENT  
CODE  
CHAPTER 372**

# PUBLIC IMPROVEMENT DISTRICT & ASSESSMENTS

## LOCAL GOVERNMENT CODE CHAPTER 372

### Public Improvement District Procedure

1. Petition: GB or a group of affected property owners must initiate and call for a defined area of the city to be declared a PID.
2. City may appoint an advisory board to develop and recommend an improvement plan for the PID after receiving a petition.
3. City should prepare a feasibility report after receiving a petition.
4. Public Hearing on advisability of the improvements must be conducted after meeting statutory notice requirements.
5. City must adopt a resolution by majority vote authorizing the creation of a PID.
6. Twenty days after authorization of the PID has taken effect, the City may begin construction of the improvement.
7. Five-year on-going service plan and assessment plan must be developed.
8. City must prepare a proposed assessment roll and provide notice and a public hearing on the proposed assessment roll.
9. By ordinance, the City may levy the special assessment against taxable properties within the district after all the objections have been heard and considered.
10. City may make additional assessments against the property within the district to correct omissions or mistakes regarding the costs of the improvements.

# HOTEL OCCUPANCY TAX

## TAX CODE CHAPTER 35 I

**A tax charged to a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day, and is ordinarily used for sleeping.**

- ❖ All cities can adopt HOT within its city limits.
- ❖ Cities with a population of under 35,000 can adopt HOT within its ETJ also.
- ❖ Most cities can adopt up to 7% HOT rate.
- ❖ Some cities can adopt up to 9% HOT rate depending on type of city or population of city.
- ❖ Combined HOT Rate:
  - ❖ May not exceed more than 17% HOT
  - ❖ If city adopt HOT in ETJ, may not exceed 15% HOT

# HOTEL OCCUPANCY TAX – TAX CODE CHAPTER 35 I

## TWO PART TEST

### Part One

Every Expenditure must **DIRECTLY** enhance & promote (Heads in Beds):

- ✓ Tourism
  - Guiding or managing individuals who are traveling from the individual’s residence to a different city, county, state or country for pleasure, recreation, education, or culture.
- ✓ Convention & Hotel Industry
  - A program, event, or facility likely to cause increased hotel or convention activity.

### Part Two

Clearly fit into one of nine statutorily provided categories

1. Convention center/Visitor information center
2. Administrative Cost for facilitating convention registration
3. Advertising, solicitations & promotion that attract tourists and convention delegates to the city or its vicinity
4. Promote the Arts
5. Historical restoration/preservation programs
6. Sporting events within counties w/ a population of under 1 million
7. Sport facilities/fields for certain cities
8. Transportation systems for tourists
9. Direction signage for tourist to sights/attractions

# CERIFICATES OF OBLIGATION

## SECTIONS 271.041 - 271.064 OF THE LOCAL GOVERNMENT CODE

**A debt instrument that can be issued by a city to:**

- 1. Pay for the construction of public work;**
  - 2. Purchase materials, supplies, equipment, machinery, buildings, land, and right-of-way for authorized needs and purposes; and**
  - 3. Pay contractual obligations for professional services.**
- 
- ❖ Paid off through taxes, revenues, or a combination of both.
  - ❖ Does not require voter approval, unless receives a petition protesting issuance of COs.
  - ❖ Notice of the issuance of COs must be published in the newspaper of general circulation in the area that the city intends to issue the COs.
  - ❖ Must receive Attorney General approval unless COs are issued directly to a contractor.



# INVESTMENTS

## CHAPTER 2256 OF THE GOVERNMENT CODE

- ❖ Allowed by the Public Fund Investment Act (PFIA).
- ❖ Requirements necessary before City can invest its public funds:
  1. Adopt a written investment policy by ordinance or resolution;
  2. Only invest city's funds in investments authorized under its written investment policy;
  3. Authorized investments must come from the list of proper investments under the PFIA; and
  4. A City Official must complete training regarding the requirements of the PFIA.

- ❖ **Legal Investments under the PFIA:**
  - ❖ Governmental Obligations
  - ❖ Certificates of Deposits
  - ❖ Repurchase Agreements
  - ❖ Securities Lending Programs
  - ❖ Banker's Acceptances
  - ❖ Commercial Paper
  - ❖ Certain Municipal Funds
  - ❖ Investment Pools
  - ❖ Municipal Utility
  - ❖ Municipal Funds from Management & Development of Mineral Rights
  - ❖ Decommissioning Trust
  - ❖ Hedging Transaction

# CHILD SAFETY FINES

## ARTICLE 102.014 OF THE CODE OF CRIMINAL PROCEDURE

Cities under 850,000 may adopt an optional municipal court fine on parking violations, if the city has a parking ordinance that provides penalties for violations.

- ❖ Proceeds are used for child safety.
  - ❖ If city operates a school crossing guard program, proceeds must be spent on that program.
  - ❖ If not, proceeds may either be deposited in an interest-bearing account or expended for programs designed to enhance child safety, health, or nutrition, including child abuse prevention & intervention and drug & alcohol abuse prevention.
  - ❖ Programs designed to enhance public safety and security.

# MUNICIPAL COURT FINES

## SECTION 54.001 OF THE LOCAL GOVERNMENT CODE

### Monetary Punishments for Violation of Class C Misdemeanor by Municipal Courts.

- ❖ Class C Misdemeanors are created by state statutes or city ordinances.
  - ❖ Examples: Traffic tickets, Weedy lot violations.
- ❖ Amount of Fines:
  - ❖ State Class C Misdemeanors: set by the statute that created the offense.
  - ❖ City Ordinance: set by the ordinance
    - ❖ Ordinary offenses: may not exceed \$500
    - ❖ Offenses related to fire safety, zoning, or public health and sanitation: may not exceed \$2000
    - ❖ Dumping of Refuse Offense: may not exceed \$4000.
- ❖ Revenue for offenses other than traffic violations is general revenue of the city
- ❖ State Traffic violation revenue used:
  - ❖ to construct and maintain roads, bridges & culverts in the city; and
  - ❖ to enforce laws regulating the use of highways by motor vehicles.

# FELONY FORFEITURE FUNDS

## CHAPTER 59 OF THE CODE OF CRIMINAL PROCEDURE

**Allows for police seizures and forfeitures of property used in, and the proceeds gained from, the commission of certain crimes.**

**Criminal District Attorney may, by agreement, distribute property and funds to local law enforcement agencies to be used for law enforcement purposes.**

- ❖ Police chief has sole decision-making authority about how funds are spent.
- ❖ Funds held in city treasury.

- ❖ **Law Enforcement Purposes:** an activity of a law enforcement agency that relates to the criminal and civil enforcement of the laws of this state and specifically includes:
  - ❖ Equipment;
  - ❖ Supplies;
  - ❖ Investigative and training-related travel expenses;
  - ❖ Conferences and training expenses
  - ❖ Investigative costs;
  - ❖ Crime prevention and treatment programs;
  - ❖ Facility costs;
  - ❖ Witness-related costs; and
  - ❖ Audit costs and fees.

# PROPERTY TAX FREEZE

## SECTION 11.261 OF THE TAX CODE

**City may freeze homestead property taxes of individuals who are disabled or over the age of 65.**

- ❖ City council can enact.
  - ❖ Election if receives petition by 5% of the registered voters in the city.
- ❖ Once enacted, cannot be revoked.

Also see Art.VIII, § 1-b(h) of the Texas Constitution.

# RIGHT-OF-WAY RENTAL FEES

## ARTICLE III, § 52 OF THE TEXAS CONSTITUTION

**Rental costs paid by utilities that use the city's right-of-ways or other city property to transmit their services.**

**Also known as Franchise Fees.**

How the fees are determined depends on what utility is using the right-of-ways:

- ❖ **Cable Television & Other Video Services:** Chapter 66 of the Utilities Code
  - ❖ Holder of a state-issued cable and video franchise holder to make quarterly franchise payment to each city in which it provides service and that the payment be equal to 5% of gross revenue earned by the franchise holder in that city; and
  - ❖ Holder is required to pay each city a public, educational, and government (PEG) channel support fee an amount equal to 1% of the provider's gross revenue or, at the city's election, the per-subscriber line fee that was paid under previous franchise agreements.
  - ❖ Fee can be spent in the manner the city chooses, except for the PEG fee.

# RIGHT-OF-WAY RENTAL FEES

- ❖ **Electricity:**Section 33.008 of the Utilities Code
  - ❖ Rental fee based on kilowatt hours of electricity delivered within the city.
  - ❖ Rate per kilowatt hour is based on the amount of compensation that the city received in calendar year 1998 for its then-existing electric right-of-way rental fee, divided by the number of kilowatt hours delivered to retail customers in the city during 1998.
  - ❖ City should adopt an electric franchise ordinance to provide for the collection of the fees.
- ❖ **Gas and Water:**Section 182.025 (a) & (b) of the Tax Code
  - ❖ May impose a 2% rental fee, but fee may be at a greater rate if the parties agree in writing.
- ❖ **Small Nodes:** Chapter 284 of the Local Government Code
  - ❖ Charge a maximum annual amount equal to \$250 multiplied by the number of network nodes installed in the public right-of-way in the city's corporate boundaries.
  - ❖ Lawsuit

# RIGHT-OF-WAY RENTAL FEES

- ❖ **Telephone/Telecommunication Services:** Chapter 283 of the Local Government Code
  - ❖ Rate equal to the number of "access lines" currently located within the city multiplied by the access line fee rate calculated for each city based on the franchise fee revenues received by the city in 1998.
  - ❖ Exception: Bundled cable and telecommunication provider to stop paying the lesser of its state cable right-of-way rental fee or telephone access line fees, whichever is less for the company statewide.



# CONTACT INFORMATION FOR QUESTIONS

Zindia Thomas, J.D.

[zoesquire@gmail.com](mailto:zoesquire@gmail.com)





**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Thomas Bolt, City Manager  
**DEPARTMENT:** Administration

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the acceptance of the December 2020 Departmental Reports.

**BACKGROUND/SUMMARY:**

- Police – Ryan Phipps, Chief of Police
- Development Services – Scott Dunlop, Assistant Development Services Director
- Community Development – Debbie Charbonneau, Heritage and Tourism Manager
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Michael Tuley, Director of Public Works
- Finance – Lydia Collins, Director of Finance

**LEGAL REVIEW:** Not Applicable

**FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No

**ATTACHMENTS:** Yes

- December 2020 Department Monthly Reports

**STAFF RECOMMENDATION:**

It is the City Staff’s recommendation that the City Council approve and accept the December 2020 Departmental Reports.

<b>PLANNING &amp; ZONING COMMISSION:</b>	<b>Recommend Approval</b>	<b>Disapproval</b>	<b>None</b>
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# Manor Police Department

## Monthly Council Report

Ryan S. Phipps - Chief of Police

Date of Meeting: 1/20/2021

December 2020

Activity	Reported Month	Same month Prior year	Percentage difference	
Calls for Service	1684	1904	11.5↓	Patrol Car Rental Last Month \$718.75 YTD \$39815.50
Average CFS per day	54.3	61.4	11.5↓	
Open Cases	16	23	30.4↓	
Charges Filed	28	44	36.3↓	
Alarm Responses	51	53	3.77↓	
Drug Cases	6	12	75↓	
Family Violence	8	7	14.2↑	
Arrests Fel/Misd	11Fel/17Misd	15Fel/29Misd	26.6↓Fel/41.3↓Misd	
Animal Control	16	13	23↑	
Traffic Accidents	44	33	33.3↑	
DWI Arrests	15	18	16.6↓	
Traffic Violations	158	729	78.3↓	
Impounds	36	66	45.4↓	
Ordinance Violations	11	59	81.3↓	
Victim Services Cases	43	63	31.7↓	
Total Victims Served	33	75	56↓	
Laboratory Submissions	4	7	42.8↓	

Notes:  

\*DNA- DATA NOT AVAILABLE

**DEVELOPMENT SERVICES DEPARTMENT REPORT  
PROJECT VALUATION AND FEE REPORT**

December 1-31, 2020

Description	Projects	Valuation	Fees	Detail
Commercial Electrical	1	\$25,000.00	\$252.00	
Commercial Sign	3	\$29,100.00	\$889.78	
Commercial Tenant Finish-Out	1	\$192,392.00	\$1,327.95	ATI Physical Therapy
Multifamily New	13	\$23,852,264.00	\$842,391.60	Prose Manor Commons Apt.
Residential Electric	17	\$257,874.64	\$1,817.00	
Residential Foundation Repair	5	\$32,020.00	\$485.00	
Residential Irrigation	61	\$130,779.76	\$6,547.00	
Residential New	46	\$15,515,397.25	\$318,615.00	
Residential Plumbing	7	\$39,350.00	\$929.00	
Residential Remodel/Repair	1	\$169,227.76	\$542.00	
Temporary Sign	1	\$0.00	\$37.00	
<b>Totals</b>	<b>156</b>	<b>\$40,243,405.41</b>	<b>\$1,173,833.33</b>	

Total Certificate of Occupancies Issued: 69

Total Inspections(Comm & Res): 1,860

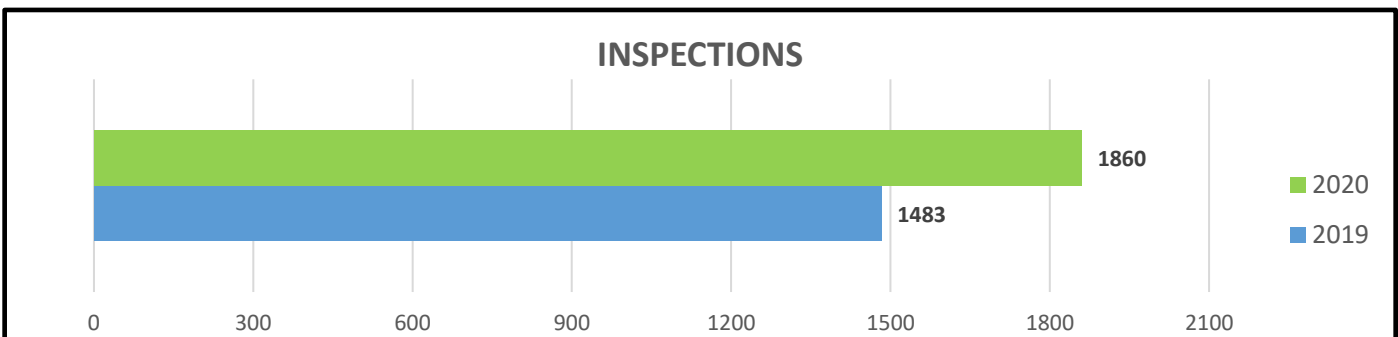
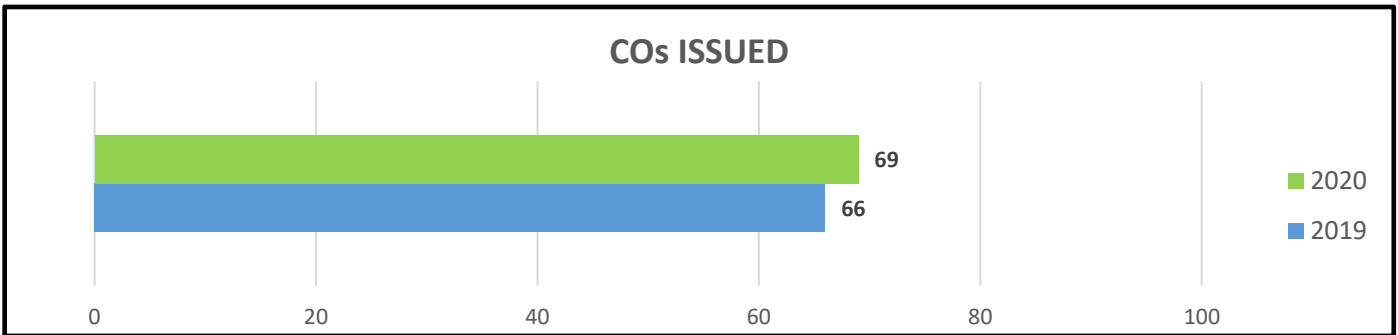
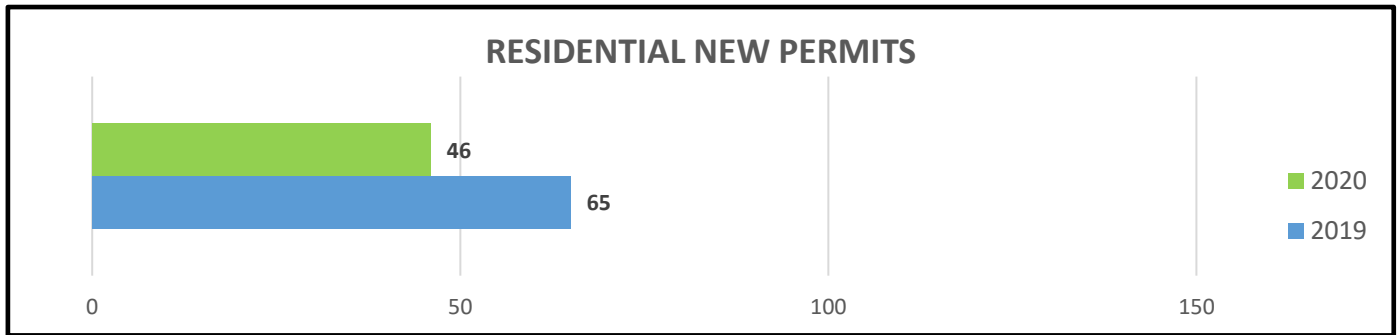
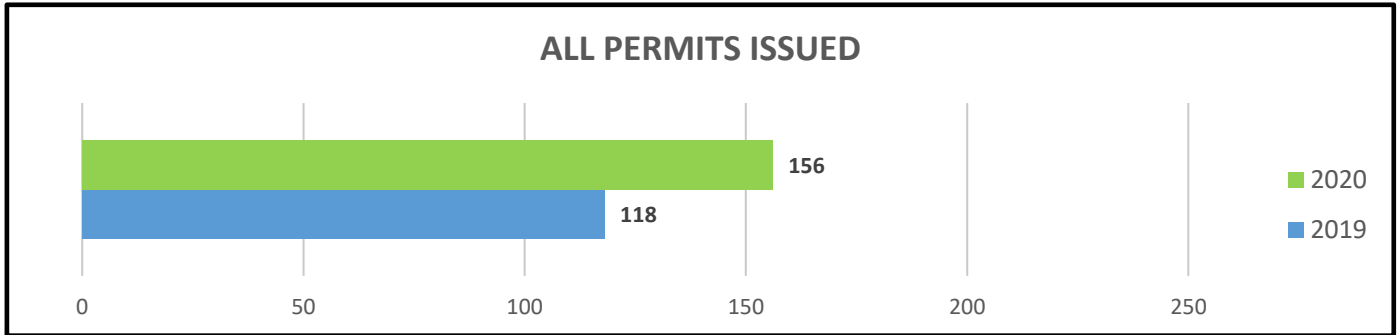
*Tom Bolt, City Manager*





# December 2020

DEPARTMENT OF DEVELOPMENT SERVICES  
THOMAS BOLT, DIRECTOR



\*Charts displayed at different scales



# MEMO

To: Mayor and City Council Members  
From: Debbie Charbonneau, Heritage & Tourism Manager  
Date: January 20, 2021  
RE: **December 2020 & January 2021 Reports**

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## COMMUNITY MEETINGS

Chamber of Commerce January Board of Directors Meeting (ZOOM)  
Chamber of Commerce January Meeting (ZOOM)

## BUSINESS CONTACTS/VISITS

I made twenty (20) business contacts/visits for the months of December and January.

## EVENTS

### **Leadership Manor Class #1 – No Class in December**

**Leadership Manor Class #1 – The class for January 2021 will be Travis County Day and I am working with Kate Garza who is the Chief of Staff for the office of Travis County Judge Andy Brown.**

**Leadership Manor Committee Meeting (ZOOM) – Monday, December 28, 2020.** - Committee meeting regarding the survey.

**Leadership Manor Class Monthly Meeting (ZOOM) – Thursday, December 10, 2020 –** Monthly meeting.

**Leadership Manor Committee Meeting (ZOOM) – Wednesday, January 6, 2021 –** Weekly meeting regarding the community survey.

**Leadership Manor Class Meeting (ZOOM) – Wednesday, January 13, 2021 –** Weekly meeting regarding the community survey.



# MEMO

## MANORPALOOZA 2021 – MAY 7 & 8, 2021

ManorPalooza planning has started and moving forward.

**ManorPalooza Meeting** – Board met on Wednesday, January 13, 2021 to finalize plans for the event on May 7 & 8, 2021.

I have been working on food and arts & craft vendors for the event.

### **Food Vendors contacted:**

Brain Freeze of Texas – Manor – They serve ice cream and more  
 That Taco Stand – Manor – Tacos and more  
 Tamale Addiction – Manor – Tamales  
 Scrumbscious Pieshakes - Forney – Burgers, pieshakes, fried pies, fries and more  
 Stuffed Wings – Houston  
 Urban Cowboy Southern Fusion – Austin  
 Euro Pizza – Bastrop  
 Korean Kravings – Killeen  
 Krab Kingz – Pflugerville

### **Arts & Craft Vendors contacted:**

Revinished – Texas State Fair – Denton - Home décor  
 A Spice Above Texas – San Antonio Rodeo – Indiana – Gourmet Dips  
 Agave Sky Boots – San Antonio Rodeo – Round Top – Boots and more  
 3 Sassy Chicks Boutique – Sant Antonio Rodeo – San Antonio - Clothes and more  
 Black Rifle Coffee Company – San Antonio Rodeo – Coffee and more  
 3 Barrels Up – San Antonio Rodeo – Arizona - Hats  
 Eko Deko – Texas State Fair – Home décor and wood products  
 Reecil – Texas State Fair – Greeting cards  
 Rickey’s Jerky – San Antonio Rodeo – Jerky and more  
 Tiny Herd Boutique – San Antonio Rodeo – Clothes for young children  
 Caramel Kitchen – San Antonio Rodeo – Idaho – Caramel sauce



# MEMO

## OTHER DUTIES

**CivStart Bi-Weekly ZOOM Meetings** – These meetings are attended by the CivStart team, Tom Bolt, Mayor Wallace and me.

CivStart is a nonprofit accelerator for government technology startups dedicated to creating an honest and inclusive ecosystem for innovative solutions to the more pressing problems faced by state and local governments.

**CivStart Meeting** – December 15, 2020 – CivStart had scheduled the meeting to meet with a start-up company. Qwally is a company that creates software systems to engage with, monitor, and support individual business owners.

**CivStart & Qwally Presentation** – January 12, 2021 - We to see the presentation from Qwally and review the proposal they sent. It was decided to draft a 3-month pilot project, at no cost and no long-term commitment to Manor that would include the following:

What are our most important business objectives?

Drafting a scope of work.

What do we want to accomplish in promoting our businesses and

Setting up three modules for the pilot project.

We will meet again in two weeks.

**City Council Meeting (ZOOM)** – Attended the City Council meeting on Wednesday, December 16, 2020.

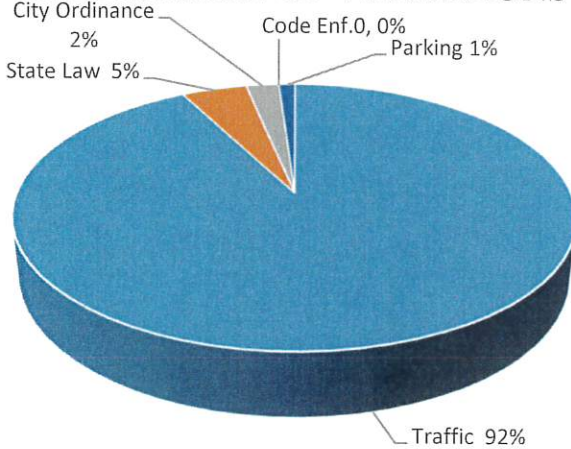
**Texas Downtown Association Education & Outreach Committee (ZOOM) – January 12, 2021** – The committee met and have planned out the next three months of webinars. They are – Downtown Lighting, Downtown Loft Living and How to start and sustain a successful downtown association.



## City of Manor Municipal Court DECEMBER 2020

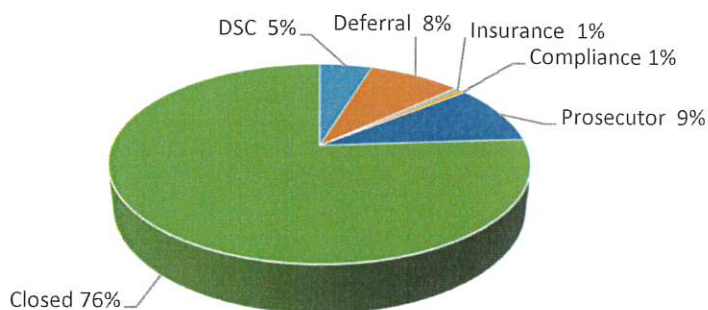
Violations Filed	Dec-20	Dec-19
Traffic	83	358
State Law	4	20
City Ordinance	2	30
Code Enforcement	0	8
Parking	1	23
<b>Total</b>	<b>90</b>	<b>439</b>

**PERCENTAGE OF VIOLATIONS**



Dismissals	Dec-20	Dec-19
DSC	9	47
Deferral	16	82
Insurance	1	4
Compliance	1	16
Prosecutor	18	57
Closed	144	418
<b>Total</b>	<b>189</b>	<b>624</b>

**PERCENTAGE OF DISMISSALS**



Warrants	Dec-20	Dec-19
Arrest Warrants	0	205
Capias Pro Fine	0	24
<b>Total</b>	<b>0</b>	<b>229</b>

**PERCENTAGE OF WARRANTS**



**Money Collected in December 2020**

Kept By City	\$20,814.92
kept By State	\$9,764.85
<b>Total</b>	<b>\$30,579.77</b>

**Money Collected in December 2019**

Kept By City	\$35,275.14
Kept By State	\$20,121.22
<b>Total</b>	<b>\$55,396.36</b>



# MEMO

To: Mayor and City Council Members  
From: Mike Tuley, Director of Public Works  
Date: January 20, 2021  
**RE: December Monthly Report**

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## **Public Works Department**

### **Street and Public, Parks, and Maintenance Department**

In the month of December, the Public Parks and Maintenance Department mowed all city facilities, alleys, and right of ways. They cleaned and maintained all city's facilities and parks. They performed all maintenance on city vehicles and heavy equipment. In December, the Street Department repaired streets, curbs and signs.

### **Water and Wastewater Department**

In December, the Water Department performed daily maintenance on the water system, repaired water mains, set water meters and tested the water daily. In December, the Wastewater Department performed daily maintenance on the wastewater plant. They cleaned and unstopped wastewater mains.

### **Water Production & Purchase**

In the month of December 9% of the water we supplied to our residents was from our wells, and we purchased 91% from EPCOR and Manville WSC.

### **Subdivision Inspections**

- Street Inspections- 15
- Water Inspections- 5
- Wastewater Inspections- 6

PUBLIC WORKS DEPARTMENT  
DECEMBER 2020

PROJECT NAME	PROJECT DESCRIPTION	MONTHLY ACTIVITY	PERCENT CONSTRUCTION COMPLETE/PHASE
Wilbarger Creek Wastewater Treatment and Collection System Improvements, Phase 1	Wilbarger WWTP, Onsite LS, Public Works Bldg.	sludge processing/ancillary equipment and building finish out ongoing	95%
Wilbarger Creek Wastewater Treatment and Collection System Improvements, Phase 2	Creekside Lift Station improvements, Carrie Manor Lift Station	Creekside lift station underground piping, drive and fencing complete; Carrie Manor lift station license agreement under review	20%
2017 Water Distribution System Improvements	12" water transmission main along Gregg Lane, FM973 and Tower Road	Line installed and functioning, SCADA improvements being finalized.	95%
2020 Cap Metro Paving Improvements	Paving improvements on Burnet, Rector and Townes Streets	Revised scope completed, plans complete, contract documents complete, project to be bid in 2021	Design/Bidding Phase
Park Bathroom	Public restroom for Timmerman Park	Project to be rebid in January of 2021 to elicit more bids	Bidding Phase
Cottonwood Creek Wastewater Treatment Plant	200,000 GPD wastewater treatment plant and lift station	Contract documents issued, pre-construction meeting scheduled for this week	Construction Phase
Cottonwood Creek Wastewater Improvements Project	Gravity wastewater lines and lift station to serve Cottonwood Creek Basin and Cottonwood Creek Tributary Basin	Easement acquisition ongoing, plans 95%	Design Phase
US 290 Water Line	12" water line extension from Presidential Glen along US 290 to past Kimbro Road	Easement acquisition ongoing, plans 95%	Design Phase
FM 973 Water and Wastewater Lines	12" water line and 12"/15" gravity wastewater line in FM 973	Project on hold per developer	Design Phase
Burnet/Parsons Gravity Main	12" gravity wastewater main	Project to be rebid January 27 <sup>th</sup>	Bidding Phase
CIP W-15 FM973 WL	12" Water Line from downtown to Manor Commons area	Project under preliminary design	Design

## **Streets and Parks Monthly Report December 2020**

### **Daily Duties and Projects 12-1-2020 / 12-31-2020**

- Placed Rye Grass seed at Hamilton Point Park.
- Continued trimming trees in Bell Farms drainage easement.
- Drainage work repaired near Ring Dr retention pond.
- Repaired potholes at S. San Marcos, S. Bastrop St. E. Parsons, Bois-D-Arc
- Repaired and replaced brackets for Woman's restroom at Jennie Lane Park
- Replaced and planted flowers at City Hall, Timberman Park, PD
- Installed stop sign at Andrew Jackson & Hubert Humphrey
- Repaired Dead End triangles at Carillon Way.
- Trimmed trees in alleys between Lockhart St. & Lampasas St.
- Trimmed trees in alleys between E. Boyce & Eggleston St.
- Installed Irrigation for Arbor Day trees at Timberman Park.
- Trimmed trees at Jennie Lane Park.
- Irrigation repairs @ Jennie Lane Park.
- Weekly irrigation checks.
- Play ground and play scape monthly safety checks.
- Scheduled weekly Park mowing maintenance completed.
- Friday Afternoons Bulk Drop Off for city residence.
- Scheduled weekly Park rounds @ park facilities completed.
- Scheduled weekly (ROW) Right of Way mowing completed.
- Weekly vehicle & equipment checks and maintenance.

**Inspections/Warranties/New subdivision Walkthroughs and Pre-Construction meetings.**

Presidential Heights Phase 3 – homes are still being built.

Presidential Heights Phase 3- 2-year walkthrough has been done, contractor in process of repairs.

Presidential Heights Phase 5 – Homes are being built.

Stonewater North Phase 2- Homes are being built.

Stonewater North Phase 3-1-year Walkthrough has been done, contractor in process of repairs.

Lagos Phase 2- Contractor in development process.

Manor Commons- phase 1- 1year walkthrough has been done, contractor in process of repairs.

Manor Commons – phase 1- homes are still being built.

Manor Commons Apartments – still in building process.

Ring Drive – 1year walkthrough has been done, contractor in process of repairs.

Manor Heights – Phase I Sec. 1&2 Contractor in development process.

Manor Heights – Phase II Sec. 1 Contractor in development process and building process.

Grass Dale Manor Apartment - is in development process and building process.

Manor Grand Apartments - is in development process.

Prose Manor Commons Apartments – is in development process.

## Water Monthly Report December 2020

For the month of December, the Water Department had 29 service calls, 7 repair jobs, and 5 maintenance jobs, and 5 Inspections.

**Service calls include:** Low water pressure calls, meter leaks, line locates, brown water calls, disconnect water services, and connected water services.

### Repairs

San Marcos St. and Burton St. NW corner - repaired 6" main break FZ,CD,AM,AB 12-2-20.  
 3030 East Burton St. - check for leak - repaired a 3/4 water service leak by FZ,CD,JB 12-3-20.  
 16704 Trevin Cove - replaced a leaking/broken angle stop by CD,JB 12-4-20.  
 Eggleston St. and Parsons St. - repaired a 6" main break by FZ,CD,AM 12-11-20.  
 612 John Nagle St. - repaired a 1" service line break by CD,JB,AM 12-15-20.  
 306 East Wheeler St. - repaired a 3/4 service line break by CD,JB,AB 12-22-20.  
 103 West Brenham St. - replaced broken meter lid and box by JB,AB 12-23-20.

### Maintenance

308 East Browning St. - called locates so we can install a flush point on dead end main when locates have been marked by JT,JB 11-2-20.  
 Aqua Tech Lab - took 5 first set of 5 Bac T samples dropped off at Aqua Tech lab by DD,12-1-20.  
 Aqua Tech Lab - took 5 second set of 5 Bac T samples dropped off at Aqua Tech lab by DD, 12-9-20.  
 Flush dead-end mains 12-10-20 by JB, 12-17-20 by JB, and 12-17-20 by JB.

### Inspections

Shadowglen section 28 - water being laid by JL Gray construction by DD 12-1-20 to 12-4-20.  
 Genome St. - flow test for Manor Grand Apts. by Manor Fire dept. inspector Bill Carlson, JT 12-2-20.  
 Presidential Heights Phase 4 2-year warranty inspection by JT,DD 13-3-20.  
 JT 12-4-20  
 Shadowglen Phase 26,26 and 27 – preconstruction meeting by JT 12-4-20.  
 Manor Heights phase 1 section 1 by JB,AM 12-8-20

## December 2020 Wastewater Log

For the month of December, the Wastewater Department had 6 service calls, 5 repair jobs, 6 maintenance jobs and 5 inspection.

### Service Calls

13221 Marie Ln. -sewer clog - jetted city side service and cleared notified customer also called locates to repair where city side meets customer side by FZ,CD,JB 12-3-20.  
 410 North Burnet - sewer clog - clog was on customer side notified customer by AM,JB 12-7-20.  
 12812 Wedding Dr. - sewer clog - jetted city side and cleared notified customer also called locates to repair where city side meets customer side by CD,DD 12-11-20.  
 11406 Liberty - sewer clog - jetted city side and cleared by JB,CD 12-12-20.  
 104 South Bastrop - sewer clog - jetted city side and cleared by FZ,AB 12-14-20.  
 303 South Lexington - sewer clog - jetted city side and cleared by FZ,AB 12-14-20.

### Repairs

Presidential Glen Lift Station - repaired leak and replaced transfer hose by CD,JB 12-3-20.  
 13500 Artur Vandenburg - - made repairs where city side meets customer side and installed new cleanout cap and lid by DD,CD 12-4-20  
 13221 Marie Ln - made repairs where city side meets customer side and installed new cleanout cap and lid by CD,AM,JB 12-8-20.  
 12115 Greywacke - made repairs where city side meets customer side and installed new cleanout cap and lid by CD,DD 12-18-20.  
 Las Entradas Lift station - replaced the high-level alarm float by CD,JB 12-29-20.

### Maintenance

Wilbarger Plant - repaired transfer pump on Bulk alum tank back in service by JR,GS 12-4-20.  
 Presidential Glen Lift station - replaced dead generator battery by JT,AB 12-7-20.  
 Presidential Glen Lift station-Generator was not coming on had to replace # 10 wire from Automatic transfer switch by AB 12-15-20.  
 Stonewater Lift station generator - filled coolant level in radiator by FZ,JB 12-18-20.  
 Presidential Glen on Woodrow Wilson st - filled coolant level in radiator by FZ,JB 12-18-20.

## Inspections

Shadowglen section 25,26, and 27 –

Preconstruction meeting with JL Gray construction ,PG,BC,LZ,JT 12-4-20.

Inspected wastewater main by JL Gray Construction by JT,DD 12-17-20.

Inspected wastewater main and service lines by JL Gray Construction 12-21-20 to 12-23-20 by JT,DD.

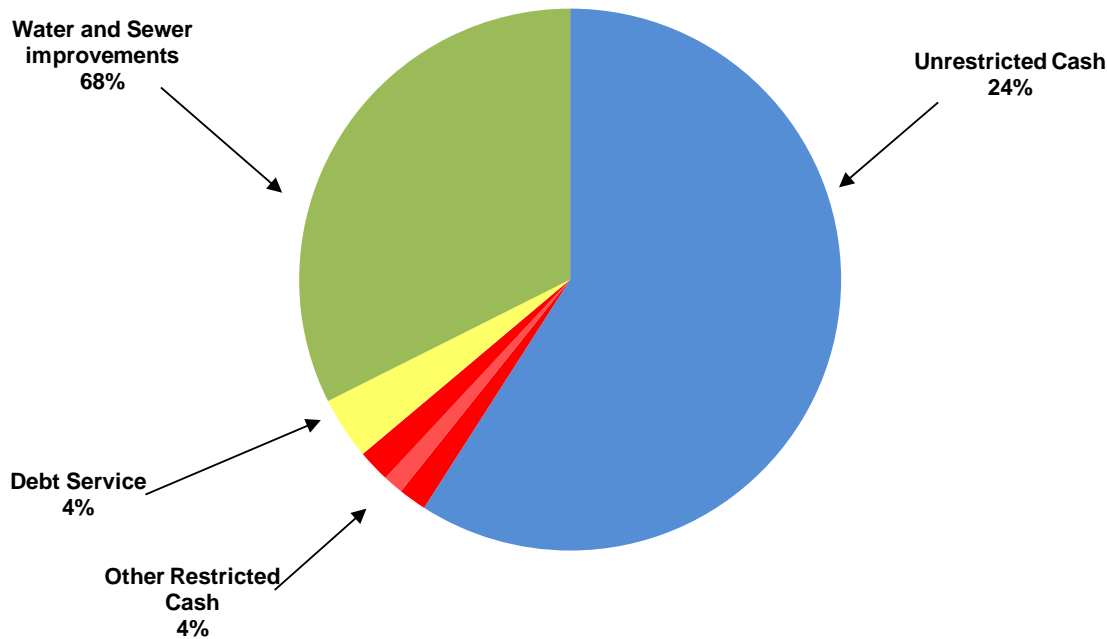
12601 US HWY 290 E Grass Dale Apts.- pressure test main and vacuum test manholes by CD,DD 12-7-20.

Manor Heights Phase 2 section 1 - pulled mandrels with JL gray construction by DD 12-10-20.



**CITY OF MANOR, TEXAS  
CASH AND INVESTMENTS  
As Of December, 2020**

<b>CASH AND INVESTMENTS</b>	<b>GENERAL FUND</b>	<b>UTILITY FUND</b>	<b>DEBT SERVICE FUND</b>	<b>SPECIAL REVENUE FUNDS</b>	<b>CAPITAL PROJECTS FUND</b>	<b>TOTAL</b>
Unrestricted:						
<b>Cash for operations</b>	\$12,783,144	\$ 8,771,548			\$ -	\$ 21,554,692
Restricted:						
<b>Tourism</b>				610,704		610,704
<b>Court security and technology</b>	3,114					3,114
<b>Rose Hill PID</b>				436,017		436,017
<b>Customer Deposits Park</b>	8,932	704,713				704,713
<b>Debt service</b>			1,351,815			1,351,815
<b>Capital Projects</b>						
<b>Water and sewer improvements</b>		659,144		11,165,321		11,824,464
<b>TOTAL CASH AND INVESTMENTS</b>	<b>\$12,795,191</b>	<b>\$10,135,404</b>	<b>\$ 1,351,815</b>	<b>\$ 12,212,041</b>	<b>\$ -</b>	<b>\$ 36,494,451</b>



**Overview of funds:**  
 \$135,150.83 sales tax collected  
 GF is in a favorable status.  
 UF is in a favorable status  
 DSF is in a favorable status  
 CIP Fund is in a favorable status



### AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Samuel D. Kiger, P.E.  
**DEPARTMENT:** City Engineer

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action to approve the Purchase Contract with Timmermann Commercial Investments, LP for a special warranty deed, slope easement and temporary construction easement.

**BACKGROUND/SUMMARY:**

This contract was approved by City Council on November 18, 2020 with Geraldine Timmermann. After approval, the property was conveyed to Timmermann Commercial Investments, LP. All terms and conditions remain the same as the original approved contract with the exception of ownership. This item, with the approval of Legal, is on the Consent Agenda because only the ownership has changed on this previously approved contract.

The property will be used as right-of-way needed for the widening of Old Kimbro Road. The City is agreeing to \$33,607.00 monetary compensation for the fee simple and easements. The expenditure is based on an actual appraisal prepared for the City by a third party.

**LEGAL REVIEW:** Yes, Completed  
**FISCAL IMPACT:** No, Costs are covered by the developer per the terms of the DA  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- *Purchase Contract*

**STAFF RECOMMENDATION:**

It is the City Staff's recommendation that the City Council approve the purchase contract with Timmermann Commercial Investments, LP for a special warranty deed, slope easement and temporary construction easement.

**PLANNING & ZONING COMMISSION:**      **Recommend Approval**      **Disapproval**      **None**

**CITY OF MANOR PURCHASE CONTRACT****THE STATE OF TEXAS****COUNTY OF TRAVIS**

**THIS CONTRACT WITNESSETH** that the undersigned herein called Owner, whether one or more, for good and valuable consideration, the receipt of which is hereby acknowledged, agree to grant a Special Warranty Deed, Slope Easement and Temporary Construction Easement to the City of Manor, herein called the City, a municipal corporation situated in Travis County, State of Texas, or its assigns, and the City agrees to acquire the fee simple, permanent and temporary easement property rights for the consideration and subject to the terms herein stated, upon the following describe real property, to-wit:

All those certain tracts, pieces or parcels of land, lying and being situated in the County of Travis, State of Texas, described and or depicted in **EXHIBITS "A", "B" and "C"**, respectively, attached hereto and made apart hereof for all purposes, to which reference is hereby made for a more particular description of said property.

**TOTAL PRICE: \$33,607.00** shall be paid by the City for the fee simple, permanent and temporary easement rights to such property and for which no lien, or encumbrance expressed or implied, is retained. The **TOTAL PRICE** shall be inclusive of all land and any improvements situated thereon.

Owner agrees to convey to the City fee simple, permanent and temporary easement property rights to the above-described property for the consideration herein stated, or whatever interest therein found to be owned by the Owner for a proportionate part of the above consideration.

Owner at closing shall deliver to the City a duly executed and acknowledged Special Warranty Deed, Slope Easement and Temporary Construction Easement in the form and substance as the attached instruments shown as **EXHIBITS "D", "E" and "F"**, respectively.

Owner and the City will finalize the transaction by closing on or before sixty (60) days after the City is tendered an original release or subordination of any liens, which date is hereinafter referred to as the closing date. This date may be extended upon agreement by the Owner and City. Should the closing documents not be ready or any other incident which reasonably delays the closing, the parties shall close at the first available date for closing.

Owner hereby agrees to comply with the terms of this contract and agrees that the Special Warranty Deed, Slope Easement and Temporary Construction Easement to the above-described property shall be effective at the time of closing.

The City agrees to prepare the Special Warranty Deed, Slope Easement and Temporary Construction Easement for the above-described property at no expense to the Owner and to pay the costs of title insurance and any closing costs.

The City agrees to pay to Owner, upon delivery of the properly executed Special Warranty Deed, Slope Easement and Temporary Construction Easement instruments, the above-stated

amount or the proportionate part of that price for whatever interest owner may have. The validity of this contract is contingent upon City Management approval.

Ad valorem taxes and any other operational expenses owing in connection with the property for the current year shall not be prorated at the closing; thereby Owner is responsible for the full year.

This agreement supersedes any and all other agreements, either oral or in writing, between the Owner and the City hereto with respect to said matter.

Pursuant to Tex. Prop. Code Sec. 21.023, the City hereby advises, and Owner hereby acknowledges he or she has been advised, of the following: if Owner's property is acquired through eminent domain, (1) Owner or Owner's heirs, successors, or assigns are entitled to repurchase the property if the public use for which the property was acquired through eminent domain is canceled before the 10<sup>th</sup> anniversary of the date of acquisition; and (2) the repurchase price shall be the fair market value of the property at the time the public use was canceled.

Owner and the City agree that said fee simple, permanent and temporary easement property rights are being conveyed to the City of Manor under the imminence of condemnation, as that term is used in the United States Internal Revenue Code.

**TO BE EFFECTIVE ON THE LAST DATE INDICATED BELOW:**

**BUYER: THE CITY OF MANOR,  
a Texas municipal corporation**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
**Dr. Larry Wallace, Jr., Mayor**

**SELLER:**

**Timmermann Commercial Investments, LP  
a Texas limited partnership**

Date: \_\_\_\_\_

By: **Timmermann GP, LLC  
a Texas limited liability company**

  
\_\_\_\_\_  
**Geraldine Timmermann, Manager**

Date: \_\_\_\_\_

  
\_\_\_\_\_  
**Barth Timmermann, Manager**

**Project Name: Old Kimbro Road  
Parcel No.: 1  
TCAD Tax ID: 236951**

**JOINDER BY TENANT**

The undersigned owner of certain leasehold interests in the property described in the attached **EXHIBITS "A", "B" and "C"** consents to the conveyance of said property to the City of Manor as set out in the foregoing contract.

EXECUTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Print Leaseholder's Name**

By: \_\_\_\_\_  
**(Signature)**

**Print Name:**  
\_\_\_\_\_

**Address:**  
\_\_\_\_\_  
\_\_\_\_\_

**Phone No.:** ( \_\_\_\_\_ ) \_\_\_\_\_

**If there are no leasehold interests, written or verbal, please sign here.**

\_\_\_\_\_  
**Seller**

\_\_\_\_\_  
**Date**



EXHIBIT "A"

Page 1 of 2

25,921 SQUARE FEET  
RIGHT-OF-WAY DEDICATION  
TERRELL TIMMERMANN

DESCRIPTION OF A 25,921 SQUARE FEET TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING A PORTION OF A 52.7158 ACRE TRACT DESCRIBED IN A DEED OF RECORD TO TERRELL TIMMERMANN IN DOCUMENT NO. 2011144639, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 25,921 SQUARE FEET TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a Type 1 TXDOT monument found at the intersection of the northerly line of U.S. Highway 290 (R.O.W. varies) and the northwesterly line of Old Kimbro Road (R.O.W. varies), for the most southerly or southeast corner of said 52.7158 Acre Tract and the herein described tract

**THENCE** S85°56'57"W, with the northerly line of said U.S. Highway 290 and the southerly line of said 52.7158 Acre Tract, a distance of 21.78 feet to a calculated point, for the southwesterly corner of the herein described tract;

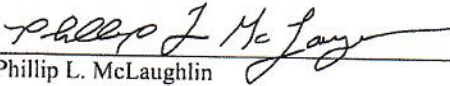
**THENCE** N26°31'49"E, over and across said 52.7158 Acre Tract, a distance of 1453.57 feet to a calculated point in the southerly or southwest line of a 8.00 acre tract described in a deed of record to John Jonse, Et Ux in Volume 4176, Page 2117, Deed Records of Travis County, Texas, for the most northerly or northwest corner of the herein described tract, from which an iron pipe found in the northerly or northeast line of said 52.7158 Acre Tract at the most westerly or southwest corner of said 8.00 Acre Tract bears N62°39'26"W, a distance of 986.93 feet;

**THENCE** S62°39'26"E, with the common line of said 52.7158 Acre Tract and said 8.00 Acre Tract, a distance of 17.05 feet to an iron pipe found in the northwesterly line of said Old Kimbro Road, at the common easterly corner of said 52.7158 Acre Tract and said 8.00 Acre Tract, for the most easterly or northeast corner of the herein described tract;

**THENCE** S26°27'45"W, with the northwesterly line of said Kimbro Road and the southeasterly line of said 52.7158 Acre Tract, a distance of 1442.25 feet to the **POINT OF BEGINNING**, containing an area of 25,921 SQUARE FEET OF LAND MORE OR LESS.

Attachments: 20230\_GR-ROW1-EX

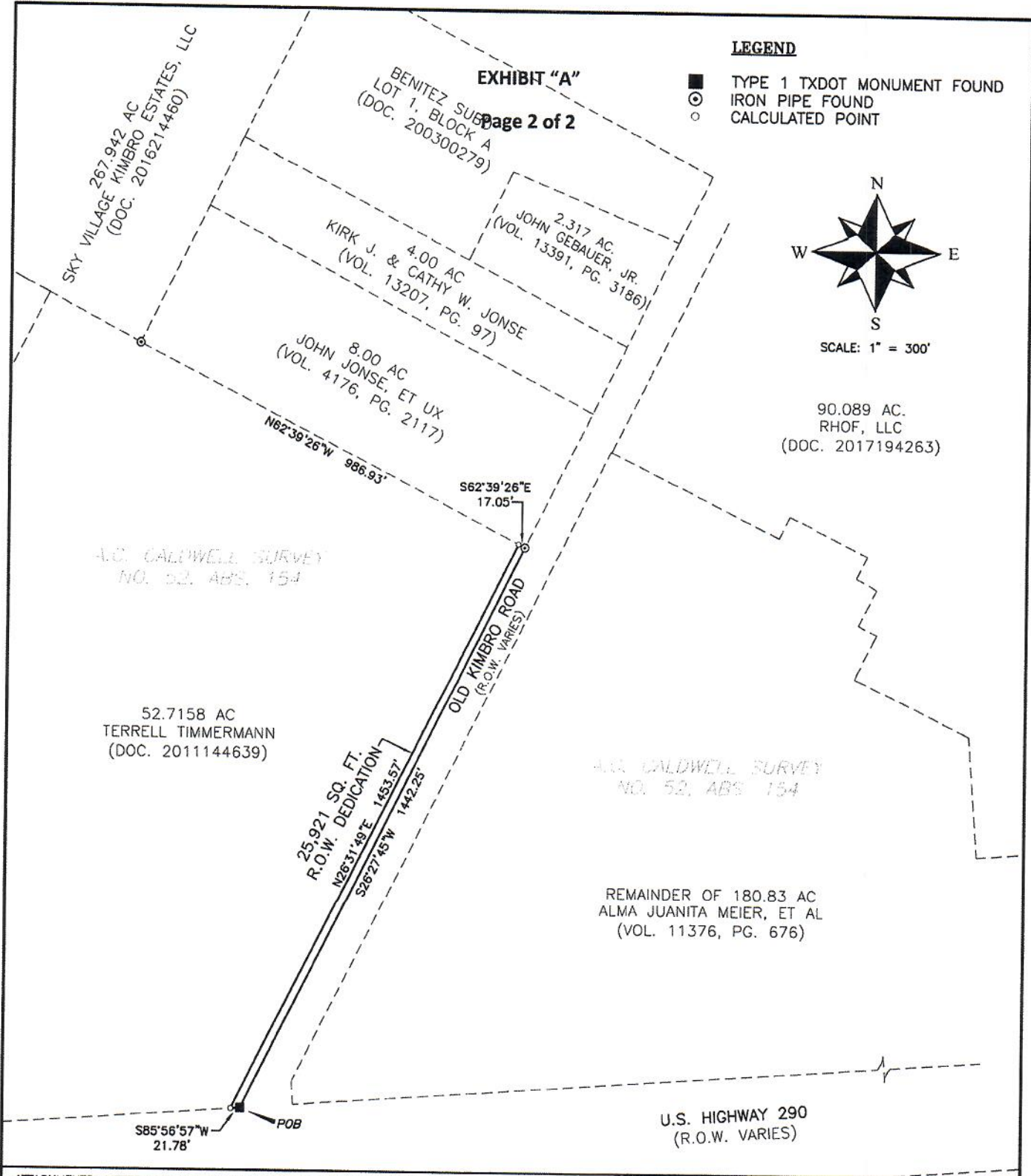
Bearing Basis: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

  
Phillip L. McLaughlin 06-16-20  
Registered Professional Land Surveyor  
State of Texas No. 5300



1805 Ouida Drive, Austin, TX 78728  
Phone (512)267-7430 • Fax (512)836-8385

Page 1 of 1



ATTACHMENTS: METES AND BOUNDS DESCRIPTION 20230\_GR-R0W1-MB  
 BEARING BASIS: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

SHEET	
1	1

EXHIBIT

PLOTTING SCALE: 1" = 300'
DRAWN BY: PMC
REVIEWED BY: DRS
PROJECT NO: 18280
FILE: L\20230_GR-BASE
DATE: JUNE 16, 2020

25,921 SQUARE FEET TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING A PORTION OF A 52.7158 ACRE TRACT DESCRIBED IN A DEED OF RECORD TO TERRELL TIMMERMANN IN DOCUMENT NO. 2011144639, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**GR**  
 SURVEYING, LLC  
 1805 OUIDA DR.  
 AUSTIN, TEXAS 78728  
 PHONE: (512) 267-7430  
 FAX: (512) 836-8385  
 FIRM NO. 10032000



EXHIBIT "B"

Page 1 of 3

13,752 SQUARE FEET  
SLOPE EASEMENT  
TERRELL TIMMERMANN

DESCRIPTION OF A 13,752 SQUARE FEET TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING A PORTION OF A 52.7158 ACRE TRACT DESCRIBED IN A DEED OF RECORD TO TERRELL TIMMERMANN IN DOCUMENT NO. 2011144639, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13,752 SQUARE FEET TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a calculated point in the northwesterly line of Old Kimbro Road (R.O.W. varies), same being the southeasterly line of said 52.718 Acre Tract, from which a Type 1 TXDOT monument found at the intersection of the northerly line of U.S. Highway 290 (R.O.W. varies) and the northwesterly line of said Old Kimbro Road, for the southeasterly corner of said 52.7158 Acre Tract, bears S26°27'45"W, a distance of 285.57 feet, and also from which an iron pipe found in the northwesterly line of said Old Kimbro Road, at the common easterly corner of a 8.00 acre tract described in a deed of record to John Jonse, Et Ux in Volume 4176, Page 2117, Deed Records of Travis County, Texas and said 52.7158 Acre Tract bears N26°27'45"E, a distance of 1156.68 feet;

**THENCE** N63°32'15"W, over and across said 52.7158 Acre Tract, a distance of 18.41 feet to a calculated point, for the most southerly corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** continuing over and across said 52.7158 Acre Tract the following eighteen (18) courses:

1. N18°48'29"E, a distance of 66.20 feet to a calculated point to a calculated point;
2. N43°31'47"E, a distance of 22.19 feet to a calculated point;
3. N24°45'54"E, a distance of 246.50 feet to a calculated point;
4. N31°17'10"E, a distance of 60.31 feet to a calculated point;
5. N26°31'49"E, a distance of 197.96 feet to a calculated point;
6. N08°50'47"E, a distance of 11.17 feet to a calculated point;
7. N26°49'14"E, a distance of 54.03 feet to a calculated point;
8. N05°49'38"E, a distance of 38.76 feet to a calculated point;
9. N38°51'24"E, a distance of 23.63 feet to a calculated point;
10. N32°28'56"W, a distance of 75.64 feet to a calculated point;
11. N60°13'00"E, a distance of 53.02 feet to a calculated point;
12. N82°51'43"E, a distance of 34.61 feet to a calculated point;
13. N38°42'35"E, a distance of 65.40 feet to a calculated point;
14. N21°57'41"E, a distance of 56.32 feet to a calculated point;

1805 Ouida Drive, Austin, TX 78728  
Phone (512)267-7430 • Fax (512)836-8385

Page 1 of 2





EXHIBIT "B"

Page 2 of 3

- 15. N43°27'02"E, a distance of 20.29 feet to a calculated point;
- 16. N27°36'22"E, a distance of 183.71 feet to a calculated point;
- 17. N02°42'56"W, a distance of 15.64 feet to a calculated point;
- 18. N27°31'33"E, a distance of 2.79 feet to a calculated point in the common line of said 8.00 Acre Tract and said 52.7158 Acre Tract, for the most northerly corner of the herein described tract, from which an iron pipe found in the northerly or northeast line of said 52.7158 Acre Tract, at the most westerly or southwest corner of said 8.00 Acre Tract bears N62°39'26"W, a distance of 974.59 feet;

**THENCE** S62°39'26"E with the common line of said 8.00 Acre Tract and said 52.7158 Acre Tract, a distance of 12.33 feet to a calculated point, for the most easterly corner of the herein described tract, from which said iron pipe found at the common easterly corner of the 8.00 Acre Tract and the 52.7158 Acre Tract bears S62°39'26"E, a distance of 17.05 feet;

**THENCE** S26°31'49"W, over and across said 52.7158 Acre Tract, a distance of 1156.94 feet to the **POINT OF BEGINNING**, containing an area of 13,752 SQUARE FEET OF LAND MORE OR LESS.

Attachments: 20230\_GR-SE1-EX

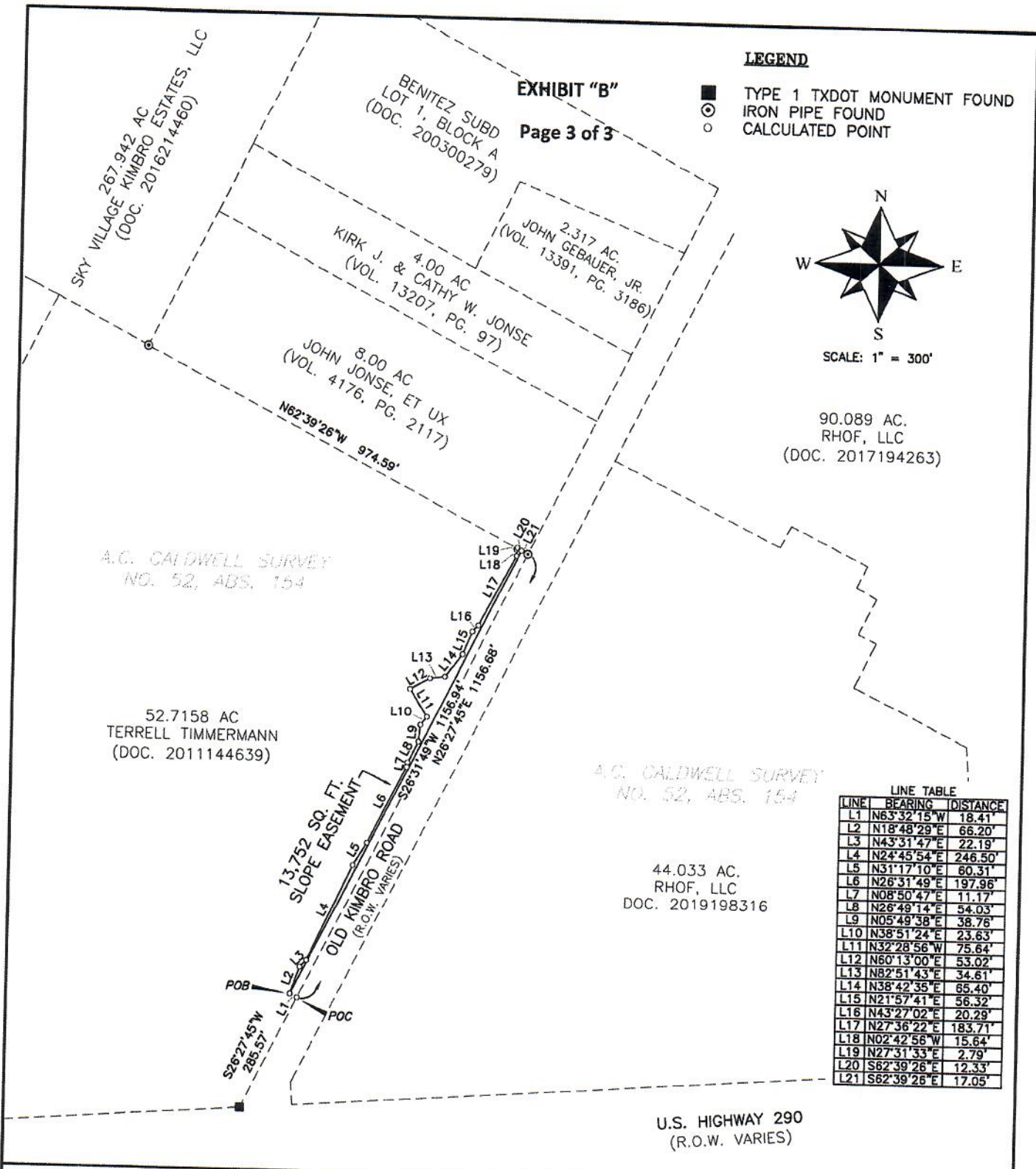
Bearing Basis: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

*Phillip L. McLaughlin*  
 Phillip L. McLaughlin 06-17-20  
 Registered Professional Land Surveyor  
 State of Texas No. 5300



1805 Ouida Drive, Austin, TX 78728  
 Phone (512)267-7430 • Fax (512)836-8385

Page 2 of 2



LINE TABLE

LINE	BEARING	DISTANCE
L1	N63°32'15"W	18.41'
L2	N18°48'29"E	66.20'
L3	N43°31'47"E	22.19'
L4	N24°45'54"E	246.50'
L5	N31°17'10"E	60.31'
L6	N26°31'49"E	197.96'
L7	N08°50'47"E	11.17'
L8	N26°49'14"E	54.03'
L9	N05°49'38"E	38.76'
L10	N38°51'24"E	23.63'
L11	N32°28'56"W	75.64'
L12	N60°13'00"E	53.02'
L13	N82°51'43"E	34.61'
L14	N38°42'35"E	65.40'
L15	N21°57'41"E	56.32'
L16	N43°27'02"E	20.29'
L17	N27°36'22"E	183.71'
L18	N02°42'56"W	15.64'
L19	N27°31'33"E	2.79'
L20	S62°39'26"E	12.33'
L21	S62°39'26"E	17.05'

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 20230\_GR-SE1-MB  
 BEARING BASIS: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

SHEET  
 1 / 1

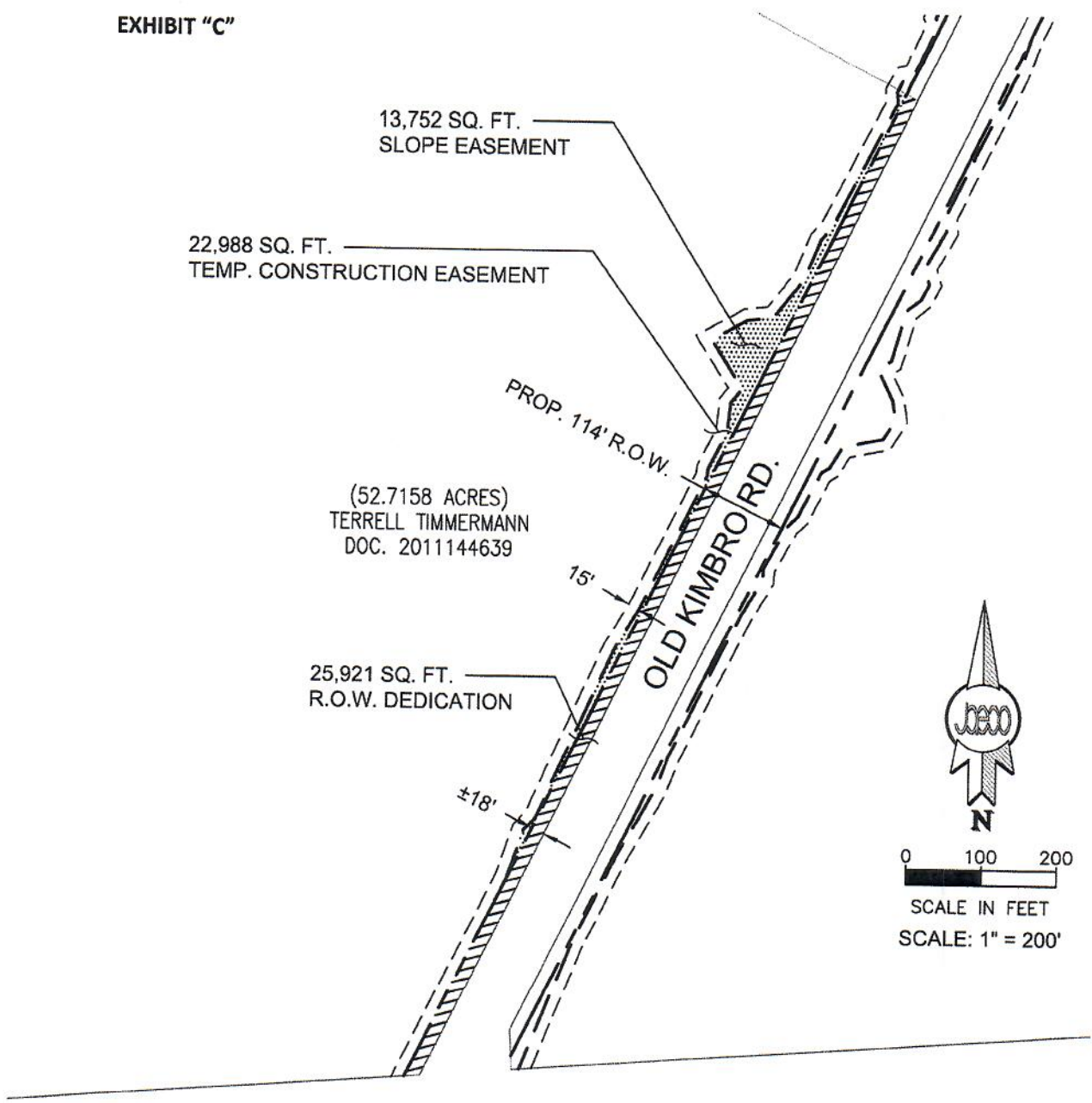
EXHIBIT

PLOTTING SCALE: 1" = 300'  
 DRAWN BY: PMC  
 REVIEWED BY: DRS  
 PROJECT NO: 18280  
 FILE: L:\20230\_GR-BASE  
 DATE: JUNE 17, 2020

13,752 SQUARE FEET TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING A PORTION OF A 52.7158 ACRE TRACT DESCRIBED IN A DEED OF RECORD TO TERRELL TIMMERMANN IN DOCUMENT NO. 2011144639, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**G&R**  
 SURVEYING, LLC  
 1805 OUIDA DR.  
 AUSTIN, TEXAS 78728  
 PHONE: (512) 267-7430  
 FAX: (512) 836-8385  
 FIRM NO. 10032000

**EXHIBIT "C"**



U.S. HIGHWAY 290

PLOT DATE: 6/19/2020 9:13 AM  
 USER: Vbarr  
 FILE: D:\Projects\100 - City of Manor\100-070-20 Cottonwood Creek Wastewater Collection & Treatment System Improvements\Exh-Misc-Files\DWG\J-100-070-20\_ROW-ACQUISITION-EXH\_06-19-20.dwg

**JAY ENGINEERING COMPANY, INC.**  
 P.O. Box 1220  
 Leander, TX 78646  
 Tel. (512) 259-3882  
 Fax (512) 259-8016  
 Texas Registered Engineering Firm F-4780

CITY OF MANOR - OLD KIMBRO RD. RIGHT-OF-WAY ACQUISITION  
**RIGHT-OF-WAY TRACT NO. 1 EXHIBIT**

<b>ENGINEER</b>	<b>DRAWN BY</b>	<b>DATE</b>	<b>PROJECT NO.</b>	<b>SHEET NO.</b>
SAMUEL D. KIGER, P.E.	VDI	06/19/20	100-070-29	2 OF 6

SPECIAL WARRANTY DEED  
DEDICATION OF RIGHT-OF-WAY

EXHIBIT "D"

Page 1 of 3

THE STATE OF TEXAS

§ COPY

COUNTY OF TRAVIS

§ KNOW ALL PERSONS BY THESE PRESENTS:

That Timmermann Commercial Investments, LP, a Texas limited partnership, P. O. Box 4784, Austin, Texas 78765-4784, hereinafter called "**Grantor**," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to Grantors cash in hand paid by **The City of Manor, Texas**, a Texas municipal corporation, hereinafter called "**Grantee**", the receipt of which is hereby acknowledged, have **GRANTED, SOLD and CONVEYED**, and by these presents do hereby dedicate to the use of the public as public right-of-way for streets, drives, drainage, utility service, and public places, subject to the continuing and future control and regulation of the use of such public right-of-way by the City of Manor, described as follows:

All that certain parcel or tract of land being 23,921 square feet, more or less, out of the A. C. Caldwell Survey No. 52, Abstract No. 154 in Travis County, Texas, as more particularly described in metes and bounds and shown in Exhibit "A" attached hereto and incorporated herein as if fully transcribed herein.

This conveyance is expressly made subject to the restrictions, covenants and easements, if any, apparent on the ground, and utility easements, if any, in use by the City of Manor or any other public utility, or now in force and existing of record in the office of the County Clerk of Travis County, Texas, to which reference is here made for all purposes.

**TO HAVE AND TO HOLD** the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said Grantee, **The City of Manor, Texas**, its successors and assigns forever, and Grantor does hereby bind its heirs, executors, successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular, the said premises unto The City of Manor, Texas, the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof same by, through or under the Grantor, but not otherwise.

EXECUTED this the COPY day of \_\_\_\_\_ 2021.

**GRANTOR:**  
**COPY**  
Timmermann Commercial Investments, LP,  
a Texas limited partnership

EXHIBIT "D"  
Page 2 of 3

**By: Timmermann GP, LLC**  
**a Texas limited liability company**  
**as its General Partner**

\_\_\_\_\_  
Geraldine Timmermann, Manager

\_\_\_\_\_  
Barth Timmermann, Manager

**ACCEPTED BY THE CITY OF MANOR, TEXAS (Grantee):**

**COPY**  
\_\_\_\_\_  
Dr. Larry Wallace, Jr., Mayor

**STATE OF TEXAS**                    §  
**COUNTY OF TRAVIS**           §

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Geraldine Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, Grantor herein, in the capacity and on behalf of said limited partnership, for the purposes and consideration recited herein.

\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS

§

COPY

EXHIBIT "D"

COUNTY OF TRAVIS

§

Page 3 of 3

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Barth Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, Grantor herein, in the capacity and on behalf of said limited partnership, for the purposes and consideration recited herein.

COPY  
\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by personally appeared Dr. Larry Wallace, Jr., Mayor of City of Manor, Grantee herein, known to me the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed and in the capacity there in stated.

COPY  
\_\_\_\_\_  
Notary Public, State of Texas

Project: Old Kimbro Road  
Parcel No.: 1  
TCAD Tax ID No.: 236951

AFTER RECORDING PLEASE RETURN TO:  
City of Manor  
105 E. Eggleston  
Manor, Texas 78653

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SLOPE EASEMENT**

COPY

DATE: \_\_\_\_\_, 2021

GRANTOR: Timmermann Commercial Investments, LP, a Texas limited partnership

GRANTOR'S MAILING ADDRESS (including County):

P. O. Box 4784, Austin, Travis County, Texas 78765-4784

GRANTEE: City of Manor, a Texas municipal corporation

GRANTEE'S MAILING ADDRESS (including County):

City of Manor  
105 E. Eggleston Street  
Manor, Texas 78653  
Travis County

COPY

LIENHOLDER: \_\_\_\_\_

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

**EASEMENT PROPERTY:**

A 13,752 square feet tract of land, being a portion of that certain 52.7158 acre tract more or less, out of the A. C. Caldwell Survey No. 52, Abstract 154, Travis County, Texas; same being described in a deed to Terrell Timmermann of record in Document No. 2011144639 of the Deed Records of Travis County, Texas, as more particularly described in Exhibit "A" attached hereto and incorporated herein as if fully transcribed herein.

See "Sketch" attached hereto and made a part of Exhibit "A" for all intents and purposes hereunto and in any wise pertaining, showing such Easement Property.

EASEMENT PURPOSE: The easement shall be used for the purpose of designing, placing, constructing, replacing, modifying, or maintaining and causing to be designed, placed, constructed,

COPY

EXHIBIT "E"

Page 2 of 5

replaced, modified or maintained a slope to accommodate roadway grading in lieu of retaining walls (the "Slope Improvements").

**GRANT OF EASEMENT:** Grantor, for the Consideration paid to Grantor, does hereby grants, sells and conveys unto Grantee and Grantee's successors and assigns an exclusive, perpetual slope easement in upon, over, on, under, above and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement").

**Covenants and Conditions:** The Easement granted is subject to the following covenants and conditions:

1. The Grantor has the right to place, construct, operate, repair, replace and maintain driveways and landscaping ("authorized improvements") on, over and across the Easement Property, so long as such use does not unreasonably interfere with or prevent Grantee's use of the Easement Property as provided herein and provided that Grantor complies with all applicable local, state, and federal regulations in installing and maintaining authorized improvements. But, Grantor may not construct any buildings or similar improvements on the Easement Property. Grantor shall be responsible for the cost of replacing such improvements in the event the Grantee removes or alters the improvement to exercise Grantee's rights hereunder.

2. This Easement is granted and accepted subject to any and all easements, covenants, rights-of-way, conditions, restrictions, encumbrances, mineral reservations and royalty reservations, if any, relating to the Easement Property to the extent and only to the extent, that the same may still be in force and effect, and either shown of record in the Office of the County Clerk of Travis County, Texas, or apparent on the ground.

The covenants, terms and conditions of this Easement are covenants running with the land, and inure to the benefit of, and are binding upon, Grantor, Grantee, and their respective legal representatives, successors and assigns.

**TO HAVE AND TO HOLD** the above-described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and its successors and assigns forever. Grantor does hereby binds itself and its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the easement or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

*[Signature pages follow this page.]*



COPY

EXHIBIT "E"

Page 3 of 5

IN WITNESS WHEREOF, this instrument is executed on the date first provided above.

**GRANTOR:**

**Timmerman Commercial Investments, LP  
a Texas limited partnership**

**By: Timmermann GP, LLC  
a Texas limited liability company**

COPY

\_\_\_\_\_  
Geraldine Timmermann, Manager

\_\_\_\_\_  
Barth Timmermann, Manager

**ACCEPTED:**

**GRANTEE: City of Manor, a Texas Municipal corporation**

COPY

By: \_\_\_\_\_  
Dr. Larry Wallace Jr., Mayor

THE STATE OF TEXAS

COPY

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by Geraldine Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, Grantor herein, in the capacity and on behalf of said company, for the purposes and consideration recited herein..

..

COPY

\_\_\_\_\_  
Notary Public - State of Texas

THE STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by Barth Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, Grantor herein, in the capacity and on behalf of said company, for the purposes and consideration recited herein..

..

COPY

\_\_\_\_\_  
Notary Public - State of Texas

COPY

EXHIBIT "E"

Page 5 of 5

THE STATE OF TEXAS

COUNTY OF TRAVIS

§  
§  
§

COPY

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, personally appeared Dr. Larry Wallace Jr., Mayor, on behalf of the City of Manor, as Grantee herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

COPY

\_\_\_\_\_  
Notary Public - State of Texas

Project Name: Old Kimbro Road  
Parcel No.: 1SE  
TCAD Tax ID No.: 236951

AFTER RECORDING RETURN TO:

City of Manor, Texas  
Attn: City Secretary  
105 E. Eggleston Street  
Manor, Texas 78653

TEMPORARY CONSTRUCTION EASEMENT

STATE OF TEXAS

COUNTY OF TRAVIS

§  
§  
§

COPY

The Timmermann Commercial Investments, LP, a Texas limited partnership, P.O. Box 4784, Austin, Texas 78765-4784 (called "Grantors" whether one or more), in consideration of \$10.00 and other good and valuable consideration to Grantors in hand paid by the City of Manor, Texas, the receipt of which is acknowledged, have this day GRANTED and CONVEYED, and by these presents do GRANT and CONVEY, unto the City of Manor, a Texas municipal corporation situated in the County of Travis and whose address is 105 E. Eggleston, Manor, Texas 78653 (called "Grantee"), a temporary construction easement to permit working space for the construction of the Old Kimbro Road Project (called "Project") in, upon, and across the following described land:

All that parcel of land, containing 22,988 square feet, more or less, situated in Travis County, Texas depicted in Exhibit "A" attached and incorporated for all purposes, (called "Temporary Construction Easement").

TO HAVE AND TO HOLD the same during the Project construction period to the City of Manor, its successors and assigns, together with the right and privilege at all times during the Project construction period to enter all or part of the Temporary Construction Easement, which will provide working space to construct the Project. Provided, however, that the City of Manor, after completing and accepting the Project, must restore the surface of the Temporary Construction Easement to a similar or better condition than existed before the Project was undertaken.

This Temporary Construction Easement becomes effective on the start of construction of Project on Grantor's land and expires upon completion of the installation of the Project, but in no event later than the earlier of 1) six (6) months from the start of construction on Grantor's land or 2) December 31, 2022. This Temporary Construction Easement automatically terminates on said expiration date and becomes null and void. The City of Manor, its successors and assigns, have no further rights hereunder. No written release by the City of Manor is required or necessary.

GRANTORS do hereby bind themselves, their heirs, successors, assigns and legal representatives to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof.

Executed on \_\_\_\_\_, 2021.

COPY

**COPY**  
GRANTOR:

EXHIBIT "F"

Page 2 of 4

**Timmermann Commercial Investments, LP**  
**a Texas limited partnership**

**By: Timmermann GP, LLC**  
**a Texas limited liability company**  
**as its General Partner**

**COPY**  
\_\_\_\_\_  
Geraldine Timmermann, Manager

\_\_\_\_\_  
Barth Timmermann, Manager

**ACCEPTED:**

**GRANTEE:** City of Manor, a Texas Municipal corporation

**COPY**  
By: \_\_\_\_\_  
Dr. Larry Wallace Jr., Mayor

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

COPY

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by Geraldine Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, Grantor herein, in the capacity and on behalf of said limited partnership for the purposes and consideration recited herein..

COPY

Notary Public - State of Texas

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by Barth Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Timmermann Commercial Investments, LP, a Texas limited partnership, Grantor herein, in the capacity and on behalf of said limited partnership for the purposes and consideration recited herein..

COPY

Notary Public - State of Texas

THE STATE OF TEXAS  
COUNTY OF TRAVIS

COPY  
§  
§  
§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, personally appeared Dr. Larry Wallace Jr., Mayor, on behalf of the City of Manor, as Grantee herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that [s]he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

COPY

\_\_\_\_\_  
Notary Public - State of Texas

Project: Old Kimbro Road Project  
Parcel No.: 1TCE  
TCAD Tax ID No.: 236951

After recording, please return to:  
City of Manor  
105 E. Eggleston  
Manor, Texas 78653

AGENDA ITEM NO. \_\_\_\_\_



**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Scott Dunlop, Assistant Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a Concept Plan for the Manor-OZ Subdivision, one (1) lot on 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.

*Applicant: Carlson, Brigance, & Doering, Inc.*  
*Owner: Manor Apartments, LLC*

**BACKGROUND/SUMMARY:**

This 10.88 acre tract is behind Riata Ford and will have primary access from the extension of Gregg Manor. It is zoned Multi-family 25 (MF-2) and there is a site plan in review for an apartment complex. This concept plan has been approved by our engineers.

P&Z voted 4 – 1 to approve.

**LEGAL REVIEW:** Not Applicable  
**FISCAL IMPACT:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Concept Plan
- Engineer Comments
- Conformance Letter
- TIA Determination Form
- Notice Letter
- Mailing Labels

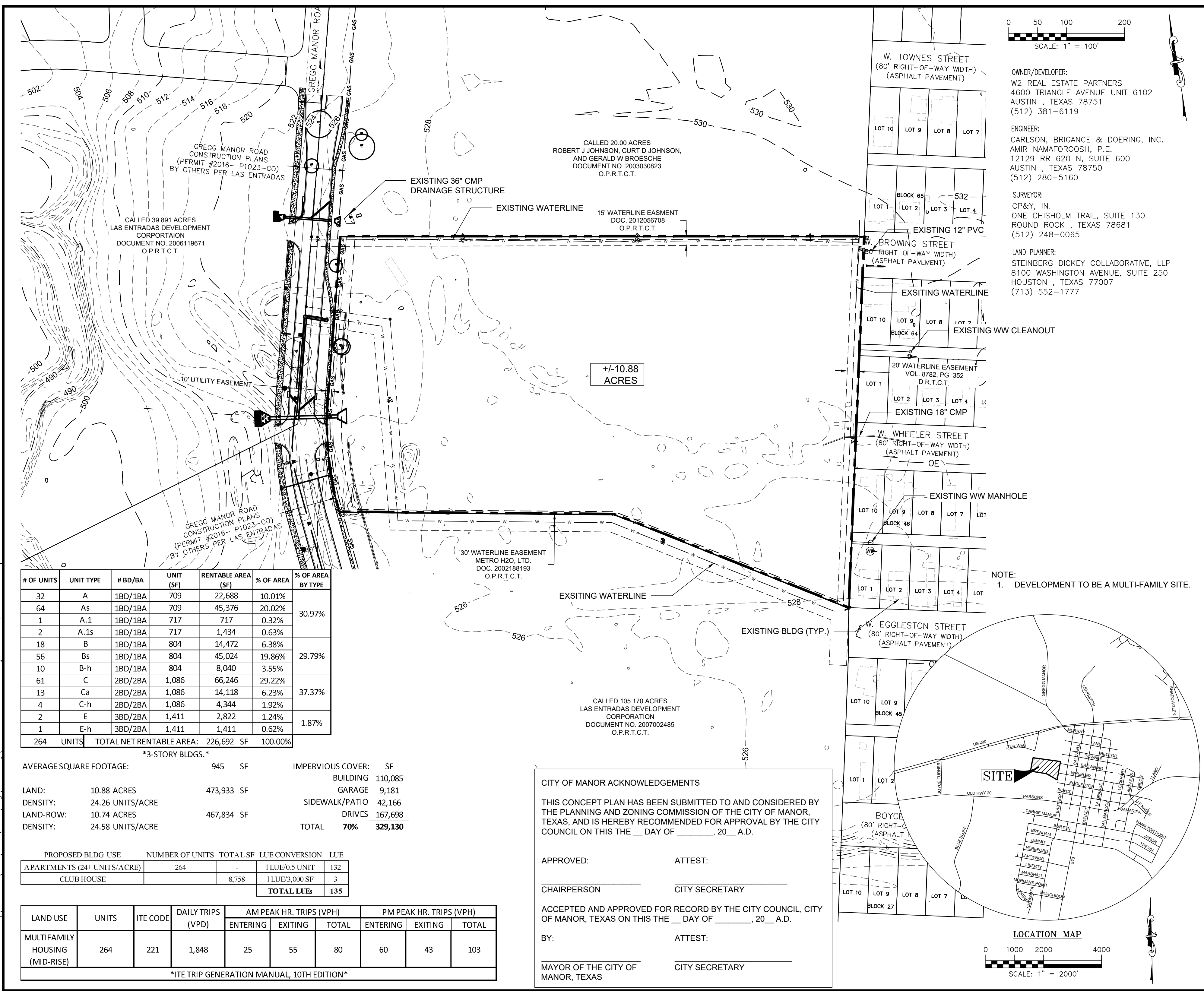
**STAFF RECOMMENDATION:**

It is the City Staff’s recommendation that the City Council approve a Concept Plan for the Manor-OZ Subdivision, one (1) lot on 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.

<b>PLANNING &amp; ZONING COMMISSION:</b>	<b>Recommend Approval</b>	<b>Disapproval</b>	<b>None</b>
	X		



FILE PATH: \\caddata1\data\AC3D\5163-CONCEPT PLAN.dwg - Oct 08, 2020 - 2:08pm



OWNER/DEVELOPER:  
W2 REAL ESTATE PARTNERS  
4600 TRIANGLE AVENUE UNIT 6102  
AUSTIN, TEXAS 78751  
(512) 381-6119

ENGINEER:  
CARLSON, BRIGANCE & DOERING, INC.  
AMIR NAMAFOROOSH, P.E.  
12129 RR 620 N, SUITE 600  
AUSTIN, TEXAS 78750  
(512) 280-5160

SURVEYOR:  
CP&Y, IN.  
ONE CHISHOLM TRAIL, SUITE 130  
ROUND ROCK, TEXAS 78681  
(512) 248-0065

LAND PLANNER:  
STEINBERG DICKEY COLLABORATIVE, LLP  
8100 WASHINGTON AVENUE, SUITE 250  
HOUSTON, TEXAS 77007  
(713) 552-1777

**+/-10.88 ACRES**

# OF UNITS	UNIT TYPE	# BD/BA	UNIT (SF)	RENTABLE AREA (SF)	% OF AREA	% OF AREA BY TYPE
32	A	1BD/1BA	709	22,688	10.01%	30.97%
64	As	1BD/1BA	709	45,376	20.02%	
1	A.1	1BD/1BA	717	717	0.32%	
2	A.1s	1BD/1BA	717	1,434	0.63%	
18	B	1BD/1BA	804	14,472	6.38%	29.79%
56	Bs	1BD/1BA	804	45,024	19.86%	
10	B-h	1BD/1BA	804	8,040	3.55%	
61	C	2BD/2BA	1,086	66,246	29.22%	37.37%
13	Ca	2BD/2BA	1,086	14,118	6.23%	
4	C-h	2BD/2BA	1,086	4,344	1.92%	
2	E	3BD/2BA	1,411	2,822	1.24%	1.87%
1	E-h	3BD/2BA	1,411	1,411	0.62%	
<b>264</b>	<b>UNITS</b>			<b>TOTAL NET RENTABLE AREA: 226,692 SF</b>	<b>100.00%</b>	

\*3-STORY BLDGS.\*

AVERAGE SQUARE FOOTAGE:	945 SF	IMPERVIOUS COVER:	SF
		BUILDING	110,085
LAND:	10.88 ACRES	GARAGE	9,181
DENSITY:	24.26 UNITS/ACRE	SIDEWALK/PATIO	42,166
LAND-ROW:	10.74 ACRES	DRIVES	167,698
DENSITY:	24.58 UNITS/ACRE	TOTAL	<b>70% 329,130</b>

PROPOSED BLDG USE	NUMBER OF UNITS	TOTAL SF	LUE CONVERSION	LUE
APARTMENTS (24+ UNITS/ACRE)	264	-	1 LUE/0.5 UNIT	132
CLUB HOUSE		8,758	1 LUE/3,000 SF	3
<b>TOTAL LUEs</b>				<b>135</b>

LAND USE	UNITS	ITE CODE	DAILY TRIPS (VPD)	AM PEAK HR. TRIPS (VPH)			PM PEAK HR. TRIPS (VPH)		
				ENTERING	EXITING	TOTAL	ENTERING	EXITING	TOTAL
MULTIFAMILY HOUSING (MID-RISE)	264	221	1,848	25	55	80	60	43	103

\*ITE TRIP GENERATION MANUAL, 10TH EDITION\*

**CITY OF MANOR ACKNOWLEDGEMENTS**

THIS CONCEPT PLAN HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MANOR, TEXAS, AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE CITY COUNCIL ON THIS THE \_\_\_ DAY OF \_\_\_\_, 20\_\_ A.D.

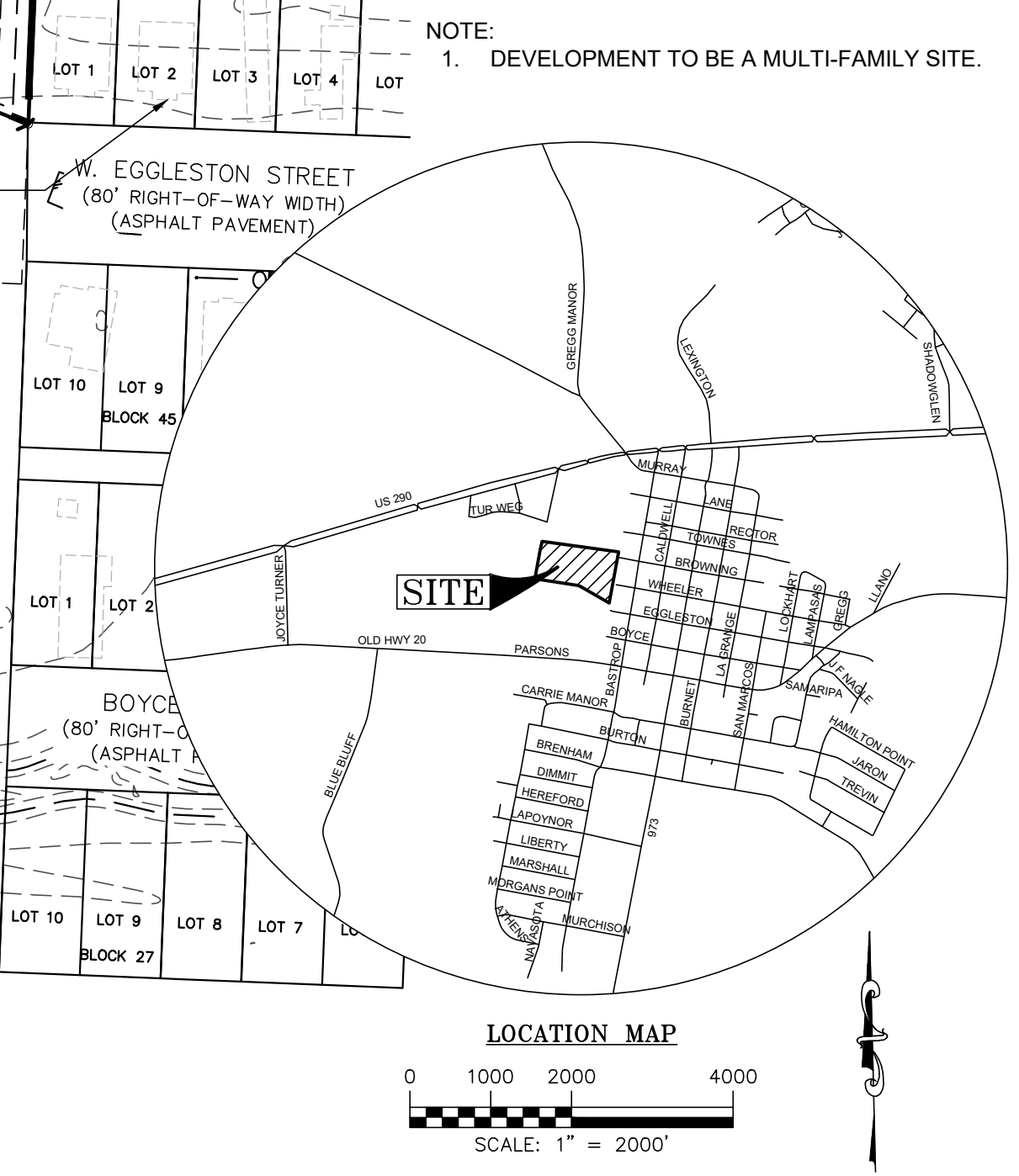
APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_ CITY SECRETARY \_\_\_\_\_

ACCEPTED AND APPROVED FOR RECORD BY THE CITY COUNCIL, CITY OF MANOR, TEXAS ON THIS THE \_\_\_ DAY OF \_\_\_\_, 20\_\_ A.D.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

MAYOR OF THE CITY OF MANOR, TEXAS \_\_\_\_\_ CITY SECRETARY \_\_\_\_\_



DESIGNED BY: AN	DRAFTED BY: LMW
OWNER/DEVELOPER: W2 REAL ESTATE PARTNERS 4600 TRIANGLE AVENUE UNIT 6102 AUSTIN, TEXAS 78751 (512) 381-6119	
ENGINEER: CARLSON, BRIGANCE & DOERING, INC. AMIR NAMAFOROOSH, P.E. 12129 RR 620 N, SUITE 600 AUSTIN, TEXAS 78750 (512) 280-5160	
SURVEYOR: CP&Y, IN. ONE CHISHOLM TRAIL, SUITE 130 ROUND ROCK, TEXAS 78681 (512) 248-0065	
LAND PLANNER: STEINBERG DICKEY COLLABORATIVE, LLP 8100 WASHINGTON AVENUE, SUITE 250 HOUSTON, TEXAS 77007 (713) 552-1777	
SHEET NAME: CONCEPTUAL PLAN JOB NAME: MANOR-OZ PROJECT: LUXURY APARTMENTS	
CARLSON, BRIGANCE & DOERING, INC. ID# F3791 <b>10/08/2020</b>	
DATE: OCT 2020	
JOB NUMBER: 5163	
SHEET: 1 OF 1	



Texas Engineering Firm #4242

Date: Monday, April 27, 2020

Geoff Guerrero  
 Carlson, Brigance & Doering, Inc.  
 5501 West William Cannon  
 Austin TX 78749  
 geoff@cbdeng.com

1500 County Road 269  
 Leander, TX 78641

PO Box 2029  
 Leander, TX 78646-2029

Permit Number 2020-P-1243-CP  
 Job Address: The Emerald MF - Las Entradas - Concept Plan, Manor, TX. 78653

Dear Geoff Guerrero,

The first submittal of the The Emerald MF - Las Entradas - Concept Plan (*Concept Plan*) submitted by Carlson, Brigance & Doering, Inc. and received on October 08, 2020, have been reviewed for compliance with the City of Manor Subdivision Ordinance 263B.

### Engineer Review

The review of the submittal package has resulted in the following comments. Should you have any questions or require additional information regarding any of these comments, please contact Pauline Gray, P.E. by telephone at (512) 259-3882 or by email at pgray@gbateam.com.

1. The Cover Sheet should be removed from the submittal.
2. The required signature blocks should be added to Concept Plan. A copy will be provided.
3. The site layout should be removed from the Concept Plan as it is not required.
4. The location map should remain on the Concept Plan (no Cover Sheet).
5. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(8) the Concept Plan should include:

Proposed number of residential and non-residential lots, tracts or parcels of together with the estimated:

- (i) number of LUEs required for each category of lots;
- (ii) traffic volume to be generated by all proposed development other than single family residential.

6. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(9) the Concept Plan should include proposed and existing arterial and collector streets to serve the general area.

7. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(11) the Concept Plan should include significant drainage features and structures.

8. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(12) the Concept Plan should include significant existing features on or within 200 feet of the property such as railroads, roads, buildings, utilities and drainage structures.

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. Please include a comment response narrative indicating how comments have been addressed with your plan resubmittal. To access your project online, please go to [www.mygovernmentonline.org](http://www.mygovernmentonline.org) and use the online portal to upload your drawings in PDF format.

Additional comments may be generated as requested information is provided. Review of this submittal does not constitute verification that all data, information and calculations supplied by the applicant are accurate, complete, or adequate for the intended purpose. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not City Engineers review the application for Ordinance compliance.

Thank you,



Pauline Gray, P.E.  
Senior Engineer  
Jay Engineering, a Division of GBA

**COMMENT RESPONSE**  
**CBD No. 5163**

**JAY ENGINEERING COMPANY, INC.**

P.O. Box 1220 (512) 259-3882  
Leander, TX 78646 Fax 259-8016  
Texas Registered Engineering Firm F-4780

Date: Monday, April 27, 2020

Geoff Guerrero  
Carlson, Brigance & Doering, Inc.  
5501 West William Cannon  
Austin TX 78749  
geoff@cbdeng.com

Permit Number 2020-P-1243-CP  
Job Address: The Emerald MF - Las Entradas - Concept Plan, Manor, TX. 78653

Dear Geoff Guerrero,

The first submittal of the The Emerald MF - Las Entradas - Concept Plan (*Concept Plan*) submitted by Carlson, Brigance & Doering, Inc. and received on March 30, 2020, have been reviewed for compliance with the City of Manor Subdivision Ordinance 263B.

**Engineer Review**

The review of the submittal package has resulted in the following comments. Should you have any questions or require additional information regarding any of these comments, please contact Pauline Gray, P.E. by telephone at (512) 259-3882 or by email at pgray@jaeco.net.

1. The Cover Sheet should be removed from the submittal.  
**COMMENT RESPONSE: Cover sheet removed.**
2. The required signature blocks should be added to Concept Plan. A copy will be provided.  
**COMMENT RESPONSE: Signature blocks added.**
3. The site layout should be removed from the Concept Plan as it is not required.  
**COMMENT RESPONSE: Site layout removed.**
4. The location map should remain on the Concept Plan (no Cover Sheet).  
**COMMENT RESPONSE: Location map moved to plan sheet.**
5. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(8) the Concept Plan should include:

Proposed number of residential and non-residential lots, tracts or parcels of together with the estimated:

**COMMENT RESPONSE: Project is one (1) multi-family lot of 9.973 acres. Acreage added to concept plan sheet.**

(i) number of LUEs required for each category of lots;  
**COMMENT RESPONSE: Number of L.U.E.'s listed on plan sheet.**

(ii) traffic volume to be generated by all proposed development other than single family residential.

**COMMENT RESPONSE: Traffic volume listed on plan sheet.**

4/27/2020 9:06:20 AM  
The Emerald MF - Las Entradas -  
Concept Plan 2020-P-1243-CP  
Page 2

6. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(9) the Concept Plan should include proposed and existing arterial and collector streets to serve the general area.

**COMMENT RESPONSE: Road R.O.W. is shown on plan sheet.**

7. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(11) the Concept Plan should include significant drainage features and structures.

**COMMENT RESPONSE: Existing drainage structures shown and labeled on plan sheet.**

8. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(12) the Concept Plan should include significant existing features on or within 200 feet of the property such as railroads, roads, buildings, utilities and drainage structures.

**COMMENT RESPONSE: Existing structures shown on plan sheet and called out.**

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. Please include a comment response narrative indicating how comments have been addressed with your plan resubmittal. To access your project online, please go to [www.mygovernmentonline.org](http://www.mygovernmentonline.org) and use the online portal to upload your drawings in PDF format.

Additional comments may be generated as requested information is provided. Review of this submittal does not constitute verification that all data, information and calculations supplied by the applicant are accurate, complete, or adequate for the intended purpose. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not City Engineers review the application for Ordinance compliance.

Thank you,



Pauline Gray, P.E.  
Staff Engineer  
Jay Engineering Company, Inc.



Texas Engineering Firm #4242

Date: Monday, June 1, 2020

Geoff Guerrero  
 Carlson, Brigance & Doering, Inc.  
 5501 West William Cannon  
 Austin TX 78749  
 geoff@cbdeng.com

1500 County Road 269  
 Leander, TX 78641

PO Box 2029  
 Leander, TX 78646-2029

Permit Number 2020-P-1243-CP

Job Address: The Emerald MF - Las Entradas - Concept Plan, Manor 78653

Dear Geoff Guerrero,

The subsequent submittal of the The Emerald MF - Las Entradas - Concept Plan submitted by Carlson, Brigance & Doering, Inc. and received on October 08, 2020, have been reviewed for compliance with the City of Manor Subdivision Ordinance 263B. We can offer the following comments based upon our review (satisfied comments stricken, new or outstanding comments in bold):

#### Engineer Review

The following comments have been provided by Pauline Gray, P.E.. Should you have any questions or require additional information regarding any of these comments, please contact Pauline Gray, P.E. by telephone at (512) 259-3882 or by email at pgray@gbateam.com.

1. ~~The Cover Sheet should be removed from the submittal.~~
2. ~~The required signature blocks should be added to Concept Plan. A copy will be provided.~~
3. ~~The site layout should be removed from the Concept Plan as it is not required.~~
4. ~~The location map should remain on the Concept Plan (no Cover Sheet).~~

**5. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(8) the Concept Plan should include:**

**Proposed number of residential and non-residential lots, tracts or parcels of together with the estimated:**

**(i) number of LUEs required for each category of lots - this should be the total number of LUEs.**

~~(ii) traffic volume to be generated by all proposed development other than single family residential.~~

6. ~~Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(9) the Concept Plan should include proposed and existing arterial and collector streets to serve the general area.~~

~~7. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(11) the Concept Plan should include significant drainage features and structures.~~

~~8. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21(c)(12) the Concept Plan should include significant existing features on or within 200 feet of the property such as railroads, roads, buildings, utilities and drainage structures.~~

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. To access your project online, please go to [www.mygovernmentonline.org](http://www.mygovernmentonline.org) and use the online portal to upload your drawings in PDF format.

Should you have questions regarding specific comments, please contact the staff member referenced under the section in which the comment occurs. Should you have questions or require additional information regarding the plan review process itself, please feel free to contact me directly. I can be reached by telephone at (512) 259-3882 ex. 307, or by e-mail at [pgray@gbateam.com](mailto:pgray@gbateam.com).

Review of this submittal does not constitute verification that all data, information and calculations supplied by the applicant are accurate, complete, or adequate for the intended purpose. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not City Engineers review the application for Ordinance compliance.

Thank you,



Pauline Gray, P.E.  
Senior Engineer  
Jay Engineering, a Division of GBA



Ms. Pauline Gray, P.E.  
Jay Engineering Company, Inc.  
P.O. Box 1220  
Leander, Texas 78646

CBD Project No. 5163  
Date: 10/09/2020

RE: Comment Response – Update #2  
**MANOR OZ**  
8110 E. US HWY 290, Manor, Travis County, TX  
Permit No. **2020-P-1243-CP**

Dear Ms. Gray:

Please accept this letter and the accompanying support material as our update to the comments received on June 01, 2020 for the above referenced project. We have reviewed these comments and responded in the following manner:

**Engineer Review**

5. Per City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B Section 21.C.8 the concept plan should include:
- Proposed number of residential and non-residential lots, tracts or parcels of together with the estimated:
    - (i) Number of LUEs required for each category of lots – this should be the total number of LUEs.
- Response: The proposed concept plan will be developed as one (1) lot. The total number of LUE's has been provided based on the intended multifamily use and density.**

If you or your team members should have any questions or require clarifications on any items, regarding the responses contained in this letter, please don't hesitate to contact our office at 512-280-5160 and we will be happy to discuss in more detail. Thank you for your effort in reviewing this project.

Sincerely,  
CARLSON, BRIGANCE & DOERING, INC.

Amir Namakforoosh  
Project Manager





Texas Engineering Firm #4242

Date: Monday, November 2, 2020

Geoff Guerrero  
Carlson, Brigance & Doering, Inc.  
5501 West William Cannon  
Austin TX 78749  
geoff@cbdeng.com

Permit Number 2020-P-1243-CP  
Job Address: The Emerald MF - Las Entradas - Concept Plan, Manor 78653

Dear Geoff Guerrero,

We have conducted a review of the concept plan for the above-referenced project, submitted by Geoff Guerrero and received by our office on October 08, 2020, for conformance with the City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B. The Plans appear to be in general compliance with City Ordinance requirements and we therefore take no exception to their approval as presented.

**Please submit a hard copy of the Concept Plan to Scott Dunlop at the City of Manor for signatures. A copy of the signed Concept Plan will be uploaded under project files on the my permit now website.**

Review of this submittal does not constitute verification that all data, information and calculations supplied by the applicant are accurate, complete or adequate for the intended purpose. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not City Engineers review the application for Ordinance compliance. Please call if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Pauline M. Gray".

Pauline Gray, P.E.  
Senior Engineer  
Jay Engineering, a Division of GBA

1500 County Road 269  
Leander, TX 78641

PO Box 2029  
Leander, TX 78646-2029





**TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET**

**APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION**

PROJECT NAME: Las Entradas  
 LOCATION: E. US Highway 290 (Approx. 260' south of Tur Weg Ln/Gregg Manor terminus)  
 APPLICANT: Geoff Guerrero TELEPHONE NO: (512) 280-5160  
 APPLICATION STATUS: DEVELOPMENT ASSESSMENT: \_\_\_\_\_ ZONING: \_\_\_\_\_ SITE PLAN: \_\_\_\_\_ **CONCEPT: X**

**EXISTING:**

**FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	9.973	0	R-3	Undeveloped			

**PROPOSED**

**FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY	
1	9.973	99,688	R-3	Apartment	221	5.44/unit	1,339	
				246 units				
					<b>Total</b>			

**ABUTTING ROADWAYS**

**FOR OFFICE USE ONLY**

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
Gregg Manor Road (future extension)	Yes	45' - proposed	Primary Collector

**FOR OFFICE USE ONLY**

- A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.
- A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.
- A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: Pauline M. Gray DATE: 1/7/2021  
 DISTRIBUTION:  FILE  CAP. METRO  TxDOT  Austin DSD  TRAVIS CO. TOTAL COPIES: \_\_\_\_\_

**NOTE: A TIA determination must be made prior to submittal of any preliminary plat or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.**



December 15, 2020

RE: Notification for Manor-OZ Concept Plan Subdivision

Dear Property Owner,

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Concept Plan for 10.88 acres near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX. The request will be posted on the agenda as follows:

**Public Hearing: Conduct a public hearing upon a Concept Plan for the Manor-OZ Subdivision and being 10.88 acres, more or less, and being located near the intersection of US Hwy 290 E and Gregg Manor Road, Manor, TX.**

The Planning and Zoning Commission will meet at 6:30PM on January 13, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

The City Council will meet at 7:00PM on January 20, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

You are being notified because you own property within 300 feet of the property for which this Concept Plan has been filed.

If you have no interest in the case there is no need for you to attend\*\*. You may address any comments to me at the email address or phone number below. Any communications I receive will be made available to the Commissioners and Council Members during the discussion of this item.

\*\* Due to the declared Public Health Emergency related to COVID-19, at the time of this notification Planning and Zoning Commission and City Council meetings are being conducted via video conference and livestreamed on the City's Facebook page ([facebook.com/cityofmanor](https://www.facebook.com/cityofmanor)) and the Chambers is closed to the public.

Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting [http://www.cityofmanor.org/page/homepage\\_calendar](http://www.cityofmanor.org/page/homepage_calendar) where registration information will be posted with the agenda for the public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org). Once registered, instructions will be emailed to you on how to join the video conference by calling in. Your speaker card must be received two (2) hours prior to scheduled meeting.

To see how the meeting will be conducted, whether via video conference or in-person, you may refer to the posted agendas for the January 13<sup>th</sup> Planning and Zoning Commission and January 20<sup>th</sup> City Council or by calling 512-215-8116. Planning and Zoning Commission agendas, City Council agendas, and speaker registration information can be found here under the date of the meeting: [http://www.cityofmanor.org/page/homepage\\_calendar](http://www.cityofmanor.org/page/homepage_calendar). Agendas are posted 72 hours prior to the scheduled meeting.

Sincerely,

Scott Dunlop,  
Assistant Development Director  
[sdunlop@cityofmanor.org](mailto:sdunlop@cityofmanor.org) - 512-215-8262

Lynda & Ruben Jaime  
310 Browning Street  
Manor, TX 78653

Guajardo Herminia  
P.O. Box 97  
Manor, TX 78653

Samaripa Matildy Vasquez Jr  
401 N. Bastrop Street  
Manor, TX 78653

Newsome Florence ET AL  
310 Wheeler Street  
Manor, TX 78653

Garcia Delgado & Maribel Delgado  
306 Wheeler Street  
Manor, TX 78653

Wheeler Street Partenership  
304 Wheeler Street  
Manor, TX 78653

Loggins Raydell  
302 Wheeler Street  
Manor, TX 78653

Bradley & Paula Bowen  
309 Eggleston Street  
Manor, TX 78653

Bradley & Paula Bowen  
307 Eggleston Street  
Manor, TX 78653

SEPECO  
P.O. BOX 170309  
Austin, TX 78717

SEPECO  
303 Eggleston  
Manor, TX 78653

AAA Fire & Safety Equipment Co Inc.  
6700 Guadalupe Street  
Austin, TX 78752

Filiberto & Eduviges De La Luz  
204 Red Oak Circle  
Austin, TX 78753

Guajardo Anselma  
P.O. Box 295  
Manor, TX 78653

Robert & Curt P Johnson  
10507 E US HWY 290  
Manor, TX 78653

LAS ENTRADAS DEVELOPMENT CORP  
9900 US HWY 290 E  
Manor, TX 78653

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**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Scott Dunlop, Assistant Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a Concept Plan for the Manor Downs Multi-Family Subdivision, one (1) lot on 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.

*Applicant: Kimley-Horn & Associates, Inc.*

*Owner: 2020 Adelante, LLC*

**BACKGROUND/SUMMARY:**

This property is past the High School and future St. Joseph Parish property on Hill Lane. It was recently rezoned to Multi-Family 15 (MF-1) but no development plans have filed. This concept plan has been approved by our engineers.

P&Z voted 5 – 0 to approve

**LEGAL REVIEW:** Not Applicable

**FISCAL IMPACT:** No

**PRESENTATION:** No

**ATTACHMENTS:** Yes

- Concept Plan
- Engineer Comments
- Conformance Letter
- TIA Determination
- Notice Letter
- Mailing Labels

**STAFF RECOMMENDATION:**

It is the City Staff’s recommendation that the City Council approve a Concept Plan for the Manor Downs Multi-Family Subdivision, one (1) lot on 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.

<b>PLANNING &amp; ZONING COMMISSION:</b>	<b>Recommend Approval</b>	<b>Disapproval</b>	<b>None</b>
	<b>X</b>		

Plotted By: Jones, Kalle Date: December 15, 2020 03:49:37pm File Path: K:\AUS-Civil\069267303 - Manor Downs 250\069267303 - Manor Downs 250\069267303 - Concept Plan.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

**PROJECT NAME:** MANOR DOWNS MULTI-FAMILY  
**SITE ADDRESS:** 9910 HILL LANE, MANOR, TEXAS 78653  
**RECORD OWNER/DEVELOPER:**  
 2020 ADELANTE, LLC  
 3800 N. LAMAR BLVD., STE 350  
 AUSTIN, TX 78756  
 CONTACT: GREG GITCHO  
 PH. 512-698-6019  
**ENGINEER:**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 10814 JOLLYVILLE ROAD  
 BUILDING 4, SUITE 200  
 AUSTIN, TEXAS 78759  
 CONTACT: JASON REECE, P.E.  
 PH. 512-418-1771  
**SURVEYOR:**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 601 NW LOOP 410  
 SUITE 350  
 SAN ANTONIO, TEXAS 78216  
 PH. 210-307-4356

**PREPARED ON:**  
 OCTOBER 19, 2020

**CURRENT ZONING:**  
 MF-1

**WATERSHED STATUS:**  
 THIS SITE IS LOCATED IN THE  
 GILLELAND CREEK WATERSHED.

**FLOODPLAIN INFORMATION:**  
 NO PORTION OF THIS SITE LIES WITHIN THE BOUNDARIES OF  
 THE 100 YR. FLOODPLAIN AS SHOWN ON THE FLOOD  
 INSURANCE RATE MAP COMMUNITY PANEL NO. 48453CO480J,  
 DATED AUGUST 18, 2014.

**LEGAL DESCRIPTION:**  
 ABS 63 SUR 62 BACON S ACR 22.310  
 ABS 63 SUR 62 BACON S ACR 2.500

**TRAFFIC**

Land Use	ITE Land Use Code	Units	Daily Trips	AM Trips	PM Trips
Multi-Family Dwelling	221	365	1986	131	161

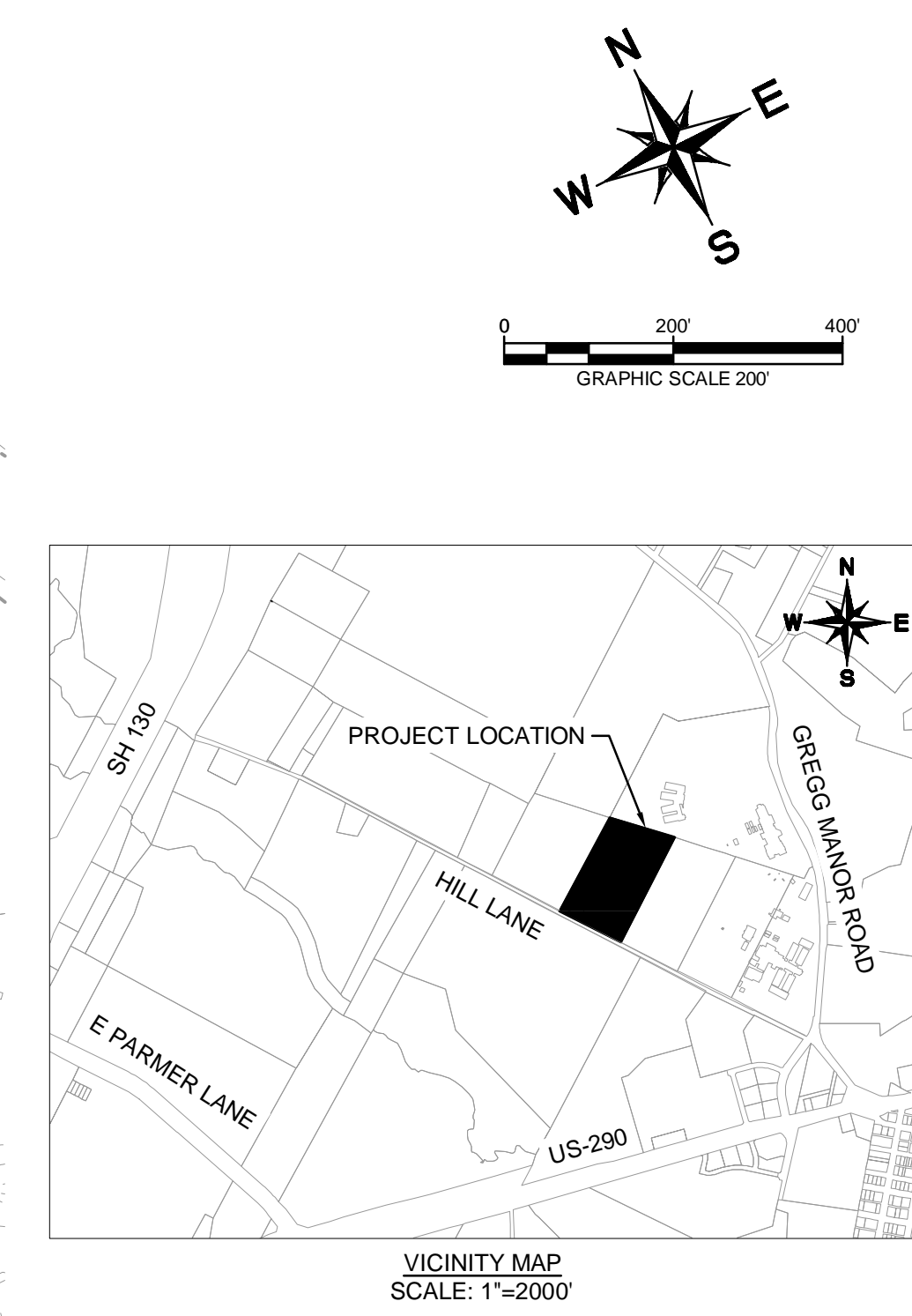
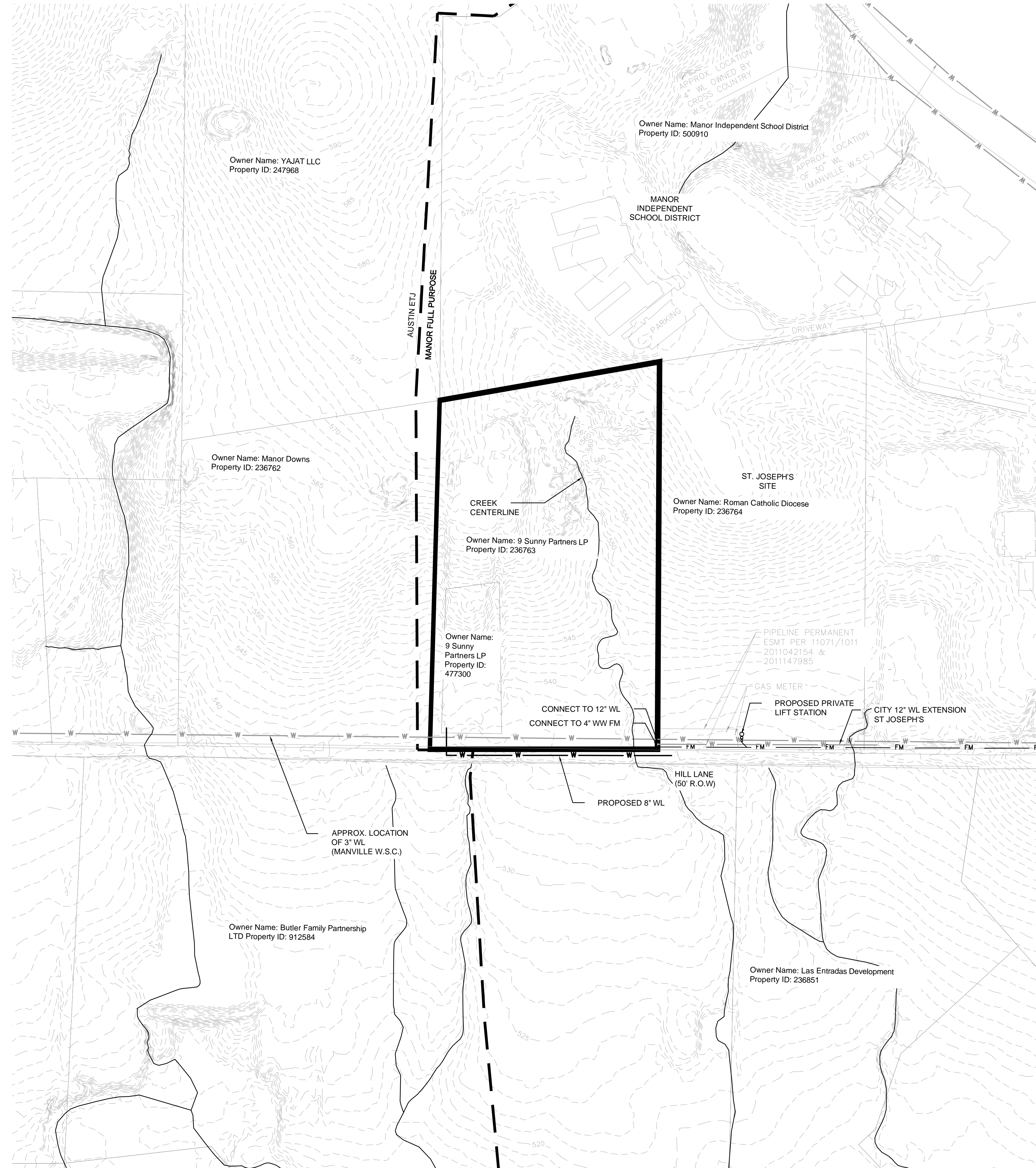
**UTILITY DEMAND (LIVING UNIT EQUIVALENT)**

LUE BREAKDOWN		
LOT #	ACRES	LUES
1	24.81	183

**LAND USE AND PHASING**

LAND USE AND PHASING TABLE				
PHASE	LOT	ACREAGE	LAND USE	ANTICIPATED TIMING
1	1	24.81	MULTI-FAMILY	2021

\*THE LAND USE AS INDICATED ABOVE IS ALLOWED BY THE  
 CURRENT ZONING ON THE PROPERTY AND IS CONSISTENT  
 WITH THE CITY'S MASTER PLAN



**CITY OF MANOR ACKNOWLEDGEMENTS**  
 THIS CONCEPT PLAN HAS BEEN SUBMITTED TO AND CONSIDERED BY THE  
 PLANNING AND ZONING COMMISSION OF THE CITY OF MANOR, TEXAS,  
 AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE CITY COUNCIL ON  
 THIS THE \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_ A.D.  
 APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
 CHAIRPERSON CITY SECRETARY  
 ACCEPTED AND APPROVED FOR RECORD BY THE CITY COUNCIL, CITY OF  
 MANOR ON THIS THE \_\_\_\_\_ OF \_\_\_\_\_ 20\_\_ A.D.  
 APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
 HONORABLE MAYOR CITY SECRETARY  
 MAYOR OF THE CITY OF MANOR, TEXAS



Texas Engineering Firm #4242

Date: Tuesday, November 17, 2020

Jason Reece  
Kimley-Horn  
10814 Jollyville Road, Building 4, Suite 300  
Austin 78759  
jason.reece@kimley-horn.com

Permit Number 2020-P-1279-CP  
Job Address: 9910 Hill Lane, Manor, TX. 78653

1500 County Road 269  
Leander, TX 78641

PO Box 2029  
Leander, TX 78646-2029

Dear Jason Reece,

The first submittal of the 9910 Hill Lane Multi-Family Concept Plan (*Concept Plan*) submitted by Kimley-Horn and received on November 20, 2020, have been reviewed for compliance with the City of Manor Subdivision Ordinance 263B.

### **Engineer Review**

The review of the submittal package has resulted in the following comments. Should you have any questions or require additional information regarding any of these comments, please contact Pauline Gray, P.E. by telephone at (512) 259-3882 or by email at pgray@gbateam.com.

1. Add contour labels to the topography.
2. The LUE calculations are not correct. The City uses a calculation of 0.5 LUEs/unit.
3. Add the right-of-way width for Hill Lane to the plan.
4. Significant existing features on or within 200 feet of the property such as railroads, roads, buildings, utilities and drainage structures should be shown on the concept plan.
5. The owner's name, deed or plat reference and property lines of property within three (300) feet of the development boundaries, as determined by current tax rolls should be shown on the concept plan.
6. The proposed private lift station is not shown in the correct location. This is based on plans submitted by the adjacent property owner.



11/17/2020 5:20:05 PM  
9910 Hill Lane Multi-Family Concept Plan  
2020-P-1279-CP  
Page 2

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. Please include a comment response narrative indicating how comments have been addressed with your plan resubmittal. To access your project online, please go to [www.mygovernmentonline.org](http://www.mygovernmentonline.org) and use the online portal to upload your drawings in PDF format.

Additional comments may be generated as requested information is provided. Review of this submittal does not constitute verification that all data, information and calculations supplied by the applicant are accurate, complete, or adequate for the intended purpose. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not City Engineers review the application for Ordinance compliance.

Thank you,



Pauline Gray, P.E.  
Senior Engineer  
Jay Engineering, a Division of GBA



November 20, 2020

City of Manor  
 Attn: Scott Dunlop  
 105 E. Eggleston Street  
 Manor, TX 78653

**RE: *Manor Downs Multi-Family Tract***  
***Permit Number: 2020-P-1279-CP***  
***Site Address: 9910 Hill Lane, Manor, TX***

The purpose of this letter is to provide satisfactory answers to the comments/questions issued by Pauline Gray, P.E. of Jay Engineering, in a comment letter dated November 17, 2020. The answers are listed below in bold and are preceded by the comments/questions listed in the original letter.

### **ENGINEER REVIEW**

Comment 1: Add contour labels to the topography.

**Response 1: Major contour labels added to the topography.**

Comment 2: The LUE calculations are not correct. The City uses a calculation of 0.5 LUEs/unit.

**Response 2: LUE calculations changed to 183 LUEs to account for 0.5 LUEs/unit.**

Comment 3: Add the right-of-way width for Hill Lane to the plan.

**Response 3: 50' right-of-way width added.**

Comment 4: Significant existing features on or within 200 feet of the property such as railroads, roads, buildings, utilities and drainage structures should be shown on the concept plan.

**Response 4: Building footprints, driveway boundary, pipeline easement in adjacent property, and northern water line callouts added.**

Comment 5: The owner's name, deed or plat reference and property lines of property within three (300) feet of the development boundaries, as determined by current tax rolls should be shown on the concept plan.

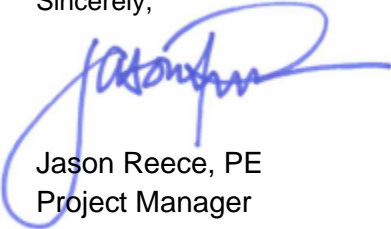
**Response 5: Owner's name and property boundary lines added to adjacent properties.**

Comment 6: The proposed private lift station is not shown in the correct location. This is based on plans submitted by the adjacent property owner.

**Response 6: The proposed lift station location was revised per the site plan currently under review for the St. Joseph's development.**

Please contact me at (512) 551-1839 or [jason.reece@kimley-horn.com](mailto:jason.reece@kimley-horn.com) should you have any questions.

Sincerely,



Jason Reece, PE  
Project Manager



Texas Engineering Firm #4242

1500 County Road 269  
Leander, TX 78641

PO Box 2029  
Leander, TX 78646-2029

Date: Monday, December 14, 2020

Jason Reece  
Kimley-Horn  
10814 Jollyville Road, Building 4, Suite 300  
Austin 78759  
jason.reece@kimley-horn.com

Permit Number 2020-P-1279-CP  
Job Address: 9910 Hill Lane, Manor 78653

Dear Jason Reece,

We have conducted a review of the concept plan for the above-referenced project, submitted by Jason Reece and received by our office on November 20, 2020, for conformance with the City of Manor Code of Ordinances Chapter 10, Section 10.02 Exhibit A Subdivision Ordinance 263B. The Plans appear to be in general compliance with City Ordinance requirements and we therefore take no exception to their approval as presented.

**Please submit a hard copy of the Concept Plan to Scott Dunlop at the City of Manor for signatures. A copy of the signed Concept Plan will be uploaded under project files on the my permit now website.**

Review of this submittal does not constitute verification that all data, information and calculations supplied by the applicant are accurate, complete or adequate for the intended purpose. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not City Engineers review the application for Ordinance compliance. Please call if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Pauline M. Gray".

Pauline Gray, P.E.  
Senior Engineer  
Jay Engineering, a Division of GBA





**TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET**

**APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION**

PROJECT NAME: Manor Downs Multi-Family Site

LOCATION: 9910 Hill Lane, Manor, TX

APPLICANT: Jason Reece - Kimley-Horn TELEPHONE NO: 512-551-1839

APPLICATION STATUS: DEVELOPMENT ASSESSMENT: \_\_\_\_\_ ZONING: \_\_\_\_\_ SITE PLAN: X

**EXISTING:**

**FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	24.811	0	MF-1	none			

**PROPOSED**

**FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	24.811	Varies	MF-1	Multi-Family Buildings	221	5.44 trips per unit	1,986
				Max 365 Units			
					<b>Total</b>		

**ABUTTING ROADWAYS**

**FOR OFFICE USE ONLY**

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
Hill Lane	1 Driveway	24 Feet	Primary Collector

**FOR OFFICE USE ONLY**

- A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.
- A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.
- A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

Pauline M. Gray

1/06/2021

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

DISTRIBUTION: \_\_\_\_\_

FILE  CAP. METRO  TxDOT  Austin DSD  TRAVIS CO. TOTAL COPIES: \_\_\_\_\_

**NOTE: A TIA determination must be made prior to submittal of any preliminary plat or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.**





December 15, 2020

RE: Notification for Manor Downs Multi-Family Concept Plan Subdivision

Dear Property Owner,

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Concept Plan for 24.81 acres located at 9910 Hill Lane, Manor, TX. The request will be posted on the agenda as follows:

**Public Hearing: Conduct a public hearing upon a Concept Plan for the Manor Downs Multi-Family Subdivision and being 24.81 acres, more or less, and being located at 9910 Hill Lane, Manor, TX.**

The Planning and Zoning Commission will meet at 6:30PM on January 13, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

The City Council will meet at 7:00PM on January 20, 2021 at 105 East Eggleston Street in the City Hall Council Chambers\*\*.

You are being notified because you own property within 300 feet of the property for which this Concept Plan has been filed.

If you have no interest in the case there is no need for you to attend\*\*. You may address any comments to me at the email address or phone number below. Any communications I receive will be made available to the Commissioners and Council Members during the discussion of this item.

\*\* Due to the declared Public Health Emergency related to COVID-19, at the time of this notification Planning and Zoning Commission and City Council meetings are being conducted via video conference and livestreamed on the City's Facebook page ([facebook.com/cityofmanor](https://facebook.com/cityofmanor)) and the Chambers is closed to the public.

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Sincerely,

Scott Dunlop,  
Assistant Development Director  
[sdunlop@cityofmanor.org](mailto:sdunlop@cityofmanor.org) - 512-215-8262



**Roman Catholic Diocese**

6225 Hwy 290 E  
Austin, TX 78723-1025



**Butler Family Partnership, Ltd.**

PO Box 9190  
Austin, TX 78766-9190



**Yajat, LLC**

12404 S Saddle Lakes Dr.  
Abilene, TX 79602-5472



**Manor Downs**

PO Box 141309  
Austin, TX 78714-1309



**Manor Independent School District**

PO Box 359  
Manor, TX 78653



**Las Entradas Development Corp**

9900 Hwy 290 E.  
Manor, TX 78653-9720



**Roman Catholic Diocese**

6225 Hwy 290 E  
Austin, TX 78723-1025



**Butler Family Partnership, Ltd.**

PO Box 9190  
Austin, TX 78766-9190



**Yajat, LLC**

12404 S Saddle Lakes Dr.  
Abilene, TX 79602-5472



**Manor Downs**

PO Box 141309  
Austin, TX 78714-1309



**Manor Independent School District**

PO Box 359  
Manor, TX 78653



**Las Entradas Development Corp**

9900 Hwy 290 E.  
Manor, TX 78653-9720





**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Lydia Collins, Finance Director  
**DEPARTMENT:** Finance Department

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a Rate and Fee Adjustment Letter Agreement with Waste Connections Lonestar, Inc.

**BACKGROUND/SUMMARY:**

The City and Waste Connections Lonestar, Inc. entered into an agreement for solid waste and recycling services in December 2019. In accordance with the agreement, Waste Connections Lonestar, Inc. is requesting a rate adjustment. City staff and Waste Connections Lonestar have agreed to a proposed rollout for the rate adjustment increase via a letter agreement which is provided for City Council’s consideration.

**LEGAL REVIEW:** Yes, Completed  
**FISCAL IMPACT:** Yes  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- January 4, 2021 Rate Adjustment Request Letter
- Rate and Fee Adjustment Letter Agreement

**STAFF RECOMMENDATION:**

It is the City staff’s recommendation that the City Council approve the Rate and Fee Adjustment Letter Agreement with Waste Connections Lonestar, Inc. and direct the Mayor to execute the letter.

**PLANNING & ZONING COMMISSION:**                      **Recommend Approval**                      **Disapproval**                      **None**



WASTE CONNECTIONS  
*Connect with the Future®*

January 4, 2021

Mr. Thomas Bolt  
City Manager  
City of Manor  
105 E Eggleston St  
Manor, TX 78653

Mr. Thomas:

In accordance with the terms of the Exclusive Franchise Contract for solid waste collection, disposal and recycling services between the City of Manor and Waste Connections Lone Star, Inc., we hereby convey a rate adjustment to become effective on February 1, 2021.

The adjustment is based on various components:

Consumer Price Index (Data Attached)

November 2019: 486.485

November 2020: 504.970

Variance: 18.485

18.485 divided by 486.485 = 0.03799 = 3.8% upward adjustment

This will amend the current rate for residential trash and recycle service of \$15.62 to \$16.21 per month. All other rate adjustments are included in the attached price sheet.

We will be pleased to meet with you and make a presentation to the City Council about this adjustment.

If you have any question, comments or need any assistance, please let me know.

We are proud to serve the City of Manor and its citizens.

Respectfully,

John Harris  
Waste Connections  
Austin, Texas

City of Manor

CPI Change

November-19	486.485
November-20	504.970

Difference 18.485

CPI % 3.80%

	Current Rate	Increase %	Increase \$	New Rate
Residential Trash & Recycle	15.62	3.8%	0.59	16.21
Additional Trash Cart	7.00	3.8%	0.27	7.27
Additional Recycle Cart	7.00	3.8%	0.27	7.27

Container Size--Comm Trash	Collections Per Week	Monthly Rate	Increase %	Increase \$	New Rate
1 Yard	One	56.49	3.8%	2.15	58.64
2 Yard	One	56.49	3.8%	2.15	58.64
2 Yard	Two	112.97	3.8%	4.29	117.26
3 Yard	One	85.58	3.8%	3.25	88.83
3 Yard	Two	171.17	3.8%	6.50	177.67
4 Yard	One	91.29	3.8%	3.47	94.76
4 Yard	Two	178.01	3.8%	6.76	184.77
6 Yard	One	111.26	3.8%	4.23	115.49
6 Yard	Two	219.09	3.8%	8.32	227.41
8 Yard	One	134.65	3.8%	5.12	139.77
8 Yard	Two	264.74	3.8%	10.06	274.80
10 Yard	One	171.17	3.8%	6.50	177.67
10 Yard	Two	342.24	3.8%	13.00	355.24

Collections in excess of the weekly figures the applicant shall charge an additional: 89.5 3.8% 3.40 92.90

Container Size--Comm Recycle	Collections Per Week	Monthly Rate	Increase %	Increase \$	New Rate
1 Yard	One	56.49	3.8%	2.15	58.64
2 Yard	One	56.49	3.8%	2.15	58.64
2 Yard	Two	112.97	3.8%	4.29	117.26
3 Yard	One	85.58	3.8%	3.25	88.83
3 Yard	Two	171.17	3.8%	6.50	177.67
4 Yard	One	91.29	3.8%	3.47	94.76
4 Yard	Two	178.01	3.8%	6.76	184.77
6 Yard	One	111.26	3.8%	4.23	115.49
6 Yard	Two	219.09	3.8%	8.32	227.41
8 Yard	One	134.65	3.8%	5.12	139.77
8 Yard	Two	264.74	3.8%	10.06	274.80
10 Yard	One	171.17	3.8%	6.50	177.67
10 Yard	Two	342.24	3.8%	13.00	355.24

Collections in excess of the weekly figures the applicant shall charge an additional: 89.5 3.8% 3.40 92.90

Roll Off

Delivery Fee	95.00	3.8%	3.61	98.61
Rental Fee	3.00	3.8%	0.11	3.11
Haul Fee -- 20 Yard	255.00	3.8%	9.69	264.69
Haul Fee -- 30 Yard	295.00	3.8%	11.21	306.21
Haul Fee -- 40 Yard	345.00	3.8%	13.11	358.11
Disposal Fee	35.00	3.8%	1.33	36.33

Additional Rates:

FEL Container Lock Bar	8.00	3.8%	0.30	8.30
FEL Container Casters	10.00	3.8%	0.38	10.38
FEL Extra Pickup	50.00	3.8%	1.90	51.90

Extra Roll Off Containers

20 Cubic Yard Per Haul	255.00	3.8%	9.69	264.69
30 Cubic Yard Per Haul	295.00	3.8%	11.21	306.21
40 Cubic Yard Per Haul	345.00	3.8%	13.11	358.11
Delivery and Exchange	95.00	3.8%	3.61	98.61
Daily Container Rental	3.00	3.8%	0.11	3.11

## RATE AND FEE ADJUSTMENT LETTER AGREEMENT

January 20, 2021

To Whom It May Concern:

Waste Connections Lone Star, Inc. (the “Contractor”) and the City of Manor, a Texas home-rule municipality (the “City”) entered into that certain Contract for Solid Waste Collection and Disposal and Recycling Services dated December 30, 2019 (the “Agreement”), wherein Contractor agreed to provide solid waste services to residential and commercial users and the City would in turn receive a franchise fee.

Contractor, as allowed under the Agreement, has requested an annual rate adjustment of 3.8% for solid waste services for the calendar year 2021 (“2021 Annual Rate Adjustment”). The City has requested that the 2021 Annual Rate Adjustment be implemented in two phases for the residential trash and recycle customers to assist its residents during COVID and Contractor has agreed to such request.

Contractor’s Franchise Fee for residential trash and recycle service, which was not applied during this past year to assist the residents during COVID shall be applied in 2021 in two phases as well, with the first beginning March 1, 2021 and the second phase applied October 1, 2021.

By executing this Rate and Fee Adjustment Letter Agreement (the “Letter Agreement”), the City and Contractor agree as follows:

1. Residential Trash and Recycle Services:
  - a. Effective March 1, 2021, the current rate for residential trash and recycle service, which is currently \$15.62/cart/month shall be increased by the 1.9% rate adjustment (\$0.30).
  - b. Effective March 1, 2021, the authorized franchise fee for residential trash and recycle service shall have the first half equal to five percent (5%) (\$0.80) added to the current rates per month.
  - c. The total new rate effective March 1, 2021 is: \$16.72/cart/month.
  - d. Effective October 1, 2021, the then rate (less franchise fee) for residential trash and recycle service, \$15.92, shall be increased by the remaining 1.9% 2021 Rate Adjustment of \$0.30.
  - e. Effective October 1, 2021, the authorized franchise fee for residential trash and recycle services shall have the remaining 5% franchise fee (\$0.80) added to the then current rates per month.
  - f. The total new rate effective October 1, 2021 is: \$17.82/cart/month.

2. Non-residential Customers:

The City and Contractor agree to modify the current rate for non-residential customers in accordance with Attachment “A”, attached hereto and incorporated herein as if fully set forth (the “Rate Chart”) beginning March 1, 2021 (for a total increase of 3.8% rate adjustment together with the applicable and currently applied 10% franchise fee).

3. The rate adjustment will take effect March 1, 2021 giving the City time to provide a thirty (30) day notice to its utility customers after this Letter Agreement is executed by the City and the Contractor of the rate adjustment.

4. The City and Contractor agree that for future rate adjustment requests, the City will have sixty (60) days from the date notice of a rate adjustment request is received by the City to take action on the request and provide a thirty (30) day notice to its utility customers of a rate adjustment.

By execution of this Letter Agreement, the City does not waive or relinquish any sovereign immunity rights available to it by law except as otherwise stipulated by applicable laws.

This Letter Agreement shall be binding on the successors and assigns of the parties hereto.

Each capitalized term not otherwise defined herein shall have the meaning ascribed to it in the Agreement.

Except as modified hereby, the Agreement and all rights and obligations created thereby or thereunder are in all respects ratified and confirmed and remain in full force and effect.

Where any provision of this Letter Agreement conflicts with or is inconsistent with the Agreement, the provisions of this Letter Agreement shall control.

Each person executing this Letter Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Letter Agreement on behalf of his or her respective party to this Letter Agreement. Each party represents and warrants to the other that the execution and delivery of the Letter Agreement and the performance of such party’s obligations hereunder have been duly authorized and that the Letter Agreement is a valid and legal agreement enforceable in accordance with its terms.

Sincerely,

\_\_\_\_\_  
Dr. Larry Wallace Jr., Mayor  
City of Manor  
Signature Date: \_\_\_\_\_

**AGREED TO BY:**

WASTE CONNECTIONS LONE STAR, INC, a Texas corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

## ATTACHMENT "A"

**City of Manor  
CPI Change**

November-19	486,495
November-20	504,970

Difference

18,485

CPI %

3.80%

	Current Rate	Increase %	Increase \$	New Rate
<b>Residential Trash &amp; Recycle</b>	15.62	3.8%	0.59	16.21
<b>Additional Trash Cart</b>	7.00	3.8%	0.27	7.27
<b>Additional Recycle Cart</b>	7.00	3.8%	0.27	7.27

Container Size--Comm Trash	Collections Per Week	Monthly Rate	Increase %	Increase \$	New Rate	Container Size--Comm Recycle	Collections Per Week	Monthly Rate	Increase %	Increase \$	New Rate
1 Yard	One	56.49	3.8%	2.15	58.64	1 Yard	One	56.49	3.8%	2.15	58.64
2 Yard	One	56.49	3.8%	2.15	58.64	2 Yard	One	56.49	3.8%	2.15	58.64
3 Yard	Two	112.97	3.8%	4.29	117.26	2 Yard	Two	112.97	3.8%	4.29	117.26
3 Yard	One	85.58	3.8%	3.25	88.83	3 Yard	One	85.58	3.8%	3.25	88.83
3 Yard	Two	171.17	3.8%	6.50	177.67	3 Yard	Two	171.17	3.8%	6.50	177.67
4 Yard	One	91.29	3.8%	3.47	94.76	4 Yard	One	91.29	3.8%	3.47	94.76
4 Yard	Two	178.01	3.8%	6.76	184.77	4 Yard	Two	178.01	3.8%	6.76	184.77
6 Yard	One	111.26	3.8%	4.23	115.49	6 Yard	One	111.26	3.8%	4.23	115.49
6 Yard	Two	219.09	3.8%	8.32	227.41	6 Yard	Two	219.09	3.8%	8.32	227.41
8 Yard	One	134.65	3.8%	5.12	139.77	8 Yard	One	134.65	3.8%	5.12	139.77
8 Yard	Two	264.74	3.8%	10.06	274.80	8 Yard	Two	264.74	3.8%	10.06	274.80
10 Yard	One	171.17	3.8%	6.50	177.67	10 Yard	One	171.17	3.8%	6.50	177.67
10 Yard	Two	342.24	3.8%	13.00	355.24	10 Yard	Two	342.24	3.8%	13.00	355.24

Collections in excess of the weekly figures the applicant shall charge an additional:

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**Roll Off**

Delivery Fee	95.00	3.8%	3.61	98.61
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Haul Fee -- 40 Yard	345.00	3.8%	13.11	358.11
Disposal Fee	35.00	3.8%	1.33	36.33

**Extra Roll Off Containers**

20 Cubic Yard Per Haul	255.00	3.8%	9.69	264.69
30 Cubic Yard Per Haul	295.00	3.8%	11.21	306.21
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**Additional Rates:**

FEL Container Lock Bar	8.00	3.8%	0.30	8.30
FEL Container Casters	10.00	3.8%	0.38	10.38
FEL Extra Pickup	50.00	3.8%	1.90	51.90





### AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 20, 2021  
**PREPARED BY:** Scott Dunlop, Assistant Director  
**DEPARTMENT:** Development Services

#### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance amending Manor Code of Ordinances Chapter 15 Site Development by providing for the amendment of off-street parking requirements, landscaping and screening definitions, fence and wall standards, sign definitions, prohibited signs, illuminated signs, and outdoor lighting requirements.

#### BACKGROUND/SUMMARY:

See attached Site Development Ordinance Amendment Explanation for a breakdown of each change and the rationale.

This Ordinance is under legal review for form as well 2 provision related to authorizing the city manager to execute a license agreement to allow sandwich boards and a development agreement related to electronic signs and outdoor lighting. If edited an updated version will provided when it's available.

**LEGAL REVIEW:** Under Review  
**FISCAL IMPACT:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Site Development Ordinance Amendment Explanation
- Ordinance No. 601

#### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve Ordinance No. 601 amending Manor Code of Ordinances Chapter 15 Site Development by providing for the amendment of off-street parking requirements, landscaping and screening definitions, fence and wall standards, sign definitions, prohibited signs, illuminated signs, and outdoor lighting requirements.

**PLANNING & ZONING COMMISSION:**      **Recommend Approval**      **Disapproval**      **None**

**SITE DEVELOPMENT ORDINANCE MODIFICATIONS**

**Section 15.02.004a(11)**

~~(11) Automotive vehicles or trailers not bearing current license plates and state motor vehicle inspection stickers, excluding racing cars, antique cars, and cars belonging to members of armed forces who are on active duty, shall be parked or stored on any residential area only in completely enclosed buildings. No vehicle, trailer or major recreational equipment shall be parked or stored on any lot except that it shall be enclosed in a building or parked on a driveway or a concrete, paved, stone pad or all-weather surface installed for such purpose and subject to the requirements herein.~~

(11) Reserved

- Rationale: This section was slightly modified and added to the recently approved Zoning Ordinance amendment. This section of the Site Development Code relates to parking lot design and is not the ideal place to regulate how vehicles are parked and stored.

**Section 15.03.002**

~~Privacy fence means an opaque fence or screen of wood, masonry or a combination thereof at least six feet in height. A fence shall be considered opaque if it is made of opaque materials and constructed so those gaps in the fence do not exceed one-half inch. Fences using boards placed on alternating sides of fence runners shall be considered opaque if the boards overlap at least one-half inch and are dog-eared picketing.~~

“Privacy fence means a construction which is designed for screening or enclosing and constructed of wood, wrought iron, masonry or a combination thereof at least six feet in height. Fences placed in or over any easement or right-of-way shall be considered a structure.”

- Rationale: Made the definition of Privacy Fence the same in the Landscape and Screening section (but added wrought iron) as it is in the Zoning Ordinance for consistency.

**Section 15.03.022(3)**

(3) Fences and walls shall be constructed of high quality materials, such as brick, stone, masonry fencing, stained cedar wood, and wrought iron. The table specifies which types are permitted and prohibited based on the land use:

Use	Fencing Materials			
	Wood	Chain Link	Wrought Iron	Masonry Product
Single Family Detached (+) (A)	Permitted	Prohibited	Permitted	Permitted

Single Family Attached <del>(2)</del> (B)	Permitted <del>(3)</del> (C)	Prohibited	Permitted	Permitted
Multi-Family	Permitted with Exceptions <del>(4)</del> (D)	Prohibited	Permitted	Permitted
Commercial	Permitted with Exceptions <del>(4)</del> (D)	Prohibited	Permitted	Permitted
Institutional	Permitted with Exceptions <del>(4)</del> (D)	Prohibited	Permitted	Permitted
Industrial	Prohibited	Permitted when not visible from, and setback 100 feet from, a public right-of-way	Permitted	Permitted

- Rationale: Corrected an error where the table references were changed from letters (A, B, C, D) to numbers (1, 2, 3, 4) which did not make sense in the reference table for those notes.

(8) All fences, including but not limited to wood, wrought-iron, and ornamental fencing, shall be continuous flat-topped without spikes or sharp points, including barbed wire. Security fencing for hazardous facilities or similar uses where access must be restricted due to dangers present on the property shall be considered on a case-by-case basis by the Building Official.

(9) Fences and walls must be maintained in a safe manner, plumb (vertical) to the ground. Fences or walls no longer maintained in a safe manner through neglect, lack of repair, manner of construction, method of placement, or otherwise must be repaired, replaced, or demolished.

(10) All fence footings shall be placed into virgin soil or solid bearing and shall be a minimum twenty-four (24) inches in depth.

(11) Fences shall not impede drainage.

(12) Fence height shall be measured from ground level on the higher side of the fence or wall.

(13) For all fences, the finished "face" side of the fence (opposite the structural supports) shall face all public streets and public parkland.

(14) Fences for nonresidential uses shall provide the finished "face" side of the fence to abutting residential uses.

(15) Products manufactured for other uses and not originally intended to be permanent fencing are prohibited. Some examples of prohibited material include but are not limited to: Plywood, paper, plastic, fiberglass panels, chicken wire, fabric, or sheet, roll or corrugated metals.

(16) Masonry supporting structures shall be constructed of rock, brick or stucco and shall be a minimum of fourteen (14) inches by fourteen (14) inches and shall be at least as high as the approved fence height, but will not exceed the approved fence height by more than six (6) inches.

(17) Masonry supporting structures shall be placed on steel reinforced concrete footings. Such footing shall be placed into virgin soil or solid bearing and shall be at least two (2) inches larger on all sides of the masonry structure and a minimum of twelve (12) inches in depth.

(18) Plans for masonry walls, or any portion thereof, four (4) feet or greater in height shall be signed and sealed by a registered professional engineer or architect. Masonry walls are measured from the base of the footing to the top of the wall. Dry stack walls are measured from the grade under the lowest layer to the top of the wall.

- Rationale: Expanded fence construction requirements for safety and aesthetic purposes.

### **Section 15.04.006**

*Light trespass* means is spill light falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.

*Sign, cabinet* means a sign which is typically internally lit and contains all its components and items of information within a single enclosure and whose perimeter is not shaped to the content of the sign and where the sign face is differentiated from the structure against or within which a sign face is placed. An internally lit backer board shall be considered a cabinet. Logos, pan-faced signs, raceways, taglines shall be exempt from this definition.

*Sign, obscene* means a sign displaying matter which taken as a whole appeals to the prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

*Sign, portable* means any sign without a permanent foundation, or otherwise permanently attached to a fixed location, that can be carried, towed, hauled, or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability. **This definition excludes Sandwich Board signs.**

*Sign, sandwich board* means a moveable, portable, pedestrian-oriented, temporary sign that is supported by its own frame, and that is not secured or attached to the ground or surface upon which it is located. Sometimes referred to as A-frame signs or sidewalk signs. This definition also includes T-frame signs.

- Added definition of Light Trespass from Outdoor Lighting article because the section on Illuminated Signs was revised and made reference to maximum allowable light trespass. Added definitions for Cabinet and Sandwich Board signs. The regulations for Sandwich Boards reference Cabinet signs so that definition needed to be added. Sandwich Board definition was added because a section their use was added. A definition of Obscene Signs was added because that type of sign was added to the

Prohibited Sign list. The definition for Portable Sign was amended to exclude Sandwich Boards.

**Section 15.04.016(b)**

(2) Portable signs, [excluding Sandwich Boards](#)

(3) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED), collectively “electronic signs”, [are prohibited, except as authorized by Section 15.04.018\(15\)](#)

(13) [Obscene signs](#)

(14) [The following elements of a sign or sign structure, whether temporary or permanent, including:](#)

(A) [Sound, smoke, or odor emitters;](#)

(B) [Stacked products along roadway frontage; or](#)

(C) [Unfinished wood support structures, except that temporary signs may use unfinished stakes](#)

- Rationale: Updated that Portable Signs, excluding Sandwich Boards are prohibited. A section regulating electronic signs was added so the prohibition was revised to say they may be authorized under that new section. Obscene signs and other types of sign displays were added to the Prohibited list.

**Section 15.04.018(1)**

~~(A) The maximum luminance of the sign shall not be greater than 200 footlamberts. All illuminated signs shall conform to all restrictions of article 15.05, Outdoor Lighting and lights used for external illumination of any portion of a sign shall be fully shielded.~~

~~(i) Outdoor internally illuminated advertising signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this section.~~

(A) [Illuminated signs shall comply with Section 15.04.020 and article 15.05, as applicable.](#)

(C) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, [unless authorized under Section 15.04.018\(15\)](#)

**Section 15.04.018(2)**

~~(i) The maximum luminance of the sign shall not be greater than 200 footlamberts. All illuminated signs shall conform to all restrictions of article 15.05, Outdoor Lighting and lights used for external illumination of any portion of a sign shall be fully shielded.~~

~~(a) Outdoor internally illuminated advertising signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this section.~~

(i) Illuminated signs shall comply with Section 15.04.020 and article 15.05, as applicable

(ii) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15)

### Section 15.04.018(3)

(C) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15)

~~(I) The maximum luminance of the sign shall not be greater than 200 footlamberts. All illuminated signs shall conform to all restrictions of article 15.05, Outdoor Lighting and lights used for external illumination of any portion of a sign shall be fully shielded.~~

~~(i) Outdoor internally illuminated advertising signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this section.~~

(I) Illuminated signs shall comply with Section 15.04.020 and article 15.05, as applicable

- Rationale: Subsection (1-3) modification all achieve the same thing to make reference to the updated Illuminated sign section and to add that electronic signs may be authorized under a new section.

### Section 15.04.018(9)

(B) A non-commercial sign shall not be lighted ~~of~~ or have any moving elements

- Rationale: Corrected typo

(F) One additional temporary sign, which may be a pole sign, wall sign, or monument sign, may be located on a property without a permit when the owner consents to the placement of the sign and that entire property is for sale or lease or if an individual unit or units is for sale or lease. This subsection does not affect the content of the sign allowed under this subsection.

- (i) Entire Property: One additional sign, not exceeding sixty-four (64) square feet in sign area, while the entire property or property is for sale or lease. A sign posted under this section must be removed within ten (10) days following when a contract of sale has been executed or a rental agreement has been executed. This sign shall be placed at least thirty (30) feet from any public right of way.
  - (ii) Individual Unit(s): One additional sign, not exceeding sixteen (16) square feet in sign area, where an individual unit or units is being offered for sale or lease. A sign posted under this section must be removed within ten (10) days following when a contract of sale has been executed or a rental agreement has been executed. This sign shall be placed at least thirty (30) feet from any public right of way.
- Rationale: Added that when a non-commercial property is for sale or lease a sign may be placed on the property. This section was left out of the previous Site Development Code.

(G) Sandwich boards.

- (i) Non-commercial zoned properties or uses shall be permitted one sandwich board.
- (ii) Sandwich boards shall have a maximum width of 30 inches and a maximum height of 48 inches.
- (iii) Sandwich boards shall be freestanding and shall not be affixed, chained, anchored, or otherwise secured to the ground or other structure. The sign shall be internally weighted so that it is stable, self-supporting and windproof.
- (iv) The sandwich board shall be displayed only during the hours of operation of the business.
- (v) Sandwich boards shall not be a cabinet sign.
- (vi) Changeable copy on a sandwich board shall not consist of individual plastic or vinyl letters on tracks.
- (vii) Sandwich boards shall not have additional signs taped or attached to the top or base sign.
- (viii) The following standards shall be followed when determining the placement of sandwich boards:
  - a. Signs shall be placed in such a manner that they do not interfere with pedestrian traffic, wheelchair ramps, or otherwise cause a safety hazard. Placement on a sidewalk or other improved surface is required, when available;
  - b. When placed on a public sidewalk or sidewalk required for ADA accessibility, ensure that there is a minimum of 48 inches of clear sidewalk;

c. Signs shall be placed in such a manner that they do not obscure or interfere with the function of windows or doors;

d. Signs shall not be located within five feet of the corner of a building that is at the intersection of two public streets;

e. Signs shall only be permitted in the city's right-of-way on sites where there is 10 feet or fewer between a building's front façade and the property line, and a license agreement authorized to be executed by the city manager shall be required.

(H) Window signs that do not cover more than 30 percent of the window in which they are placed.

- Rationale: Section (9) under which (F), (G), and (H) are placed is the section for signs that do not require a permit but have certain standards. Section (G) added regulations on Sandwich Boards, which previously had been prohibited. Note (e) which states that Sandwich Boards placed in the city's right-of-way (sidewalks) require a license agreement which is standard practice when a person requests placing private property on city property to protect the city from liability. Section (H) is also within the attached wall sign section but this better clarifies that window signs that cover less than 30% of a window do not require a permit, which has been the city's policy.

#### **Section 15.04.018(11)(A)**

(A) The coordinated sign plan shall be reviewed and approved in writing by the planning and zoning commission. There may be one freestanding high profile sign located at each entrance to the development. Multi-tenant freestanding signs may only be allowed along the frontages of the north and south sides of Hwy. 290 and on the east and west sides North FM 973 from Hwy. 290 to Old Hwy. 20 in C-1, C-2, C-3, and commercially designated areas within PUD zoned districts. Freestanding signs approved by the planning and zoning commission shall not exceed 35 feet in height from finished grade and the lowest portion of the structure or sign, excluding poles, may not be below eight feet from finished grade. It shall be located above a sign foundation with landscaping, or architectural facet incorporating some design elements found in the overall development. No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed. Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, [unless authorized under Section 15.04.018\(15\)](#).

#### **Section 15.04.018(12)(A)**

(A) There may be one freestanding low profile sign located at each entrance to the development. Low profile signs approved by the planning and zoning commission shall not exceed 25 feet in height from finished grade nor be located in manner that will obstruct clear view for entering or exiting a property by a motor vehicle. No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed. Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, [unless authorized under Section 15.04.018\(15\)](#).



- Rationale: Both these sections just add that electronic signs may be authorized under a new section.

### **Section 15.04.018(15)**

*(15) Changeable Electronic Variable Message Signs (CEVMS), Digital Signs, and Light Emitting Diode (LED) Signs.* Electronic signs may be authorized by entering into a development agreement authorized to be executed by the city manager. For existing properties with non-conforming outdoor lighting all lighting must be brought into conformance and maintained in compliance with Article 15.05 Outdoor Lighting, as amended. For new developments, the property must be developed and maintained in compliance with Article 15.05 Outdoor Lighting, as amended. Electronic signs shall also meet the requirements set forth in this subsection and Chapter as applicable.

#### **(A) Generally**

- (i) Electronic signs may be used as part of freestanding high- or low-profile signs or on automobile-oriented canopies. Electronic signs can only be authorized on non-residential properties with frontages along US Highway 290 East and North FM 973 extending north of Old Highway 20.
- (ii) No sign structure that includes changeable copy may also include an electronic sign

#### **(B) Design Requirements**

- (i) Measurement. Size calculation is based on the total sign face dimensions, whereby the electronic sign reader panel is counted against the total allowable sign area as provided in Sections 15.04.018(1-3).
- (ii) Illumination. All electronic signs that are directly illuminated shall include a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the footcandle requirement. In areas zoned for any type of residential district or use, a trespass limit of 0.1 footcandles shall be enforced at the property line. In areas zoned for any type of non-residential or use, a trespass limit of 0.3 footcandles shall be enforced at the property line.
- (iii) Spacing. Electronic signs shall have a minimum spacing of:
  - a. At least 100 feet between the electronic sign and the property line of any residential use or district and shall shut off between the hours of 12:00 a.m. and 5:00 a.m. The distance is calculated as the shortest measurable distance between the nearest point of the sign to the edge of the residential property line or district, or to the property line of an institutional use.

- b. At least 200 feet between any two (2) electronic signs on separate properties.

(iv) Percentage of sign area. Electronic signs, including their frames, shall comprise no more than fifty percent (50%) of the sign area of a high- or low-profile sign and a maximum of 12 square feet on an automobile-oriented canopy. The balance of the sign area shall use permanent, dimensional letters or symbols.

(v) Framing. Electronic signs are required to have a minimum six (6) inch enclosure. For low-profile signs the sign base counts in calculation of the framing requirement.

(vi) Minimum display time. Each static message on the sign must be displayed for a minimum of sixty (60) seconds duration. Message changes shall be completed within one (1) second.

(vii) Digital copy. Electronic signs shall contain static messages only and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign. Each static message shall not include any flashing or the varying of light intensity, and the message shall not scroll.

(viii) Safety. An electronic sign must:

a. Include systems and monitoring to either turn the display off or show “full black” on the display and freeze the sign in one (1) position at the maximum illumination provided in this section in the event of a malfunction.

b. Be designed so that if a catastrophic power surge occurs, the sign will go dark or will have maximum brightness limitations in place; and

c. Contain a default mechanism that freezes the sign in one (1) position if a malfunction occurs.

d. Have displays that are not configured to resemble a warning or danger signal or to cause a driver to mistake the electronic sign for a warning or danger signal.

- Rationale: Previously, electronic signs had been prohibited but the intention was if a person wanted an electronic sign, like gas pricer, the city could enter into a development. However, only the Board of Adjustment can hear variances to the provisions of the sign code it prevented staff from proposing development agreements. Therefore, we’ve added a section on electronic signs and stated they may be authorized by a development agreement executed by the city manager if the property either comes into compliance with our Outdoor Lighting standards or is developed in compliance with our Outdoor Lighting standards.

*(16) Changeable letter signs.*

- (A) Illumination. Manual changeable copy signs shall not be internally illuminated unless:

- (i) They use opaque inserts with translucent letters, numbers, or symbols;
- (ii) Blank or dark opaque inserts that are the same color as the opaque portions of the letters, numbers, and symbols are used over all areas of the sign where copy is not present; and
- (iii) The opaque portion of the letters, numbers, and symbols is the same color.

(B) Lettering. Lettering of changeable copy signs shall be of a single style and shall be of uniform color and size.

(C) Size. Manual changeable copy signs, including their frames, may comprise up to fifty percent (50%) of the sign area of a freestanding high- or low-profile sign. The balance of the sign area shall use permanently affixed letters or symbols.

(D) Integral element. Manual changeable copy signs are only permitted as an integral element of a monument or canopy sign, which encloses the changeable copy area on all sides with a finish of brick, stone, stucco, powder coated (or comparably finished) metal, or the surface of the sign face.

(E) Enclosure. The enclosure shall extend at least six (6) inches from the changeable copy area in all directions. Gaps between the changeable copy area and the surround are permitted to accommodate locks and hinges for a cover for the changeable copy area, but only to the extent necessary for such locks and hinges to operate.

- Rationale: Changeable copy signs were permitted but we did not have regulations for them so a business could have used 100% of their allowable signage as changeable copy signs. This limits their location to high- or low-profile signs (pole or monument signs) and limits the size to 50% of the sign as well as other provisions.

*(17) Construction standards.*

(A) All on-site signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code of the city.

(B) All signs and their locations shall comply with the provisions of the City's adopted Building and Electrical Codes as applicable and any additional standards stated in this chapter and other ordinances of the City.

(C) Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

(D) Permanent sign faces erected or maintained on any freestanding sign structure other than the principle sign for which the structure was designed must be compatible with the original design and meet all other requirements of this chapter.

(E) Freestanding signs shall be self-supporting structures and be permanently attached to sufficient foundations.

(F) Attached signs must derive their principle and total support from the building to which they are attached.

- Rationale: Added additional construction standards for safety and aesthetic purposes.

#### Section 15.04.020 Illuminated Signs

~~The building official shall not approve an application for an illuminated sign if the sign is to be installed on property zoned residential unless the sign is a residential subdivision entry sign or residential neighborhood sign. Applications for illuminated signs must comply with the outdoor lighting provisions of article 15.05 and be fully shielded. The application for a permit for erection of a sign in which electrical wiring and connections are to be used shall be submitted to the building official. The building official shall examine the plans and specifications respecting all wiring and connections to determine if the same complies with the electrical code of the city. In addition, all illuminated signs shall bear the Underwriters' Laboratory label or be built to comply with the underwriters' requirements. The building official shall approve said permit if the plans and specifications therefor comply with the requirements of this article, and shall disapprove the application if noncompliance is found. Approval by the building official must be obtained prior to the approval and issuance of any sign permit by the building official or their designee.~~

(a) Compliance with Electrical Code. Illuminated signs shall comply with all applicable provisions of the Electrical Code of the City. All electrical connections to the sign shall be placed underground. Electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall or integrated into the overall sign design. If raceways are necessary, they shall never extend in width or height beyond the area of the sign's lettering or graphics.

(b) Location. Illuminated signs shall only be permitted on non-residential property.

(c) Hazards. Artificial light used in conjunction with the lighting of any sign shall not be directed or reflected onto any structure or constitute a hazard to the safe and efficient operation of vehicles upon a street or highway.

(d) Rotating or flashing lights. No rotating beam or flashing beacon light shall be used on any sign or sign structure.

(e) Shield the light source. The light source, whether internal or external, shall be shielded from view or directed so that the light intensity or brightness is directed away from the public right-of-way or adjoining property. External light sources shall be fully

shielded and project the light below a horizontal plane running through the lowest point on the fixture where light is emitted.

(f) Internal illumination. Internally illuminated signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off-white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this section.

(g) Light trespass. No sign or associated luminaire shall create light spillover of more than 0.1 footcandles at any property line within or bounding a residential use or district.

(h) Use a projected light source. Illumination by a projected light shall be an indirect spotlight or gooseneck down light. External lighting fixtures shall not cast light or glare in any direction other than on the elements of the sign. Such lighting shall be placed so as to provide even illumination to the signage and to avoid hot spots or dark areas on the signage.

(i) Timing. Illuminated signs within a residentially zoned area shall shut off between the hours of 10:00 p.m. and 6:00 a.m. The sign shall include an automatic shut-off mechanism to ensure that the signs are not illuminated during the time provided above.

(j) Brightness. Illuminated signs shall not operate at brightness levels of more than 0.3 footcandles above ambient light conditions at the property line, as measured using a footcandle meter. Illumination levels shall be measured in footcandles with a meter sensor in a horizontal position at an approximate height of three (3) feet above grade. Maximum illumination readings are to be taken directly beneath the luminaire. The point at which readings shall be taken is dependent upon the area classification and fixture arrangements.

(k) Prohibited illumination. An illuminated sign shall not:

(1) Be illuminated by flashing, intermittent, or moving lights;

(2) Include audio, pyrotechnic, or bluecasting (bluetooth advertising) components;  
or

(3) Consist of a static image projected upon a stationary object.

- Rationale: Our previous section on Illuminated Signs was more about following electrical code and permitting which is established in Chapter 3 of the Code. This new section provides more about how signs shall be illuminated such as source, backgrounds, timing, and brightness. Sections related to sign brightness and

backgrounds that had been throughout the Article were removed and reference was made to this updated section.

### **Section 15.05.008(j)**

(j) Except as permitted in subsections (k), (l) and (m) of this section, total outdoor light output, excluding streetlights used for illumination of public rights-of-way, of any development project shall not exceed 100,000 lumens per net acre, averaged over the entire property. No more than 5,500 lumens per net acre may be accounted for by lamps in unshielded fixtures permitted in subsection (q) of this section. [The maximum light trespass to non-residential districts or uses shall not exceed 0.03 fc over ambient light conditions measured at the property line. The maximum light trespass to residential districts or uses shall not exceed 0.01 fc over ambient light conditions measured at the property line.](#)

- Added maximum footcandle measurements for lighting on a property as measured at the property line. The International Sign Association researched brightness and established the 0.03 footcandle over ambient light conditions as the recommended threshold that allows signs to be sufficiently bright enough but not so bright they impact adjacent properties or drivers. Many cities reduce that to 0.01 when the adjacent property is residential.

**ORDINANCE NO. 601**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING MANOR CODE OF ORDINANCES CHAPTER 15 SITE DEVELOPMENT BY PROVIDING FOR THE AMENDMENT OF OFF-STREET PARKING REQUIREMENTS; LANDSCAPING AND SCREENING DEFINITIONS; FENCE AND WALL STANDARDS; SIGN DEFINITIONS; PROHIBITED SIGNS; ON-SITE SIGNS; ILLUMINATED SIGNS; OUTDOOR LIGHTING REQUIREMENTS; PROVIDING SEVERABILITY, SAVINGS CLAUSE, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City of Manor City Council (the “City Council”) passed and approved Ordinance 571, a comprehensive Site Development Ordinance on February 19, 2020, to create consistency across various of chapters, articles, and sections of the City’s Code of Ordinances, and;

**WHEREAS**, various sections needed updating, revising, or additions to clarify intent as well as improving construction standards, and;

**WHEREAS**, the City Council requested modification to the City’s sign code in response to the COVID-19 pandemic;

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

**SECTION 1. Findings**. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendment of the Code of Ordinances**. The City Council hereby amends Chapter 15, Site Development of the Manor Code of Ordinances (the “Site Development Ordinance”) to amend the off-street parking requirements, landscaping and screening definitions, fence and wall standards, sign definitions, prohibited signs, illuminated signs, and outdoor lighting requirements as provided for in Sections 3. through 10. of this Ordinance.

**SECTION 3. Amendment of Section 15.02.004a(11) Off-Street Parking Requirements**. Section 15.02.004a(11) of the Site Development Ordinance is hereby amended to read as follows:

(11) Reserved.

**SECTION 4. Amendment of Section 15.03.002 Definitions**. Section 15.03.002 of the Site Development Ordinance is hereby amended to repeal and replace the definition for “Privacy Fence” to read as follows:

“Privacy fence means a construction which is designed for screening or enclosing and constructed of wood, wrought iron, masonry or a combination thereof at least six feet in height. Fences placed in or over any easement or right-of-way shall be considered a structure.”

**SECTION 5. Amendment of Section 15.03.022 Fence and Wall Standards.** Section 15.03.022 of the Site Development Ordinance is hereby amended as follows:

(a) Section 15.03.002(3) is hereby amended in its entirety to read as follow:

“(3) Fences and walls shall be constructed of high quality materials, such as brick, stone, masonry fencing, stained cedar wood, and wrought iron. The table specifies which types are permitted and prohibited based on the land use:

Use	Fencing Materials			
	Wood	Chain Link	Wrought Iron	Masonry Product
Single Family Detached (A)	Permitted	Prohibited	Permitted	Permitted
Single Family Attached (B)	Permitted (C)	Prohibited	Permitted	Permitted
Multi-Family	Permitted with Exceptions (D)	Prohibited	Permitted	Permitted
Commercial	Permitted with Exceptions (D)	Prohibited	Permitted	Permitted
Institutional	Permitted with Exceptions (D)	Prohibited	Permitted	Permitted
Industrial	Prohibited	Permitted when not visible from, and setback 100 feet from, a public right-of-way	Permitted	Permitted

(b) Section 15.03.002 is hereby amended to add subsections (8) through (18) as follows:

“(8) All fences, including but not limited to wood, wrought-iron, and ornamental fencing, shall be continuous flat-topped without spikes or sharp points, including barbed wire. Security fencing for hazardous facilities or similar uses where access must be restricted due to dangers present on the property shall be considered on a case-by-case basis by the Building Official.



(9) Fences and walls must be maintained in a safe manner, plumb (vertical) to the ground. Fences or walls no longer maintained in a safe manner through neglect, lack of repair, manner of construction, method of placement, or otherwise must be repaired, replaced, or demolished.

(10) All fence footings shall be placed into virgin soil or solid bearing and shall be a minimum twenty-four (24) inches in depth.

(11) Fences shall not impede drainage.

(12) Fence height shall be measured from ground level on the higher side of the fence or wall.

(13) For all fences, the finished "face" side of the fence (opposite the structural supports) shall face all public streets and public parkland.

(14) Fences for nonresidential uses shall provide the finished "face" side of the fence to abutting residential uses.

(15) Products manufactured for other uses and not originally intended to be permanent fencing are prohibited. Some examples of prohibited material include but are not limited to: Plywood, paper, plastic, fiberglass panels, chicken wire, fabric, or sheet, roll or corrugated metals.

(16) Masonry supporting structures shall be constructed of rock, brick or stucco and shall be a minimum of fourteen (14) inches by fourteen (14) inches and shall be at least as high as the approved fence height, but will not exceed the approved fence height by more than six (6) inches.

(17) Masonry supporting structures shall be placed on steel reinforced concrete footings. Such footing shall be placed into virgin soil or solid bearing and shall be at least two (2) inches larger on all sides of the masonry structure and a minimum of twenty-four (24) inches in depth.

(18) Plans for masonry walls, or any portion thereof, four (4) feet or greater in height shall be signed and sealed by a registered professional engineer or architect. Masonry walls are measured from the base of the footing to the top of the wall. Dry stack walls are measured from the grade under the lowest layer to the top of the wall."

**SECTION 6. Amendment of Section 15.04.006 Definitions.** Section 15.04.006 of the Site Development Ordinance is hereby amended as follows:

- (a) The definition for “Light Trespass” is hereby added in alphabetical order to read as follows:
- “*Light trespass* means is spill light falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.”
- (b) The definition for “Sign, Cabinet” is hereby added in alphabetical order to read as follows:
- “*Sign, cabinet* means a sign which is typically internally lit and contains all its components and items of information within a single enclosure and whose perimeter is not shaped to the content of the sign and where the sign face is differentiated from the structure against or within which a sign face is placed. An internally lit backer board shall be considered a cabinet. Logos, pan-faced signs, raceways, taglines shall be exempt from this definition.”
- (c) The definition for “Sign, Obscene” is hereby added in alphabetical order to read as follows:
- “*Sign, obscene* means a sign displaying matter which taken as a whole appeals to the prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.”
- (d) The definition for “Sign, Portable” is hereby amended in its entirety to read as follows:
- “*Sign, portable* means any sign without a permanent foundation, or otherwise permanently attached to a fixed location, that can be carried, towed, hauled, or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability. This definition excludes Sandwich Board signs.”
- (e) The definition for “Sign, Sandwich” is hereby added in alphabetical order to read as follows:
- “*Sign, sandwich board* means a moveable, portable, pedestrian-oriented, temporary sign that is supported by its own frame, and that is not secured or attached to the ground or surface upon which it is located. Sometimes referred to as A-frame signs or sidewalk signs. This definition also includes T-frame signs.”

**SECTION 7. Amendment of Section 15.04.016(b) Prohibited Signs.** Section 15.04.016(b) of the Site Development Ordinance is hereby amended as follows:

- (a) Section 15.04.016(b)(2) is hereby amended in its entirety to read as follows:  
“(2) Portable signs, excluding Sandwich Boards.”
- (b) Section 15.04.016(b)(3) is hereby amended in its entirety to read as follows:  
“(3) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED), collectively “electronic signs”, are prohibited, except as authorized by Section 15.04.018(15).”
- (c) Section 15.04.016(b) is hereby amended to add subsections (13) and (14) to read as follows:  
“(13) Obscene signs.  
  
(14) The following elements of a sign or sign structure, whether temporary or permanent, including:  
  
(A) Sound, smoke, or odor emitters;  
  
(B) Stacked products along roadway frontage; or  
  
(C) Unfinished wood support structures, except that temporary signs may use unfinished stakes.”

**SECTION 8. Amendment of Section 15.04.018 On-Site Signs.** Section 15.04.018 of the Site Development Ordinance is hereby amended as follows:

- (a) Section 15.04.018(1)(A) is hereby amended in its entirety to read as follows:  
“(A) Illuminated signs shall comply with Section 15.04.020 and article 15.05, as applicable.”
- (b) Section 15.04.018(1)(C) is hereby amended in its entirety to read as follows:  
“(C) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15).”
- (c) Section 15.04.018(2)(A)(i) is hereby amended in its entirety to read as follows:  
“(i) Illuminated signs shall comply with Section 15.04.020 and article 15.05, as applicable.
- (d) Section 15.04.018(2)(A)(ii) is hereby amended in its entirety to read as follows:

“(ii) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15).”

- (e) Section 15.04.018(3)(C) is hereby amended in its entirety to read as follows:

“(C) Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15).”

- (f) Section 15.04.018(3)(I) is hereby amended in its entirety to read as follows:

“(I) Illuminated signs shall comply with Section 15.04.020 and article 15.05, as applicable.”

- (g) Section 15.04.018(9)(B) is amended in its entirety to read as follows:

“(B) A non-commercial sign shall not be lighted or have any moving elements.”

- (h) Section 15.04.018(9) is hereby amended to add subsections (F), (G), and (H) as follows:

“(F) One additional temporary sign, which may be a pole sign, wall sign, or monument sign, may be located on a property without a permit when the owner consents to the placement of the sign and that entire property is for sale or lease or if an individual unit or units is for sale or lease. This subsection does not affect the content of the sign allowed under this subsection.

- (i) Entire Property: One additional sign, not exceeding sixty-four (64) square feet in sign area, while the entire property or property is for sale or lease. A sign posted under this section must be removed within ten (10) days following when a contract of sale has been executed or a rental agreement has been executed. This sign shall be placed at least thirty (30) feet from any public right of way.

- (ii) Individual Unit(s): One additional sign, not exceeding sixteen (16) square feet in sign area, where an individual unit or units is being offered for sale or lease. A sign posted under this section must be removed within ten (10) days following when a contract of sale has been executed or a rental agreement has been executed. This sign shall be placed at least thirty (30) feet from any public right of way.

(G) Sandwich boards.

- (i) Non-commercial zoned properties or uses shall be permitted one sandwich board.
- (ii) Sandwich boards shall have a maximum width of 30 inches and a maximum height of 48 inches.
- (iii) Sandwich boards shall be freestanding and shall not be affixed, chained, anchored, or otherwise secured to the ground or other structure. The sign shall be internally weighted so that it is stable, self-supporting and windproof.
- (iv) The sandwich board shall be displayed only during the hours of operation of the business.
- (v) Sandwich boards shall not be a cabinet sign.
- (vi) Changeable copy on a sandwich board shall not consist of individual plastic or vinyl letters on tracks.
- (vii) Sandwich boards shall not have additional signs taped or attached to the top or base sign.
- (viii) The following standards shall be followed when determining the placement of sandwich boards:
  - a. Signs shall be placed in such a manner that they do not interfere with pedestrian traffic, wheelchair ramps, or otherwise cause a safety hazard. Placement on a sidewalk or other improved surface is required, when available;
  - b. When placed on a public sidewalk or sidewalk required for ADA accessibility, ensure that there is a minimum of 48 inches of clear sidewalk;
  - c. Signs shall be placed in such a manner that they do not obscure or interfere with the function of windows or doors;
  - d. Signs shall not be located within five feet of the corner of a building that is at the intersection of two public streets;
  - e. Signs shall only be permitted in the city's right-of-way on sites where there is 10 feet or fewer between a building's front façade and the property line, and a license agreement authorized to be executed by the city manager shall be required.

(H) Window signs that do not cover more than 30 percent of the window in which they are placed.”

- (i) Section 15.04.018(11)(A) is hereby amended in its entirety to read as follows:

“(A) The coordinated sign plan shall be reviewed and approved in writing by the planning and zoning commission. There may be one freestanding high-profile sign located at each entrance to the development. Multi-tenant freestanding signs may only be allowed along the frontages of the north and south sides of Hwy. 290 and on the east and west sides North FM 973 from Hwy. 290 to Old Hwy. 20 in C-1, C-2, C-3, and commercially designated areas within PUD zoned districts. Freestanding signs approved by the planning and zoning commission shall not exceed 35 feet in height from finished grade and the lowest portion of the structure or sign, excluding poles, may not be below eight feet from finished grade. It shall be located above a sign foundation with landscaping, or architectural facet incorporating some design elements found in the overall development. No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed. Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15).”

- (j) Section 15.04.018(12)(A) is hereby amended in its entirety to read as follows:

“(A) There may be one freestanding low-profile sign located at each entrance to the development. Low profile signs approved by the planning and zoning commission shall not exceed 25 feet in height from finished grade nor be located in manner that will obstruct clear view for entering or exiting a property by a motor vehicle. No sign with a moving display such as video or changing graphics displaying the name, service, or product to be sold at the location shall be allowed. Changeable electronic variable message signs (CEVMS), digital signs, and light emitting diode (LED) signs are prohibited, unless authorized under Section 15.04.018(15).”

- (k) Section 15.04.018(15) is hereby amended in its entirety to read as follows:

“(15) *Changeable Electronic Variable Message Signs (CEVMS), Digital Signs, and Light Emitting Diode (LED) Signs.* Electronic signs may be authorized by entering into a development agreement authorized to be executed by the city manager. For existing properties with non-conforming outdoor lighting all lighting must be brought into conformance and maintained in compliance with Article 15.05 Outdoor Lighting, as amended. For new developments, the property must be

developed and maintained in compliance with Article 15.05 Outdoor Lighting, as amended. Electronic signs shall also meet the requirements set forth in this subsection and Chapter as applicable.

(A) Generally

(i) Electronic signs may be used as part of freestanding high- or low-profile signs or on automobile-oriented canopies. Electronic signs can only be authorized on non-residential properties with frontages along US Highway 290 East and North FM 973 extending north of Old Highway 20.

(ii) No sign structure that includes changeable copy may also include an electronic sign

(B) Design Requirements

(i) Measurement. Size calculation is based on the total sign face dimensions, whereby the electronic sign reader panel is counted against the total allowable sign area as provided in Sections 15.04.018(1-3).

(ii) Illumination. All electronic signs that are directly illuminated shall include a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the footcandle requirement. In areas zoned for any type of residential district or use, a trespass limit of 0.1 footcandles shall be enforced at the property line. In areas zoned for any type of non-residential or use, a trespass limit of 0.3 footcandles shall be enforced at the property line.

(iii) Spacing. Electronic signs shall have a minimum spacing of:

a. At least 100 feet between the electronic sign and the property line of any residential use or district and shall shut off between the hours of 12:00 a.m. and 5:00 a.m. The distance is calculated as the shortest measurable distance between the nearest point of the sign to the edge of the residential property line or district, or to the property line of an institutional use.

b. At least 200 feet between any two (2) electronic signs on separate properties.

(iv) Percentage of sign area. Electronic signs, including their frames, shall comprise no more than fifty percent (50%) of the sign area of a high- or low-profile sign and a maximum of 12 square feet on an automobile-

oriented canopy. The balance of the sign area shall use permanent, dimensional letters or symbols.

(v) Framing. Electronic signs are required to have a minimum six (6) inch enclosure. For low-profile signs the sign base counts in calculation of the framing requirement.

(vi) Minimum display time. Each static message on the sign must be displayed for a minimum of sixty (60) seconds duration. Message changes shall be completed within one (1) second.

(vii) Digital copy. Electronic signs shall contain static messages only and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign. Each static message shall not include any flashing or the varying of light intensity, and the message shall not scroll.

(viii) Safety. An electronic sign must:

a. Include systems and monitoring to either turn the display off or show “full black” on the display and freeze the sign in one (1) position at the maximum illumination provided in this section in the event of a malfunction.

b. Be designed so that if a catastrophic power surge occurs, the sign will go dark or will have maximum brightness limitations in place; and

c. Contain a default mechanism that freezes the sign in one (1) position if a malfunction occurs.

d. Have displays that are not configured to resemble a warning or danger signal or to cause a driver to mistake the electronic sign for a warning or danger signal.”

(l) Section 15.04.018 is hereby amended to add subsections (16) and (17) as follows:

“(16) *Changeable letter signs.*

(A) Illumination. Manual changeable copy signs shall not be internally illuminated unless:

(i) They use opaque inserts with translucent letters, numbers, or symbols;



(ii) Blank or dark opaque inserts that are the same color as the opaque portions of the letters, numbers, and symbols are used over all areas of the sign where copy is not present; and

(iii) The opaque portion of the letters, numbers, and symbols is the same color.

(B) Lettering. Lettering of changeable copy signs shall be of a single style and shall be of uniform color and size.

(C) Size. Manual changeable copy signs, including their frames, may comprise up to fifty percent (50%) of the sign area of a freestanding high- or low-profile sign. The balance of the sign area shall use permanently affixed letters or symbols.

(D) Integral element. Manual changeable copy signs are only permitted as an integral element of a monument or canopy sign, which encloses the changeable copy area on all sides with a finish of brick, stone, stucco, powder coated (or comparably finished) metal, or the surface of the sign face.

(E) Enclosure. The enclosure shall extend at least six (6) inches from the changeable copy area in all directions. Gaps between the changeable copy area and the surround are permitted to accommodate locks and hinges for a cover for the changeable copy area, but only to the extent necessary for such locks and hinges to operate.

(17) *Construction standards.*

(A) All on-site signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code of the city.

(B) All signs and their locations shall comply with the provisions of the City's adopted Building and Electrical Codes as applicable and any additional standards stated in this chapter and other ordinances of the City.

(C) Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

(D) Permanent sign faces erected or maintained on any freestanding sign structure other than the principle sign for which the structure was designed must be compatible with the original design and meet all other requirements of this chapter.

(E) Freestanding signs shall be self-supporting structures and be permanently attached to sufficient foundations.

(F) Attached signs must derive their principle and total support from the building to which they are attached.”

**SECTION 9. Amendment of Section 15.04.020 Illuminated Signs.** Section 15.04.020 is hereby amended in its entirety to read as follows:

“(a) Compliance with Electrical Code. Illuminated signs shall comply with all applicable provisions of the Electrical Code of the City. All electrical connections to the sign shall be placed underground. Electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall or integrated into the overall sign design. If raceways are necessary, they shall never extend in width or height beyond the area of the sign's lettering or graphics.

(b) Location. Illuminated signs shall only be permitted on non-residential property.

(c) Hazards. Artificial light used in conjunction with the lighting of any sign shall not be directed or reflected onto any structure or constitute a hazard to the safe and efficient operation of vehicles upon a street or highway.

(d) Rotating or flashing lights. No rotating beam or flashing beacon light shall be used on any sign or sign structure.

(e) Shield the light source. The light source, whether internal or external, shall be shielded from view or directed so that the light intensity or brightness is directed away from the public right-of-way or adjoining property. External light sources shall be fully shielded and project the light below a horizontal plane running through the lowest point on the fixture where light is emitted.

(f) Internal illumination. Internally illuminated signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off-white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this section.

(g) Light trespass. No sign or associated luminaire shall create light spillover of more than 0.1 footcandles at any property line within or bounding a residential use or district.

(h) Use a projected light source. Illumination by a projected light shall be an indirect spotlight or gooseneck down light. External lighting fixtures shall not cast light or glare in any direction other than on the elements of the sign. Such lighting shall be placed so as to provide even illumination to the signage and to avoid hot spots or dark areas on the signage.

(i) Timing. Illuminated signs within a residentially zoned area shall shut off between the hours of 10:00 p.m. and 6:00 a.m. The sign shall include an automatic shut-off mechanism to ensure that the signs are not illuminated during the time provided above.

(j) Brightness. Illuminated signs shall not operate at brightness levels of more than 0.3 footcandles above ambient light conditions at the property line, as measured using a footcandle meter. Illumination levels shall be measured in footcandles with a meter sensor in a horizontal position at an approximate height of three (3) feet above grade. Maximum illumination readings are to be taken directly beneath the luminaire. The point at which readings shall be taken is dependent upon the area classification and fixture arrangements.

(k) Prohibited illumination. An illuminated sign shall not:

- (1) Be illuminated by flashing, intermittent, or moving lights;
- (2) Include audio, pyrotechnic, or bluecasting (bluetooth advertising) components; or
- (3) Consist of a static image projected upon a stationary object.”

**SECTION 10. Amendment of Section 15.05.008(j) Lighting Requirements.** Section 15.05.008(j) of the Site Development Ordinance is hereby amended in its entirety to read as follows:

“(j) Except as permitted in subsections (k), (l) and (m) of this section, total outdoor light output, excluding streetlights used for illumination of public rights-of-way, of any development project shall not exceed 100,000 lumens per net acre, averaged over the entire property. No more than 5,500 lumens per net acre may be accounted for by lamps in unshielded fixtures permitted in subsection (q) of this section. The maximum light trespass to non-residential districts or uses shall not exceed 0.03 fc over ambient light conditions measured at the property line. The maximum light trespass to residential districts or uses shall not exceed 0.01 fc over ambient light conditions measured at the property line.”

**SECTION 11. Repealing all Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City of Manor (“City”), the terms and provisions of this ordinance shall control.

**SECTION 12. Savings Clause.** This City Council of the City of Manor, Texas hereby declares that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

**SECTION 13. Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 14. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**SECTION 15. Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

**PASSED AND APPROVED THIS** the 20<sup>th</sup> day of January 2021.

**THE CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Dr. Larry Wallace Jr.,  
Mayor

**ATTEST:**

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Lluvia T. Almaraz, TRMC  
City Secretary