



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

City Council Regular Meeting

Wednesday, July 19, 2023 at 7:00 PM

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

AGENDA

This meeting will be live-streamed on Manor's YouTube Channel
You can access the meeting at <https://www.youtube.com/@cityofmanorsocial/streams>

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. Declaring the month of July 2023, as “Parks and Recreation Month”

PUBLIC COMMENTS

Non-Agenda Item Public Comments (white card): Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three (3) minutes per person.

Agenda Item Public Comments (yellow card): Comments will be taken from the audience on non-agenda and agenda items combined for a length of time, not to exceed five (5) minutes total per person on all items, except for Public Hearings. Comments on Public Hearing items must be made when the item comes before the Council and, not to exceed two (2) minutes per person. No Action or Discussion May be Taken by the City Council during Public Comments on Non-Agenda Items.

To address the City Council, please complete the white or yellow card and present it to the City Secretary, or designee prior to the meeting.

EXECUTIVE SESSION

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

- Sections 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding EntradaGlen PID;

- Section 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the NewHaven Development;

- Section 551.071 Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding stormwater drainage fee;

- Section 551.071 and Section 551.087, Texas Government Code to deliberate on the acquisition of real property;

- Section 551.074 (Personnel Matters) to review and discuss a study regarding employee compensation; and

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

OPEN SESSION

The City Council will now reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

REPORTS

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

A. Proposed Bond Propositions Update

Submitted by: Scott Moore, City Manager

PUBLIC HEARINGS

- 1. Conduct a public hearing on the dissolution of the EntradaGlen Public Improvement District (PID) within the municipal boundaries of the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code.**
Submitted by: Scott Dunlop, Development Services Director
- 2. Conduct a public hearing on the creation of the Newhaven Public Improvement District (PID) within the municipal boundaries of the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code.**
Submitted by: Scott Dunlop, Development Services Director
- 3. Conduct a public hearing on an Ordinance rezoning one (1) lot on .132 acres, more or less, and being located at 209 N. Lexington Street, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).**
Submitted by: Scott Dunlop, Development Services Director

- 4. Conduct a public hearing on a Preliminary Planned Unit Development (PUD) Site Plan for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.**

Applicant: Sotol Ventures

Owner: Dalton Wallace

Submitted by: Scott Dunlop, Development Services Director

- 5. Conduct a public hearing on an ordinance rezoning two (2) lots on .297 acres, more or less, at 108 W. Boyce & 104 W. Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB).**

Applicant: Jiwon Jung

Owner: Build Block

Submitted by: Scott Dunlop, Development Services Director

CONSENT AGENDA

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

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

Submitted by: Lluvia T. Almaraz, City Secretary

- **July 5, 2023, City Council Regular Meeting; and**
- **July 11, 2023, City Council Workshop**

- 7. Consideration, discussion, and possible action on accepting the June 2023 Departmental Reports.**

Submitted by: Scott Moore, City Manager

- **Finance – Lydia Collins, Director of Finance**
- **Police – Ryan Phipps, Chief of Police**
- **Travis County ESD No. 12 – Ryan Smith, Fire Chief**
- **Economic Development – Scott Jones, Economic Development Director**
- **Development Services – Scott Dunlop, Development Services Director**
- **Municipal Court – Sarah Friberg, Court Clerk**
- **Public Works – Matt Woodard, Director of Public Works**
- **Manor Cemetery – Nora Sanchez, MC Manager**
- **Human Resources – Tracey Vasquez, HR Manager**
- **IT – Phil Green, IT Director**
- **Administration – Lluvia T. Almaraz, City Secretary**

REGULAR AGENDA

- 8.** Consideration, discussion, and possible action on a Resolution of the City Council of the City of Manor, Texas authorizing and dissolving the EntradaGlen Public Improvement District (PID) within the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.
Submitted by: Scott Dunlop, Development Services Director
- 9.** Consideration, discussion, and possible action on the Third Amendment to the EntradaGlen Development Agreement.
Submitted by: Scott Dunlop, Development Services Director
- 10.** Consideration, discussion, and possible action on the First Amendment to Development Agreement (Newhaven).
Submitted by: Scott Dunlop, Development Services Director
- 11.** Consideration, discussion, and possible action on a Resolution of the City Council of the City of Manor, Texas, authorizing and creating the Newhaven Public Improvement District (PID) within the City of Manor, Texas in accordance with Chapter 372 Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.
Submitted by: Scott Dunlop, Development Services Director
- 12.** Consideration, discussion, and possible action on an Agreement Regarding the Dissolution of the Newhaven Public Improvement District.
Submitted by: Scott Dunlop, Development Services Director
- 13.** Consideration, discussion, and possible action on Letter of Intent for Underwriting Services for Special Assessment Bonds and G-17 (Newhaven Public Improvement District).
Submitted by: Scott Dunlop, Development Services Director
- 14.** Consideration, discussion, and possible action on an Amendment for additional services for the Manor Commercial Park Wastewater Collection System and Carriage Hills Lift Station #5 Improvements (Statement of Work No.7).
Submitted by: Tyler Shows, EIT Staff Engineer
- 15.** Consideration, discussion, and possible action on a Letter of Interest for the Bristol Myers Squibb Foundation Grant. (BMHC)
Submitted by: Scott Moore, City Manager
- 16.** Consideration, discussion, and possible action on a Splash Pad to be installed at Timmermann Park.
Submitted by: Scott Moore, City Manager
- 17.** Consideration, discussion, and possible action on a Stormwater Drainage Fee.
Submitted by: Scott Dunlop, Development Services Director

- 18. First Reading: Consideration, discussion, and possible action on an ordinance rezoning one (1) lot on .132 acres, more or less, and being located at 209 N. Lexington Street, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).**
Submitted by: Scott Dunlop, Development Services Director
- 19. First Reading: Consideration, discussion, and possible action on a Preliminary Planned Unit Development (PUD) Site Plan for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.**
Applicant: Sotol Ventures
Owner: Dalton Wallace
Submitted by: Scott Dunlop, Development Services Director
- 20. First Reading: Consideration, discussion, and possible action on an ordinance rezoning two (2) lots on .297 acres, more or less, at 108 W. Boyce & 104 W. Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB).**
Applicant: Jiwon Jung
Owner: Build Block
Submitted by: Scott Dunlop, Development Services Director
- 21. Consideration, discussion, and possible action on declaring one or more vacancies on the Planning and Zoning Commission.**
Submitted by: Scott Dunlop, Development Services Director
- 22. Consideration, discussion, and possible action on canceling the October 4, 2023, Regular City Council Meeting and setting a Called Special Session.**
Submitted by: Scott Moore, City Manager

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, February 14, 2023, 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 10 days prior to this meeting. Please contact the City Secretary at 512.215.8285 or e-mail lalmaraz@manortx.gov



PROCLAMATION

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Manor, Texas; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Manor Council urges all its residents to recognize that parks and recreation enriches the lives of its residents and visitors as well as adding value to the community's homes and neighborhoods.

NOW THEREFORE, I, Dr. Christopher Harvey, Mayor of the City of Manor, and on behalf of the Manor City Council, do hereby proclaim that July is recognized as:

“PARKS AND RECREATION MONTH”

in the City of Manor, Texas.

PROCLAIMED this the 19th day of July 2023.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Conduct a public hearing on the dissolution of the EntradaGlen Public Improvement District (PID) within the municipal boundaries of the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code.

BACKGROUND/SUMMARY:

The public hearing was left open on July 5, 2023. The Dissolution Agreement entered into with the developer for the EntradaGlen PID, as amended called for the dissolution of the PID if assessments were not levied or bonds were not issued by May 31, 2023. City staff was directed to begin the process for dissolution of the EntradaGlen PID for City Council consideration. City Council accepted the Dissolution Agreement as the developer’s petition to dissolve the PID and called a public hearing to dissolve the PID.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: No

STAFF RECOMMENDATION:

It is the City Staff’s recommendation that the City Council continue the public hearing.

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



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Conduct a public hearing on the creation of the Newhaven Public Improvement District (PID) within the municipal boundaries of the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code.

BACKGROUND/SUMMARY:

The public hearing was left open on July 5, 2023. Gregg Lane Dev, LLC (“Developer”) submitted a petition to create the Newhaven PID that includes approximately 90.3 acres. City Council accepted the petition and called a public hearing to create the PID. Attached is the Developer’s petition.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Petition

STAFF RECOMMENDATION:

It is the City Staff’s recommendation that the City Council continue the public hearing.

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

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO FINANCE IMPROVEMENTS TO THE NEWHAVEN DEVELOPMENT

THE STATE OF TEXAS §
CITY OF MANOR §

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MANOR

The undersigned petitioner (the "Petitioner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), requests that the City of Manor create a public improvement district (the "District) in the territory described in Exhibit A attached hereto (the "Land") within the City of Manor, Texas (the "City"), and in support of this petition the Petitioner would present the following:

Section 1. Standing of Petitioner. In compliance with the requirements of Texas Local Government Code, Section 372.005(b), as determined by the current tax roll of the Travis Central Appraisal District, the Petitioner constitutes: (i) the owner of taxable real property representing more than 50% of the appraised value of real property liable for assessment under the proposal described herein, and (ii) the record owner of taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under such proposal.

Section 2. General Nature of the Proposed Construction and Maintenance of the Public Improvements. The general nature of the proposed public improvements are: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, swimming pools, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District.

Section 3. Estimated Cost and Terms of the Proposed Construction of the Public Improvements. The estimated cost of the proposed construction is \$10,000,000.00 (including issuance and other financing costs).

Section 4. Boundaries. The proposed boundaries of the District are described on Exhibit A attached hereto.

Section 5. Method of Assessment. An assessment methodology will be prepared that will address: (i) how the costs of the public improvements financed with the assessments are assessed against the property in the District, (ii) the assessments to be collected each year, and (iii) reduction of the assessments for costs savings (pursuant to the annual review of the service plan for the District). Additionally, a report will be prepared showing the special benefits accruing to property in the District and how the costs of the public improvements are assessed to property on

the basis of the special benefits. The result will be that equal shares of the costs will be imposed on property similarly benefited.

The assessment methodology will result in each parcel paying its fair share of the costs of the public improvements provided with the assessments based on the special benefits received by the property from the public improvements and property equally situated paying equal shares of the costs of the public improvements.

Section 6. Apportionment of Cost between the City and the District. Approval and creation of the PID will not obligate the City to provide any funds to finance the proposed public improvements. All of the costs of the proposed public improvements will be paid by assessments of the property within the District and from other sources of funds, if any, available to the owner of the Land.

Section 7. Management of the District. The City will manage the District, or, to the extent allowed by law, the City may contract with either a non-profit, or a for-profit organization including a Public Facilities Corporation created by the City pursuant to Chapter 303, Texas Local Government Code, to carry out all or a part of the responsibilities of managing the District, including the day-to-day management and administration of the District.

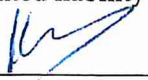
Section 8. Advisory Board. An advisory board may be established by the City Council of the City (the "*City Council*") and recommend an improvement plan to the City Council.

The signer of this petition requests the establishment for the District and this petition will be filed with the City Secretary in support of the creation of the District by the City Council as herein provided.

[Signature on following page]

PETITIONER:

Gregg Lane Dev, LLC,
a Texas limited liability company

By:  _____

Name: Shaun Vembutty

Title: Manager

Date: 3/15/2022

EXHIBIT A
PROPERTY DESCRIPTION



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

30.580 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 30.580 ACRES OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS, BEING A WESTERN PORTION OF THAT CERTAIN CALLED 39.4 ACRE TRACT DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2004009801 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 30.580 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with 'CHAPARRAL' cap set in the north line of a 60.292 acre tract described in Document No. 2013001967 of the Official Public Records of Travis County, Texas, same being the south line of said 39.4 acre tract, from which a 1/2" rebar found for the northernmost northeast corner of the 60.292, same being an angle point in the south line of the 39.4 acre tract, bears South 61°38'05" East a distance of 575.95 feet;

THENCE North 61°37'58" West with the south line of the 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar found at a distance of 648.82 feet, and continuing 20.62 feet, for total distance of 669.44 feet to a calculated point in the approximate centerline of Wilbarger Creek, also being the west line of the 39.4 acres and the being also the east line of an 85.769 acre tract described Document No. 2008118667 of the Official Public Records of Travis County, Texas;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of the 39.4 acre tract and the east line of 85.796 acres described in Document No. 2008118667 of the Official Public Records of Travis County, Texas, the following forty (40) courses:

1. North 00°28'28" East, a distance of 9.07 feet to a to a calculated point;
2. North 05°17'24" West, a distance of 31.85 feet to a to a calculated point;
3. North 01°00'43" West, a distance of 39.99 feet to a to a calculated point;
4. North 13°37'54" West, a distance of 36.17 feet to a to a calculated point;
5. North 03°30'27" West, a distance of 43.17 feet to a to a calculated point;
6. North 10°14'35" West, a distance of 42.68 feet to a to a calculated point;

1662-001-30.580 AC

7. North 22°31'57" West, a distance of 57.70 feet to a to a calculated point;
8. North 44°39'48" West, a distance of 45.77 feet to a to a calculated point;
9. North 54°56'29" West, a distance of 58.93 feet to a to a calculated point;
10. North 82°53'28" West, a distance of 51.24 feet to a to a calculated point;
11. South 71°16'10" West, a distance of 39.96 feet to a to a calculated point;
12. South 66°38'21" West, a distance of 51.94 feet to a to a calculated point;
13. North 89°22'53" West, a distance of 39.25 feet to a to a calculated point;
14. North 83°41'50" West, a distance of 51.08 feet to a to a calculated point;
15. North 89°13'01" West, a distance of 53.52 feet to a to a calculated point;
16. North 76°23'07" West, a distance of 54.75 feet to a to a calculated point;
17. North 76°02'03" West, a distance of 65.60 feet to a to a calculated point;
18. North 78°19'56" West, a distance of 54.07 feet to a to a calculated point;
19. South 73°52'38" West, a distance of 52.35 feet to a to a calculated point;
20. North 82°54'47" West, a distance of 58.96 feet to a to a calculated point;
21. North 48°39'03" West, a distance of 54.65 feet to a to a calculated point;
22. North 21°40'43" West, a distance of 61.82 feet to a to a calculated point;
23. North 00°14'42" East, a distance of 52.83 feet to a to a calculated point;
24. North 08°20'31" East, a distance of 53.76 feet to a to a calculated point;
25. North 08°21'04" East, a distance of 38.04 feet to a to a calculated point;
26. North 12°10'56" West, a distance of 48.92 feet to a to a calculated point;
27. North 26°26'40" West, a distance of 51.72 feet to a to a calculated point;
28. North 09°59'30" West, a distance of 51.78 feet to a to a calculated point;
29. North 09°26'58" West, a distance of 65.60 feet to a to a calculated point;

1662-001-30.580 AC

30. North 23°17'46" East, a distance of 51.71 feet to a to a calculated point;
31. North 34°54'31" East, a distance of 42.87 feet to a to a calculated point;
32. North 48°43'04" East, a distance of 60.00 feet to a to a calculated point;
33. South 79°51'17" East, a distance of 39.39 feet to a to a calculated point;
34. South 58°38'03" East, a distance of 48.87 feet to a to a calculated point;
35. North 59°05'59" East, a distance of 54.70 feet to a to a calculated point;
36. North 00°19'10" East, a distance of 38.05 feet to a to a calculated point;
37. North 15°36'04" West, a distance of 56.41 feet to a to a calculated point;
38. North 06°24'18" East, a distance of 49.34 feet to a to a calculated point;
39. North 34°41'25" East, a distance of 55.35 feet to a to a calculated point;
40. North 08°45'25" West, a distance of 12.36 feet to a to a calculated point;

THENCE South 70°46'58" East, a distance of 13.00, to a 1/2" rebar found for an angle point in the west line of the 39.4 acres, same being the east line of the 85.796 acres;

THENCE North 22°06'01" East, a distance of 137.89 feet to a 1/2" rebar with 'CHAPARRAL' cap found for the northwest corner of the 39.4 acre tract, same being an interior corner of the 85.796 acre tract;

THENCE South 62°49'58" East, with the north line of the 39.4 acre tract, same being a south line of the 85.796 acre tract, a distance of 155.36 feet to a 1/2" rebar found for an angle point on the north line of the 39.4 acre tract, also being the southernmost northeast corner of the 85.796 acre tract, also being the southwest corner of a 170 acre tract described in Volume 8293, Page 104 of the Deed Records of Travis County, Texas;

THENCE South 62°31'16" East, continuing with the north line of the 39.4 acre tract, same being the south line of said 170 acre tract, being the south line of a 57.215 acre tract described in Document No. 2002251950 of the Official Public Records of Travis County, Texas; also being the south line of 39.00 acres described in Volume 8947, Page 802 of the Real Property Records of Travis County, Texas; a distance of 1513.14 feet to a 1/2" iron pipe found in the south line of the 39.00 acre tract, for the most northernmost corner of the 39.4 acre tract, same being the northwest corner of a 3.56 acre tract described in Document No. 2009010572 of the Official Public Records of Travis County, Texas;

THENCE South 27°51'31" West, with an east line of the 39.4 acre tract, same being the west line of said 3.56 acre tract, also being the west line of a 75.37 acre tract described in Document No. 2008031946 of the Official Public Records of Travis County, Texas, passing a 1/2" iron pipe found for the most westerly southwest corner of said 75.37 acre tract at a distance of 548.40 feet and continuing 321.78 feet, for a total distance of 870.18 feet to the **POINT OF BEGINNING**, containing 30.580 acres of land, more or less.

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-30.580ac

Paul J. Flugel 1-6-2021
Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500





Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

59.765 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 59.765 ACRES, BEING A PORTION OF THAT CERTAIN TRACT OF LAND STATED TO CONTAIN 60.292 ACRES, MORE OR LESS, OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS AS DESCRIBED IN DISTRIBUTION DEED RECORDED IN DOCUMENT NO. 2020120760 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME LAND CONVEYED TO THE CARRILLO FAMILY PARTNERSHIP IN DOCUMENT NO. 2013001967, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 59.765 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the north right-of-way of Gregg Lane (variable width right-of-way), being the southeast corner of said 60.292 acre tract, and also the southwest corner of a 15.74 acre tract described in Document No. 2016051094 of the Official Public Records of Travis County, Texas, from which a TxDot Type II disk found in the north right-of-way of Gregg Lane, for the southeast corner of a 36.14 acre tract described in Document No. 2014113251 of the Official Public Records of Travis County, Texas bears South 62°01'41" East a distance of 1995.25 feet;

THENCE North 62°17'26" West, with the south line of the 60.292 acre tract, same being the north right-of-way line of Gregg Lane, a distance of 2133.10 feet to a calculated point in the approximate centerline of Wilbarger Creek;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of said 60.292 acre tract, and the east line of an 85.796 acre tract described Document No. 2008118667 of the Official Public records of Travis County, Texas, the following thirty-two (32) courses:

1. North 73°18'55" East, a distance of 46.89 feet to a to a calculated point;
2. North 65°28'25" East, a distance of 50.67 feet to a to a calculated point;
3. North 51°10'42" East, a distance of 48.58 feet to a to a calculated point;
4. North 48°30'24" East, a distance of 46.23 feet to a to a calculated point;
5. North 49°14'49" East, a distance of 52.77 feet to a to a calculated point;

6. North 45°14'55" East, a distance of 55.96 feet to a to a calculated point;
7. North 43°43'26" East, a distance of 52.86 feet to a to a calculated point;
8. North 41°05'22" East, a distance of 48.00 feet to a to a calculated point;
9. North 32°42'55" East, a distance of 42.39 feet to a to a calculated point;
10. North 36°20'34" East, a distance of 43.28 feet to a to a calculated point;
11. North 24°58'46" East, a distance of 45.09 feet to a to a calculated point;
12. North 20°50'58" East, a distance of 58.26 feet to a to a calculated point;
13. North 11°43'28" East, a distance of 55.36 feet to a to a calculated point;
14. North 12°03'40" East, a distance of 59.87 feet to a to a calculated point;
15. North 11°44'50" East, a distance of 49.40 feet to a to a calculated point;
16. North 20°31'26" East, a distance of 49.47 feet to a to a calculated point;
17. North 26°12'00" East, a distance of 48.98 feet to a to a calculated point;
18. North 19°47'54" East, a distance of 56.22 feet to a to a calculated point;
19. North 08°36'09" East, a distance of 45.62 feet to a to a calculated point;
20. North 32°55'35" East, a distance of 52.23 feet to a to a calculated point;
21. North 47°27'44" East, a distance of 55.81 feet to a to a calculated point;
22. North 45°04'59" East, a distance of 51.38 feet to a to a calculated point;
23. North 43°53'12" East, a distance of 32.75 feet to a to a calculated point;
24. North 08°50'46" East, a distance of 41.41 feet to a to a calculated point;
25. North 05°45'16" West, a distance of 32.84 feet to a to a calculated point;
26. North 01°15'08" East, a distance of 35.86 feet to a to a calculated point;
27. North 14°04'03" East, a distance of 26.74 feet to a to a calculated point;
28. North 34°11'10" East, a distance of 54.41 feet to a to a calculated point;

- 29. North 26°59'21" East, a distance of 41.68 feet to a to a calculated point;
- 30. North 36°09'53" East, a distance of 43.97 feet to a to a calculated point;
- 31. North 25°00'27" East, a distance of 44.74 feet to a to a calculated point;
- 32. North 00°27'57" East, a distance of 24.90 feet to a to a calculated point for the northwest corner of the 60.292 acre tract, being the southwest corner of a 39.4 acre tract described in Document No. 2004009801 of the Official Public Records of Travis County, Texas ;

THENCE South 61°38'01" East with the south line of said 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar at 20.62 feet, and continuing for a total distance of 1100.33 feet to a 1/2 " rebar with 'Chaparral' cap set;

THENCE South 00°41'52" East, crossing the 60.292 acre tract a distance of 308.96 feet to a 1/2" rebar found for an interior corner of the 60.292 acre tract, same being the southernmost southwest corner of the 39.4 acre tract;

THENCE South 62°04'50" East with the north line of the 60.292 acre tract, same being the south line of the 39.4 acre tract, a distance of 551.18 feet to a 1/2" rebar found with plastic cap for the southeast corner of the 39.4 acre tract;

THENCE South 61°50'55" East, continuing with the north line of the 60.292 acre tract, a distance of 250.39 feet to a 2" iron pipe found in for the northeast corner of the 60.292 acre tract, same being the northwest corner of said 15.74 acre tract;

THENCE South 27°32'42" West, with the east line of the 60.292 acre tract, same being the west line of said 15.74 acre tract, a distance of 1131.13 feet to the **POINT OF BEGINNING**; containing 59.765 acres of land, more or less;

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

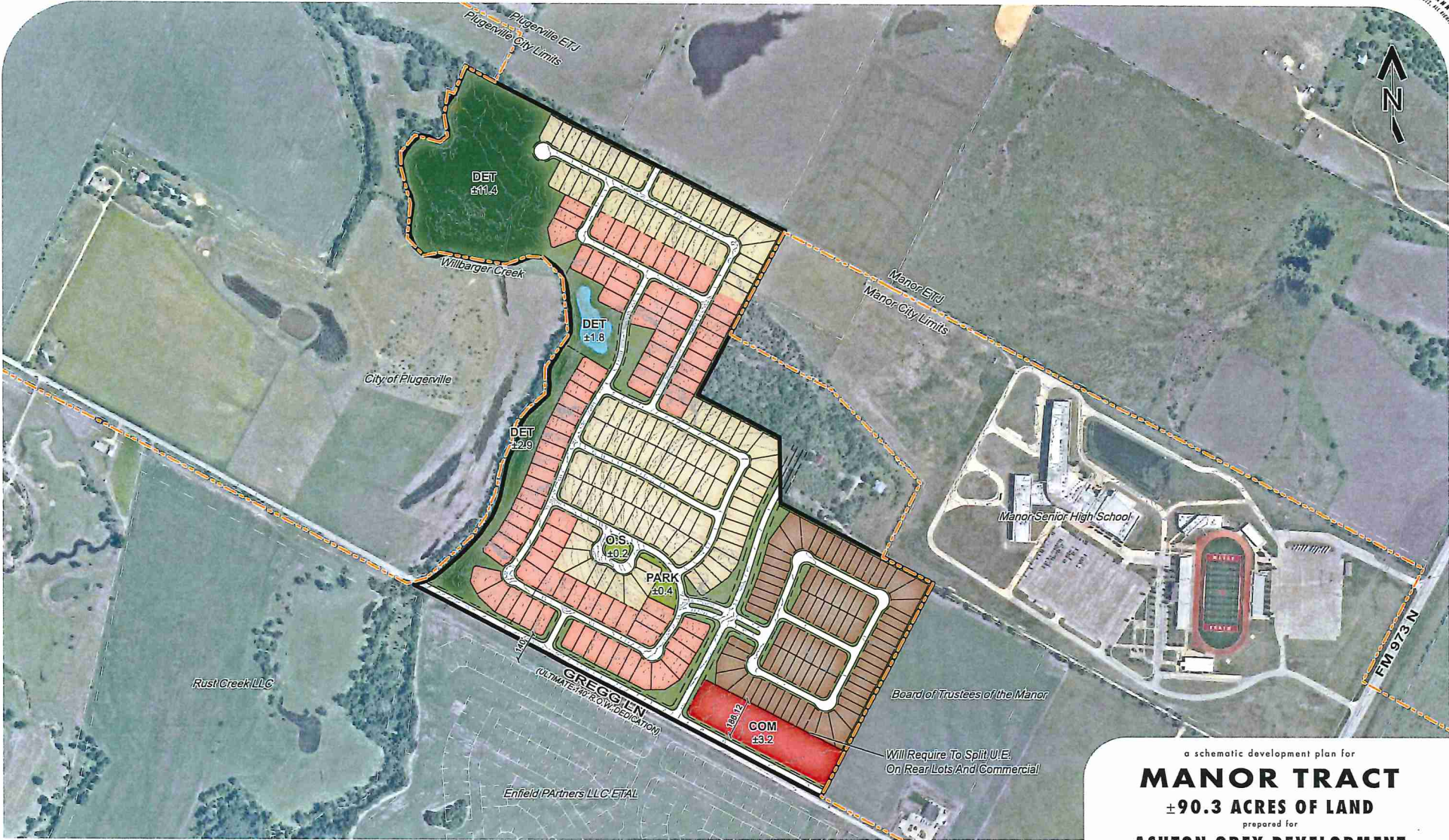
Attachments: Drawing 1662-001-59.765ac

Paul J. Flugel 1-18-2021

Paul J. Flugel
 Registered Professional Land Surveyor
 State of Texas No. 5096
 TBPLS Firm No. 10124500



1662-001-59.765 ACS



a schematic development plan for
MANOR TRACT
 ±90.3 ACRES OF LAND
 prepared for
ASHTON GREY DEVELOPMENT

LOT SUMMARY

| | | |
|--------------|-----------------|-----|
| 40'x120' | 86 LOTS | 29% |
| 50'x120' | 122 LOTS | 41% |
| 60'x125' | 89 LOTS | 30% |
| TOTAL | 297 LOTS | |

META
 PLANNING + DESIGN

24275 Katy Freeway, Ste. 200
 Katy, Texas 77494
 Tel: 281-810-1422

SCALE
 0 100 200 400

MTA-78007
 MARCH 10, 2022

THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. SAID DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY OR MAY NOT INTEGRATE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS, INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAINS, AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

© 2022 META PLANNING + DESIGN, ALL RIGHTS RESERVED

Gregg Lane Dev LLC
Newhaven Public Improvement District

DRAFT

Table of Contents
March 8, 2022

| Exhibit | Title | Page No. |
|---------|-----------------------------------|----------|
| A | PID Summary | 2 |
| B | Development Costs | 3 |
| C | AV and Assessment Spread | 4 |
| D | Value to Lien Analysis | 5 |
| E | Ad Valorem Tax Revenues | 6 |
| F | Competitive Communities Tax Rates | 7 |
| G | Improvement Area #1 Bond | 8 |
| H | Assumptions | 9 |
| I | Comparison Summary | 10 |

Exhibit A
Newhaven Public Improvement District
DRAFT PID Summary
 March 8, 2022

| Land Plan | |
|-----------------|-----------------|
| Lot Type | Units/SF |
| 40' | 86 |
| 50' | 122 |
| 60' | 89 |
| Commercial | 27,878 |

| Values | |
|---------------------------|----------------|
| Total Improved Land Value | \$ 28,857,920 |
| Total Assessed Value | \$ 144,289,600 |
| Value to Lien | 4.87 |

| Assessments | |
|--------------------|----------|
| Bond Issuance Date | 9/1/2022 |
| Bond Term | 30 |
| Interest Rate | 4.25% |

| | |
|----------------------------------|---------------------|
| Bond Proceeds | \$ 5,920,000 |
| Reserve Fund | \$ (361,813) |
| First Year Administrative Fund | \$ (40,000) |
| Capitalized Interest (12 months) | \$ (251,600) |
| Underwriter's Discount (3.00%) | \$ (177,600) |
| Cost of Issuance (6.00%) | <u>\$ (355,200)</u> |
| Net Bond Proceeds | \$ 4,733,788 |

| | |
|--------------------------------|-----------|
| Single Family Assessment/ Unit | \$ 15,181 |
| Commercial Assessment/SF | \$ 10.26 |

| Costs | |
|-------------------------------|-----------------------|
| Authorized Improvements | \$ 13,974,437 |
| Bond Issuance Costs | \$ 1,186,213 |
| Less: Bond Proceeds | <u>\$ (5,920,000)</u> |
| Developer Contribution | \$ 9,240,650 |

| Average Annual Installments | |
|--|------------|
| First Annual Installment Due | 1/31/2023 |
| Total Average Annual Installment | \$ 432,861 |
| Single Family Average Annual Installment | \$ 1,110 |
| Commercial Average Annual Installment/SF | \$ 0.75 |

| Equivalent Tax Rates | |
|-------------------------------------|-----------|
| PID Equivalent Tax Rate / \$100 AV | \$ 0.3000 |
| Total Tax Rate after PID / \$100 AV | \$ 3.1137 |

DRAFT

**Exhibit B
Newhaven Public Improvement District
Authorized Improvements
March 8, 2022**

| Authorized Improvements [a] | | IA #1 |
|---|-----------|-------------------|
| <i>Internal Improvements</i> | | |
| Landscaping [b] | \$ | 1,803,752 |
| Drainage Improvements | \$ | 2,393,170 |
| Detention Pond | \$ | 1,028,500 |
| Erosion Control | \$ | 122,213 |
| Street & Site Improvements | \$ | 2,322,682 |
| Collector Road Street and Site Improvements | \$ | 311,799 |
| Lift Station and Forcemain | \$ | 698,409 |
| Earthwork and Demolition | \$ | 374,729 |
| Traffic Improvements | \$ | 822,468 |
| District Formation Costs | \$ | 300,000 |
| Non-Design Fees & Expenses | \$ | 1,088,944 |
| Contingency | \$ | 1,017,772 |
| Engineering | \$ | 1,690,000 |
| Total Internal Improvements | \$ | 13,974,437 |
| <i>Private Improvements</i> | | |
| Waterline Improvements | \$ | 1,319,379 |
| Wastewater Line Improvements | \$ | 1,520,749 |

Footnotes:

[a] Per preliminary OPC Prepared by Jones & Carter dated 12/7/21. Excludes dry utilities & impact fees as they are not PID eligible.

[b] Per Bruno Land Design preliminary bid. Excludes Brick Wall, Park Amenities and Trees as these are PUD items.

DRAFT

Exhibit C
 Newhaven Public Improvement District
 AV and Assessment Spread
 March 8, 2022

| Lot Type | Units/SF [a] | Improved Land Value | | Assessed Value | | Total Assessment | Average Annual Installment | Assessment Per Unit/SF | Average Annual Installment Per Unit/SF | PID Equivalent Tax Rate |
|--------------------|--------------|---------------------|---------------------------|-----------------|-----------------------|---------------------|----------------------------|------------------------|--|-------------------------|
| | | per Unit/SF [b] | Improved Land Total Value | per Unit/SF [c] | Assessed Value | | | | | |
| 40' | 86 | \$ 74,000 | \$ 6,364,000 | \$ 370,000 | \$ 31,820,000 | \$ 1,305,530 | \$ 95,458 | \$ 15,181 | \$ 1,110 | \$ 0.3000 |
| 50' | 122 | \$ 100,000 | \$ 12,200,000 | \$ 500,000 | \$ 61,000,000 | \$ 2,502,744 | \$ 182,997 | \$ 20,514 | \$ 1,500 | \$ 0.3000 |
| 60' | 89 | \$ 100,000 | \$ 8,900,000 | \$ 500,000 | \$ 44,500,000 | \$ 1,825,773 | \$ 133,497 | \$ 20,514 | \$ 1,500 | \$ 0.3000 |
| Commercial | 27,878 | \$ 50 | \$ 1,393,920 | \$ 250 | \$ 6,969,600 | \$ 285,953 | \$ 20,908 | \$ 10.26 | \$ 0.75 | \$ 0.3000 |
| IA #1 Total | 297 | | \$ 28,857,920 | | \$ 144,289,600 | \$ 5,920,000 | \$ 432,861 | | | \$ 0.3000 |

Footnotes:

- [a] Per Meta Planning & Design development plan dated, 2/15/22. Assumes 20% FAR for Commercial site.
- [b] For purposes of this analysis, estimated improved land has been calculated at 20% of Assessed Value.
- [c] Estimated AV/ unit provided by client October 2021.

Exhibit D
 Newhaven Public Improvement District
 Value to Lien Analysis
 March 8, 2022

DRAFT

| Value to Lien | | IA #1 |
|---|------------------------------|------------------------|
| Total Assessment | [1] | \$ 5,920,000 |
| <i>Bond Issuance Costs</i> | | |
| Reserve Fund | | \$ 361,813 |
| First Year Administrative Fund | | \$ 40,000 |
| Capitalized Interest (12 months) | | \$ 251,600 |
| Underwriter's Discount (3.00%) | | \$ 177,600 |
| Cost of Issuance (6.00%) | | \$ 355,200 |
| | [2] | \$ 1,186,213 |
| Net Proceeds | [3] = [1] - [2] | \$ 4,733,788 |
| Total Improved Land Value | [4] | \$ 28,857,920 |
| Assessed Value | [5] | |
| Value applied to previous Bond Issuances | [6] | |
| Estimated Bond Sale Valuation | [7] = [4] + [5] - [6] | \$ 28,857,920 |
| Total Assessment | [1] | \$ 5,920,000 |
| Value to Lien | [8] = [7] ÷ [1] | 4.87 |
| Net Construction Proceeds | [3] | \$ 4,733,788 |
| Construction Costs | [9] | \$ (13,974,437) |
| Net Equity Investment by Developer | [3] + [9] | \$ (9,240,650) |

DRAFT

Exhibit E
Newhaven Public Improvement District
Ad Valorem Tax Revenues
March 8, 2022

| Tax Entity | Ad Valorem Tax Rate [a] | Estimated Annual Ad Valorem Revenues [b] |
|--------------------------|-------------------------|--|
| Travis County | \$ 0.3744 | \$ 540,161 |
| City of Manor | \$ 0.7722 | \$ 1,114,204 |
| Travis Central Health | \$ 0.1103 | \$ 159,160 |
| Austin Community College | \$ 0.1048 | \$ 151,216 |
| Manor ISD | \$ 1.3520 | \$ 1,950,795 |
| Travis County ESD #12 | \$ 0.1000 | \$ 144,290 |
| Total | \$ 2.8137 | \$ 4,059,826 |

Footnotes:

[a] 2021 rates per Travis Central Appraisal District.

[b] Assumes an Estimated Buildout Value of \$144,289,600.

DRAFT

Exhibit F
 Newhaven Public Improvement District
 Competitive Communities Tax Rates
 March 8, 2022

| Competitive Tax Rate Rankings | |
|-------------------------------|---------------|
| Lagos - Manor | 3.2602 |
| Presidential Glen | 3.1137 |
| Gregg Lane | 3.1137 |
| Shadow Glen | 2.9315 |
| Presidential Meadows | 2.8915 |
| Whisper Valley | 2.5442 |
| Harris Branch | 2.4825 |

| | |
|-----------------------|---------------|
| Market Average | 2.8706 |
|-----------------------|---------------|

| Gregg Lane | |
|--------------------------|----------------------|
| Travis County | 0.3744 |
| City of Manor | 0.7722 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| Travis County ESD #12 | 0.1000 |
| | <u>2.8137</u> |
| Plus: Gregg Lane PID | 0.3000 |
| Total | <u>3.1137</u> |

| Shadow Glen | |
|--------------------------|----------------------|
| Travis County | 0.3744 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| Travis County ESD #12 | 0.1000 |
| | <u>2.0415</u> |
| Travis County MUD #2 | 0.8900 |
| Total | <u>2.9315</u> |

| Presidential Glen | |
|--------------------------|----------------------|
| City of Manor | 0.7722 |
| Travis County | 0.3744 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| Travis County ESD #12 | 0.1000 |
| | <u>2.8137</u> |
| Presidential Glen MUD | 0.3000 |
| Total | <u>3.1137</u> |

| Presidential Meadows | |
|--------------------------|----------------------|
| Travis County | 0.3744 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| Travis County ESD #12 | 0.1000 |
| | <u>2.0415</u> |
| Cottonwood Creek MUD #1 | 0.8500 |
| Total | <u>2.8915</u> |

| Whisper Valley | |
|--------------------------|----------------------|
| Travis County | 0.3744 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| Travis County ESD #12 | 0.1000 |
| | <u>2.0415</u> |
| Whisper Valley PID | 0.5027 |
| Total | <u>2.5442</u> |

| Harris Branch | |
|--------------------------|----------------------|
| City of Austin | 0.5410 |
| Travis County | 0.3744 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| | <u>2.4825</u> |
| Austin MUD No. 2 | - |
| Total | <u>2.4825</u> |

| Lagos - Manor | |
|--------------------------|----------------------|
| Travis County | 0.3744 |
| City of Manor | 0.7722 |
| Travis Central Health | 0.1103 |
| Austin Community College | 0.1048 |
| Manor ISD | 1.3520 |
| Travis County ESD #12 | 0.1000 |
| | <u>2.8137</u> |
| Lagos - Manor PID | 0.4465 |
| Total | <u>3.2602</u> |

Note: Tax rates shown are for Tax Year 2021.



Exhibit G
Newhaven Public Improvement District
Improvement Area #1 Bond
March 8, 2022

DRAFT

Item 2.

Sources:

Assessment Amount (4.25% Interest Rate) \$ 5,920,000

Uses:

Reserve Fund (Maximum Annual Debt Service) 361,813
 First Year Administrative Fund 40,000
 Capitalized Interest (12 months) 251,600
 Underwriter Discount/Underwriter's Counsel Fee (3%) 177,600
 Cost of Issuance (6.00%) 355,200
Net Bond Proceeds \$ 4,733,788

PID Equivalent Tax Rate \$ 0.3000
 Average Installment \$ 432,861
 Minimum Debt Service Coverage 1.00

Issuance Date: September 1 2022

| Annual Installment Due 1/31 | Principal | Interest Rate | Annual Interest Due | Principal + Interest | Administrative Expenses [a] | Additional Interest Reserve [b] | P & I + Admin + Reserves | Capitalized Interest [c] | Reserve Fund Releases | PID Annual Installment |
|-----------------------------------|---------------------|------------------|---------------------------|----------------------------|--------------------------------|---------------------------------------|--------------------------------|-----------------------------|--------------------------|------------------------------|
| 2023 | \$ - | 4.25% | \$ 251,600 | \$ 251,600 | \$ 40,800 | \$ 29,600 | \$ 322,000 | \$ 251,600 | \$ - | \$ 70,400 |
| 2024 | 110,000 | 4.25% | 251,600 | 361,600 | 41,616 | 29,600 | 432,816 | - | - | 432,816 |
| 2025 | 110,000 | 4.25% | 246,925 | 356,925 | 42,448 | 29,050 | 428,423 | - | - | 428,423 |
| 2026 | 115,000 | 4.25% | 242,250 | 357,250 | 43,297 | 28,500 | 429,047 | - | - | 429,047 |
| 2027 | 120,000 | 4.25% | 237,363 | 357,363 | 44,163 | 27,925 | 429,451 | - | - | 429,451 |
| 2028 | 125,000 | 4.25% | 232,263 | 357,263 | 45,046 | 27,325 | 429,634 | - | - | 429,634 |
| 2029 | 130,000 | 4.25% | 226,950 | 356,950 | 45,947 | 26,700 | 429,597 | - | - | 429,597 |
| 2030 | 140,000 | 4.25% | 221,425 | 361,425 | 46,866 | 26,050 | 434,341 | - | - | 434,341 |
| 2031 | 145,000 | 4.25% | 215,475 | 360,475 | 47,804 | 25,350 | 433,629 | - | - | 433,629 |
| 2032 | 150,000 | 4.25% | 209,313 | 359,313 | 48,760 | 24,625 | 432,697 | - | - | 432,697 |
| 2033 | 155,000 | 4.25% | 202,938 | 357,938 | 49,735 | 23,875 | 431,547 | - | - | 431,547 |
| 2034 | 165,000 | 4.25% | 196,350 | 361,350 | 50,730 | 23,100 | 435,180 | - | - | 435,180 |
| 2035 | 170,000 | 4.25% | 189,338 | 359,338 | 51,744 | 22,275 | 433,357 | - | - | 433,357 |
| 2036 | 175,000 | 4.25% | 182,113 | 357,113 | 52,779 | 21,425 | 431,317 | - | - | 431,317 |
| 2037 | 185,000 | 4.25% | 174,675 | 359,675 | 53,835 | 20,550 | 434,060 | - | - | 434,060 |
| 2038 | 195,000 | 4.25% | 166,813 | 361,813 | 54,911 | 19,625 | 436,349 | - | - | 436,349 |
| 2039 | 200,000 | 4.25% | 158,525 | 358,525 | 56,010 | 18,650 | 433,185 | - | - | 433,185 |
| 2040 | 210,000 | 4.25% | 150,025 | 360,025 | 57,130 | 17,650 | 434,805 | - | - | 434,805 |
| 2041 | 220,000 | 4.25% | 141,100 | 361,100 | 58,272 | 16,600 | 435,972 | - | - | 435,972 |
| 2042 | 225,000 | 4.25% | 131,750 | 356,750 | 59,438 | 15,500 | 431,688 | - | - | 431,688 |
| 2043 | 235,000 | 4.25% | 122,188 | 357,188 | 60,627 | 14,375 | 432,189 | - | - | 432,189 |
| 2044 | 245,000 | 4.25% | 112,200 | 357,200 | 61,839 | 13,200 | 432,239 | - | - | 432,239 |
| 2045 | 260,000 | 4.25% | 101,788 | 361,788 | 63,076 | 11,975 | 436,838 | - | - | 436,838 |
| 2046 | 270,000 | 4.25% | 90,738 | 360,738 | 64,337 | 10,675 | 435,750 | - | - | 435,750 |
| 2047 | 280,000 | 4.25% | 79,263 | 359,263 | 65,624 | 9,325 | 434,212 | - | - | 434,212 |
| 2048 | 290,000 | 4.25% | 67,363 | 357,363 | 66,937 | 7,925 | 432,224 | - | - | 432,224 |
| 2049 | 305,000 | 4.25% | 55,038 | 360,038 | 68,275 | 6,475 | 434,788 | - | - | 434,788 |
| 2050 | 315,000 | 4.25% | 42,075 | 357,075 | 69,641 | 4,950 | 431,666 | - | - | 431,666 |
| 2051 | 330,000 | 4.25% | 28,688 | 358,688 | 71,034 | 3,375 | 433,096 | - | - | 433,096 |
| 2052 | 345,000 | 4.25% | 14,663 | 359,663 | 72,454 | 1,725 | 433,842 | - | 433,842 | - |
| Totals | \$ 5,920,000 | 4.25% | \$ 4,742,788 | \$ 10,662,788 | \$ 1,655,178 | \$ 557,975 | \$ 12,875,940 | \$ 251,600 | \$ 433,842 | \$ 12,190,498 |

Footnotes:

[a] Preliminary estimate. Assumes Administrative Expenses escalate at 2.00% per year.

[b] Preliminary estimate. Assumes the interest rate used to calculate the assessments is 0.50% higher than the actual interest rate on the bonds to fund interest related to delinquencies and the prepayment of assessments. Unused funds will be applied to the final year's debt service payment and/or credited back to the landowners.

[c] Assumes 12 months capitalized interest.

DRAFT

**Exhibit H
Newhaven Public Improvement District
Assumptions
3/8/2022**

| Project Specifics | Assumptions | Source |
|---|--------------------|---------------|
| AV per Unit - 40' | \$ 370,000 | Client |
| AV per Unit - 50' | \$ 500,000 | Client |
| AV per Unit - 60' | \$ 500,000 | Client |
| Commercial FAR | 20% | DPFG |
| Assessed Value per Commercial SF | \$ 250 | DPFG |
| Annual Inflation Rate | 2.0% | DPFG |
| Improved Lot Value as a % of Assessed Value | 20.0% | DPFG |

| PID Bond | Assumptions | Source |
|---|--------------------|---------------|
| Bond Term | 30 | Market |
| Improvement Area #1 Issuance Date | 9/1/2022 | DPFG |
| Improvement Area #1 Interest Rate | 4.25% | DPFG |
| Improvement Area #1 Capitalized Interest (months) | 12 | DPFG |
| Costs of Issuance | 6.0% | Market |
| Underwriter's Discount | 3.0% | Market |
| Reserve Fund Earnings | 0.0% | Market |
| Debt Service Escalator | 0.0% | Market |
| Additional Interest Reserve | 0.5% | Market |
| Administrative Expenses Escalator | 2.0% | Market |
| Administrative Expenses | \$ 40,000 | City |
| Bond Denomination | \$ 5,000 | Market |



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Conduct a public hearing on an Ordinance rezoning one (1) lot on .132 acres, more or less, and being located at 209 N. Lexington Street, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

BACKGROUND/SUMMARY:

This property was previously requested to be rezoned C-1 Light Commercial back in 2018. It came before the Planning and Zoning Commission on 10/3/18 and recommended for denial then it went to the City Council on 11/7/18. The item was postponed at City Council to the 12/5/18 meeting, where it was denied. Parking concerns were the reason for the denials.

This application is to rezone the property to Neighborhood Business (NB), which is our most restrictive commercial zoning category and has similar lot development standards as Single Family – maximum building height is 35’ and the maximum lot coverage for the building is 40%. NB zoning is intended to be directly adjacent to and/or surrounded by single-family and other residential uses. NB is a low-density commercial zoning that allows for office, retail, restaurant, and personal service uses. The applicant is proposing a hair salon use. Parking and other site development regulations like landscaping, drainage, and outdoor lighting would follow city code as no variances are requested at this time. Personal Services require 1 parking space per 200 sf of gross floor area. The current building on the property is approximately 900 sf so 5 parking spaces would be required.

This property in the Comprehensive Plan’s Future Land Use Map is within a block designated as Downtown Mixed-Use but it is on the border with the Neighborhood Mixed-Use designation that extends north along Lexington Street. The properties directly south on the other side of the alley are zoned Downtown Business (DB), as well as the ones south of Boyce Street. North of this property exists other Neighborhood Business zoned properties including 409 N. Lexington, 709 N. Lexington, and 810 N. Lexington. Neighborhood Business (NB) zoning is more consistent with the Neighborhood Mixed-Use designation which allows a combination of dense residential and nonresidential uses in a compact, neighborhood-scale design to create a walkable environment. Adaptive reuse of residential structures for commercial purposes and infill commercial buildings with residential design characteristics are common and appropriate in these areas.

P&Z did not have a quorum so this item is being moved to their August 9th meeting and no recommendation is provided.

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

- Ordinance
- Rezoning Map
- Aerial Image
- FLUM
- Downtown Mixed-Use Dashboard
- Neighborhood Mixed-Use Dashboard
- Notice and Mailing Labels

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council open the public hearing and postpone until August 16th, Regular Council Meeting.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**
X – no
quorum

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY SUBURBAN (SF-1) TO NEIGHBORHOOD BUSINESS (NB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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 Ordinance. City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Single Family Suburban (SF-1) to zoning district Neighborhood Business (NB). The Property is accordingly hereby rezoned to Neighborhood Business (NB).

Section 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed 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, Chapt. 551, Texas Gov't. Code.

ORDINANCE NO.

Page 2

PASSED AND APPROVED FIRST READING on this the ____ day of ____ 2023.

PASSED AND APPROVED SECOND AND FINAL READING on this the ____ day of ____ 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC,
City Secretary

ORDINANCE NO.

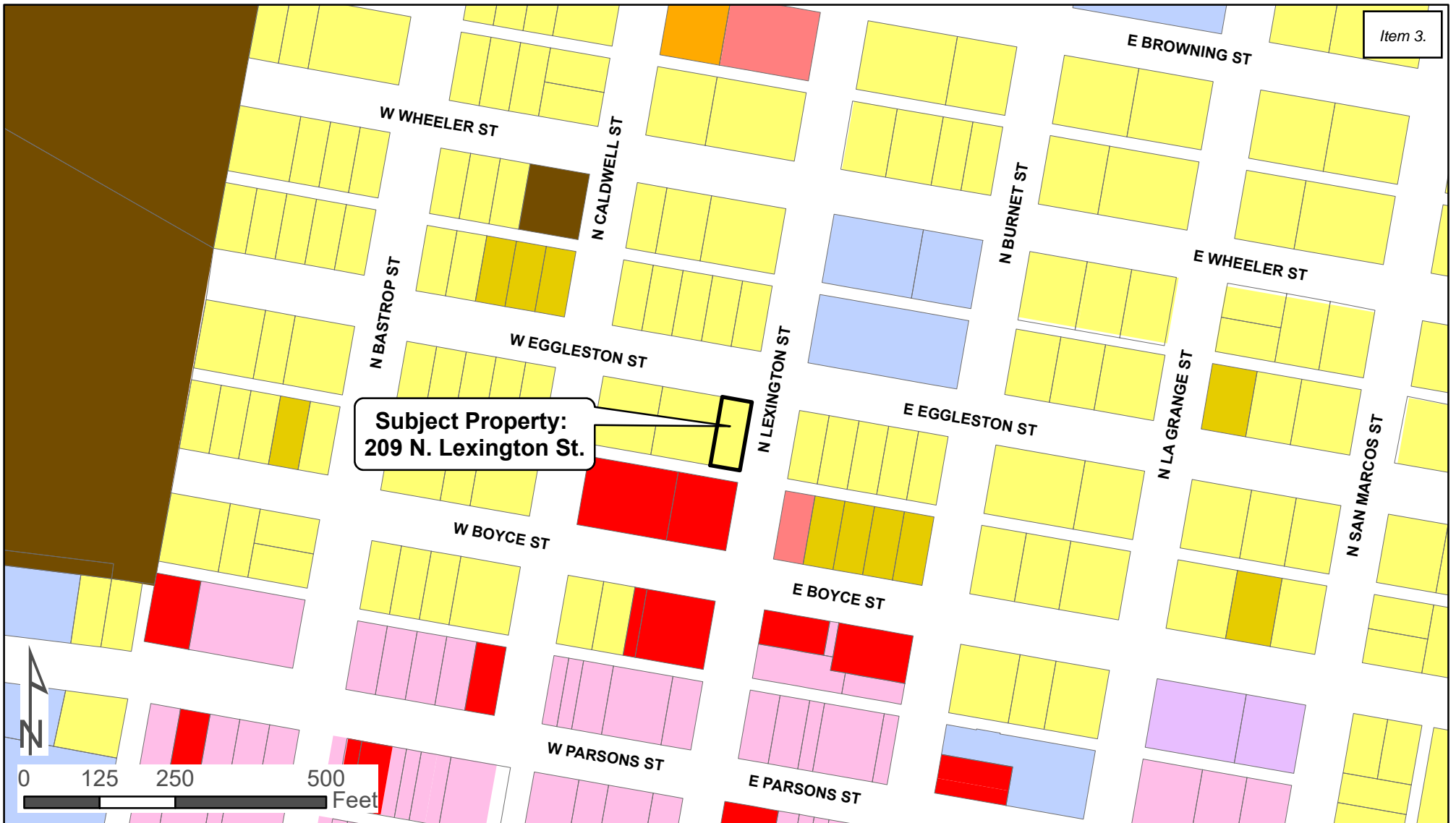
Page 3

EXHIBIT "A"

Property Address:
209 North Lexington Street, Manor, TX 78653

Property Legal Description:

Lot 6, Block 43, Town of Manor, and Addition in Travis County, Texas, according to the map or plat thereof recorded in Volume V, Page 796, of the Deed Records, Travis County, Texas



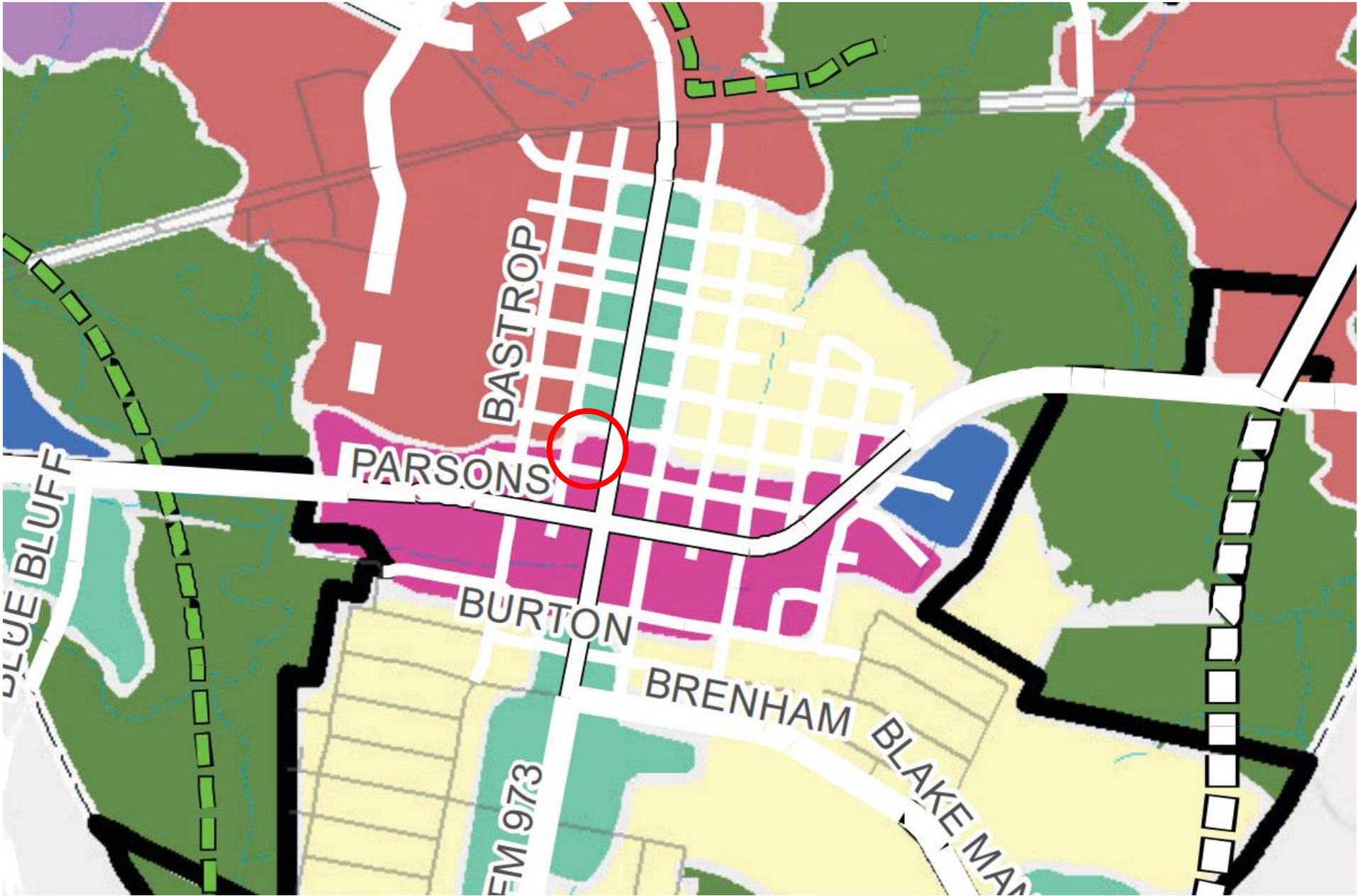
Current:
Single Family Suburban (SF-1)

Proposed:
Neighborhood Business (NB)

| Zone | |
|------|--------------------------------|
| | A - Agricultural |
| | SF-1 - Single Family Suburban |
| | SF-2 - Single Family Standard |
| | TF - Two Family |
| | TH - Townhome |
| | MF-1 - Multi-Family 15 |
| | MF-2 - Multi-Family 25 |
| | MH-1 - Manufactured Home |
| | I-1 - Institutional Small |
| | I-2 - Institutional Large |
| | GO - General Office |
| | C-1 - Light Commercial |
| | C-2 - Medium Commercial |
| | C-3 - Heavy Commercial |
| | NB - Neighborhood Business |
| | DB - Downtown Business |
| | IN-1 - Light Industrial |
| | IN-2 - Heavy Industrial |
| | PUD - Planned Unit Development |
| | ETJ |











FUTURE LAND USE MAP


The Future Land Use Map serves as the guide for future zoning and development decisions and provides a foundation to support the vision and recommendations of the plan. This is accomplished by setting a land use framework that influences regulatory mechanisms and policy decisions that shape the built environment. Each of the designations presented on the land use categories below correlates with the map on the right.


- 


Neighborhoods: Residential one- and two-family homes, along with townhomes, are found near neighborhood mixed-use areas and allow up to 8 dwelling units per acre.
- 


Mixed-Density Neighborhoods: Mixed density residential uses primarily support a mix of housing options that may consist of one or more of the following housing types: single family detached, single family attached, duplexes, townhomes, cluster housing and small-scale multifamily.
- 


Commercial Corridor: This category consists of nonresidential land uses that meet the needs of both local and regional residents. This includes big box stores and multi-tenant commercial uses.
- 

Employment: This category applies to the business centers along SH 290 and FM 973. The primary uses for employment centers are large urban employment centers, corporate campuses, and mixed-use environments.
- 

Neighborhood Mixed-Use: This category allows a combination of dense residential and nonresidential uses in a compact, neighborhood-scale design to create a walkable environment. Residential densities within this area should be between 4 and 20 dwelling units per acre.
- 

Downtown Mixed-Use: This category includes commercial, business, and office uses that line the Old Highway 20 corridor and adjacent streets, including the traditional downtown shopping district of Manor.
- 

Community Mixed-Use: This category allows a combination of dense residential and nonresidential uses in a compact, design at a larger scale than neighborhood mixed-use to create a walkable environment.
- 

Public/Semi-Public: This category includes uses that are governmental, institutional or religious in nature.
- 

Parks and Open Space: This category consists of parks, recreational facilities, and open spaces that are currently in existence or planned.

DOWNTOWN MIXED-USE

Downtown Mixed-Use is intended for the residential, commercial, business, and office uses that line the Old Highway 20 corridor and adjacent streets, including the traditional downtown shopping district of Manor.

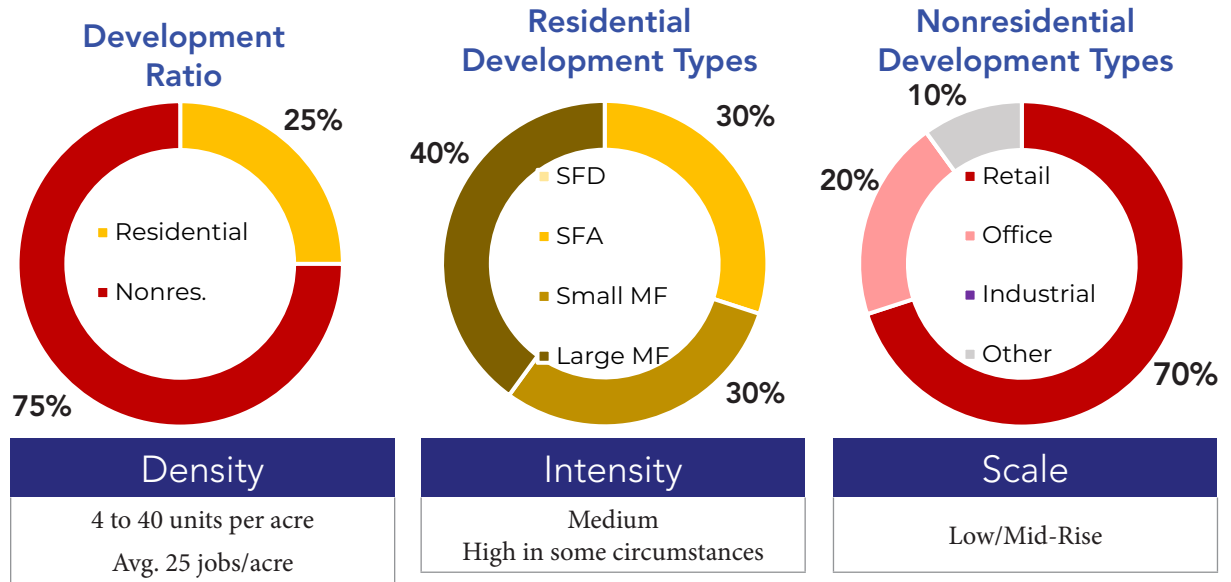
Not only is this area currently a mixed-use environment currently, but it is envisioned to see a strong reinvention via more density and a higher mix of uses in the future. This area should be designed to accommodate transit, should rail services extend to Manor from Austin. However, even if the rail does not come, a downtown that is comprised of high-density mixed-use development will still bring many opportunities and benefits to the community.

Densities range between 4 and 40 units per acre, although individual sites may achieve higher densities if they are coordinated within the rest of the area, provide superior access to services and amenities, and appropriate compatibility to adjacent uses is provided.

Here, infill development especially presents opportunities for small businesses, unique and dense housing options and potentially even small scale/artisan manufacturing.

The pedestrian environment and experience should be top priority in Downtown and feature public gathering places, active streets, engaging storefronts, and sidewalk cafes. This is the best place in Manor to double down on and invest in creating a sense of place and identity for the community.

Figure 3.10. Downtown Mixed-Use Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered compatible since the intent is to provide retail/services, activity centers and diversified housing to support surrounding neighborhoods and drive community identity/gathering |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ● ● ○ ○ | This can be compatible provided that the overall Downtown Mixed Use area also contains mixed-use urban flex buildings or shopping centers with which this housing product integrates in a manner to promote walkability and transitions; these development types should be located on secondary roads rather than primary thoroughfares within Downtown, as those areas are best reserved for ground-floor retail and services |
| Apartment House (3-4 units) | ● ● ● ○ ○ | |
| Small Multifamily (8-12 units) | ● ● ● ○ ○ | |
| Large Multifamily (12+ units) | ● ● ● ○ ○ | |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ● ● | This is the ideal form of development within the Downtown Mixed Use category; provides for activity centers, retail, services and diverse housing options at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; design should emphasize the pedestrian experience rather than people driving automobiles |
| Mixed-Use Urban, Community Scale | ● ● ● ○ ○ | Not generally considered compatible due to incompatible scale with neighborhoods, but can be depending on adjacencies to green space or more intensive uses |
| Shopping Center, Neighborhood Scale | ● ● ● ● ○ | While less preferred than a mixed-use urban flex building, the use provides for activity centers, retail and services at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; becomes more compatible if a horizontal approach to mixed-use is deployed, such as inclusion of small apartments nearby or within the same site, or to match the scale of adjacent historic buildings |
| Shopping Center, Community Scale | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be depending on adjacencies to green space or more intensive uses; may function better on the western and eastern edges of the Downtown Mixed Use area |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be if particularly small-scale and included alongside more appropriate development types, or with integration of a storefront experience. Examples of appropriate uses might include maker spaces, coffee roasting, micro-breweries, and similar businesses |
| Manufacturing | ● ○ ○ ○ ○ | Not considered compatible |
| Civic | ● ● ● ● ● | Considered supportive to the function and livability of this future land use category, government buildings, schools and community facilities can serve as activity hubs. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |

NEIGHBORHOOD MIXED-USE

Neighborhood Mixed-Use allows a combination of dense residential and nonresidential uses in a compact, neighborhood-scale design to create a walkable environment.

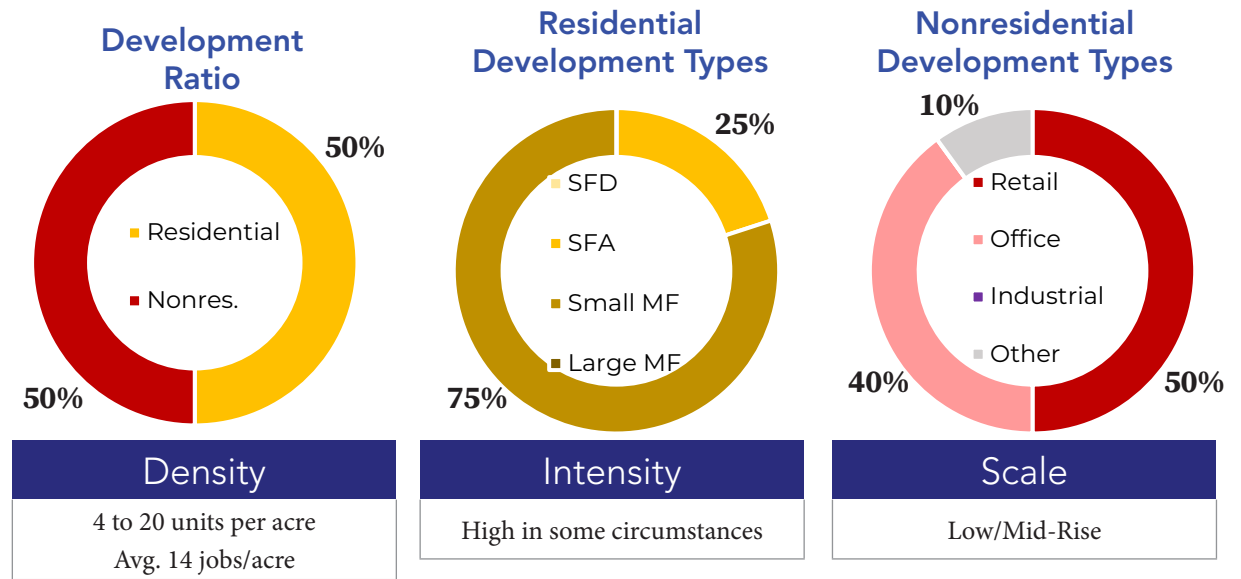
Neighborhood mixed-use areas allow residential units in close proximity to goods, services and civic activities, thus reducing dependence on the car and promoting community interaction, belonging, identity, and pride.

These places emphasize urban design and the experience created through density, intensity and scale; the mix of housing; walkability; streetscapes and a high quality public realm; parking management; and access to amenities such as parks, civic spaces and neighborhood services.

Often situated around an activity-generating element or an active public gathering spot, mixing of uses can take shape as either or both vertical (stacked on top of each other) and horizontal (next to each other). In vertical mixed-use, the ground floor is encouraged to be food and beverage or pedestrian-oriented retail and services, to promote foot traffic and activity.

Adaptive reuse of residential structures to commercial purposes and infill commercial buildings with residential design characteristics are common and appropriate in these areas.

Figure 3.8. Neighborhood Mixed-Use Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered appropriate since the intent of mixed-use is to provide retail/services, activity centers and diversified housing in more dense and compact forms; these uses will provide opportunities and amenities to surrounding lower density neighborhoods. |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ● ● ○ ○ | This can be appropriate provided that the overall Neighborhood Mixed-Use area also contains mixed-use buildings and/or shopping centers with which this product integrates in a manner to promote walkability and access. Can be utilized as a transition between Neighborhood Mixed-Use and other uses. |
| Apartment House (3-4 units) | ● ● ● ○ ○ | |
| Small Multifamily (8-12 units) | ● ● ● ○ ○ | |
| Large Multifamily (12+ units) | ● ○ ○ ○ ○ | Not considered appropriate due to incompatible scale with neighborhoods |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ● ● | This is the ideal form of development within the Neighborhood Mixed Use category; provides for activity centers, retail, services and diverse housing options at a scale compatible with and supportive of surrounding neighborhoods. Promotes walkability and 10-minute neighborhoods. |
| Mixed-Use Urban, Community Scale | ● ● ○ ○ ○ | Not generally considered appropriate due to incompatible scale with neighborhoods; may be appropriate if adjacent to green space or more intensive uses. |
| Shopping Center, Neighborhood Scale | ● ● ● ● ○ | While less preferred, this use can provide retail and services at a scale compatible with and supportive of surrounding neighborhoods, promoting walkability and 10-minute neighborhoods. Becomes more appropriate if a horizontal approach to mixed-use is deployed. |
| Shopping Center, Community Scale | ● ● ○ ○ ○ | Not generally considered appropriate due to incompatible scale with neighborhoods; may be appropriate if adjacent to green space or more intensive uses. |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not generally considered appropriate due to incompatible scale with neighborhoods, but can be if particularly small-scale and included alongside more appropriate development types; examples might include artisan-scale manufacturing, maker spaces, and similar businesses. |
| Manufacturing | ● ○ ○ ○ ○ | Not considered appropriate. |
| Civic | ● ● ● ● ● | Considered supportive to the function and livability of this future land use category, government buildings, schools and community facilities can serve as activity hubs. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |



6/28/2023

City of Manor Development Services

Notification for a Rezoning Application

Project Name: 209 N Lexington Rezoning from SF-1 to NB
 Case Number: 2023-P-1546-ZO
 Case Manager: Michael Burrell
 Contact: mburrell@manortx.gov – 512-215-8158

The City of Manor Planning and Zoning Commission and City Council will be conducting a Regularly Scheduled meeting for the purpose of considering and acting upon on a Rezoning Application for 209 N Lexington, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for one (1) lot on .132 acres, more or less, at 209 N Lexington, Manor, TX from Single Family (SF-1) to Neighborhood Business (NB).

Applicant: Chavez Welding & Fencing LLC
Owner: MARCOS CHAVEZ

The Planning and Zoning Commission will meet at 6:30PM on July 12, 2023 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on July 19, 2023 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 Rezoning Application has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners during the discussion of this item.

105 E. EGGLESTON STREET • P.O. BOX 387 • MANOR, TEXAS 78653
 (T) 512.272.5555 • (F) 512.272.8636 • WWW.CITYOFMANOR.ORG

CASTILLO MONICA ANN (442097)
PO BOX 1097
MANOR TX 78653-1097

SANCHEZ NORA L & JOSE A JR (373442)
PO BOX 232
MANOR TX 78653-0232

BUILD BLOCK INC (1907925)
2700 E 2nd St
Los Angeles CA 90033-4102

DAVIS CAPITAL INVESTMENTS LLC
(1850555)
P.O. BOX 248
MANOR TX 78653

120 EAST BOYCE STREET LLC (1754550)
1004 MERIDEN LN
AUSTIN TX 78703-3823

TANCOR LLC (1278159)
9009 FAIRWAY HILL DR
AUSTIN TX 78750-3023

BAHRAMI BEHZAD (212733)
PO BOX 82653
AUSTIN TX 78708-2653

ALVARADO MIGUEL ANGEL & GLORIA
(215770)
PO BOX 294
MANOR TX 78653-0294

ACOSTA MOSES (1574304)
PO BOX 645
MANOR TX 78653

MENDEZ JUAN OJEDA (215768)
104 E EGGLESTON ST
MANOR TX 78653-3407

PAIZ RAMON E JR (1372820)
PO BOX 280
MANOR TX 78653-0280

LUTZ JAMES T & ALEXANDRA CARRILLO
(1323195)
14812 FM 973 N
MANOR TX 78653-3540

MCDONNELL COLE FOSTER & STEPHEN
SNYDER MCDONNELL (1939832)
103 W Eggleston St
Manor TX 78653-3371

RODRIGUEZ ROSALINDA (1829444)
105 W EGGLESTON
MANOR TX 78653-3371

NUNN LILLIE M (215593)
PO BOX 207
MANOR TX 78653-0207

NUNN ROSS ETUX (215594)
PO BOX 207
MANOR TX 78653-0207

YOUNG CLAUDIE G & SAMMIE M
(215610)
PO BOX 145
MANOR TX 78653-0145

VASQUEZ JUAN JR & DIANA E GERL
(215609)
PO BOX 499
MANOR TX 78653-0499

JUNG JIWON (1897485)
2700 E 2ND ST
LOS ANGELES CA 90033-4102

JUNG JIWON (1899139)
101 W BOYCE ST
MANOR TX 78653



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Conduct a public hearing on a Preliminary Planned Unit Development (PUD) Site Plan for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.

Applicant: Sotol Ventures

Owner: Dalton Wallace

BACKGROUND/SUMMARY:

This Preliminary PUD allows up to 325 single-family lots with up to 80% of the lots being 50' and 20% being 60' wide. The minimum lot size is 6,000 (50' x 120') and the minimum dwelling unit size (heated/cooled area) is 1,700 sf.

There are 4.1 acres of C-2 Medium Commercial on FM 973 with certain uses prohibited.

The PUD is consistent with the land use designations in the Comprehensive Plan's Future Land Use Map with Commercial Corridor uses on FM 973 and Neighborhood uses between the commercial and Wilbarger Creek. The PUD is also consistent with the Trails Plan and Thoroughfare Plan in the Comprehensive Plan.

The PUD has 8.8 acres of non-floodplain, non-detention area parkland in three areas and is connected by a trail system. The amount of parkland acreage exceeds code requirements by 3.88 acres. Within the parkland, they'll construct a 2-5 year-old playground, 5-12 year-old playground, a minimum 20 stall parking lot, 10,000 sf dog park, minimum 20'x30' pavilion, and a basketball court. These are public amenities but maintained by the HOA.

Additionally, the owner is retaining the floodplain/open space but is dedicating an access easement for a regional trail that will be constructed with this PUD that connects to the Shadowglen trail(s) in the south and Monarch Ranch to the north, as well as internal trails that connect to the proposed Monarch Ranch internal trails. To provide a safe trail crossing across the collector road, a crosswalk with pedestrian-activated flashing lights will be installed.

Staff also recommends that one additional trail connection be made into Shadowglen from the sidewalk trail that extends from Allard Drive to the southern boundary of the Okra Tract.

The PUD also contains two unloaded collector roads that are 64' ROW, one of which is on our Thoroughfare Plan and would be a parallel north-south route to FM 973. This roadway, Silent Falls Way, would extend through Okra and Monarch Ranch, then cross Gregg Lane and extend north through the New Haven and Mustang Valley subdivisions to Anderson Lane ending at Schmidt Lane. Similar to Mustang Valley, New Haven, and Monarch Ranch, the collector roads will have a 10' landscaping buffer along them and upgrading subdivision fencing with masonry columns.

TxDOT has provided and the developer has agreed in lieu of a TIA they will extend the center turn lane from Tinajero to the northern connection of Suncrest with it tapering off past Suncrest. A right-turn lane on southbound FM 973 will also be added. No signal is planned. Travis County also waived a TIA as the County roads that are being connected to within Shadowglen are built out and no further improvements would be required. No existing city roads are being connected so the city is not requiring a TIA as TxDOT has worked out the necessary mitigations with the developer.

This item was postponed at the June 21st meeting to July 19th because P&Z did not have a quorum on June 14th to provide a recommendation. P&Z lacked a quorum again on July 12th so this item still lacks a P&Z recommendation. The applicant has requested that the City Council consider the discussion of the item so the applicant can begin receiving feedback. This zoning case is planned to go back before P&Z on August 9th so if the City Council would like to conduct the public hearing and provide feedback, that information would go to P&Z on August 9th, then this case would come back before the City Council on August 16th for second reading. Upon second reading any additional feedback received by P&Z would be provided to the City Council.

This is only the Preliminary PUD Site Plan and after the public hearings are held and approved, it would be resubmitted as a Final PUD Site Plan which would then come back to P&Z and City Council for public hearings and approval. Approval of the Preliminary PUD Site Plan is not an approval of the final development.

LEGAL REVIEW: No
FISCAL IMPACT: No
PRESENTATION: Yes
ATTACHMENTS: Yes

- PUD Site Plan
- Rezoning Map
- Aerial Image
- FLUM & Dashboards
- FM 973 Improvement Area
- Collector Road Alignment
- Allard Drive Trail Connection
- Engineer Comments & Acceptance
- Public Notice and Labels

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council conduct a public hearing on a Preliminary Planned Unit Development (PUD) Site Plan for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.

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



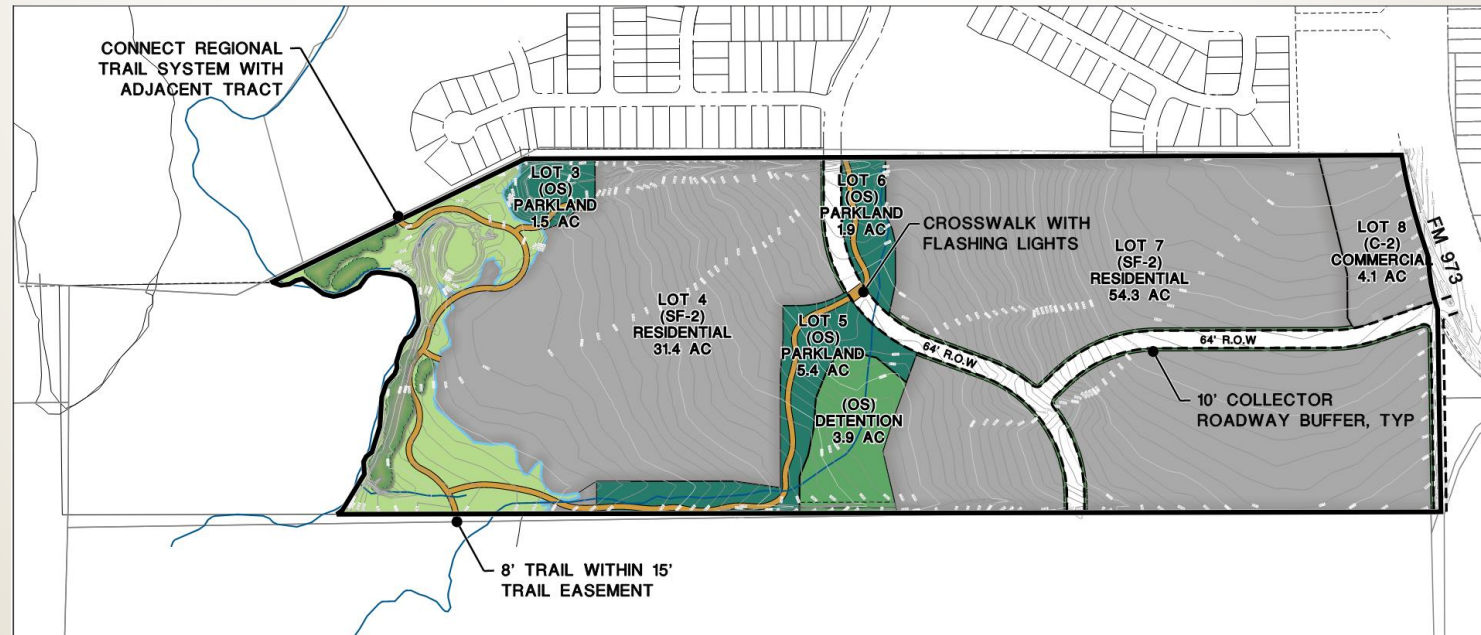


OKRA

Located off FM 973

OKRA

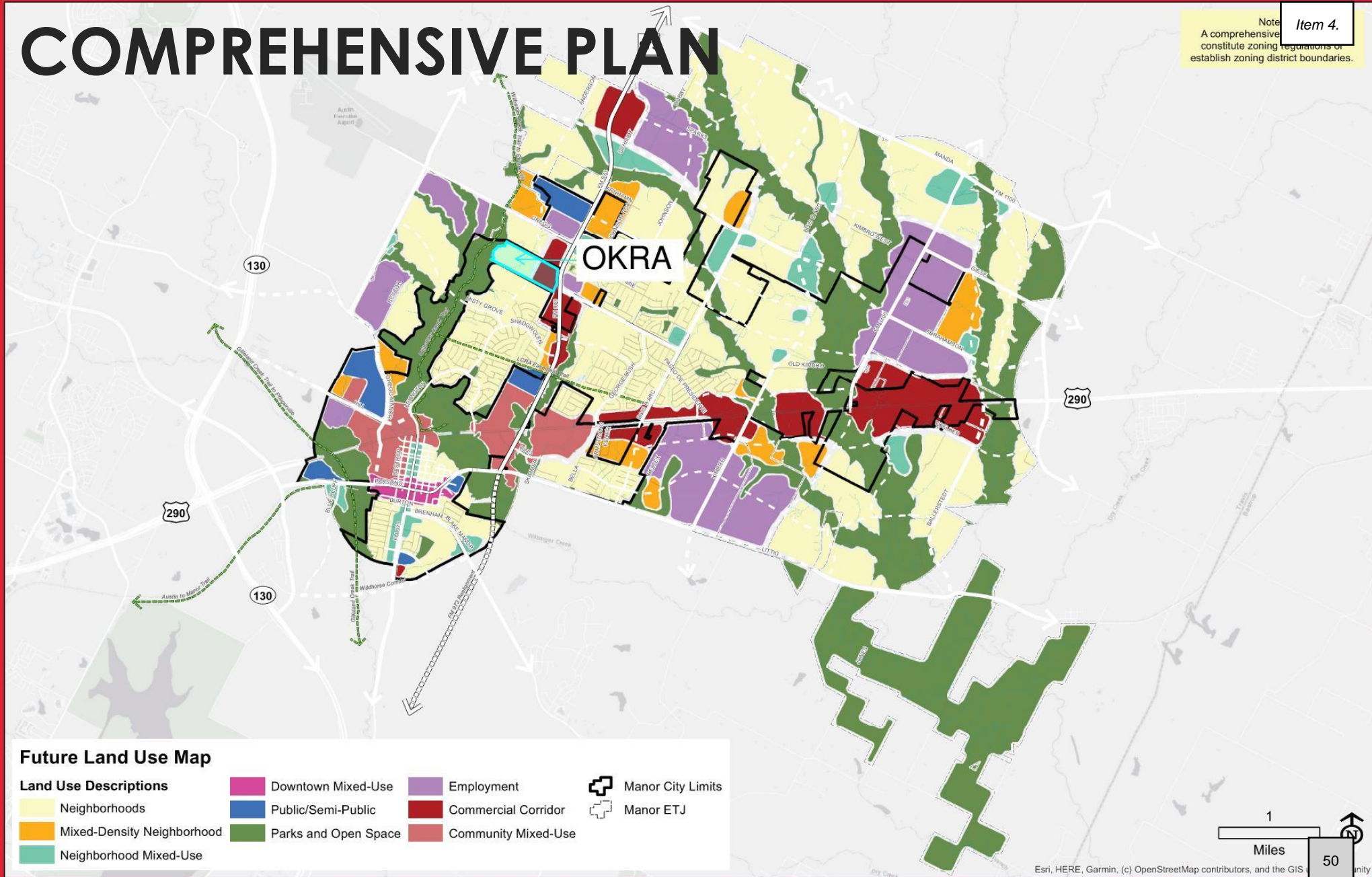
- 113.415 acres
- Currently zoned C2
- Proposed mix-use development with commercial and residential



COMPREHENSIVE PLAN

Note
A comprehensive
constitute zoning regulations or
establish zoning district boundaries.

Item 4.



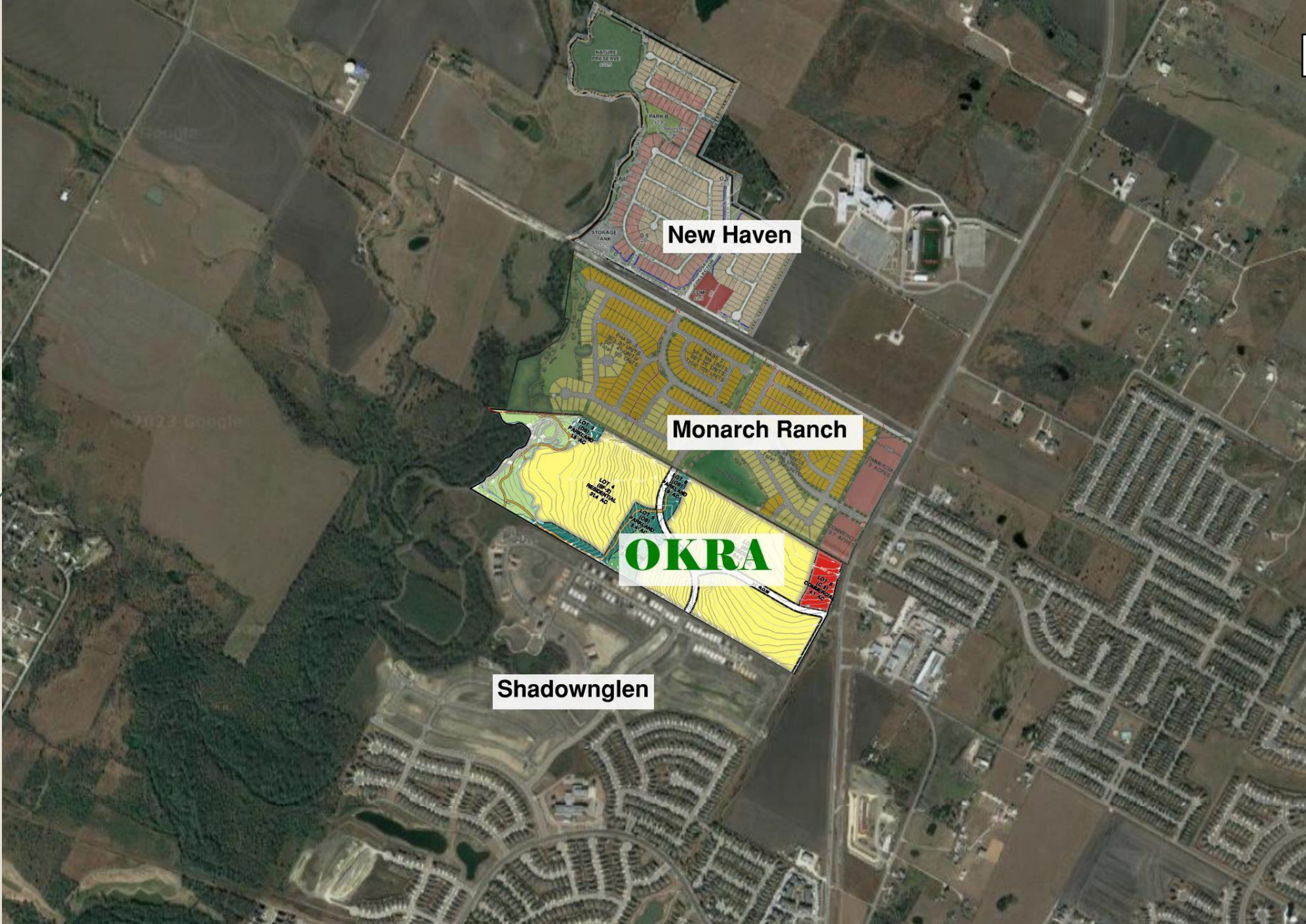
Future Land Use Map

| Land Use Descriptions | |
|----------------------------|----------------------|
| Downtown Mixed-Use | Employment |
| Neighborhoods | Commercial Corridor |
| Mixed-Density Neighborhood | Community Mixed-Use |
| Neighborhood Mixed-Use | Parks and Open Space |
| Public/Semi-Public | Manor City Limits |
| | Manor ETJ |

1
Miles

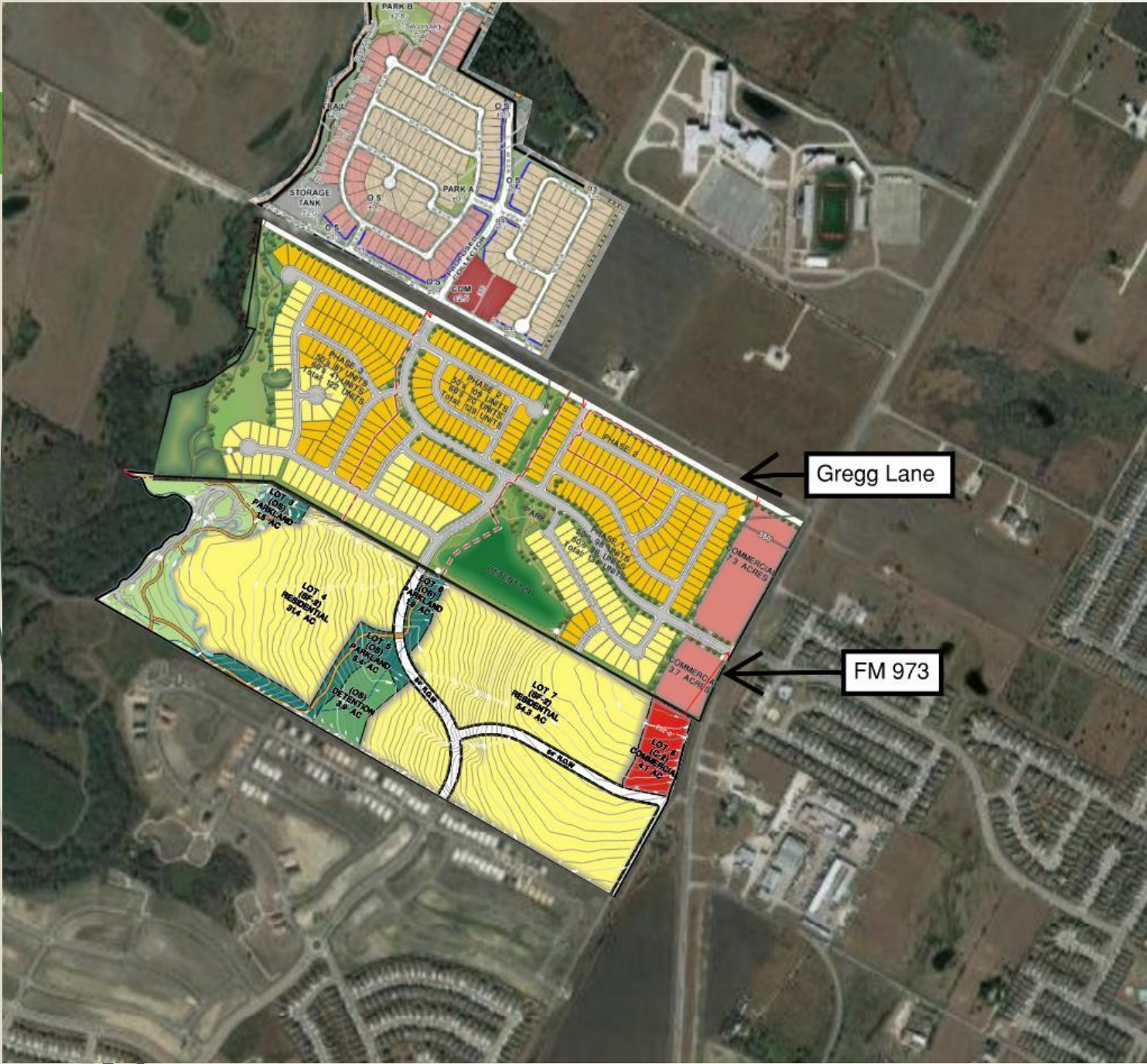
50

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS

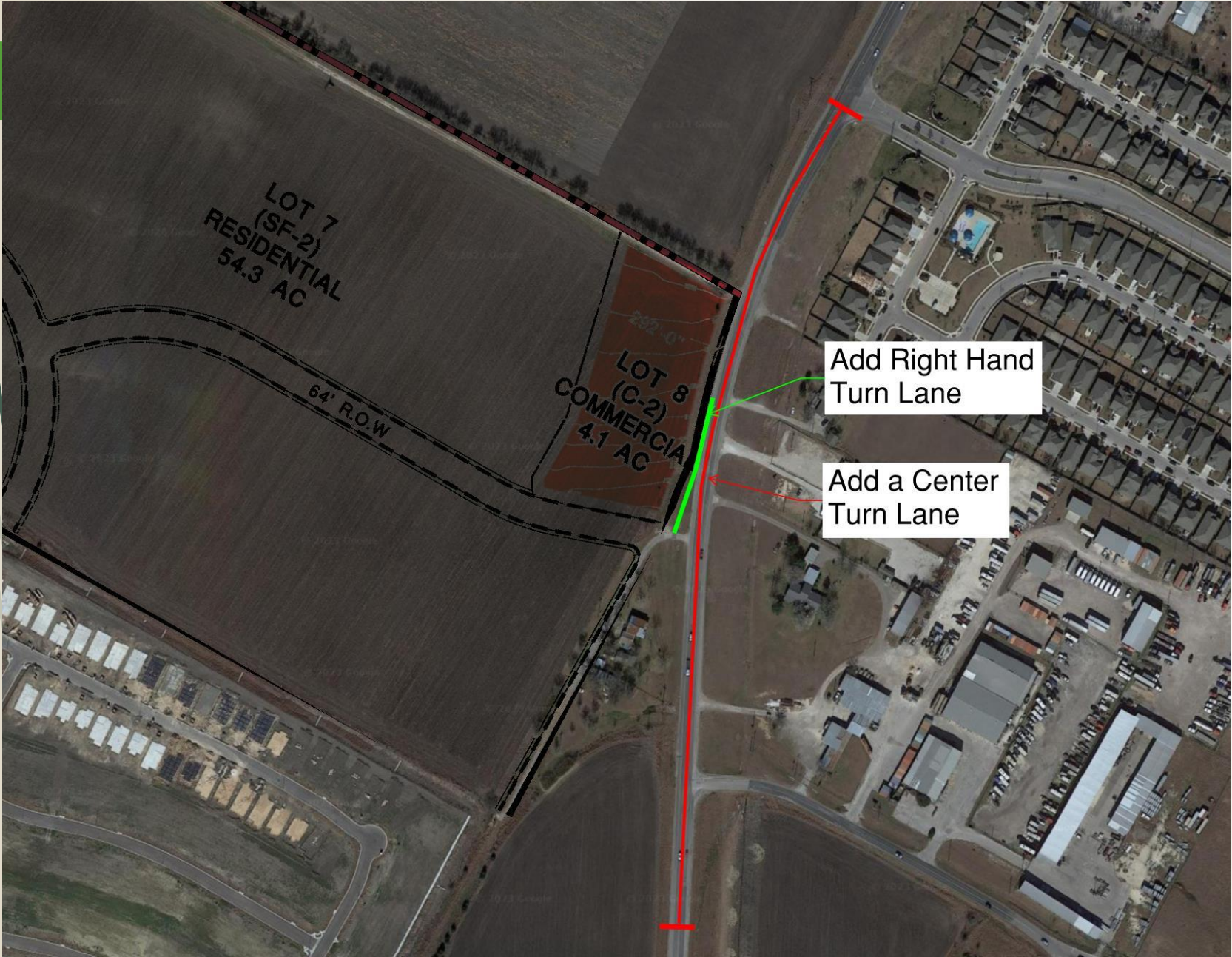


INTERNAL ROAD IMPROVEMENTS

- ▶ 64' Silent Falls Way collector road from Shadowglen to New Haven
- ▶ 64' collector road entrance off FM 973



EXTERNAL ROAD IMPROVEMENTS



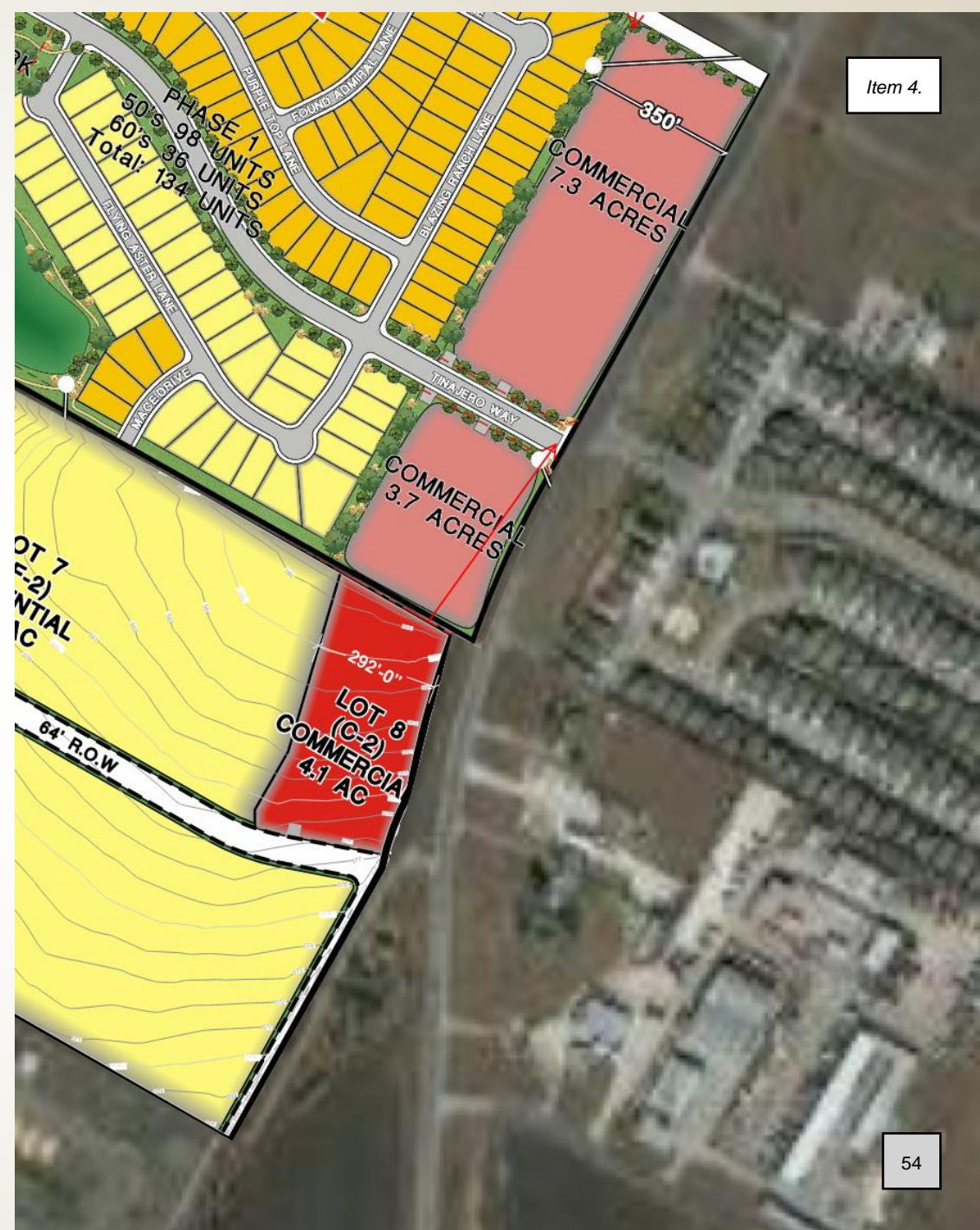
- ▶ Extend the Center Lane that ends at Tinajero Way past Suncrest
- ▶ Add a Right Hand Turn Lane into OKRA

COMMERCIAL – C2

➤ 4.1 acres commercial

The following uses shall be prohibited within the C-2 area of the PUD:

- Amusement (outdoor)
- Automobile Repair (minor)
- Automobile Repair (major)
- Commercial Off-Street Parking
- Contractor's Shop
- Financial Services (alternative)
- Funeral Services
- Kennel
- Laundry Services
- Mini-Storage Warehouse
- Off-Site Accessory Parking
- Pawnshop
- Recreational Vehicle Sales and Rental
- Truck and Trailer Sales and Rental
- Veterinary Service, Large



RESIDENTIAL – SF2



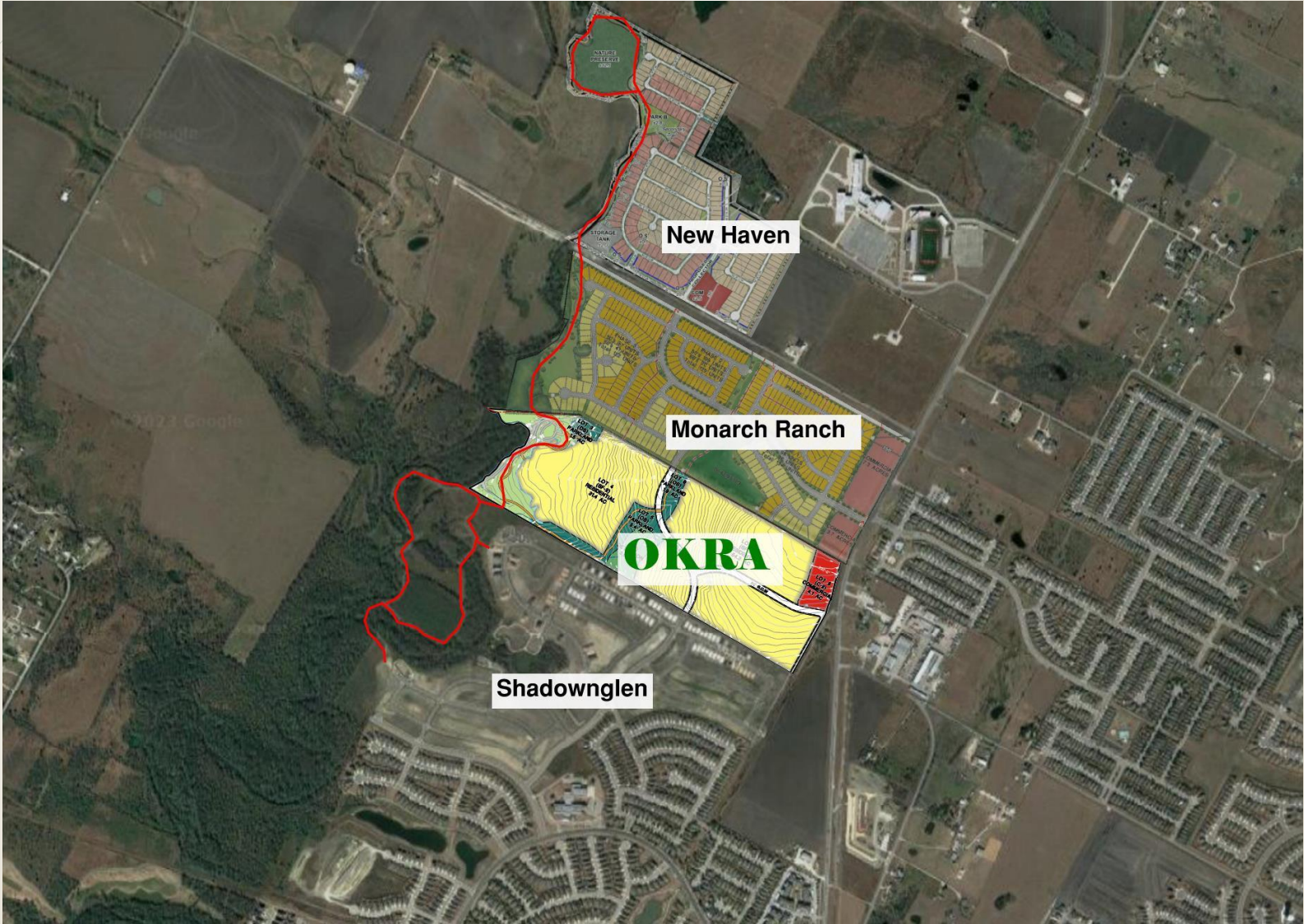
- Mixture of 60' and 50' lots
- Lot depth 120 ft
- ~300 homes

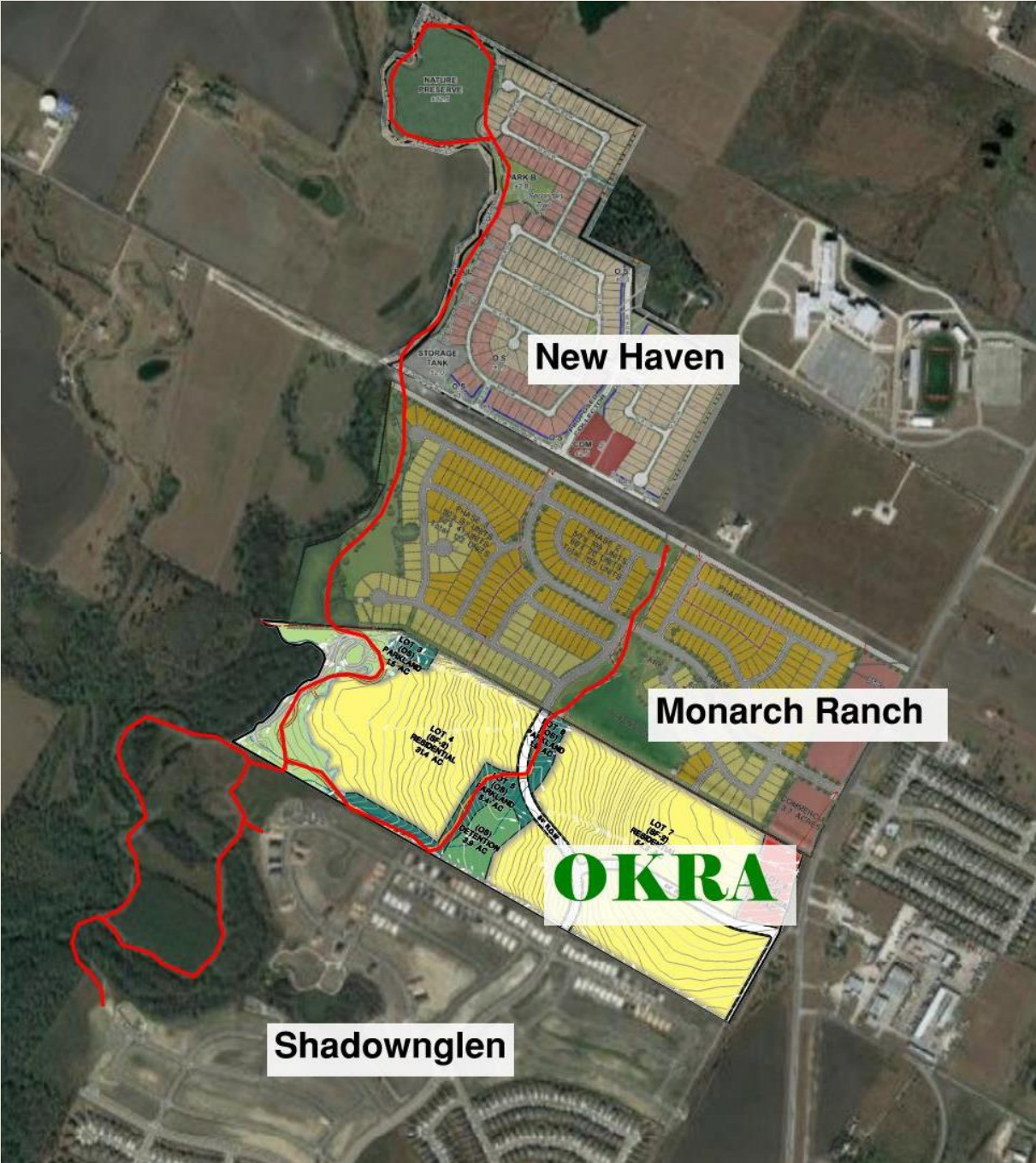
PARKLAND- INTERNAL

- Connected to Monarch Ranch's public parkland land through trails and a crosswalk
- 8.8 acres
 - Detention is **not** included in the parkland calculation
- Amenities:
 - Two playgrounds
 - Parking
 - Dog park
 - Basketball court
 - Pavilion



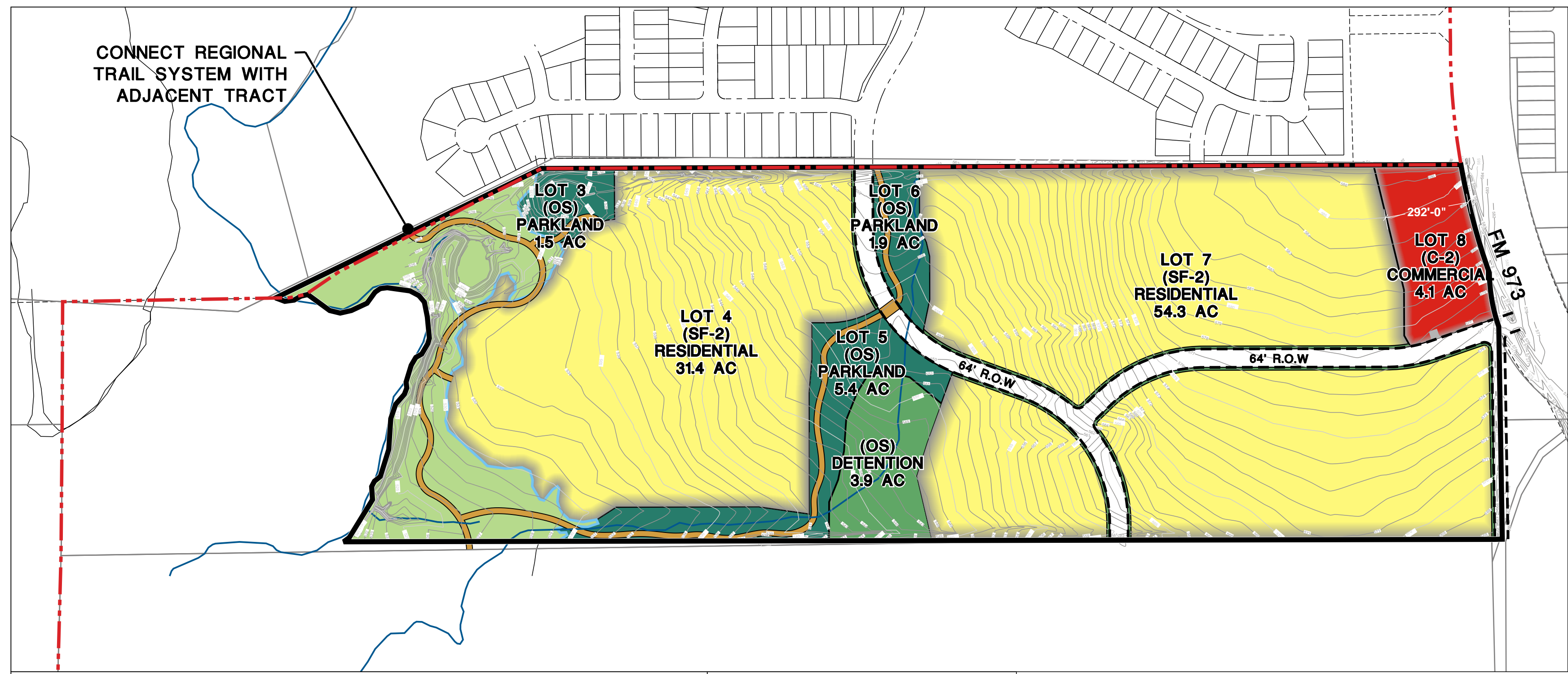
PARKLAND REGIONAL





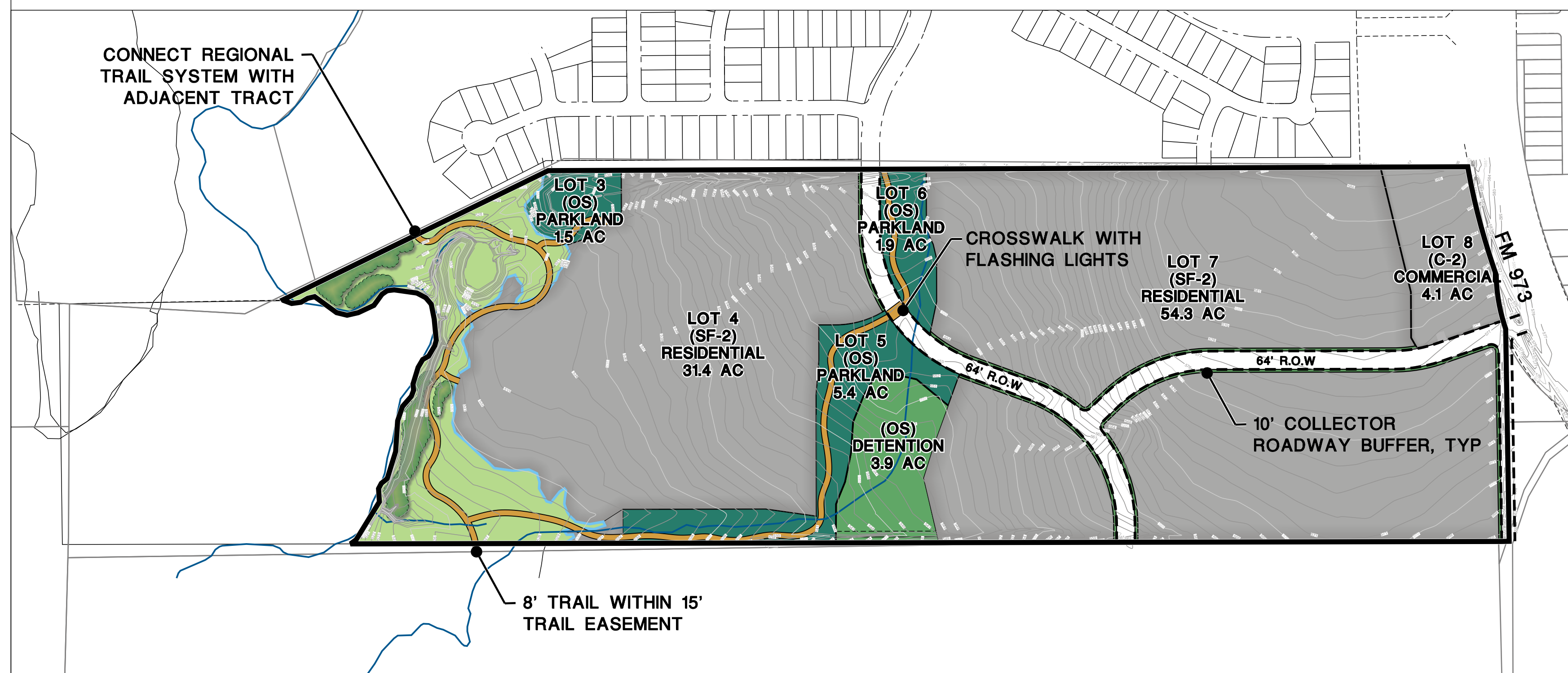
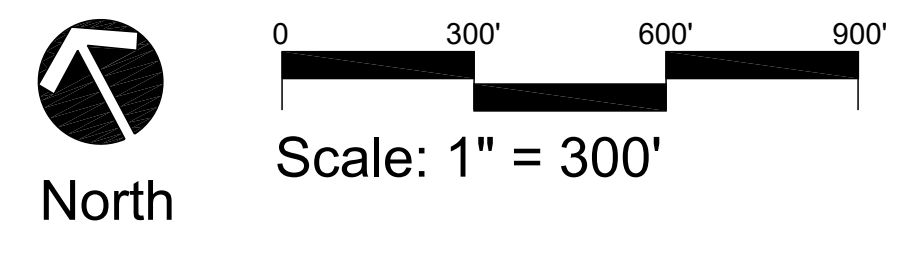
- Regional Trail and Public Park on OKRA maintained by OKRA HOA

Questions?



| LAND USE | ACREAGE | LOTS | DENSITY |
|-------------------------------------|--------------------|----------|------------------|
| (SF-2) RESIDENTIAL | 86.0 ACRES | 325 LOTS | 3.7 DU/AC |
| (C-2) MEDIUM COMMERCIAL | 4.1 ACRES | 1 LOTS | |
| (OS) FLOODPLAIN (RETAINED BY OWNER) | 10.9 ACRES | 1 LOTS | |
| (OS) PARKLAND | 8.8 ACRES | 3 LOTS | |
| (OS) DETENTION | 3.9 ACRES | 1 LOTS | |
| TOTAL | 113.4 ACRES | | 2.9 DU/AC |

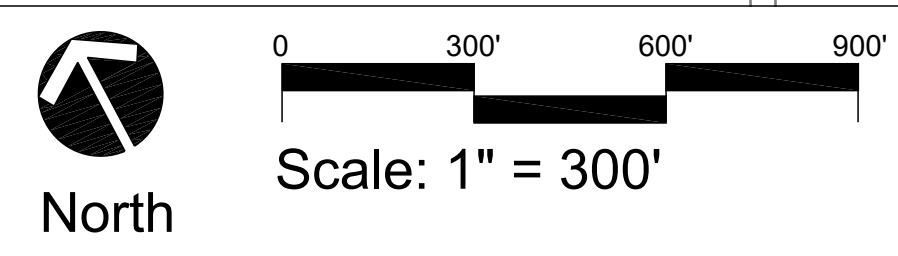
| LEGEND |
|-------------------------------|
| — PLAN BOUNDARY |
| - - - - PROPOSED RIGHT-OF-WAY |
| - · - · - CITY LIMITS |
| — 8' TRAILS |



PARK PLAN
PARK LAND DEDICATION:

| | | | |
|----------------------------|-----------|-------------------------|-------------------------|
| 325 | /66 x 1 = | 4.9 | 8.8 |
| (number of dwelling units) | | (required park acreage) | (proposed park acreage) |

8' CONCRETE TRAILS 4,733 L.F.



Approval and authorized for record by the City Council for the City of Manor, Texas.
 Dated this ___ Day of ___, 20__
 By: _____
 Honorable Mayor Dr. Christopher Harvey
 Mayor of the City of Manor, Texas

- A. Purpose and Intent**
- The Okra Tract Planned Unit Development (PUD) is comprised of approximately 136.3 acres. The development of this Property is a combination of light commercial along FM 973 at the Eastern edge of the Property and a single-family detached residential community on the remainder of the Property.
- B. Applicability and Base Zoning**
- All aspects regarding the development of this PUD shall comply with the City of Manor Code of Ordinances, except as established in this exhibit, titled Final PUD Site Plan.
 - For the purpose of establishing development standards for the PUD, the following base zoning districts have been selected from the Manor Code of Ordinances:
 SF-2 (Single-Family Standard)
 C-2 (Medium Commercial)
- C. Conceptual Site Layout and Land Use Plan**
- The Land Use Plan has been attached to this PUD to illustrate the design intent for the Property. The Final PUD Site Plan is intended to serve as a guide to illustrate the general community vision and design concept and is not intended to serve as a final document.
- D. Allowable/Prohibited Uses**
- The allowable residential use shall be detached single-family dwellings on individually platted lots. The maximum residential lot count shall be three hundred and twenty five (325). Commercial uses shall be consistent with allowable C-2 (Medium Commercial) land uses as defined in Division 3, Section 14.02.017 of City of Manor Code of Ordinances except as modified herein.
 - The following uses shall be prohibited within the C-2 area of the PUD:
 - Amusement (outdoor)
 - Automobile Repair (minor)
 - Automobile Repair (major)
 - Commercial Off-Street Parking
 - Contractor's Shop
 - Financial Services (alternative)
 - Funeral Services
 - Kennel
 - Laundry Services
 - Mini-Storage Warehouse
 - Off-Site Accessory Parking
 - Pawnshop
 - Recreational Vehicle Sales and Rental
 - Truck and Trailer Sales and Rental
 - Veterinary Service, Large

- E. Residential Development Standards**
- To ensure product diversity, the following single-family detached residential percentages shall apply to the residential district within this PUD:
 - A maximum of 80 percent (80%) of the total lots may have a width of less than sixty feet (60').
 - A minimum of 20 percent (20%) of the total shall have a width of sixty feet (60') or wider.
 - The Okra Tract residential development will comply with the Development Standards set forth below:
RESIDENTIAL USES
 Lot Area: 6,000 s.f. Minimum (fronted loaded garage)
 Lot Width: (minimum)50 ft.
 Front Setback: (minimum)25 ft.
 Side Setback: (minimum)5 ft.
 Street Side Setback: (minimum)15 ft.
 Rear Setback to residential:(minimum)10 ft.
 Rear Setback to commercial: 15 ft.
 Minimum dwelling unit size: 1,700 sq. ft.
 Maximum building coverage: 50%
 Maximum building coverage plus accessory structures: 60%
 - Standards not listed follow code, as amended
- F. Commercial Development Standards**
- The Okra Tract commercial development shall comply with the C-2 (Medium Commercial) development standards set forth in the City of Manor Code of Ordinances, as amended.

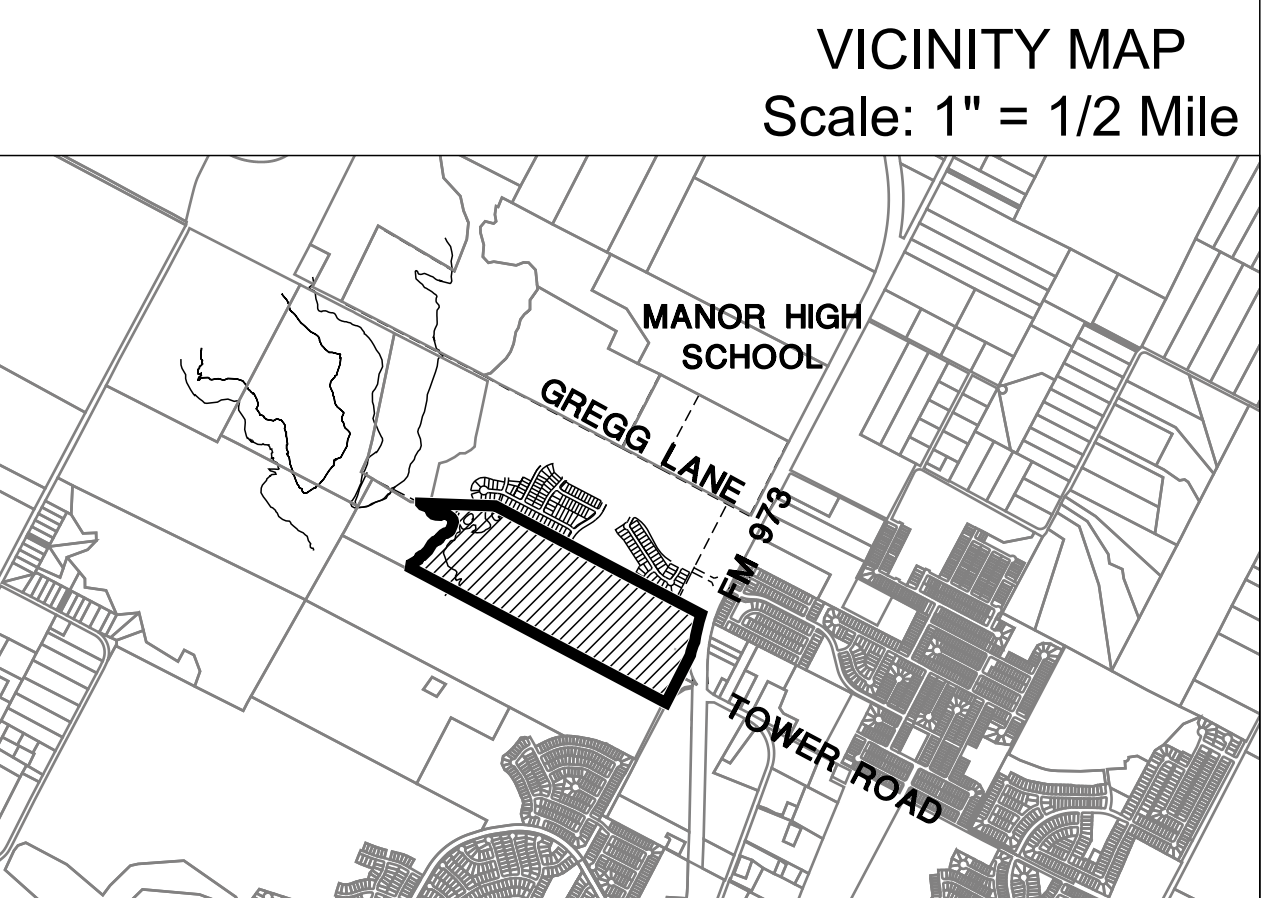
G. Drainage Dedication and Facilities

- Residential drainage facilities shall utilize earthen berms and be designed with a curvilinear shape where possible. If concrete retaining walls are required in the design of detention facilities, such areas shall be limited to not more than forty percent (40%) of the perimeter of the pond.

This Preliminary PUD Site 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.
 Dated this ___ Day of ___, 20__
 By: _____
 LaKesha Small, Chairperson

- H. Parkland and Open Space**
- This Final PUD Site Plan provides approximately 8.8 acres of park and open space with the dedication of three (3) tracts of land as illustrated on the Parks Plan on this sheet. The parks and open space will include detention facilities for the project, tree preservation areas, trail corridor easement and active programmed parkland.
 - An eight-foot (8') concrete trail located within a fifteen-foot (15') public trail easement shall provide pedestrian/bike access along the owner retained floodplain connecting from the north property boundary to the south property boundary, as depicted on Park Plan. Trees shall be planted parallel to the concrete trail at a spacing of one (1) tree for every forty (40) linear feet. Trees shall be a minimum of three (3) inch caliper and selected from the Type A/B tree list of the City of Manor Code of Ordinances.
 - Parkland amenities located within the Okra Tract PUD shall include a minimum of the following recreational elements: playground, parking area, dog park, picnic areas, picnic pavilion and open lawn/gaming area.
 - Age 5-12 playground
 - Age 2-5 playground
 - Parking area with a minimum of 20 parking spaces
 - Minimum 10,000 square foot dog park
 - Minimum 20 foot by 30 foot picnic pavilion
 - Basketball court
 - The proposed parkland and public regional trail shall be dedicated to the City of Manor and privately maintained by the Okra Tract Homeowner's Association.

- I. Landscaping**
- Unloaded Collector Landscape Buffer.
 - For internal, unloaded collector roadways, a minimum ten (10) foot landscape buffer, measured from the edge of the collector right of way, shall be provided. One (1), minimum three (3) inch caliper, Type A large or Type B medium native tree (as defined by the Manor Code of Ordinances) and five (5), minimum three (3) gallon, shrubs shall be planted per 50 linear feet of landscape buffer.
 - Subdivision wall fence standard for fence walls along the unloaded collector roadways, a minimum (6) foot masonry walls with masonry columns a minimum of (200) foot apart.
 - Storm Water Detention
 - Storm water detention facilities, if required shall be screened according to the requirements outlined in the City of Manor Code of Ordinances, Section 15.03.021 (f).
 - All landscape buffers and walls shall be privately maintained by the Okra Tract Homeowners Association.



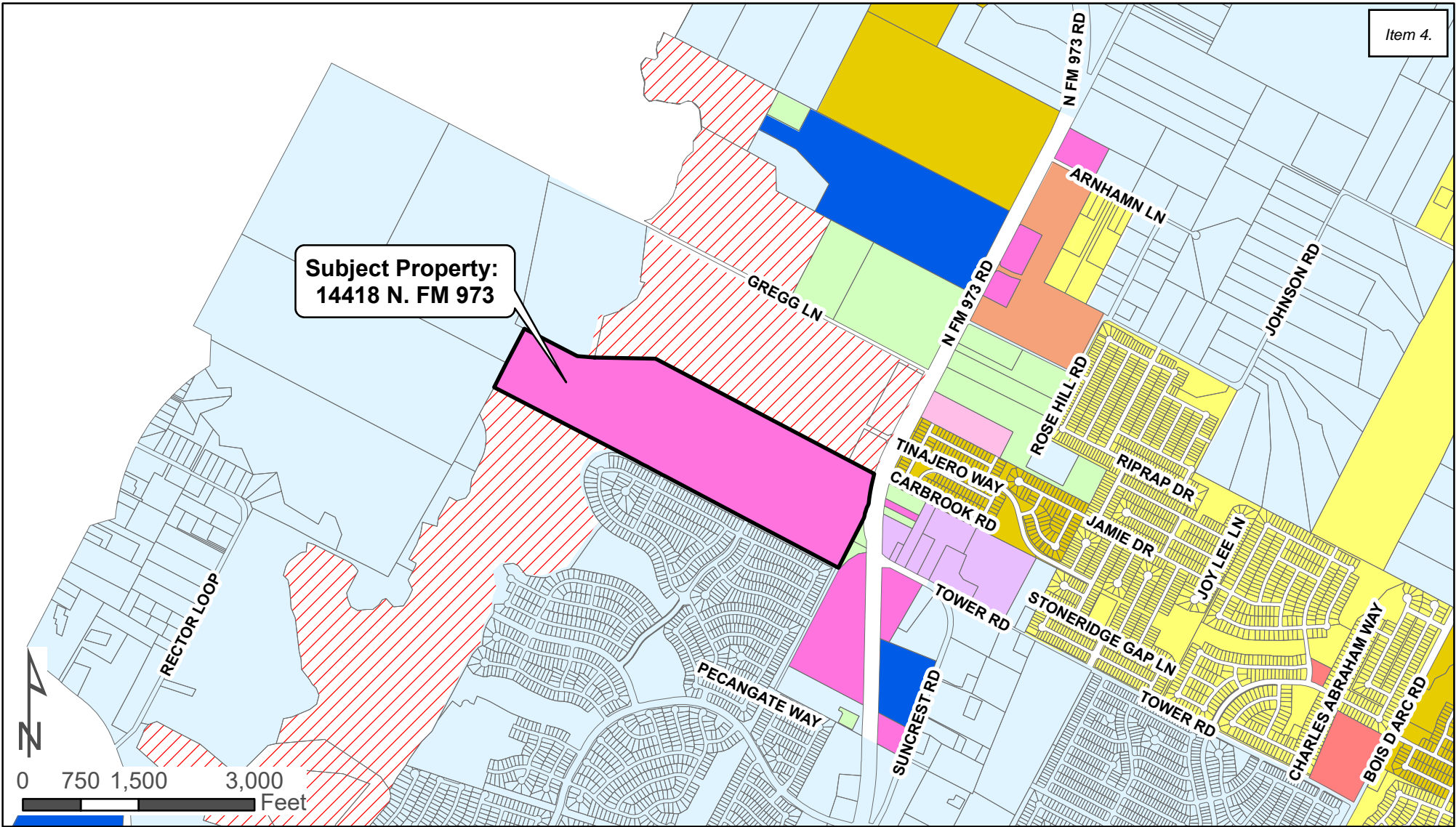
**OKRA TRACT
PRELIMINARY PUD SITE PLAN
MANOR, TEXAS**

J:\220013-DWAL\Cadfiles\PLANNING\Submittals\PLUD Site Plan

| | |
|------------------|-----------|
| Issued: | 2/10/2023 |
| 1. PUD Submittal | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| Revisions: | |
| 1. 3/29/2023 | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| Issue Date: | 2/10/2023 |

Drawn By: TW
 Reviewed By: MB
 Project No.
 220013 - BBGR
 SHEET 1 of 1
 The reproduction, copying or other use of this drawing without the written consent of SEC Planning, LLC is prohibited.
 © 2022
 SEC Planning, LLC

Subject Property:
14418 N. FM 973



0 750 1,500 3,000 Feet



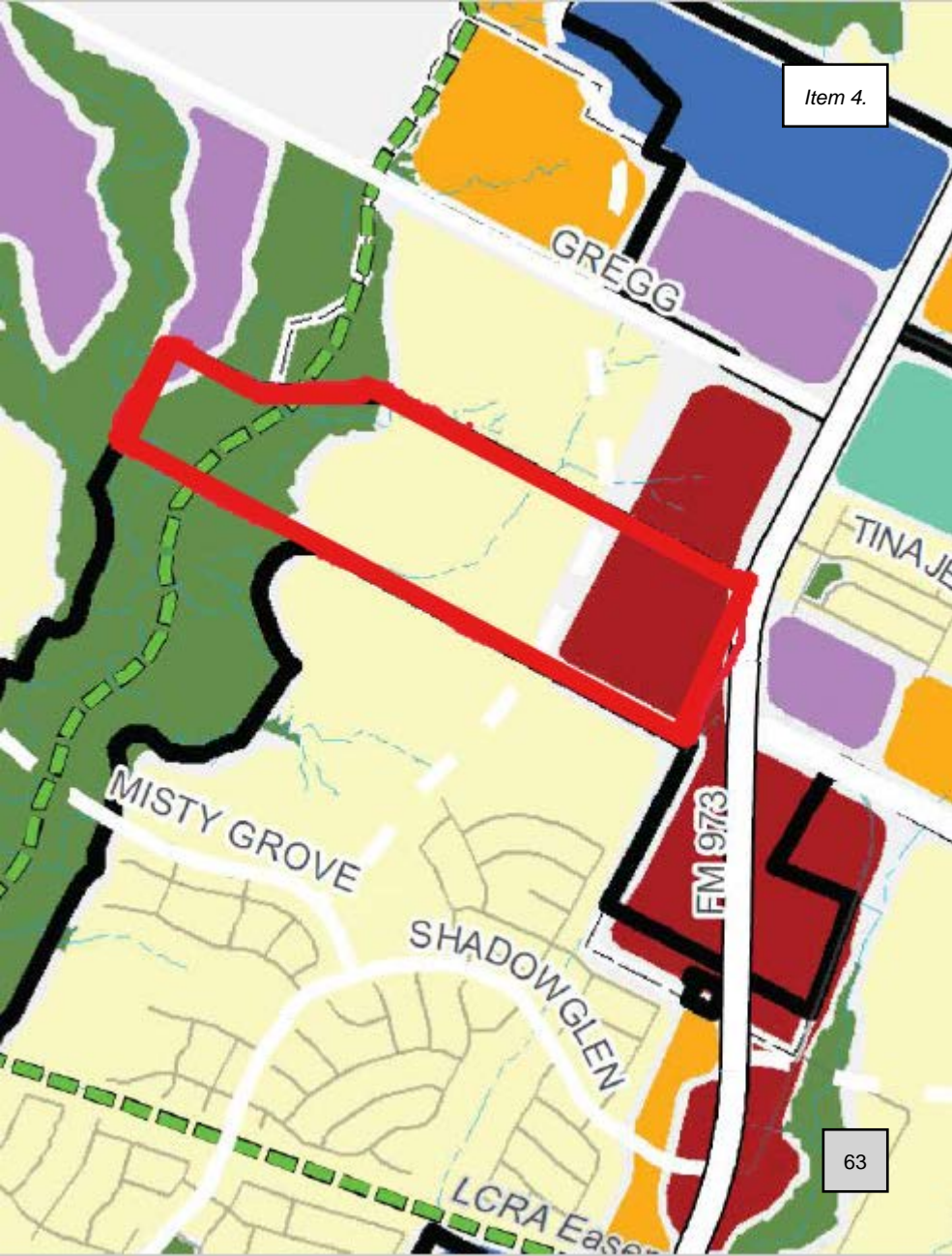
Current:
Medium Commercial (C-2)

Proposed:
Planned Unit Development (PUD)

| Zone | |
|------|--------------------------------|
| | A - Agricultural |
| | SF-1 - Single Family Suburban |
| | SF-2 - Single Family Standard |
| | TF - Two Family |
| | TH - Townhome |
| | MF-1 - Multi-Family 15 |
| | MF-2 - Multi-Family 25 |
| | MH-1 - Manufactured Home |
| | I-1 - Institutional Small |
| | I-2 - Institutional Large |
| | GO - General Office |
| | C-1 - Light Commercial |
| | C-2 - Medium Commercial |
| | C-3 - Heavy Commercial |
| | NB - Neighborhood Business |
| | DB - Downtown Business |
| | IN-1 - Light Industrial |
| | IN-2 - Heavy Industrial |
| | PUD - Planned Unit Development |
| | ETJ |



Item 4.



COMMERCIAL CORRIDOR

Commercial Corridors consist of nonresidential land uses that meet the needs of both local and regional residents. This includes big box stores and multi-tenant commercial or retail uses.

They are typically located along high volume roadways or at high volume intersections and generate large amounts of sales tax revenue.

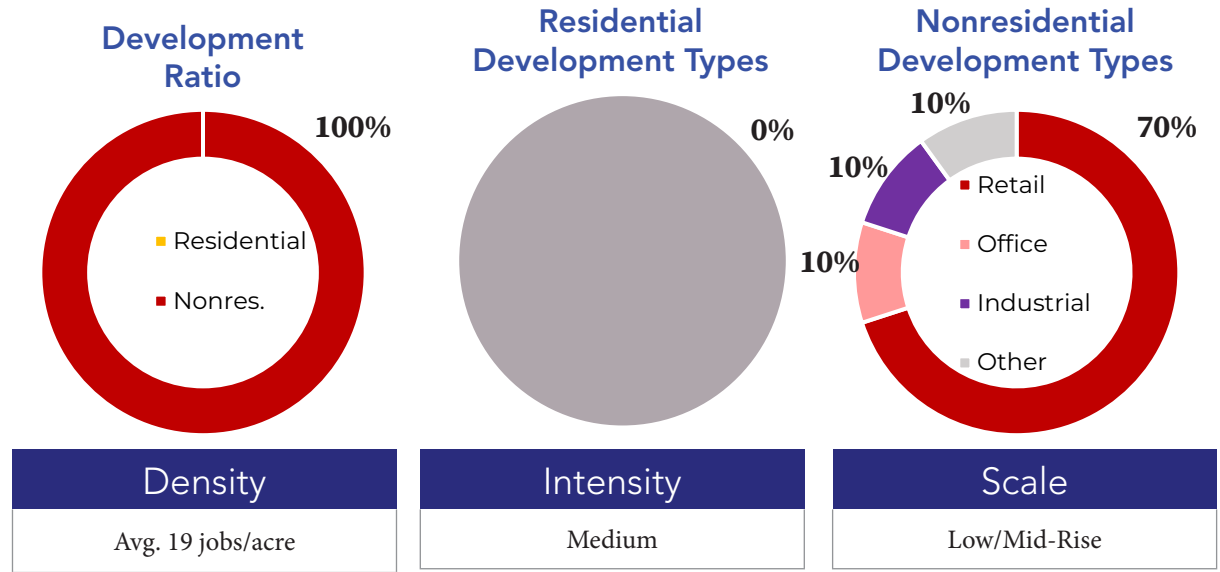
Commercial corridors often consist of traditional and suburban commercial development with large surface parking lots that front a major roadway or highway.

While it is recognized these corridors rely upon automobile accessibility and exposure, development should seek opportunities to leverage different forms with elements of mixed-use within the non-residential use framework. This introduces walkability for people once they arrive, reducing the number of trips and increasing the area’s appeal as a destination.

This district is especially appropriate for several needs that residents of Manor currently look elsewhere to provide, including:

- Healthcare services, including hospitals.
- Retail and entertainment.
- Specialized facilities that support workforce and skills development, such as information technology, skilled trades and advanced manufacturing.

Figure 3.6. Commercial Corridor Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|---|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered appropriate, as the Commercial Corridors are generally oriented towards uses that rely on access and visibility to major roadways and highways and residential is not encouraged along the major roadways and highways for environmental justice and quality of life reasons. The activity and traffic generated by Commercial Corridor uses is not compatible with residential housing. |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ○ ○ ○ ○ | |
| Apartment House (3-4 units) | ● ○ ○ ○ ○ | |
| Small Multifamily (8-12 units) | ● ○ ○ ○ ○ | |
| Large Multifamily (12+ units) | ● ○ ○ ○ ○ | |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ○ ○ | May be nonresidential mixed-use, such as office over retail or some residential can be appropriate if deeper within a site and less proximate to the major roadways. Residential mixed-use can also be appropriate to support transition to adjacent, lower density or residential areas. To note, mixed-use buildings are typically considered the highest fiscally performing development type on a per-acre basis. |
| Mixed-Use Urban, Community Scale | ● ● ● ○ ○ | |
| Shopping Center, Neighborhood Scale | ● ● ● ● ● | Appropriate overall. |
| Shopping Center, Community Scale | ● ● ● ● ● | |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not considered appropriate due to limited potential for sales tax revenue generation and lower dependence on direct exposure to major roadways; can be appropriate if deeper within a site and less proximate to the major roadways, but should not be predominant use. |
| Manufacturing | ● ○ ○ ○ ○ | Not considered appropriate. |
| Civic | ● ● ● ● ● | Considered supportive to the function of this future land use category; likely more functional facilities, such as utilities, rather than people-centered or community serving facilities. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |

NEIGHBORHOODS

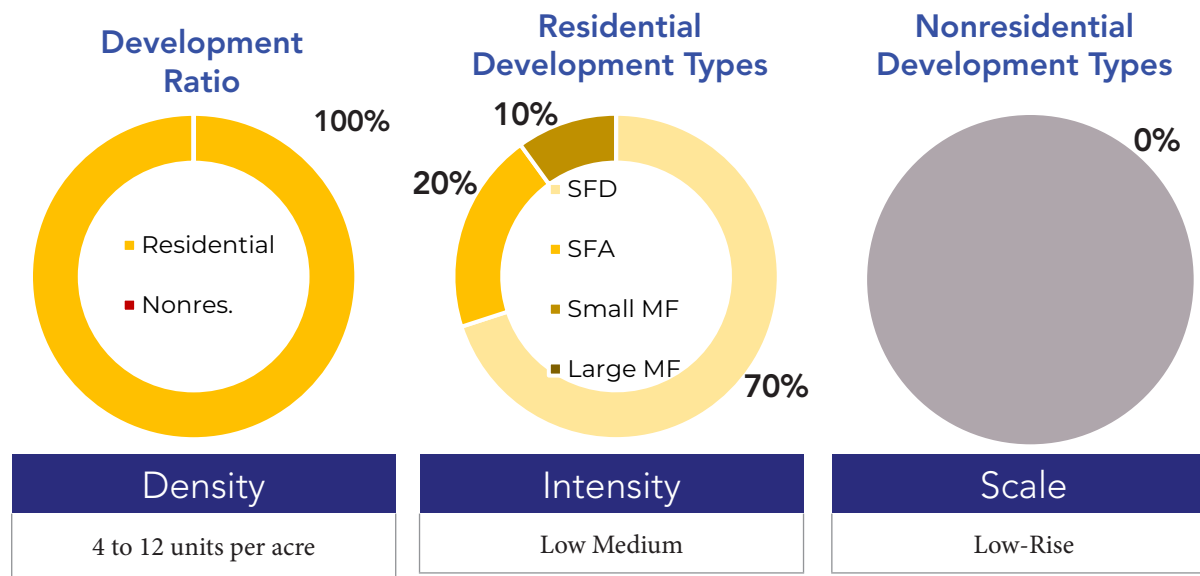
Residential one- and two-family/duplex homes make up the majority of this land use category. Some townhomes and lower density missing middle housing should be included to create diversity and housing choice and are good options to create transitions between neighborhoods and other land use areas. A mixture of housing types allows people to stay in the neighborhood even as their housing needs change, promoting long-term stability.

These housing types typically fall under the International Residential Code for one- and two-family dwellings, and can be financed via conventional Federally-backed mortgages.

While some neighborhood areas are currently adjacent to commercial centers, a more appropriate transition between the two would be the Mixed-Density Neighborhood land use categories.

Neighborhood lots are typically 5,000 square feet to 15,000 square feet for one- and two-family homes, with townhome lots being between 2,000 square feet and 3,000 square feet. Given the density expectations, smaller lot sizes should be offset by open space with an emphasis on creating interconnected greenways that connect neighborhoods to one another and to jobs, services, and parks.

Figure 3.4. Neighborhoods Land Use Mix Dashboard



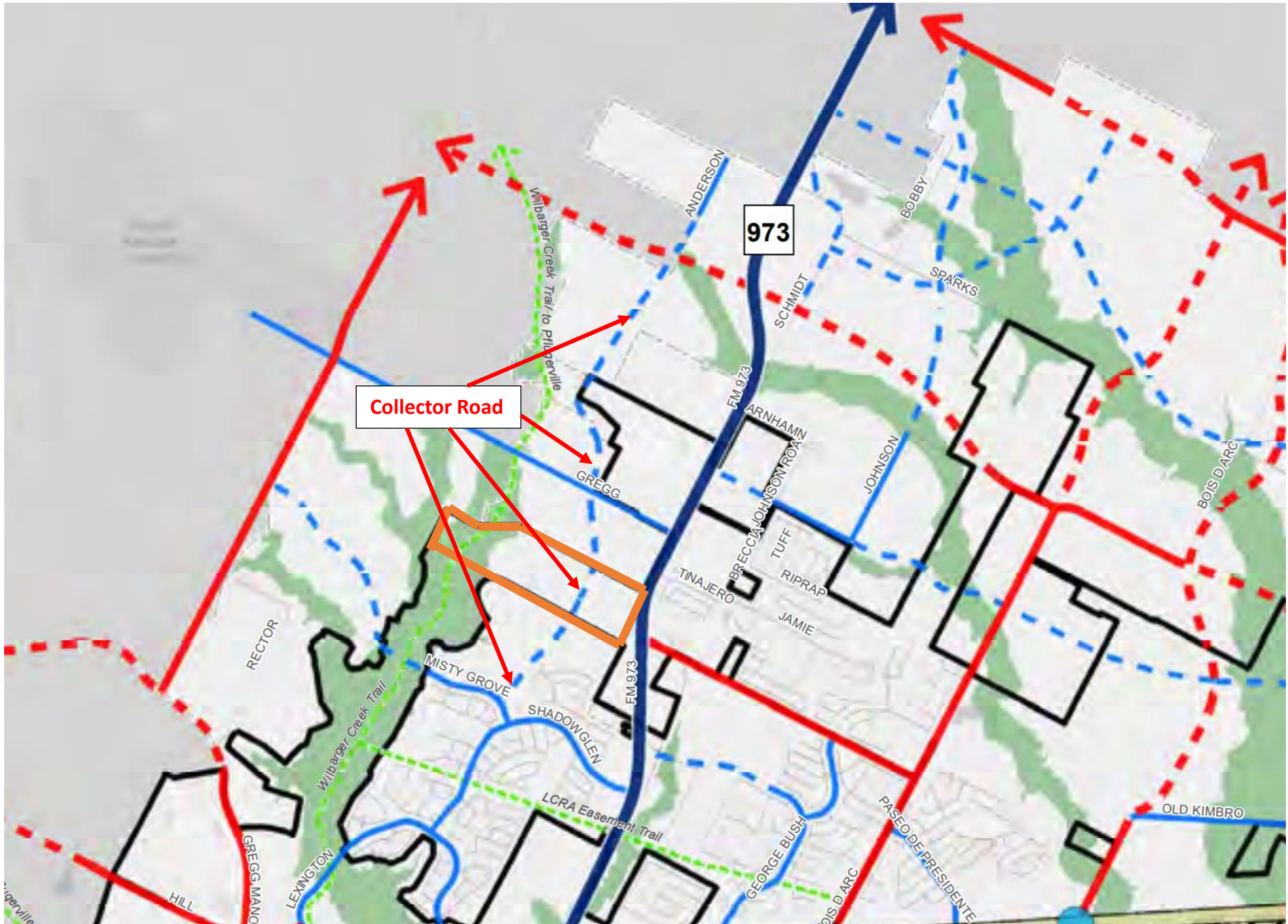
| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ●●●●○ | Appropriate overall, but with this housing type being so prominent in the City currently, seek to integrate with other forms of housing to create diversity and housing choice. Encourage diversity of lot sizes. Encourage joint driveways, alley access and rear parking. |
| SFD + ADU | ●●●●● | Lot and site design should accommodate an ADU to the side or rear; ADU should be clearly secondary to the primary residence. |
| SFA, Duplex | ●●●●● | Similar in character and lot standards to single-family detached; Joint/shared driveways encouraged, as well as alleys and rear parking; ADUs can be included consistent with the above. |
| SFA, Townhomes and Detached Missing Middle | ●●●●● | Townhouses and Bungalow Courts should include at least 4 units, Pocket Neighborhoods 8-12 units. Functions best at corner properties (excluding townhomes). Encouraged especially when retail/services are nearby. Encourage joint driveways, alley access and rear parking. ADUs consistent with above. |
| Apartment House (3-4 units) | ●●●●○ | Can be part of a diverse housing type palette within the Neighborhood category. Similar in character and lot standards to SFD; functions best at corner properties. Encouraged especially when retail/services are nearby. Encourage joint driveways, alley access and rear parking. |
| Small Multifamily (8-12 units) | ●●●○○ | Scale is not typically appropriate with neighborhood-scale, unless adjacent to Neighborhood Mixed Use. May be appropriate as a transitional use from land use categories containing nonresidential uses. |
| Large Multifamily (12+ units) | ●○○○○ | Not considered appropriate, but may occur in other future land use categories adjacent to Neighborhoods. |
| Mixed-Use Urban, Neighborhood Scale | ●○○○○ | |
| Mixed-Use Urban, Community Scale | ●○○○○ | Not considered appropriate. |
| Shopping Center, Neighborhood Scale | ●○○○○ | Not considered appropriate, but may occur in other future land use categories adjacent to Neighborhoods. |
| Shopping Center, Community Scale | ●○○○○ | Not considered appropriate. |
| Light Industrial Flex Space | ●○○○○ | |
| Manufacturing | ●○○○○ | |
| Civic | ●●●●● | Considered supportive to the function and livability of this future land use category; government buildings, schools and community facilities can serve as activity hubs within neighborhoods. |
| Parks and Open Space | ●●●●● | Generally considered appropriate or compatible within all Land Use Categories. |

APPROXIMATE CENTER TURN LANE IMPROVEMENT AREA: TINAJERO TO SUNCREST

RIGHT TURN LANE ON SOUTHBOUND FM 973 AT SITE DRIVEWAY

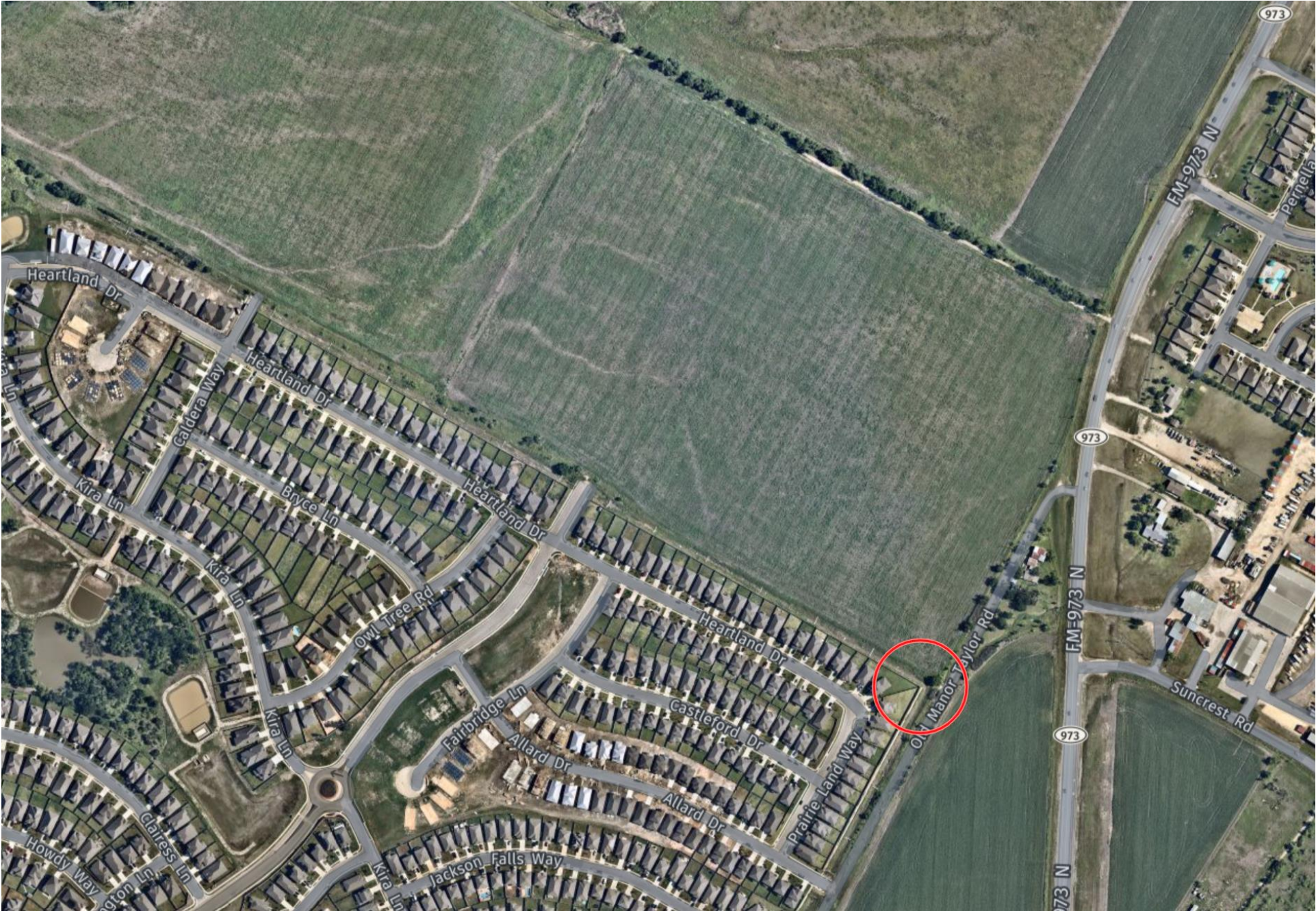


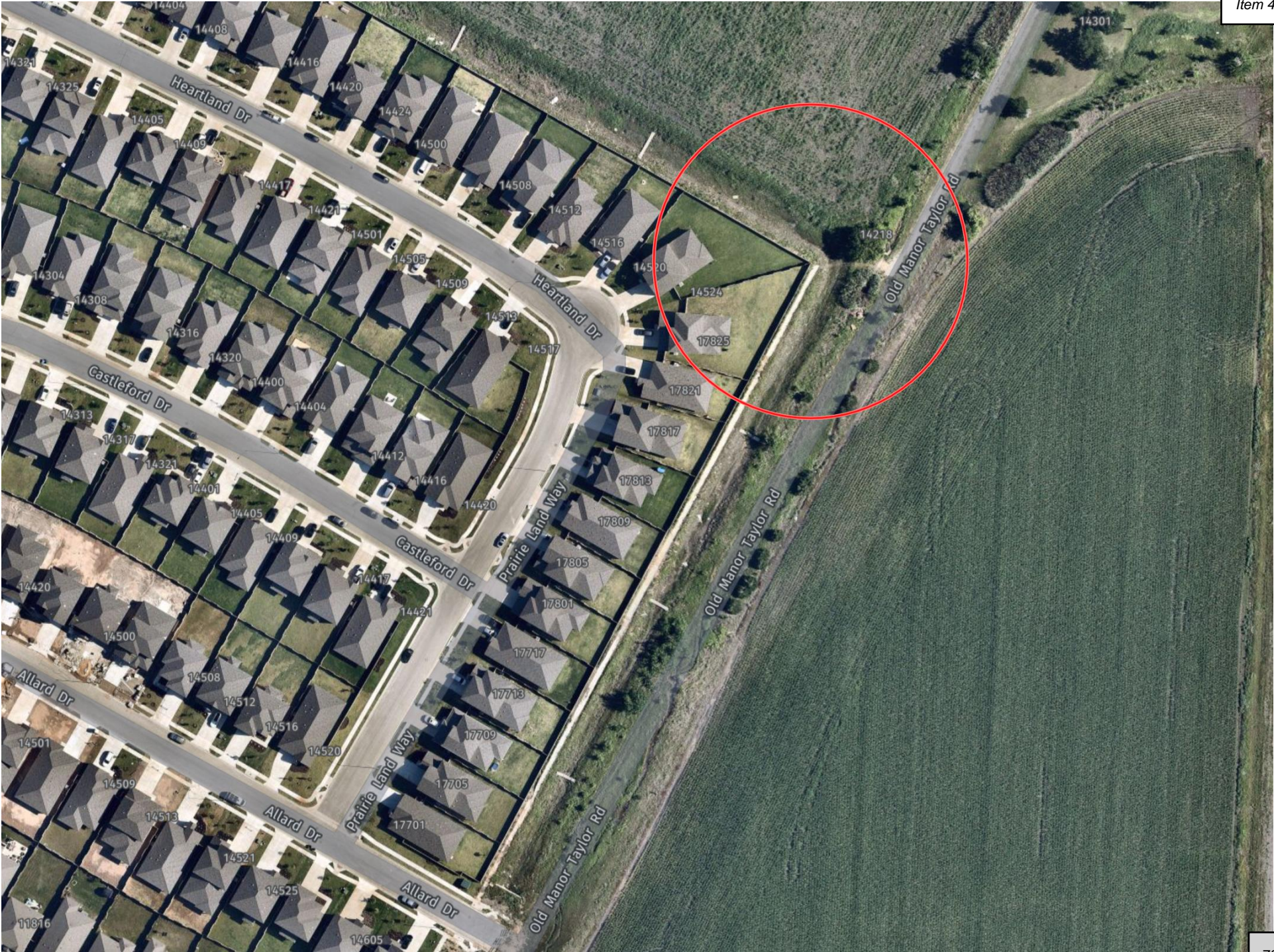
COLLECTOR ROADWAY ALIGNMENT



ADDITIONAL TRAIL CONNECTION AREA TO SHADOWGLEN AT ALLARD DRIVE









1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Tuesday, March 21, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO
Job Address: 14418 Old Manor-Taylor Road, Manor, Austin, TX. 78653

Dear Rachel Shanks,

The first submittal of the Okra Tract PUD (*Zoning Request*) submitted by Sotol Ventures and received on May 12, 2023, have been reviewed for compliance with the City of Manor Site Development/Zoning Ordinance 185.

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 (737) 247-7557 or by email at pgray@gbateam.com.

The following are Comments from the City Engineer:

1. The drawing name should be Preliminary PUD Site Plan.
2. The P&Z Signature Block should say Preliminary PUD Site Plan.
3. Please provide labels for topographical data. Parkland is to be located in areas where the slope is less than or equal to 5%.
4. Provide the depth of the proposed commercial portion of the PUD. There is a 25' setback for commercial. Provide information on how much of the site is usable for commercial.
5. Will the parkland have any amenities like bathrooms, benches, lights, etc. If so, then the proposed quantity and size should be provided.
6. The City's Zoning Ordinance requires that information be submitted describing the environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
7. Trees should be planted along the trail located in Lot 3. The tree spacing should be 40 feet and the trees should be Type A/B per the City's Ordinance.
8. Landscape lots should be shown in the PUD. Buffer yards should be shown as well.
9. Landscape lots should be located outside of the right-of-way and should be maintained by the HOA.
10. Note 2 is missing from the Landscaping Notes.
11. Landscaping is required for all detention facilities.
12. The proposed trails should be maintained by the HOA.

The following are comments from the City Planner:

1. How much of the parkland is detention facilities. Detention areas can no longer be counted as parkland.
2. Remove note 4. The amenity center can't reduce public parkland.
3. Add a basketball court to the amenities. P&Z and City Council are requiring amenities for young adults.
4. Update P&Z chair to LaKesha Small
5. What is the depth of the commercial area? Commercial uses have a 25' landscaping buffer to residential along with a 15' streetscape landscaping requirement that cannot contain any buildings, parking or paving so the lot depth needs to be deep enough for a commercial site with that combined 40' of landscaping buffers/setbacks.
6. How much floodplain is there? Parkland and floodplain are listed as 10.9 acres, but the diagram only calls out parkland.

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 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.
Lead AES
GBA



1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Tuesday, March 21, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO
Job Address: 14418 Old Manor-Taylor Road, Manor, Austin, TX. 78653

Dear Rachel Shanks,

The first submittal of the Okra Tract PUD (*Zoning Request*) submitted by Sotol Ventures and received on February 21, 2023, have been reviewed for compliance with the City of Manor Site Development/Zoning Ordinance 185.

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 (737) 247-7557 or by email at pgray@gbateam.com.

The following are comments from the City Planner:

1. How much of the parkland is detention facilities. Detention areas can no longer be counted as parkland.

Approximately 4 to 5 acres in the 7.5 acre central park is detention. Plan and park calculations have been revised to remove detention area. Please note this is zoning and the detention pond has not been engineered, so this is an approximate estimate.

2. Remove note 4. The amenity center can't reduce public parkland.

Amenity center has been removed from the PUD.

3. Add a basketball court to the amenities. P&Z and City Council are requiring amenities for young adults.

Added.

4. Update P&Z chair to LaKesha Small

Added.

5. What is the depth of the commercial area? Commercial uses have a 25' landscaping buffer to residential along with a 15' streetscape landscaping requirement that cannot contain any buildings, parking or paving so the lot depth needs to be deep enough for a commercial site with that combined 40' of landscaping buffers/setbacks.

Depth is approximately 290 feet. There is ample room for the required buffers and landscaping, parking and building in the commercial parcel.

6. How much floodplain is there? Parkland and floodplain are listed as 10.9 acres, but the diagram only calls out parkland.

Floodplain is 10.9 acres. Color and acreage are shown in the legend on the land use plan.

The following are Comments from the City Engineer:

1. The drawing name should be Preliminary PUD Site Plan.

Okay. Revised. On the Monarch PUD to the north we had to revise the language to say Final Site Plan.

2. The P&Z Signature Block should say Preliminary PUD Site Plan.

Okay. Revised

3. Please provide labels for topographical data. Parkland is to be located in areas where the slope is less than or equal to 5%.

Contour labels are on the lines. We increased the label size and have tried to create a higher resolution image so you can zoom in and read if you like.

4. Provide the depth of the proposed commercial portion of the PUD. There is a 25' setback for commercial. Provide information on how much of the site is usable for commercial.

Depth is 290 feet approximately.

5. Will the parkland have any amenities like bathrooms, benches, lights, etc. If so, then the proposed quantity and size should be provided.

Since we are still in the entitlement process, the park area has not been designed. The list of amenities guaranteed are in the PUD language under H.3

6. The City's Zoning Ordinance requires that information be submitted describing the environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.

Please see attached Phase 1 Environmental Report.

7. Trees should be planted along the trail located in Lot 3. The tree spacing should be 40 feet and the trees should be Type A/B per the City's Ordinance.

The trail in Lot 3 is intended to meander around the existing trees along the creek. However, Section H.2 of the PUD already calls out trees every 40 feet along the trail.

8. Landscape lots should be shown in the PUD. Buffer yards should be shown as well.

The landscape buffers along the collector road are shown on the park plan and labeled accordingly. We added the buffers to the land use plan as well in case you missed them. Any other internal landscape lots are not defined at this zoning stage.

9. Landscape lots should be located outside of the right-of-way and should be maintained by the HOA.

The 10 foot wide landscape area has been added graphically along the collector roads. Other landscape lots will not be fully known until more detailed subdivision plans are prepared. The PUD already states that the landscape and parks will be maintained by the HOA.

10. Note 2 is missing from the Landscaping Notes.

Numbers have been re-formatted.

11. Landscaping is required for all detention facilities.

We call out in the PUD, Section L, that we will landscape the detention per the Manor ordinance.

12. The proposed trails should be maintained by the HOA.

Section H of the PUD requires parks and trails to be maintained by the HOA.

addressed with your plan resubmittal. To access your project online, please go to www.mygovernmentonline.org and the online portal to upload your drawings in PDF format. Item 4.

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.
Lead AES
GBA



1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Thursday, May 4, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO
Job Address: 14418 Old Manor-Taylor Road, Manor, Austin 78653

Dear Rachel Shanks,

The subsequent submittal of the Okra Tract PUD submitted by Sotol Ventures and received on May 12, 2023, have been reviewed for compliance with the City of Manor Site Development/Zoning Ordinance 185. 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 Tyler Shows. Should you have any questions or require additional information regarding any of these comments, please contact Tyler Shows by telephone at (737) 247-7552 or by email at tshows@gbateam.com.

The following are comments from the city planner:

- i. ~~How much of the parkland is detention facilities. Detention areas can no longer be counted as parkland.~~
- ii. ~~Remove note 4. The amenity center can't reduce public parkland.~~
- iii. Add a basketball court to the amenities. P&Z and City Council are requiring amenities for young adults. Refer to question 7.
- iv. ~~Update P&Z chair to LaKeshia Small~~
- v. ~~What is the depth of the commercial area? Commercial uses have a 25' landscaping buffer to residential along with a 15' streetscape landscaping requirement that cannot contain any buildings, parking or paving so the lot depth needs to be deep enough for a commercial site with that combined 40' of landscaping buffers/setbacks.~~
- vi. ~~How much floodplain is there? Parkland and floodplain are listed as 10.9 acres, but the diagram only calls out parkland.~~
- vii. Section H1 - update park acreage. Has 10.9 when the Parks Plan has 8.8
- viii. Section H3f - is "sports court" a basketball court?
- ix. Section I1 - add subdivision wall standard for fence walls along unloaded collectors: Minimum 6' masonry walls with masonry columns a minimum of 200' apart

The following are comments from the city planner:

1. ~~The drawing name should be Preliminary PUD Site Plan.~~
2. ~~The P&Z Signature Block should say Preliminary PUD Site Plan.~~
3. ~~Please provide labels for topographical data. Parkland is to be located in areas where the slope is less than or equal to 5%.~~
4. Provide the depth of the proposed commercial portion of the PUD. There is a 25' setback for commercial. Provide information on how much of the site is usable for commercial. **Provide a callout for the depth of the commercial portion. (290 feet approximately).**
5. ~~Will the parkland have any amenities like bathrooms, benches, lights, etc. If so, then the proposed quantity and size should be provided.~~
6. ~~The City's Zoning Ordinance requires that information be submitted describing the environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.~~
7. ~~Trees should be planted along the trail located in Lot 3. The tree spacing should be 40 feet and the trees should be Type A/B per the City's Ordinance.~~
8. ~~Landscape lots should be shown in the PUD. Buffer yards should be shown as well.~~
9. ~~Landscape lots should be located outside of the right-of-way and should be maintained by the HOA.~~
10. ~~Note 2 is missing from the Landscaping Notes.~~
11. ~~Landscaping is required for all detention facilities.~~
12. ~~The proposed trails should be maintained by the HOA~~

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 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 /Manor/Parts/Blank, or by e-mail at tshows@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,



Tyler Shows
Staff Engineer
GBA



1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Wednesday, May 24, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO

Job Address: 14418 Old Manor-Taylor Road, Manor, Austin 78653

Dear Rachel Shanks,

The subsequent submittal of the Okra Tract PUD Site Plans submitted by Rachel Shanks and received by our office on May 12, 2023, has been reviewed for compliance with the City of Manor Zoning Ordinance 185. 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 cover sheet to Scott Dunlop at the City of Manor for signatures. A copy of the signed cover sheet 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 black ink, appearing to read 'Tyler Shows'.

Tyler Shows
Staff Engineer
GBA

Pauline Gray, P.E.
Lead AES,
Jay Engineering, A Division of GBA



5/31/2023

City of Manor Development Services

Notification for a Preliminary PUD Site Plan

Project Name: Orka Tract Preliminary PUD
Case Number: 2023-P-1515-ZO
Case Manager: Michael Burrell
Contact: mburrell@manortx.gov – 512-215-8158

The City of Manor Planning and Zoning Commission and City Council will be conducting a Regularly Scheduled meeting for the purpose of considering and acting upon on a Subdivision Preliminary Planned Use Development for the Okra Tract Subdivision located at 14418 N. FM 973, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Preliminary PUD for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.

Applicant: Sotol Ventures

Owner: Dalton Wallace

The Planning and Zoning Commission will meet at 6:30PM on 6/14/2023 at 105 East Eggleston Street in the City Hall Council Chambers.

City Council will meet at 7:00PM on 6/21/2023 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 Preliminary PUD Site Plan has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners and Council Members during the discussion of this item.

14420 Pernella Rd Intervivos Revocable Trust
14420 Pernella Rd
Manor, TX 78653

ANDERSSON CATHERINE & DANIEL
13917 HEARTLAND DR
Manor, TX 78653

Arthur Ray & Odette Vanessa Taylor
14416 Pernella Rd
Manor, TX 78653

BAJWA NAJM US SAQIB & TAHIRA NAJM
139 HEARTLAND DR
Manor, TX 78653

BIREDDY ANVESH REDDY
14012 Heartland Dr
Manor, TX 78653

BRASSELL REBECCA & PATRICK
14005 HEARTLAND DR
Manor, TX 78653

CABRERA KEVIN E & ISABEL S
14401 HEARTLAND DR
Manor, TX 78653

CITY OF MANOR
105 E EGGLESTON ST
Manor, TX 78653

CONROY KEVIN
13916 Heartland Dr
Manor, TX 78653

DAVIS ANISSA CHEREE & ARTHUR JR
13925 HEARTLAND DR
Manor, TX 78653

De Jesus-Martinez Ignacio ETAL
14405 FM 973 N
Manor, TX 78653

DEROCH MANDY BARBER
14108 HEARTLAND DR
Manor, TX 78653

DIACONU MARIANA & GERALD BRANDON TODD
14420 Heartland Dr
Manor, TX 78653

DICK GEOFFREY SCOTT & ANIKA VAN BOOM
14316 HEARTLAND DR
Manor, TX 78653

Enfield Partners LLC ETAL
2303 Camino Alto
Austin, TX 78746

GHAFFAR AAMIR & SOPHIA BAWANY
13933 HEARTLAND DR
Manor, TX 78653

Gliberto & Maria Estrada
1411 FM 973 N
Manor, TX 78653

GLORIA ALVARO F
13904 Heartland Dr
Manor, TX 78653

GUZMAN MASON ANDREW
14208 HEARTLAND DR
Manor, TX 78653

HAYNES BUCHANAN CAROL M
14200 HEARTLAND DR
Manor, TX 78653

Henrietta Velasquez
14315 Old Manor-Taylor Rd
Manor, TX 78653

JACKSON NICOLETTE & CARSON JAMES GOSSETT
14029 Heartland Dr
Manor, TX 78653

JAIN KRITIKA & ANAND BHAVANE JAYANTI
14032 Heartland Dr
Manor, TX 78653

JEFF 1 LLC
5001 PLAZA ON THE LATE #200
Austin, TX 78746

JOHN LIPIKA R & SHERVIN AMBANATTU BABU
13901 Heartland Dr
Manor, TX 78653

Juan Chaparro
14408 Pernella Rd
Manor, TX 78653

KALE MICHAEL & LASHONDRA M
14013 HEARTLAND DR
Manor, TX 78653

Kristine & Matthew Escobedo
14400 Pernella Rd
Manor, TX 78653

KURIAN CLEMENT & LIZ MANDAPATHIL
14004 Heartland Dr
Manor, TX 78653

LAKE ELIJAH & KANESHA
14301 HEARTLAND DR
Manor, TX 78653

LEKCAM Communication LLC
16404 Marcello Dr
Pflugerville, TX 78660

LEONARD SCOTT
13921 Heartland Dr
Manor, TX 78653

MADHYASTHA SUHASA & ASHRITHA PURADAMANE
BALACHANDRA
14309 HEARTLAND DR
Manor, TX 78653

Mary Clark
14404 Pernella Rd
Manor, TX 78653

Masrur Reza, Mustafa Ali Reza Chowdhury, Fauzia Zaman
14412 Pernella Rd
Manor, TX 78653

MCCUE KEVIN & BRITTANY BAMBERG
14033 Heartland Dr
Manor, TX 78653

Meritage Homes of Texas LLC
611 S Congress Ave, suite 510
Austin, TX 78704

Meritage Homes of Texas LLC
17101 Orinda Lane
Pflugerville, TX 78660

Monarch Ranch at Manor LLC
310 Enterprise Dr.
Oxford, MS 38655

PADILLA ELIAS JOSE
14308 HEARTLAND DR
Manor, TX 78653

PERRY HOMES LLC
PO BOX 34306
Houston, TX 77234

Roy & Frank Velasquez
14301 Old Manor-Taylor Rd
Manor, TX 78653

RUSSELL RACHEL R & WILLIAM B WRIGHT
14421 HEARTLAND DR
Manor, TX 78653

RUST CREEK LLC
9606 OLD MANOR RD #1
Austin, TX 78724

SAMUELANCY & SIJU THOMAS VARGHESE
14325 HEARTLAND DR
Manor, TX 78653

SANTIAGO JONA FATIMA P & HONOFRE JOEY
14017 HEARTLAND DR
Manor, TX 78653

SG LAND HOLDINGS LLC
2646 DUPONT DR STE 60 PMB 520
Irvine, CA 92612

SG LAND HOLDINGS LLC
2646 DUPONT DR STE 60 PMB 520
Irvine, CA 92612

SG LAND HOLDINGS LLC
2646 DUPONT DR STE 60 PMB 520
Irvine, CA 92612

SNELL TYLER & MATTIE
13908 HEARTLAND DR
Manor, TX 78653

SNYDER JACOB ADAM
13913 HEARTLAND DR
Manor, TX 78653

SORATHIA BHARGAV
3472 Fitzsimmons Cmn
Fremont, CA 94538

SRIHARI FNU & PRIYANKA PUPPALA
14009 Heartland Dr
Manor, TX 78653

Stanley & Sandra Voelker
14401 FM 973 N
Manor, TX 78653

STEVES DANIEL & JANELLE
14400 HEARTLAND DR
Manor, TX 78653

STEWART MARIANNE K & LARRY N
14300 HEARTLAND DR
Manor, TX 78653

STONE LEISA M & ZACHARY P
14413 HEARTLAND DR
Manor, TX 78653

SUTT DYLAN J
14104 Heartland Dr
Manor, TX 78653

THOMPSON MATTHEW
14505 HEARTLAND DR
Manor, TX 78653

Timmerman Commercial Investments LP
501 Vale ST
Austin, TX 78746

TRIPATHI ANKIT MANI
14205 HEARTLAND DR
Manor, TX 78653

UNAL BELGIN & AYHAN
14320 HEARTLAND DR
Manor, TX 78653

VALENZUELA MELINDA S & MATTHEW R
14204 HEARTLAND DR
Manor, TX 78653

WANG YILI & YUNQING XIA
14001 HEARTLAND DR
Manor, TX 78653

WEISS KERMIT R & EMMAGENE
PO BOX 25
Manor, TX 78653

WILLIAMS LAURA
14305 HEARTLAND DR
Manor, TX 78653

YINGST ALEX BICERA
13920 Heartland Dr
Manor, TX 78653

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Conduct a public hearing on an ordinance rezoning two (2) lots on .297 acres, more or less, at 108 W Boyce & 104 W Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB).

Applicant: Jiwon Jung

Owner: Build Block

BACKGROUND/SUMMARY:

The property at 108 W. Boyce was previously requested to be rezoned to Downtown Business by the same applicant. At the February 8th P&Z meeting, discussion was held and the rezoning request for 108 W. Boyce was recommended for denial due to the lot’s small size and the remaining single-family home at 104 W. Boyce between 108 W. Boyce and 109 N. Lexington. The City Council also denied the request for 108 W. Boyce for the same reasons. The applicant has purchased the lot at 104 W. Boyce to alleviate the prior concerns as the property is now larger and there won’t be a single-family residence between two commercial/mixed-use developments.

The applicant has provided a conceptual layout of a 3-story mixed-use building for the property. Downtown Business zoning is consistent with the area’s designation in the Comprehensive Plan’s Future Land Use Map as Downtown Mixed-Use. A combination of on-site and off-site (street) parking is envisioned.

This item was postponed from June 21st meeting because P&Z did not have a quorum to provide a recommendation. P&Z again did not have a quorum at their July 12th meeting, so no recommendation is provided.

LEGAL REVIEW: No
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Ordinance
- Letter of Intent
- Rezoning map
- Aerial Image
- Conceptual Site Plan
- FLUM
- Downtown Mixed-Use Dashboard
- Public Notices and Labels

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council open the public hearing and postpone until August 16th, Regular Council Meeting.

| | | | |
|--|---------------------------|--------------------|---------------|
| PLANNING & ZONING COMMISSION: | Recommend Approval | Disapproval | None |
| | | | X – no |
| | | | quorum |

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY SUBURBAN (SF-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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 Ordinance. City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Single Family Suburban (SF-1) to zoning district Downtown Business (DB). The Property is accordingly hereby rezoned to Downtown Business (DB).

Section 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed 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, Chapt. 551, Texas Gov't. Code.

ORDINANCE NO.

Page 2

PASSED AND APPROVED FIRST READING on this the ____ day of ____ 2023.

PASSED AND APPROVED SECOND AND FINAL READING on this the ____ day of ____ 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC,
City Secretary

ORDINANCE NO.

Page 3

EXHIBIT “A”

Property Address:
104-108 West Boyce Street, Manor, TX 78653

Property Legal Description 104 West Boyce Street:

Being the west one-half (1/2) of Lot 16, 17 and east one-half (1/2) of Lot 18, Block 29, Town of Manor

Property Legal Description 108 West Boyce Street:

Being the west one-half (1/2) Lot 18, 19, and 20, Block 29, Town of Manor

May. 15, 2023

Development Services
City of Manor
105 E Eggleston Street
Manor, TX 78653

Letter of Intent for Rezoning

Project Address: 104 Boyce St, Manor, TX 78653

Property ID: 238661

Legal Description: W 1/2 OF LOT 16, 17 & E 1/2 OF LOT 18 BLK 29 MANOR TOWN OF

The property owner seeks to rezone the 0.165-acre lot located at 108 W Boyce St, Manor, TX 78653 from SF-1(Single Family Suburban) to DB (Downtown Business).

Manor city is planning to expand its central commercial area to revitalize the city and improve the quality of life of adjacent residential areas. To keep up with that idea, dense development of urban areas, especially divided into Downtown Mixed-Use uses including the site, will be required. However, the subject site, which is in the Downtown Mixed-Use area, is currently designated as an SF-1(Single Family Suburban) zone, and only low-density development is possible, which is not in line with Manor city's urban planning. In this situation, I hope that we can create a dense commercial and residential community to meet the idea of Manor city planning, through this zoning change.

As a large multi-family and mixed-use development project such as Manor Crossing Project is planned, the owner seeks an opportunity to respond to the population growth. Rezoning this tract will allow providing opportunities for cultural diversity and commercial growth. The property currently sits along West Boyce Street as a cross lot being DB-zoned parcel. I believe that rezoning the subject tract as proposed will not alter or impair the adjacent uses/properties.

I appreciate your consideration of the proposed rezoning application for approval and will be available to answer questions you might have regarding this matter. Please do not hesitate to email with your questions and comments.

Sincerely,

Jiwon Jung
CEO of Build Block Inc.
2700 E 2nd St
Los Angeles, CA 90033

May. 15, 2023

Development Services
City of Manor
105 E Eggleston Street
Manor, TX 78653

Letter of Intent for Rezoning

Project Address: 108 W Boyce St, Manor, TX 78653

Property ID: 238660

Legal Description: W 1/2 OF LOT 18,19-20 BLK 29 MANOR TOWN OF

The property owner seeks to rezone the 0.165-acre lot located at 108 W Boyce St, Manor, TX 78653 from SF-1(Single Family Suburban) to DB (Downtown Business).

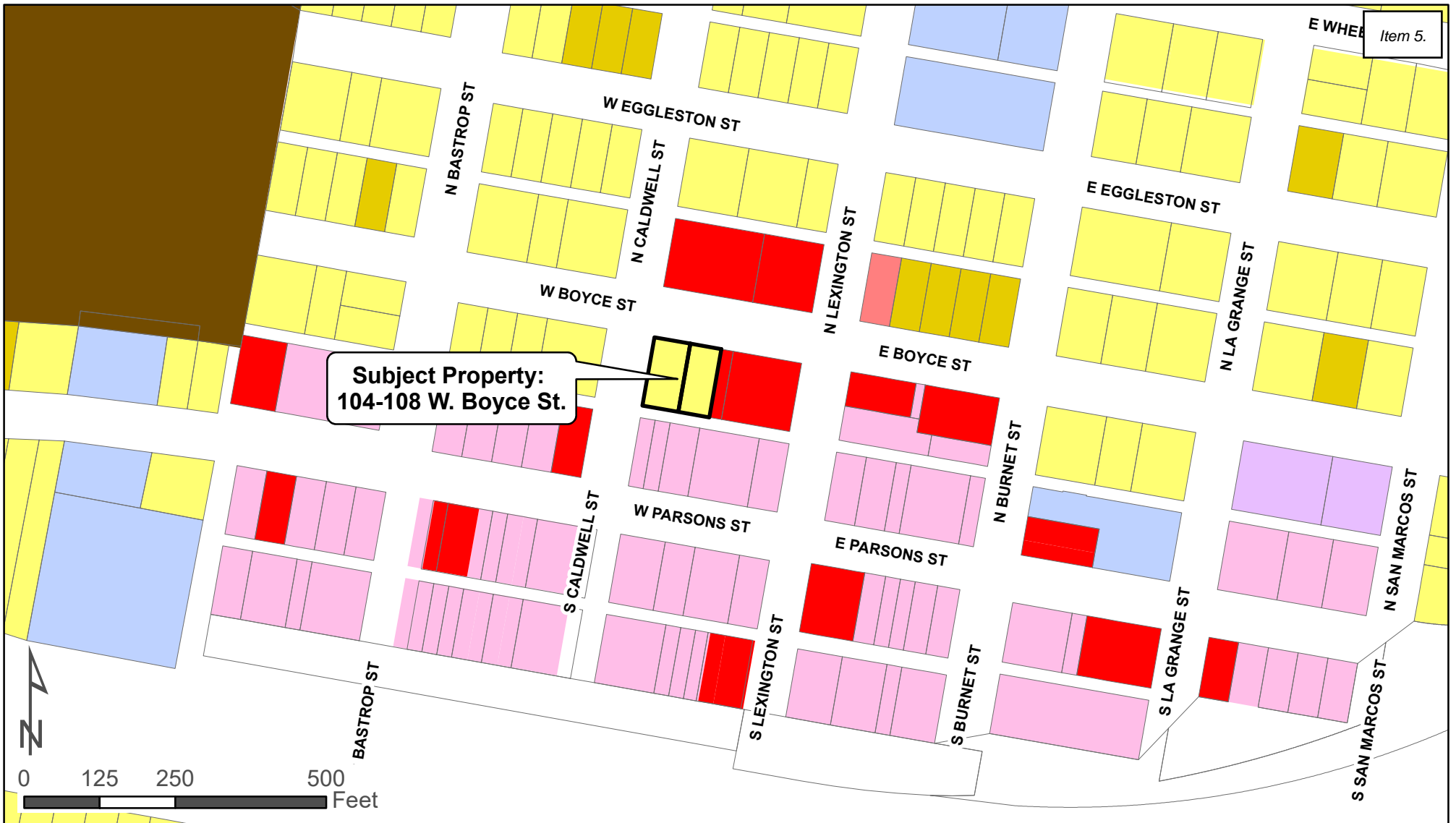
Manor city is planning to expand its central commercial area to revitalize the city and improve the quality of life of adjacent residential areas. To keep up with that idea, dense development of urban areas, especially divided into Downtown Mixed-Use uses including the site, will be required. However, the subject site, which is in the Downtown Mixed-Use area, is currently designated as an SF-1(Single Family Suburban) zone, and only low-density development is possible, which is not in line with Manor city's urban planning. In this situation, I hope that we can create a dense commercial and residential community to meet the idea of Manor city planning, through this zoning change.

As a large multi-family and mixed-use development project such as Manor Crossing Project is planned, the owner seeks an opportunity to respond to the population growth. Rezoning this tract will allow providing opportunities for cultural diversity and commercial growth. The property currently sits along West Boyce Street as a cross lot being DB-zoned parcel. I believe that rezoning the subject tract as proposed will not alter or impair the adjacent uses/properties.

I appreciate your consideration of the proposed rezoning application for approval and will be available to answer questions you might have regarding this matter. Please do not hesitate to email with your questions and comments.

Sincerely,

Jiwon Jung
CEO of Build Block Inc.
2700 E 2nd St
Los Angeles, CA 90033

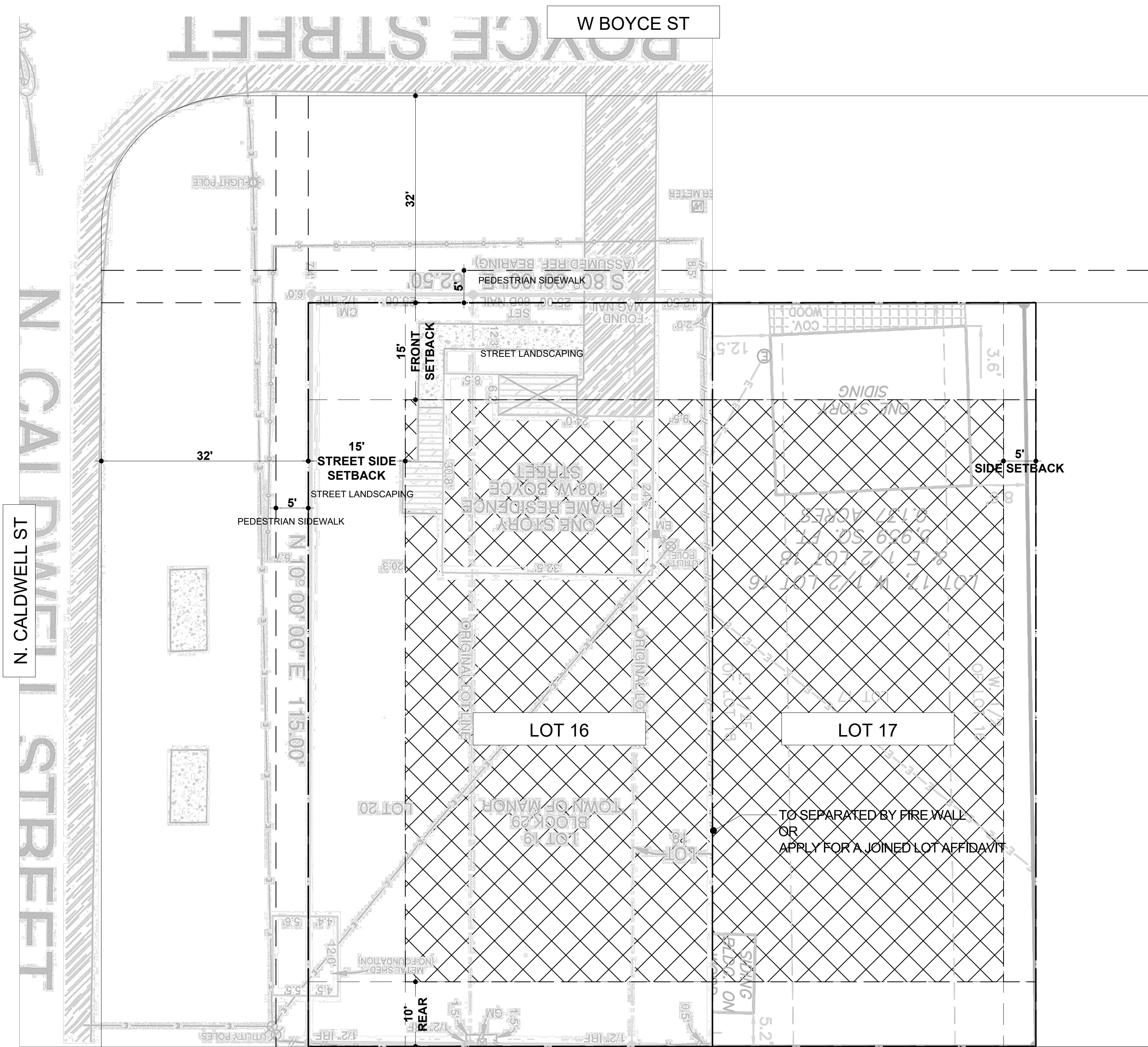


Current:
Single Family Suburban (SF-1)

Proposed:
Downtown Business (DB)

| Zone | |
|------|--------------------------------|
| | A - Agricultural |
| | SF-1 - Single Family Suburban |
| | SF-2 - Single Family Standard |
| | TF - Two Family |
| | TH - Townhome |
| | MF-1 - Multi-Family 15 |
| | MF-2 - Multi-Family 25 |
| | MH-1 - Manufactured Home |
| | I-1 - Institutional Small |
| | I-2 - Institutional Large |
| | GO - General Office |
| | C-1 - Light Commercial |
| | C-2 - Medium Commercial |
| | C-3 - Heavy Commercial |
| | NB - Neighborhood Business |
| | DB - Downtown Business |
| | IN-1 - Light Industrial |
| | IN-2 - Heavy Industrial |
| | PUD - Planned Unit Development |
| | ETJ |





— — — PROPERTY LINE
 [Cross-hatch pattern] BUILDABLE AREA (64% LOTS)

A (N) BUILDABLE AREA
 SCALE = 3/32" = 1'-0"

SITE INFORMATION - 108 BOYCE

Site Address: 108 W Boyce St, Manor, TX 78653
 Block: 29
 Legal Description: W 1/2 of lot 18, 19-20 BLK 29 Town of Manor
 Lot Size: 0.165 acres (7,187.4 SF)

SITE INFORMATION - 104 BOYCE

Site Address: 104 W Boyce St, Manor, TX 78653
 Block: 29
 Legal Description: W 1/2 of lot 16, 17 & E 1/2 of lot 18 BLK 29 Town of Manor
 Lot Size: 0.132 acres (5,749.92 SF)

BUILDING CODE ANALYSIS (DOWNTOWN BUSINESS)

Setbacks
 Front: 15 ft
 Side: 0 ft with Fire-Rated Walls
 Rear: 10 ft
 Street Side: 15 ft
 Max. Building Height: 60 ft
 Max. Building Coverage: 95%
 Minimum Dwelling Size: 500 SF, Historic
 Max. # of Dwelling Units: 25 per Acre

PARKING ANALYSIS

Residential
 1 1/2 Required for 1-Bedroom unit
 2 Required for each 2-Bedroom unit
 2 1/2 Required for 3+ Bedroom unit
 - 10% of total spaces for guests
 Commercial
 1 per 250 square feet

OWNER: BUILD BLOCK
 PROJECT ADDRESS: 108, 104 W BOYCE ST, MANOR, TX 78653
MIXED-USE DEVELOPMENT

REVISION TABLE

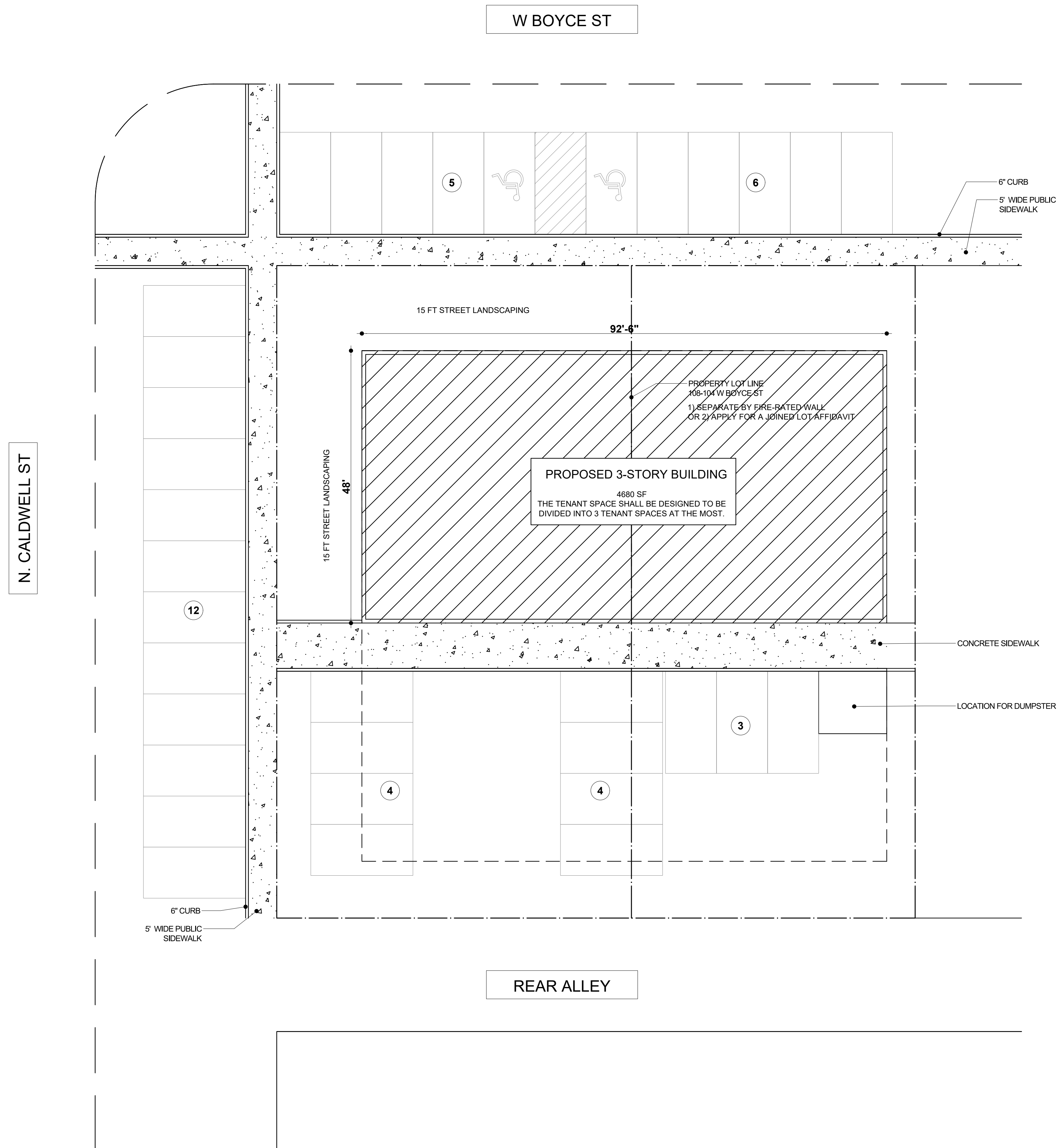
| Number | Date | Description |
|--------|--------------|----------------------|
| 1 | MAY 22, 2023 | REZONING APPLICATION |

PROJECT # : 21036101 - 2
 PLOT DATE : 2023 / 05 / 22
 DRAWN BY : JIWON JUNG
 CHECKED BY : JIWON JUNG

ALL IDEAS, ARRANGEMENTS AND DESIGN CONCEPTS ARE PROPRIETARY TO JIWON JUNG AND SHALL NOT BE USED OR REPRODUCED IN PART OR IN WHOLE WITHOUT THE EXPRESS PERMISSION IN WRITING BY JIWON JUNG.

PROJECT SUMMARY

A-0.0



ARTICLE 15.02 - PARKING STANDARDS

| USE | # OF PARKING SPACES | REQUIRED | PROVIDED |
|-------------------------------|--|-----------|-----------|
| RESIDENTIAL - MULTI-FAMILY | 1 & 1/2 SPACE FOR EACH 1-BEDROOM UNIT | 6 | 15 |
| | 2 SPACES FOR EACH 2-BEDROOM UNIT | 8 | |
| RETAIL SALES | ONE SPACE FOR EACH 250 SF OF RETAIL FLOOR AREA | 19 | 19 |
| TOTAL | | 34 | 35 |

A GROUND FLOOR PLAN (COMMERCIAL)
SCALE = 3/32" = 1'-0"

OWNER: BUILD BLOCK
PROJECT ADDRESS: 108, 104 W BOYCE ST, MANOR, TX 78663
MIXED-USE DEVELOPMENT

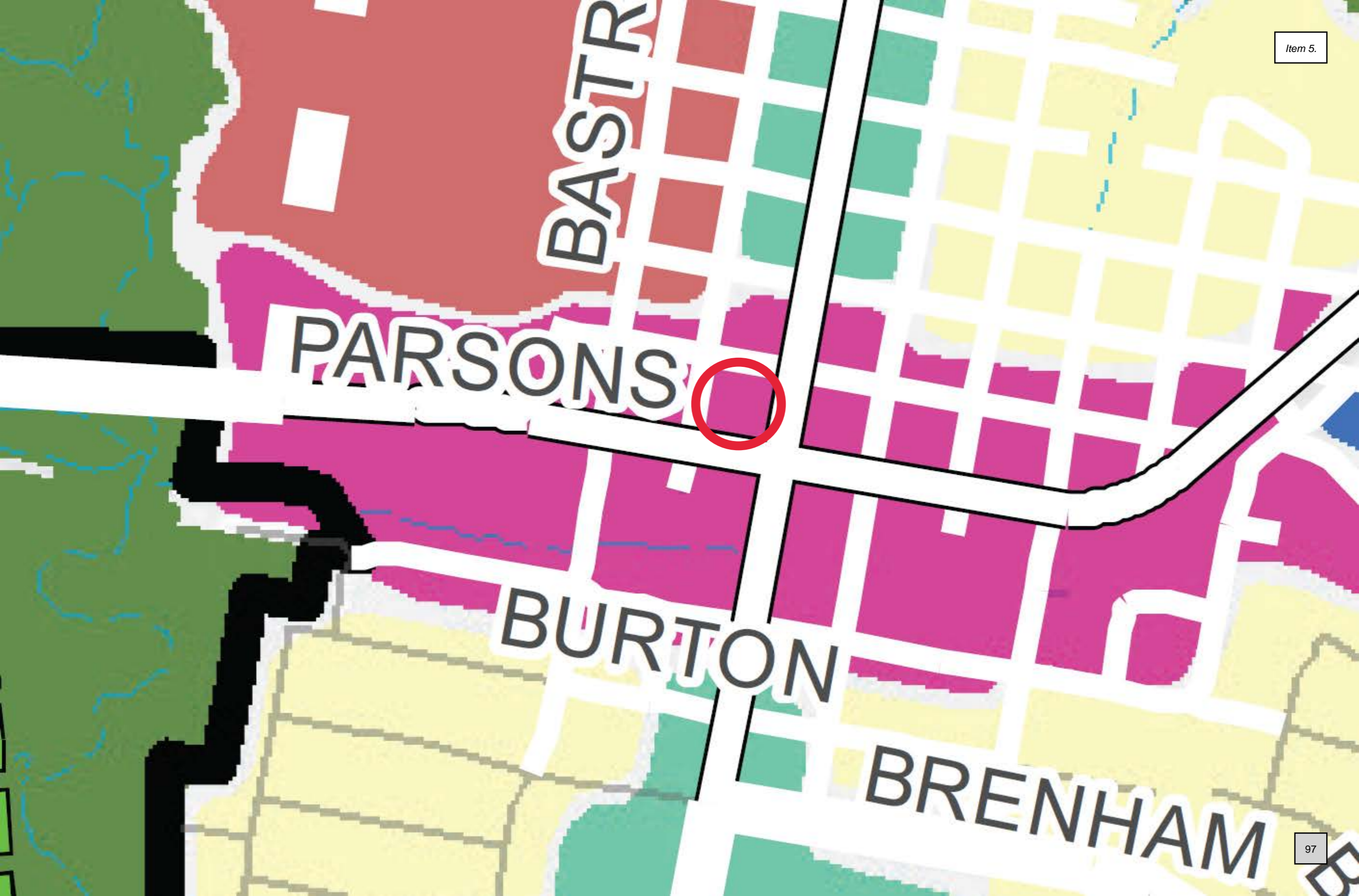
REVISION TABLE

| Number | Date | Description |
|--------|--------------|----------------------|
| | MAY 22, 2023 | REZONING APPLICATION |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

PROJECT # : 21036101 - 2
PLOT DATE : 2023 / 05 / 22
DRAWN BY : JIWON JUNG
CHECKED BY : JIWON JUNG
ALL IDEAS, ARRANGEMENTS AND DESIGN CONCEPTS ARE PROPRIETARY TO JIWON JUNG. AND SHALL NOT BE USED OR REPRODUCED IN PART OR IN WHOLE WITHOUT THE EXPRESS PERMISSION IN WRITING BY JIWON JUNG.

PRELIMINARY PLANS

A- 0.1



PARSONS

BASTR

BURTON

BRENHAM

DOWNTOWN MIXED-USE

Downtown Mixed-Use is intended for the residential, commercial, business, and office uses that line the Old Highway 20 corridor and adjacent streets, including the traditional downtown shopping district of Manor.

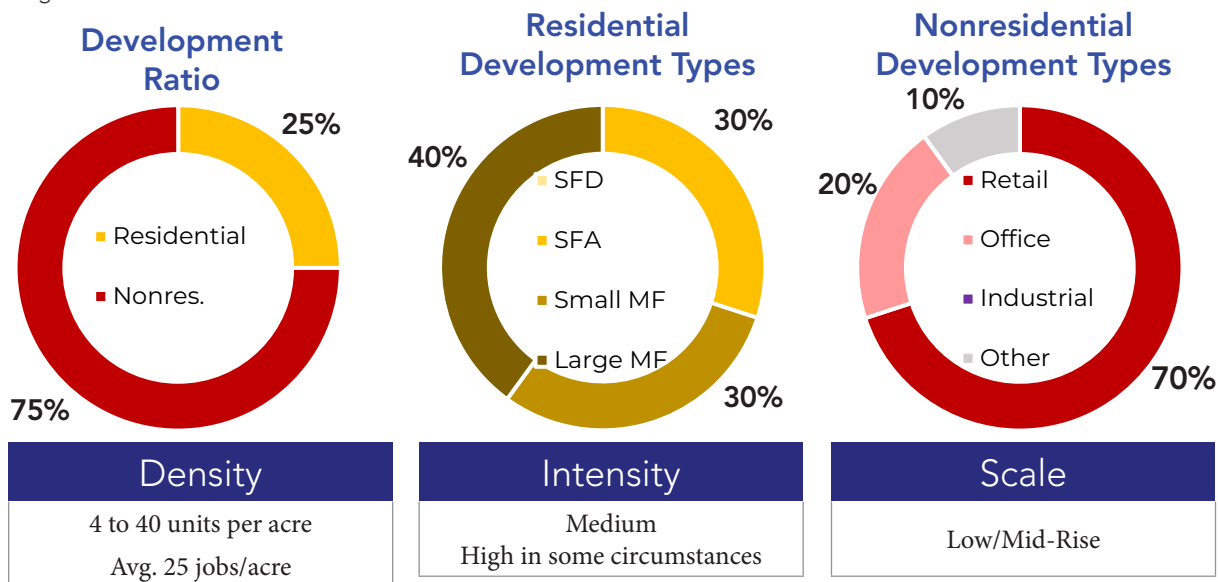
Not only is this area currently a mixed-use environment currently, but it is envisioned to see a strong reinvention via more density and a higher mix of uses in the future. This area should be designed to accommodate transit, should rail services extend to Manor from Austin. However, even if the rail does not come, a downtown that is comprised of high-density mixed-use development will still bring many opportunities and benefits to the community.

Densities range between 4 and 40 units per acre, although individual sites may achieve higher densities if they are coordinated within the rest of the area, provide superior access to services and amenities, and appropriate compatibility to adjacent uses is provided.

Here, infill development especially presents opportunities for small businesses, unique and dense housing options and potentially even small scale/artisan manufacturing.

The pedestrian environment and experience should be top priority in Downtown and feature public gathering places, active streets, engaging storefronts, and sidewalk cafes. This is the best place in Manor to double down on and invest in creating a sense of place and identity for the community.

Figure 3.10. Downtown Mixed-Use Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered compatible since the intent is to provide retail/services, activity centers and diversified housing to support surrounding neighborhoods and drive community identity/gathering |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ● ● ○ ○ | This can be compatible provided that the overall Downtown Mixed Use area also contains mixed-use urban flex buildings or shopping centers with which this housing product integrates in a manner to promote walkability and transitions; these development types should be located on secondary roads rather than primary thoroughfares within Downtown, as those areas are best reserved for ground-floor retail and services |
| Apartment House (3-4 units) | ● ● ● ○ ○ | |
| Small Multifamily (8-12 units) | ● ● ● ○ ○ | |
| Large Multifamily (12+ units) | ● ● ● ○ ○ | |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ● ● | This is the ideal form of development within the Downtown Mixed Use category; provides for activity centers, retail, services and diverse housing options at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; design should emphasize the pedestrian experience rather than people driving automobiles |
| Mixed-Use Urban, Community Scale | ● ● ● ○ ○ | Not generally considered compatible due to incompatible scale with neighborhoods, but can be depending on adjacencies to green space or more intensive uses |
| Shopping Center, Neighborhood Scale | ● ● ● ● ○ | While less preferred than a mixed-use urban flex building, the use provides for activity centers, retail and services at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; becomes more compatible if a horizontal approach to mixed-use is deployed, such as inclusion of small apartments nearby or within the same site, or to match the scale of adjacent historic buildings |
| Shopping Center, Community Scale | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be depending on adjacencies to green space or more intensive uses; may function better on the western and eastern edges of the Downtown Mixed Use area |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be if particularly small-scale and included alongside more appropriate development types, or with integration of a storefront experience. Examples of appropriate uses might include maker spaces, coffee roasting, micro-breweries, and similar businesses |
| Manufacturing | ● ○ ○ ○ ○ | Not considered compatible |
| Civic | ● ● ● ● ● | Considered supportive to the function and livability of this future land use category, government buildings, schools and community facilities can serve as activity hubs. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |



5/31/2023

City of Manor Development Services

Notification for a Rezoning Application

Project Name: 108 W Boyce & 104 W Boyce Rezoning from SF-1 to DB
 Case Number: 2023-P-1541-ZO
 Case Manager: Michael Burrell
 Contact: mburrell@manortx.gov – 512-215-8158

The City of Manor Planning and Zoning Commission and City Council will be conducting a Regularly Scheduled meeting for the purpose of considering and acting upon on a Rezoning Application for 108 W Boyce & 104 W Boyce St., Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for two (2) lots on .297 acres, more or less, at 108 W Boyce & 104 W Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB).

Applicant: Jiwon Jung
Owner: Build Block

The Planning and Zoning Commission will meet at 6:30PM on June 14, 2023 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on June 21, 2023 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 Rezoning Application has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners during the discussion of this item.

105 E. EGGLESTON STREET • P.O. BOX 387 • MANOR, TEXAS 78653
 (T) 512.272.5555 • (F) 512.272.8636 • WWW.CITYOFMANOR.ORG

Behzad Bahrami
PO Box 82653
Austin TX 78708

Ramon E Jr Paiz
PO Box 280
Manor TX 78653

Marcos & Maria Chavez
127 Dry Creek Rd
Unit B Manor TX 78653

Claudie G & Sammie M Young
PO Box 145
Manor TX 78653

Juan Jr & Diana E Gerl Vasquez
PO Box 449
Manor TX 78653

Monica Ann Castillo
PO Box 1097
Manor TX 78653

Veronica Michelle Donley
204 W. Eggleston St
Manor TX 78653

Debbie Ann & Darrell Guajardo
2501 Goforth Rd
Kyle TX 78640

Helen Casas
PO BOX 223
Manor TX 78653

Victor M & Debra B Almaguer
3209 Ray St
Austin TX 78702

Nora L & Jose A Jr Sanchez
PO Box 232
Manor TX 78653

Maria Rocha
207 W Boyce St
Manor TX 78653

Jesse & Julia Rocha
PO Box 1002
Manor TX 78653

Alfredo, Contreras Renteria, Aurelia
PO Box 11
Manor TX 78653

Bradley G & Paula B Bowen
18109 Whitewater CV
Round Rock TX 78681

Jesse & Olivia Sanchez
PO Box 811
Manor TX 78653

Jose Soto & Maribella, Cortez Gonzalez,
Jaimes
14845 Bois Darc LN
Manor TX 78653

Sepeco
PO Box 170309
Austin TX 78717

2017 Manor LLC
203 W Parsons St
Manor TX 78653

Barbarita Samudio Sanchez
PO Box 142
Manor TX 78653

Jorge Moreno
4301 Jan St Unit B
Harlingen TX 78550

Davis Capital Investments LLC
PO Box 268
Manor TX 78653

William C Gault
PO Box 32
Manor TX 78653

Michael E & Tabatha A Darilek
PO Box 976
Manor TX 78653

Virginia Z Cardenas
PO Box 243
Manor TX 78653

Timothy Mack Sherrod
2705 Taft Blvd
Wichita Falls TX 76308

120 East Boyce Street LLC
1004 Meriden Ln
Austin TX 78703

Ernesto Suarez
14121 Bois D Arc Ln
Manor TX 78653

Lundgren Edwin O Estate
507 Arbors CIR
Elgin TX 78621

Lopez Mar Lift Estate
208 West Parsons
Manor TX 78653

Ringo Ming-Ling, Yu Chi Sun, Wu
707 Knollwood Dr
Austin TX 78746

L&L Investment Enterprises LLC
302 E 32nd St
Austin TX 78705

Aurelio Jr Ponce
200 W Parsons St
Manor TX 78653

Billy C Duett
Po Box 562
Manor TX 78653

Maqil Inc
PO Box 399
Manor TX 78653

Moein M Hassan
Po Box 140853
Austin TX 78714



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

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

- July 5, 2023, City Council Regular Session; and
- July 11, 2023, City Council Workshop

BACKGROUND/SUMMARY:

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

- July 5, 2023, City Council Regular Meeting Minutes; and
- July 11, 2023, City Council Workshop Minutes

STAFF RECOMMENDATION:

It is the city staff's recommendation that the City Council approve the City Council Minutes of July 5, 2023, City Council Regular Meeting; and the July 11, 2023, City Council Workshop.

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



**CITY COUNCIL
REGULAR SESSION MINUTES
JULY 5, 2023**

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

PRESENT:

Dr. Christopher Harvey, Mayor

COUNCIL MEMBERS:

- Emily Hill, Mayor Pro Tem, Place 1 (Absent)
- Anne Weir, Place 2
- Maria Amezcua, Place 3 (Absent)
- Sonia Wallace, Place 4
- Aaron Moreno, Place 5
- Deja Hill, Place 6 (Absent)

CITY STAFF:

- Scott Moore, City Manager
- Lluvia T. Almaraz, City Secretary
- Scott Dunlop, Development Services Director
- Scott Jones, Economic Development Director
- Matthew Woodard, Public Works Director
- Michael Pachnick, IT Technician
- Veronica Rivera, Assistant City Attorney
- Pauline Gray, P.E., City Engineer

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Harvey at 7:07 p.m. on Wednesday, July 5, 2023, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

INVOCATION

Rev. David Tucker with Spirit of Hope Church gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PUBLIC COMMENTS

No one appeared at this time.

At the direction of Mayor Harvey, Public Hearing No. 2 and Agenda Item No. 8 were presented next and he recommended for items to be postponed to the next Regular Council Meeting.

PUBLIC HEARINGS

- 2. Conduct a public hearing on the dissolution of the EntradaGlen Public Improvement District (PID) within the municipal boundaries of the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code.**

Mayor Harvey opened the public hearing.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to postpone the public hearing to the July 19th Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 4-0

REGULAR AGENDA

- 8. Consideration, discussion, and possible action on a Resolution of the City Council of the City of Manor, Texas authorizing and dissolving the EntradaGlen Public Improvement District (PID) within the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.**

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace to postpone the item to the July 19th Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 4-0

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:07 p.m. on Wednesday, July 5, 2023, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Sections 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding EntradaGlen PID; Section 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the NewHaven Development; Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Blue Bluff Development; Section 551.071 and Section 551.087, Texas Government Code to deliberate on the acquisition of real property; Section 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Manor Commons Development; and Section 551.074 (Personnel Matters) to review and discuss a study regarding employee compensation.* at 7:07 p.m. on Wednesday, July 5, 2023.

The Executive Session was adjourned at 9:21 p.m. on Wednesday, July 5, 2023.

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 the Closed Executive Session at 9:21 p.m. on Wednesday, July 5, 2023.

REGULAR AGENDA

19. Consideration, discussion, and possible adoption of a Resolution to adopt a uniform compensation system for all City of Manor employees; repealing conflicting policies; providing a savings clause.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir, to postpone the item to the July 19th Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 4-0

PUBLIC HEARINGS

- 3. Conduct a public hearing on the creation of the Newhaven Public Improvement District (PID) within the municipal boundaries of the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code.**

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to postpone the item to the July 19th Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 4-0

REGULAR AGENDA

- 9. Consideration, discussion, and possible action on the First Amendment to Development Agreement (Newhaven).**
- 10. Consideration, discussion, and possible action on a Resolution of the City Council of the City of Manor, Texas, authorizing and creating the Newhaven Public Improvement District (PID) within the City of Manor, Texas in accordance with Chapter 372 Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.**
- 11. Consideration, discussion, and possible action on an Agreement Regarding the Dissolution of the Newhaven Public Improvement District.**
- 12. Consideration, discussion, and possible action on Letter of Intent for Underwriting Services for Special Assessment Bonds and G-17 (Newhaven Public Improvement District).**

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to postpone Agenda Item Nos 9, 10, 11, and 12 to the July 19th Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 4-0

CONSENT AGENDA

- 4. Consideration, discussion, and possible action to approve the City Council Minutes.**
 - June 21, 2023, City Council Workshop Session; and**
 - June 21, 2023, City Council Regular Meeting**

5. **Consideration, discussion, and possible action on the Purchase Agreement with Valentin Lopez Dominquez for a wastewater easement with a temporary construction easement.**
6. **Consideration, discussion, and possible action on an Interlocal Cooperation Agreement for Public Health Services between the City of Austin and the City of Manor.**

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to approve the Consent Agenda as read.

There was no further discussion.

Motion to approve carried 4-0

PUBLIC HEARING

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

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

Mayor Harvey opened the public hearing.

City Attorney Gray discussed the proposed Community Impact Fees for Water and Wastewater.

Discussion was held regarding the clarification of the proposed impact fees that would affect new projects and not current residents.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to close the public hearing.

There was no further discussion.

Motion to close carried 4-0

REGULAR AGENDA

7. **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. 710, 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.

City Engineer Phelan discussed the proposed ordinance for water and wastewater impact fees.

Ordinance No. 710: 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 Council Member Wallace and seconded by Council Member Weir, to approve Ordinance No. 710, 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.

There was no further discussion.

Motion to approve carried 4-0

13. Consideration, discussion, and possible action on the Manor Commons Phase 3 Development Agreement.

The city staff recommended that the City Council approve the Manor Commons Phase 3 Development Agreement.

Economic Development Director Jones discussed the proposed agreement.

Barth Timmermann with Greenview Development LP discussed the proposed development.

Engineer Matt Mitchell discussed the proposed public road additions and sidewalks for the development.

Discussion was held regarding potential tenants.

Discussion was held regarding the timeline for the development.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir, to approve the Manor Commons Phase 3 Development Agreement.

There was no further discussion.

Motion to approve carried 4-0

14. Consideration, discussion, and possible action on the Chapter 380 Grant Agreement for Manor Commons Phase 3.

The city staff recommended that the City Council approve the Manor Commons Phase 3 Development Agreement.

Economic Development Director Jones discussed the proposed agreement.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the Manor Commons Phase 3 Development Agreement.

There was no further discussion.

Motion to approve carried 4-0

15. Consideration, discussion, and possible action on a Fourth Amendment to the Manor Commons Amended and Restated Project and Incentive Agreement.

The city staff recommended that the City Council approve the Fourth Amendment to the Manor Commons Amended and Restated Project and Incentive Agreement.

Economic Development Director Jones discussed the proposed fourth amendment to the Manor Commons Amended and Restated Project and Incentive Agreement.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the Fourth Amendment to the Manor Commons Amended and Restated Project and Incentive Agreement.

There was no further discussion.

Motion to approve carried 4-0

16. Consideration, discussion, and possible action on a variance from Manor Code of Ordinances, Chapter 15, Article 15.04, Section 15.04.016(b)(4) Prohibited Signs and Section 15.04.019(a) Off-Site Signs to permit an off-site sign for Landmark at Manor Property Holdings and located at 13119 US Hwy 290, Manor, TX.

Applicant: Landmark Companies; Owner: Landmark Companies

The city staff recommended that the City Council approve a variance from Manor Code of Ordinances, Chapter 15, Article 15.04, Section 15.04.016(b)(4) Prohibited Signs and Section 15.04.019(a) Off-Site Signs to permit an off-site sign for Landmark at Manor Property Holdings and located at 13119 US Hwy 290, Manor, TX.

Adam Link with Landmark Companies discussed the proposed variance request.

Discussion was held regarding regulations for the signage.

Development Services Director Dunlop discussed the proposed variance request.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir, to approve a variance from Manor Code of Ordinances, Chapter 15, Article 15.04, Section 15.04.016(b)(4) Prohibited Signs and Section 15.04.019(a) Off-Site Signs to permit an off-site sign in the location and with the dimensions as shown in Exhibits B and C of the request for Landmark at Manor Property Holdings and located at 13119 US Hwy 290, Manor, TX with the general location being in the median.

There was no further discussion.

Motion to approve carried 4-0

17. Consideration, discussion, and possible action on First Amendment to Temporary Wholesale Wastewater Service Interlocal Agreement with the Wilbarger Creek Municipal Utility District No. 2.

The city staff recommended that the City Council approve First Amendment to Temporary Wholesale Wastewater Service Interlocal Agreement with the Wilbarger Creek Municipal Utility District No. 2.

Public Works Director Woodard discussed the proposed amendment to Temporary Wholesale Wastewater Service Interlocal Agreement with the Wilbarger Creek Municipal Utility District No. 2.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to approve First Amendment to Temporary Wholesale Wastewater Service Interlocal Agreement with the Wilbarger Creek Municipal Utility District No. 2.

There was no further discussion.

Motion to approve carried 4-0

18. Consideration, discussion, and possible action on emergency replacement and restoration of the old Galvanized Storage Tanks.

The city staff recommendation was that the City Council approve the emergency replacement and restoration of the old Galvanized Ground Storage Tanks as presented.

Public Works Director Woodard discussed the proposed replacement and restoration of the old Galvanized Storage Tanks.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to approve the emergency replacement and restoration of the old Galvanized Ground Storage Tanks as presented.

Discussion was held regarding the total cost for the proposed replacement and restoration of the galvanized storage tanks.

There was no further discussion.

Motion to approve carried 4-0

ADJOURNMENT

The Regular Session of the Manor City Council was Adjourned at 10:05 p.m. on Wednesday, July 5, 2023.

These minutes were approved by the Manor City Council on the 19th day of July 2023.

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



**CITY COUNCIL
WORKSHOP SESSION MINUTES
JULY 11, 2023**

PRESENT:

Dr. Christopher Harvey, Mayor

COUNCIL MEMBERS:

Emily Hill, Mayor Pro Tem, Place 1
Anne Weir, Place 2
Maria Amezcua, Place 3 (Absent)
Sonia Wallace, Place 4
Aaron Moreno, Place 5
Deja Hill, Place 6

CITY STAFF:

Scott Moore, City Manager
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Scott Dunlop, Development Services Director
Scott Jones, Economic Development Director
Trace Vasquez, HR Director
Michael Pachnick, IT Technician

WORKSHOP SESSION – 6:00 P.M.

With a quorum of the Council Members present, the workshop session of the Manor City Council was called to order by Mayor Harvey at 6:11 p.m. on Tuesday, July 11, 2023, in the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

A. City of Manor Branding and Public Relations, Presented by Chickenango

The attached PowerPoint presentation was followed and discussed.

- Introductions
- Understanding & Defining the Current Perception of Manor
- Defining the City’s Values and Unique Characteristics
- Developing a Brand Personality & Crafting the Story
- Wrap-Up and Next Steps

ADJOURNMENT

The Workshop Session of the Manor City Council Adjourned at 8:15 p.m. on Tuesday, July 11, 2023.

These minutes were approved by the Manor City Council on the 19th day of July 2023.

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



City of Manor Rebrand **Branding Workshop**

Part 1: Discovery of Manor's Identity





Branding Workshop Agenda

- 01 Introductions
- 02 Understanding Manor's Current Perception
- 03 Defining the City's Values and Unique
- 04 Developing a Brand Personality & Story
- 05 Wrap-up and Next Steps

▶ Introductions 01

- Your Chickenango Team
- City of Manor Team



AJ West
Project Lead/COO



Siobhan Albert
Public Relations Lead



Abril Garza
Graphic Designer



Jennifer McPherson
President/CEO



Join the Workshop at

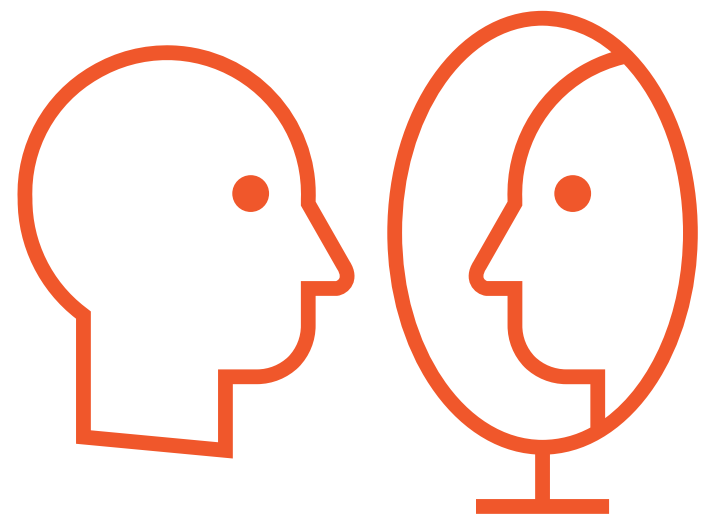
www.mentimeter.com

Enter Code: 5732 1821

02

➤ Understanding Manor's Current Perception

- Overview of the Purpose and Need for the Rebrand
- Branding vs Visual Identity
- The City of Manor Perception Audit





Overview of the Purpose and Need for the Rebrand

Understanding Manor's Current Perception

Item 6.

- Current Image is outdated and inconsistent
- Strategic Economic Development (not being only a bedroom community)
- Being a place of pride and celebrating what makes Manor unique
- What else should our team note?

Open Discussion. Identifying Stakeholders.

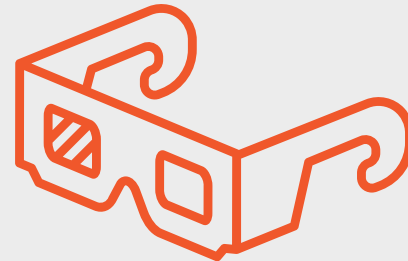
“

Main Goal: To Unify Stakeholders Behind A Shared Identity—While Supporting The City Strategy

”

Branding

Branding refers to the more “internal aspects” such as mission, vision, core values, brand voice and brand personality.



Branding vs Visual Identity

Visual Identity

Visual identity is what's used to express those “physically or on the outside” such as logo designs, brand colors and typography

The City of Manor Perception Audit

Understanding Manor's Current Perception

Item 6.

What we've heard.

- Not much to do there.
- Has a history that not many know about.
- The diversity of manor is a surprise.
- Where is Manor? Most who live in Austin don't even realize Manor is a location much less a City.

Open Discussion.

What does the City of Manor Team think the external perception is of Manor?



Understanding Manor's Current Perception

Item 6.

The City of Manor Perception Audit

What are Manor's Strengths?



Understanding Manor's Current Perception

Item 6.

The City of Manor Perception Audit

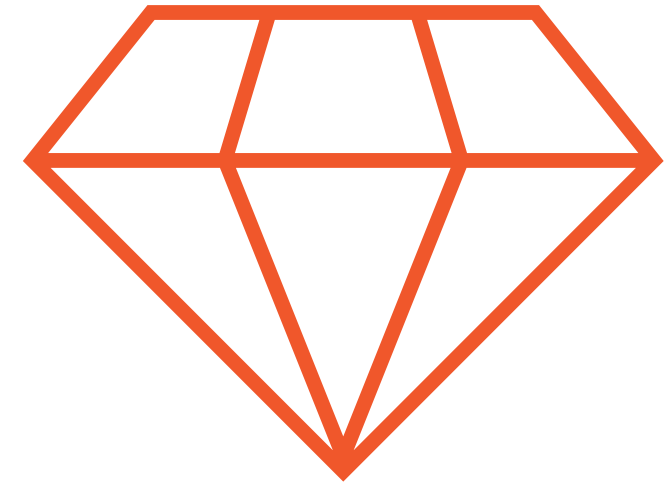
What is Manor's Strengths?



03

► **City Values & Unique Characteristics**

- Workshop Exercise #1:
Identifying Core Values
- Workshop Exercise #2:
Uncovering Unique Characteristics





**Workshop
Exercise #1:
Identifying a
Vision and
Statement and a
Set of Core Values**



City Values & Unique Characteristics

What are these?

- Core values are the clearly stated principles about the organization's vision, mission, and principles. That way, everyone is aligned around a guiding philosophy to serve employees, customers, and the broader community.

Workshop Exercise #2: Uncovering Unique Characteristics

Open Discussion.

- What do you think is important to preserve or to bring to the forefront during the branding process regarding history, culture, and community in your City?
- What do you think is important to instill (new traditions, events, etc.) in your new branding?

Workshop Exercise #2: Uncovering Unique Characteristics

Open Discussion.

- What are some of Manor's Landmarks, Events, Traditions, or Natural Features that set Manor apart?

Sense of Place Branding Input Collection

- Water Tower
- Gateway Signage (What Entry Points?)
- Main Street Art Murals
- Sidewalk/Street Art
- Public Complexes (Commissioned Art/Contests)

City Values & Unique Characteristics

Item 6.

Tell us any other unique ideas you might be thinking about for Sense of Place Branding.

What other ideas or thoughts does the team have about where Sense of Place Branding is needed?



➤ Developing a Brand Personality & Story 04

- Workshop Exercise #3:
 - Defining Brand Personality Traits
- Workshop Exercise #4:
 - Creating the Narrative
- Workshop Exercise #5:
 - Defining the Brand Promise





Workshop Exercise #3: Defining Brand Personality Traits

Developing a Brand Personality & Story

Item 6.

Describe Manor's Personality with Adjectives and Emotions.



Workshop Exercise #4: Creating the Narrative

Developing a Brand Personality & Story

Item 6.

Open Discussion.

- What personal stories and experiences can Manor's team share?



Workshop Exercise #5: Defining the Brand Promise.

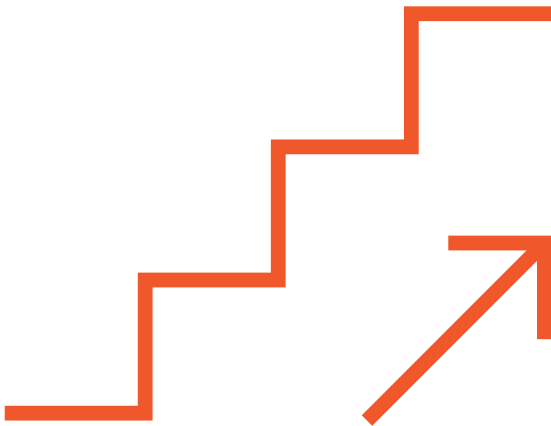
Developing a Brand Personality & Story

Item 6.

- Break up into teams. Each team should come up with three brand promises. (15–20 min)
- Share results with open discussion.

➤ **Wrap Up & Next Steps** 05

- Recap Key Findings
- What Comes Next...
- Schedule of Rebrand Process





Recap Key Findings in Creative Brief to Manor Team

- We will recap this meeting and all of the data we've collected into a creative brief that will guide the entire team in this room through the rebrand process. It will be the foundation we use for visuals, narratives, and sense of place branding.
- We will also give you a copy of this meeting that we have recorded so we can refer to it as well throughout this process.



What Comes Next...

- Prepare Mood Boards and Engage Other Stakeholders.
- Based on that feedback, we will then create and come back and present 2-3 brand concepts to your team for open discussion and final selection.
- After that, we then work with your team for the remainder of the contract to launch your new brand externally through a brand launch campaign and work with your team to implement the brand.

Schedule of Rebrand Process

- **Jul** | Research/Discovery/Brand Workshop
- **Jul 25** | Mood Boards Visual Survey Voting/Stakeholder Input
- **Mid-Aug** | Present Concepts to Manor Team
- **By Sept 5** | Feedback and Final Selection
- **Sept 6 – Oct 31** | Implementation & Brand Launch Campaign

THANK YOU CITY OF MANOR!





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Moore, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on accepting the June 2023 Departmental Reports.

BACKGROUND/SUMMARY:

- Finance – Lydia Collins, Director of Finance
- Police – Ryan Phipps, Chief of Police
- Travis County ESD No. 12 – Ryan Smith, Fire Chief
- Economic Development – Scott Jones, Economic Development Director
- Development Services – Scott Dunlop, Development Services Director
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Matt Woodard, Director of Public Works
- Manor Cemetery – Nora Sanchez, MC Manager
- Human Resources – Tracey Vasquez, HR Manager
- IT – Phil Green, IT Director
- Administration – Lluvia T. Almaraz, City Secretary

LEGAL REVIEW: Not Applicable

FISCAL IMPACT: Not Applicable

PRESENTATION: No

ATTACHMENTS: Yes

- June 2023 Department Monthly Reports

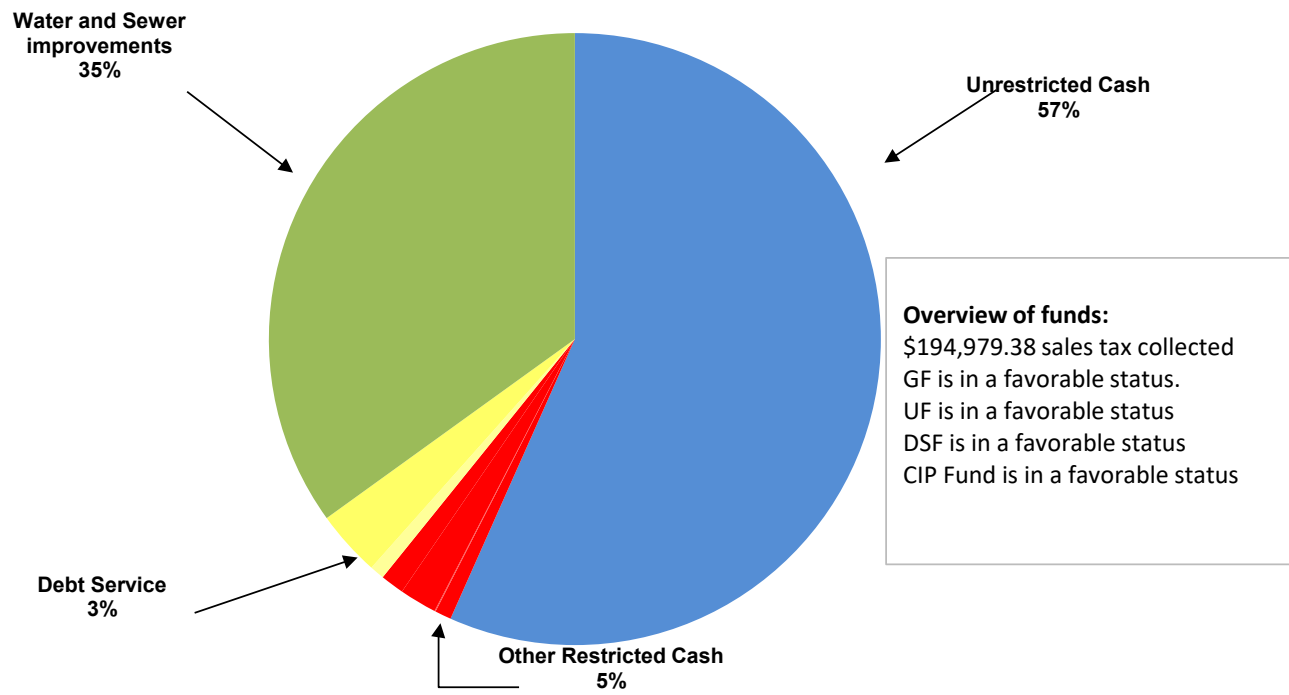
STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve and accept the June 2023 Departmental Reports.

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

**CITY OF MANOR, TEXAS
CASH AND INVESTMENTS
As Of JUNE, 2023**

| CASH AND INVESTMENTS | GENERAL FUND | UTILITY FUND | DEBT SERVICE FUND | SPECIAL REVENUE FUNDS | CAPITAL PROJECTS FUND | TOTAL |
|--------------------------------------|----------------------|----------------------|--------------------------|------------------------------|------------------------------|----------------------|
| Unrestricted: | | | | | | |
| Cash for operations | 24,074,336 | 13,684,892 | | | | 37,759,229 |
| Restricted: | | | | | | |
| Tourism | | | | 576,261 | | 576,261 |
| Court security and technology | 37,122 | | | | | 37,122 |
| Rose Hill PID | | | | 1,316,661 | | 1,316,661 |
| Customer Deposits | | 831,794 | | | | 831,794 |
| Park | 513,640 | | | | | 513,640 |
| Debt service | | | 2,317,982 | | | 2,317,982 |
| Capital Projects | | | | | | |
| Water and sewer improvements | | | | 7,737,708 | 15,548,645 | 23,286,353 |
| TOTAL CASH AND INVESTMENTS | \$ 24,625,099 | \$ 14,516,686 | \$ 2,317,982 | \$ 9,630,631 | \$ 15,548,645 | \$ 66,639,042 |





Manor Police Department

Monthly Report June 2023



Manor Police Department By The Numbers February

| | | |
|---|--|------------------------------------|
|  | 1333 Number of calls for service | 44 Average calls per day |
|  | Total Training Hours | 691 |
|  | Mental Health Calls | 10 |
|  | Juvenile Detentions | 0 |

Interactions



5

Community Events

2

Hosted Events

3

External Events



0:02:53

Average response time



2.5

The average number of people an officer interacts with per call



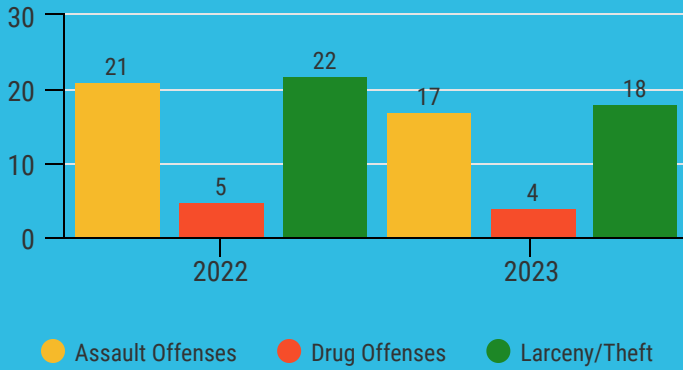
3,333

The estimated number people officers interact with on calls alone

Criminal Offenses

National Incident Based Reporting System

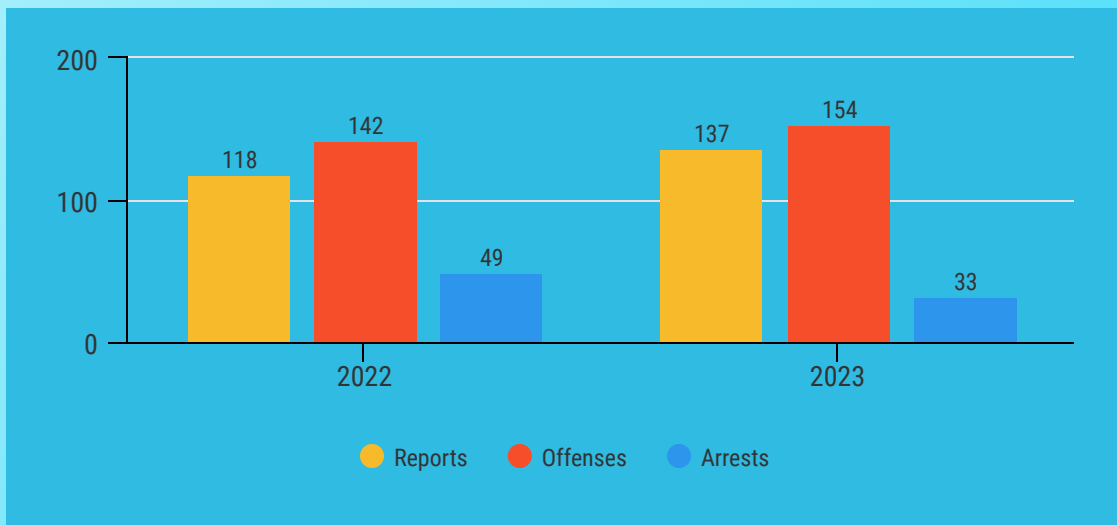
Group A Offenses June 2022/2023 Comparison



| Offense Group | June 2022 | June 2023 |
|---------------|-----------|-----------|
| Group A | 62 | 58 |
| Group B | 49 | 65 |

| Crime Type | June 2022 | June 2023 |
|-------------------------|-----------|-----------|
| Persons | 21 | 15 |
| Property | 36 | 41 |
| Fraud | 5 | 6 |
| Crimes against Children | 2 | 3 |

Incident Reports, Total Offenses, and Arrests

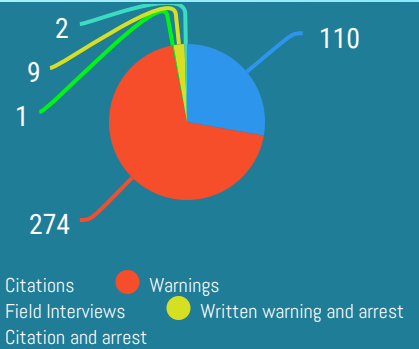


*Group A offenses are 22 offense categories, including but not limited to assaultive offenses, sex offenses, larceny, arson, and prostitution, where extensive data is collected.
 Group B offenses consist of 11 offense categories, including but not limited to bad checks, DWI, non-violent family offenses, and all other offenses, where only arrest data is collected.

Traffic Enforcement Analysis



396
Total traffic stops
conducted



11

Traffic stops resulting in a citation with an arrest, traffic stops resulting in a warning with an arrest, and field interviews that resulted in an arrest.



**21 searches
out of 375
stops**

Officers conducted a search of the vehicle based on consent, contraband in plain view, incident to arrest, inventory, or probable cause.

CONTRABAND

9

Contraband, such as alcohol and drugs, was discovered as a result of the stop.

Traffic Enforcement Analysis



20
Crashes

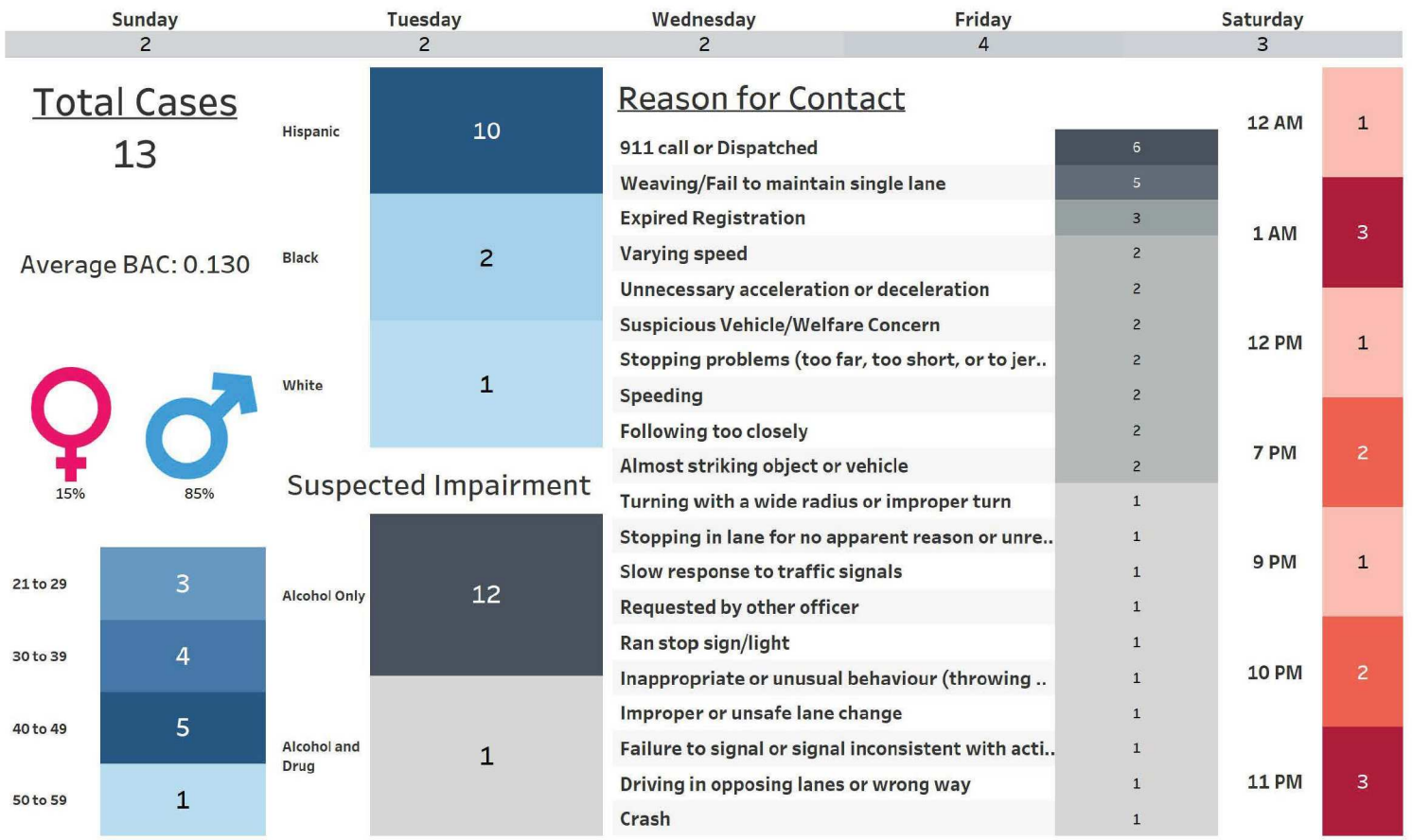
2
Involving Alcohol
or Drugs

13
DWI
Arrests

DWI Arrests by the numbers*



Manor Police Department DWI Profile - June 2023



One DWI arrest was not completed with LEADRS.



Travis County Emergency Services District No.12

Item 7.

Office of the Fire Chief

11200 Gregg Lane. • PO Box 846
 Manor, Texas 78653
 O: 512-272-4502 • F: 512-428-5114

Operations / Prevention Summary – June 2023

Calls - Month

2023 - 389 (+4.5%)
 2022 - 372 (+1.6%)
 2021 - 366

Calls by Unit

Eng1201 - 123 SQ1201 - 184
 Eng1202 - 107 Eng1203 - 125
 Bat1201 - 29 FMO1201 - 13,
 SQ1203 - 14 161 call reviews

Calls - CYTD

2023 - 2422 (+4.6%)
 2022 - 2315 (+6.1%)
 2021 - 2181

AVG Response Time - Month

9 min, 01 sec

AVG Response Time - CYTD

8 min, 45 sec

| Aiding Departments | Month Received | Month Given | CYTD Received | CYTD Given |
|--------------------|----------------|-------------|---------------|------------|
| Austin FD | 4 | 0 | 33 | 20 |
| Bastrop Co. ESDs | 0 | 0 | 0 | 0 |
| BT1/ESD 13 | 0 | 0 | 0 | 0 |
| Elgin VFD | 0 | 3 | 1 | 7 |
| TC ESD 2 | 4 | 17 | 47 | 76 |
| TC ESD 11 | 2 | 0 | 23 | 1 |
| TC ESD 9/6/3 | 0 | 0 | 15 | 0 |
| WILCO Dept's | 0 | 0 | 6 | 7 |
| ----- | ----- | ----- | ----- | ----- |
| TOTAL | 10 | 20 | 125 | 111 |

Incident by Type

| | | | | | |
|--------------------------|----|--------------------------|----|-------------------|-----|
| 100 Fire..... | 78 | 200 Rupture/Explosion... | 0 | 300 EMS/Rescue | 256 |
| 400 Hazardous Condition. | 4 | 500 Service Call..... | 26 | 600 Good Intent. | 10 |
| 700 False Calls..... | 14 | 900 Other..... | 0 | 800 Nat. Disaster | 1 |

Training and Events

- Quarterly Drill – PAT *cancelled
- DCPE Education Hour Training
- DCPE 3rd Quarter Trng Envenomation
- 457b Plan Presentation
- Zero Foxtrot Photo Shoot
- Youth Citizen Police Academy
- MNTHS Football Spray Down

Awards and Recognition

- New hire FF Jacob Lopez



Travis County Emergency Services District No.12

Item 7.

Office of the Fire Chief

11200 Gregg Lane. • PO Box 846

Manor, Texas 78653

O: 512-272-4502 • F: 512-428-5114

Operations / Prevention Summary – June 2023

Prevention Division Activities (ESD/CoM)

| | |
|--|-------------------------------------|
| Builder Developer Mtgs.....2 (1/1) | Site Visits.....108 |
| Reviews.....60 (37/23) | Initial Inspections65 (45/20) |
| Under Review.....3 (3/0) | Reinspection.....15 (7/8) |
| Re-submittals.....35 (20/15) | Residential Inspections.....5 |
| Approvals / Permits Issued.....36 (21/15) | Investigation Responses.....8 (7/1) |
| Awaiting Response from Applicant....9 (6/3) | Hydrant Inspections/Tests.....8 |
| Review Turn-Around (AVG last 30 days) 5 days | |

Additional items to note:

###

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

June 1 - 30, 2023

| Description | Projects | Valuation | Fees | Detail |
|-------------------------------|------------|------------------------|---------------------|--------|
| Commercial Mechanical-HVAC | 1 | \$19,957.00 | \$172.00 | |
| Commercial Plumbing | 2 | \$4,500.00 | \$2,751.00 | |
| Commercial Sign | 3 | \$71,000.00 | \$536.00 | |
| Residential Accessory | 3 | \$4,800.00 | \$321.00 | |
| Residential Demolition | 1 | \$25,000.00 | \$97.00 | |
| Residential Electric | 6 | \$139,712.20 | \$642.00 | |
| Residential Fence | 1 | \$3,000.00 | \$107.00 | |
| Residential Foundation | 2 | \$0.00 | \$194.00 | |
| Residential Foundation Repair | 2 | \$0.00 | \$194.00 | |
| Residential Irrigation | 81 | \$78,000.00 | \$8,677.00 | |
| Residential Mechanical-HVAC | 2 | \$0.00 | \$214.00 | |
| Residential New | 36 | \$12,385,426.85 | \$253,160.89 | |
| Residential Plumbing | 4 | \$15,432.00 | \$503.00 | |
| Residential Swimming Pool/Spa | 4 | \$120,550.00 | \$1,028.00 | |
| | | | | |
| Totals | 148 | \$12,867,378.05 | \$268,596.89 | |

Total Certificate of Occupancies Issued: 50

Total Inspections(Comm & Res): 1,856

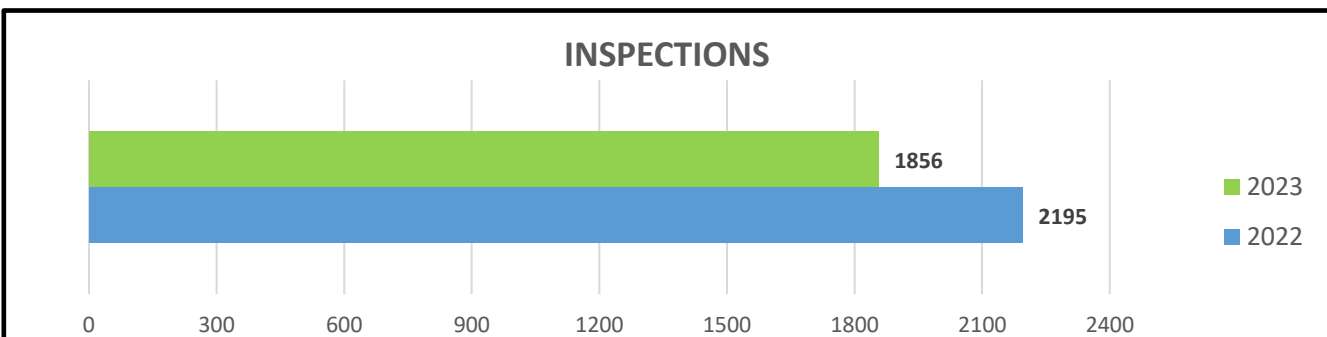
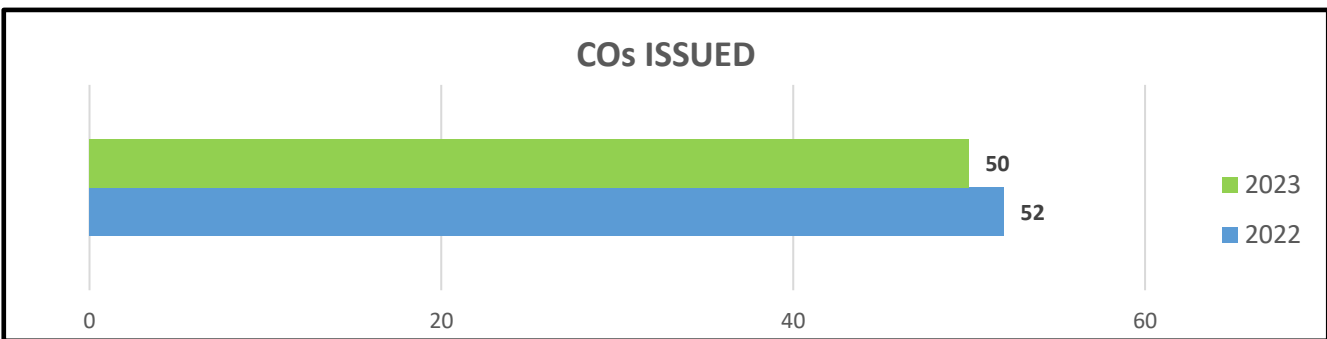
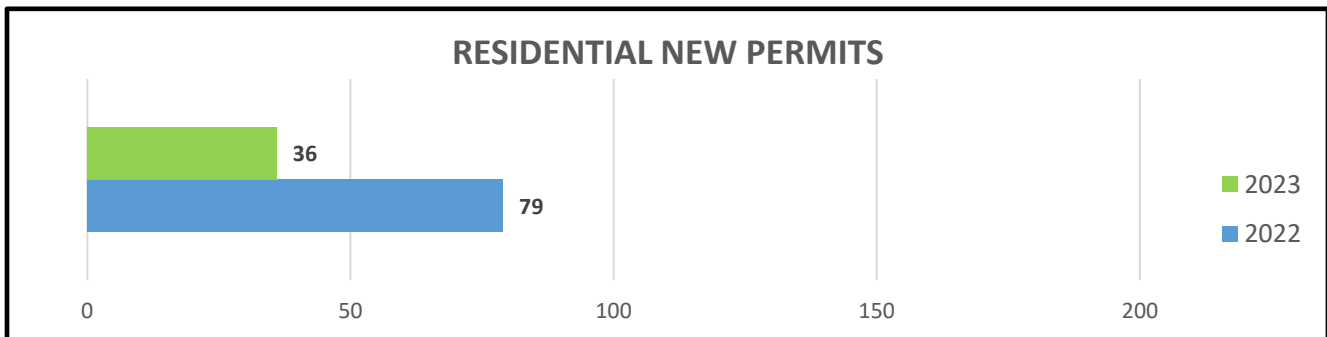
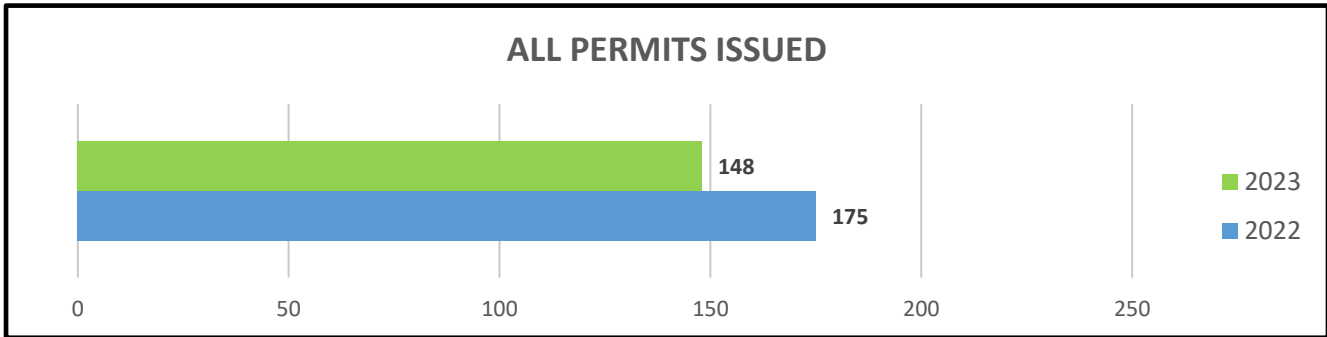
Scott Dunlop, Development Services Director





June 2023

DEPARTMENT OF DEVELOPMENT SERVICES
SCOTT DUNLOP, DIRECTOR



*Charts displayed at different scales



MEMO

To: Mayor and City Council Members

From: Scott Jones, Economic Development Director

Date: July 19, 2023

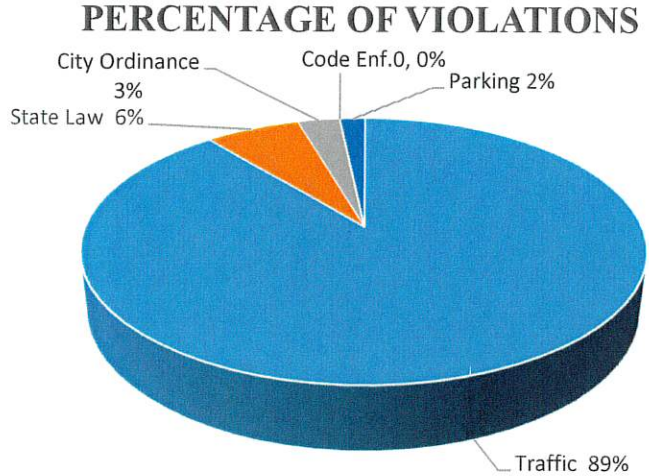
RE: **June 17 to July 14 Economic Development Department activity**

- Represented Manor at Texas Economic Development Mid-Year Conference in Allen, TX; attended educational and break-out sessions with ED consultants, professionals and peers;
- Met w/CapMetro re: Han's; set meeting with Han's, City, CapMetro, Bluebonnet, SiEnergy;
- Provided assistance at 6/28 and 7/5 City Council Meetings; 1 Staff Meeting; met Manville WSC Board to discuss water issues; attended Manor Educational Foundation Board meeting;
- Presented and approved Greenview Manor Commons Phase 3 Development and Chapter 380 Agreements for \$71+M 47 acre mixed-use development at FM973/US290;
- Met with Dwyer Realty on Entrada Glen PID issues;
- Teams Meeting with SiteSelector Magazine on Texas Spotlight Report; received Business View Magazine feature article on Manor; Manor Journal 7/7 reprint front page of Business View Magazine article;
- 17.5 acre Zalaram property on Old Kimbro Rd. in contract with Wonik Materials (service company of Samsung and others in area); to seek annexation, zoning, utilities, development;
- Solicited and contracted four property appraisals with BBG Real Estate Services; assisted with city land contracts;
- Authored RFP for future Downtown Strategic Plan for consideration by CM, Council and to bid;
- Met with Dwyer Realty on potential land purchase for future city facilities;
- Met with National Fitness Council on potential Fitness Pad for Timmermann Park;
- Negotiated contract with Chickenango; set up Council Branding/PR Workshop on 7/11;
- Met with 2 new business prospects and reviewed site criteria;
- Responded to one Opportunity Austin and State of Texas/Office of the Governor RFP;
- Met 6 representatives of Han's Laser Technology Group Co., Ltd. From San Francisco and Dallas; first met with CapMetro and City on rail potential to 262 acre Manor Energy Park project on Old Kimbro Rd.; 2nd meeting with City and Bluebonnet, SiEnergy on annexation, entitlements, utilities.

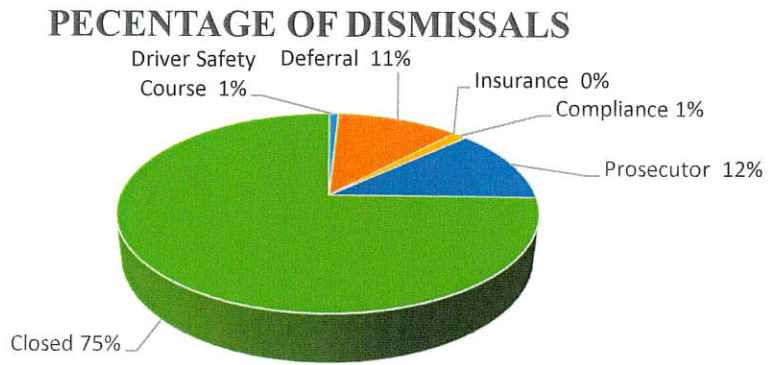
City of Manor Municipal Court

JUNE 2023

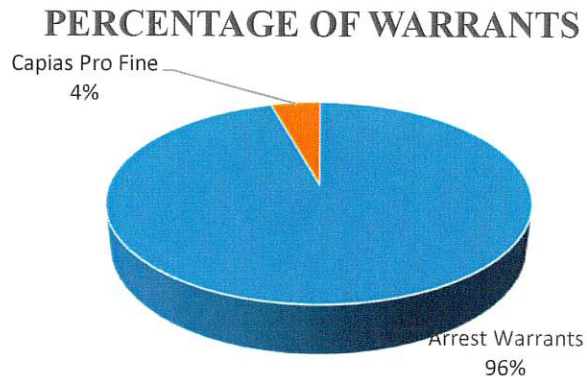
| Violations Filed | Jun-23 | Jun-22 |
|------------------|------------|------------|
| Traffic | 153 | 173 |
| State Law | 11 | 18 |
| City Ordinance | 5 | 6 |
| Code Enforcement | 0 | 0 |
| Parking | 3 | 11 |
| Total | 172 | 208 |



| Dismissals | Jun-23 | Jun-22 |
|----------------------|------------|------------|
| Driver Safety Course | 2 | 9 |
| Deferral | 27 | 22 |
| Insurance | 0 | 1 |
| Compliance | 3 | 3 |
| Prosecutor | 29 | 30 |
| Closed | 180 | 178 |
| Total | 241 | 243 |



| Warrants | Jun-23 | Jun-22 |
|-----------------|-----------|------------|
| Arrest Warrants | 86 | 105 |
| Capias Pro Fine | 4 | 16 |
| Total | 90 | 121 |



Money Collected in June 2023

| | |
|---------------|--------------------|
| Kept By City | \$28,005.31 |
| Kept By State | \$9,492.24 |
| Total | \$37,497.55 |

Money Collected in June 2022

| | |
|---------------|--------------------|
| Kept By City | \$27,706.90 |
| Kept By State | \$9,833.16 |
| Total | \$37,540.06 |



MEMO

To: Mayor and City Council Members
From: Matt Woodard, Director of Public Works
Date: July 12, 2023
RE: **June Monthly Report**

Public Works Department

Street and Public, Parks, and Maintenance Department

In June, 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 and the Street Department repaired streets, curbs, and signs.

Water and Wastewater Department

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

Water Production & Purchase

In June, 38 % of the water we supplied to our residents was from our wells, and purchased 62 % from EPCOR and Manville WSC.

Population

City of Manor- 20,249

Shadowglen- 7,427

CITY OF MANOR
CAPITAL PROJECT STATUS REPORT
PUBLIC WORKS DEPARTMENT
July 5th, 2023

| PROJECT NAME | PROJECT DESCRIPTION | MONTHLY ACTIVITY | PERCENT CONSTRUCTION COMPLETE/PHASE |
|--|--|---|--|
| Cottonwood Creek Wastewater Collection System Improvements Project 14621 – Addendum #49 | Gravity wastewater lines and lift station to serve Cottonwood Creek Basin and Cottonwood Creek Tributary Basin | The contractor is working on the remaining punch list items for WWCS and LS. Waiting to hear back from the contractor, next steps for a formal notice. | 99% |
| Bastrop/Parsons Gravity Main 14627 – Addendum #56 | 12" gravity wastewater main | The bonding company is sending out a geotech this week to test Bastrop. | 99% |
| Pavement Management Program 14843 - SOW No. 3 | Pavement Assessment and Management Program | PMP has been signed and sealed and will present to the council in August. 80/20 forecast conducted. Currently, the project is budgeted at \$2.2 Million, updating the list to include additional streets and 2025 work. | Draft copy presented to City Staff. |
| Cottonwood Creek Phase 2 Wastewater Line Extension 14693 - SOW No. 5 | The northern extension of the gravity wastewater line in Cottonwood Creek Basin | The easement has been purchased. The change order for the completion of the work and reimbursement of pumping and hauling costs has been approved by Council. Waiting on schedule from the sub-contractor (JL Gray) | Construction Phase - Precon with JL Gray to be held today. |
| Manor Commercial Park WW Collection System 15072 – SOW No. 7 | Phased wastewater collection system improvements for the Beltex area | Schedule a meeting with the city regarding the amendment for additional design and construction services. Conducting an internal review of the design memo and OPC. | Construction Documents |
| Gregg Manor Road GST and Pressurization Facilities 15110 - SOW No. 10 | Ground storage tank and water pressurization facilities for the EPCOR water delivery point | Collected pump information on recommended pumps from the pump rep and existing pumps in the system (American Marsh). Updating drawings and specifications to add an alternate bid for a larger GST. Waiting on the finalization of foundations. | Working on Construction documents. |
| FM 973 and US 290 Water Lines, CIP W-15 & W-16 15110.01 - SOW No. 10 | Water line extensions along FM973 and US 290 | Manville approved the proposed layout at the meeting last week. The next step is working on obtaining the easements. | Design |

| | | | |
|---|--|--|-----------------------------------|
| Bell Farms and Presidential Glen LS Imp, CIP-2 & CIP-3 15110.02 - SOW No. 10 | Upgrades to the Bell Farms and Presidential Glen lift stations to provide capacity for new growth | The project was awarded on February 15, 2023. Accepted Genset and pump submittals. Reviewing control panel submittal. Schedule: Bypass will be in Q4. Generator delivery past substantial completion (4/30/2024). Looking at other options for genset. Working on access easement for West Elgin property. | Under construction. |
| Cottonwood Creek West Tributary WW Improvements 15128 - SOW No. 12 | Wastewater CIP Line in Cottonwood Creek West Tributary Basin | Working on 100% plans, specs, bid documents. Verifying easements, commissioner hearing scheduled for August 9 th for a few parcels. | Construction documents. |
| Cottonwood Creek WWTP Phase II Expansion 15283 - SOW No. 9 | Developer-funded expansion of the plant | Finish preliminary design. <u>Tentative schedule:</u> Bid documents – 7/23/23 Incorporating City comments, including retrofits to Phase 1. | Working on Construction Documents |
| Cottonwood Creek WWTP Phase III Grant Project 15130 - SOW No. 9A | Grant-funded expansion of the Cottonwood Wastewater Treatment Plant | All grant-required preliminary engineering is complete. Grant Admin. waiting on the executed purchase agreement for the plant site to submit an application package. | Design Phase Engineering |
| Wastewater Collection and Treatment Master Plan 15320 - SOW No. 14 | Major Goals: Develop & calibrate sewer model; Use model to estimate timing & location of capacity needs; Develop & choose improvement alternatives to address capacity needs | Basis of Design Memo – submitted 6/9, questions/comments? In progress: Growth projections Model Development | Study Phase |
| Water Distribution System Master Plan 15317 - SOW No. 15 | Contract approved at September 7 Council Meeting. | Final design memo provided to City Staff and Raftelis. Began working on the Water master plan report. The water model is set up, working on scenarios, future growth, and alternative water sources. | Study Phase |

| | | | |
|--|---|--|--|
| 2022 Community Impact Fee (CIF) Program Update 15312 - SOW No. 18 | Update to the impact fee program | Water and Wastewater fees will be presented to Council on July 5. Roadway Impact Fee - Working on finalizing the service unit calculations and project list in order to calculate the impact fees for each service area. Did not have a quorum at June 14 meeting. | The next meeting is on July 12, 2023 |
| Gregg Lane Ground Storage Tank and Pressurization Facility 15318 - SOW No. 20 | Contract approved at September 7 Council Meeting. | Preliminary layout complete. Received ROW and will have boring done onsite within the next few weeks. | Preliminary engineering. |
| 2023 Sanitary Sewer Evaluation Study 15333 - SOW No. 22 | Contract approved at September 7 Council Meeting. | No updates, project is finalized. | Complete |
| FY2022 Bond-Funded Water, Wastewater, and Roadway Improvement Project XXXXX - SOW No. 23 | Contract approved at September 7 Council Meeting. | The project includes 973 Water Line, Cottonwood Creek Phase 3, and Hill Lane Improvements. Hill lane – construct Entrada entrance first, update on a drainage easement location for outfall. Currently working on FM 973 N waterline alignment | Working on the preliminary layout for FM 973 (north) Waterline. Right of Entry documents have been completed. Survey will be out onsite within the next couple of weeks. |
| Cottonwood Creek WWTP Permit Amendment 15402.00 - SOW No. 24 | Permit Amendment to expand permit from 0.5 MGD to 0.8 MGD | Permit review payments to TCEQ, Mayor signed the permit application package the week of May 1 st , permit application package is to be submitted to TCEQ the week of May 8. | Permit Submittal |
| FY2022 Cap Metro Paving Project 15451 – SOW No. 25 | Paving project improvements using allocated Cap Metro Funding | Project is currently out for bids. | Bid opening scheduled for July 7th. |
| One-Time BCT Cap Metro Funding Paving Project 15452 – SOW No.26 | Paving project improvements using allocated one-time funding from Cap Metro | Researching traffic calming devices for Lexington. Need decision on Gregg Manor landscaping. | Plans 85% complete. |

Streets and Parks Monthly Report June 2023

Daily Duties and Projects 6-1-2023 / 6-30-2023

Streets/Parks Maintenance

Cleaned blocked drainage channel at 14716 Joy Lee Ln.

Layed down synthetic grass on Lexington Street along the right of way.

Prepping for laying synthetic grass on Lexington Street.

Repaired stop sign at E. Carrie Manor and Burnet St.

Crack sealed at E. Browning, E. Townes, E. Rector, E. Lane, E. Wheeler, and Hill Ln.

Repaired potholes on N. Bastrop and E. Murray Ave.

Repaired stop sign at E. Carrie Manor and S. San Marcos.

Cleaned spilled rock at Lexington and 290.

Setup and worked Juneteenth event.

Cut and chipped trees at the old downtown water tower for new fence install.

Prepped and setup for 4th of July event.

Cut cemetery for Father's Day and Flag Day.

Table setups and take downs at city hall as requested.

Staked new trees at Greenbury Park.

Placed mulch around trees and flower beds.

Power washed City Hall twice South and East side of the building.

Weekly irrigation checks.

Playground and play scape monthly safety checks.

Scheduled weekly Park mowing maintenance completed.

Friday afternoons Bulk Drop Off for city residence.

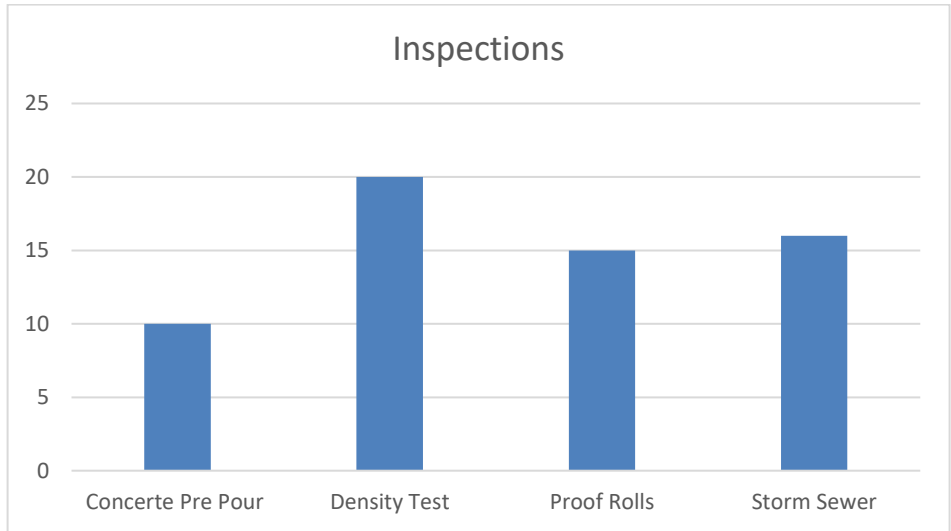
Scheduled weekly Park rounds at park facilities completed.

Scheduled weekly (ROW) Right of Way mowing completed.

Weekly vehicle and equipment checks and maintenance.

MS4 Storm drain inspections monitored New/Construction under warranty

- 840 inspections done this month.
- 2 MS4 reports summited this month as required by TCEQ.



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

Presidential Heights Phase 6 – homes are being built.

Presidential Heights Phase 3- 2-year walkthrough has been done, contractor in process of repairs. October 2021 still waiting.

Presidential Heights Phase 5 – 2 -year walkthrough has been done, contractor in process of repairs. September 2022.

Presidential Heights Phase 4 – 2 years walkthrough has been done, contractor in process of repairs. November 2021 still waiting.

Stonewater North Phase 2- 2 years walkthrough has been done, contractor in process of repair. April 2021 still waiting.

Manor Heights – Phase I Sec. 2 – homes are being built.

Manor Heights Phase 1 Sec 1 – 2-year walkthrough has been done.

Manor Heights – Phase I Sec. 2 – 2-year walkthrough has been done.

Manor Heights – Phase II Sec. 1- homes are being built.

Manor Heights – Phase II Sec. 1B & 2B- Contractor in building process.

Manor Heights – Phase III Sec. 1- homes are being built.

Manor Heights Phase III Sec. 2 – homes are being built.

Manor Heights Phase 4 – homes are being built.

LA Mexicana – about to start Development process.

North Forest Office Building – building process.

Manor New Tech – building process.

Manor Crossing (Butler Tract)- development process.

Logos Phase 3- waiting on homes to be built.

Logos Phase 4- homes are being built.

Logos Phase 5- waiting to build houses.

Logos Phase 5- walkthrough has been completed.

Lagos Phase 2- homes are being built.

Shadowglen Phase 2 Sec 22 & 23A- walkthrough punch list. September 2021 still waiting.

Shadowglen Phase 2 Sec 25 & 26- 1-year walkthrough punch list September 2022.

Shadowglen Phase 2 Sec 27A & 27B- walkthrough punch list September 2021 still waiting.

Shadowglen Phase 2 Sec 17- 2-year walkthrough has been done, contractor in process of repairs. November 2021 still waiting.

Shadowglen Phase 2 Sec 21A & 21B- walkthrough punch list. January 2022 still waiting.

Palomino Subdivision – waiting to build.

Presidential Glen Commercial WW – in building process.

Cemetery Report

June 7, 2023- Checked and walked through the cemetery.

June 12, 2023 – Checked and walked through the cemetery.

June 14, 2023 – Checked and visited the cemetery. City Crew cut the grass prior to Father’s Day.

June 15, 2023 – Checked and walked through the cemetery. City Crew weeded the cemetery.

June 18, 2023 – A visitor’s car died at the exit driveway of the cemetery. Called the Manor Police to have the vehicle removed. The vehicle was blocking the exit and kept visitors from leaving the cemetery.

June 24, 2023 – Coordinated with church society to installed flags to all veterans buried at the cemetery.

June 26, 2023 – Checked and walked through the cemetery. Discovered that a headstone was knocked off its platform. Headstone had some damage. Researching for family contacts to have the headstone repaired.

June 29, 2023 – Checked and walked through the cemetery.

WATER/ WASTEWATER MONTHLY REPORT JUNE

| WASTEWATER | TASK COMPLETED |
|---------------------------------------|-----------------------|
| SERVICE CALLS | 8 |
| MANHOLES REPAIRED | 8 |
| SEWER BACKUPS | 1 |
| NUMBER OF LINES FILMED | 1 |
| TAPS | 1 |
| LINES REPAIRED | 4 |
| LINES LOCATED | 1 |
| LINES CLEANED | |
| MANHOLES CLEANED | 8 |
| CLEANOUTS REPAIRED | 33 |
| | |
| WATER | TASK COMPLETED |
| SERVICE CALLS | 93 |
| WATER LEAKS SERVICE LEAKS | 2 |
| CUSTOMER LEAKS | 7 |
| WATER MAIN REPAIRS | |
| NEW SERVICE TAPS | |
| HYDRANT MAINTENANCE | |
| HYDRANT FLUSHED | 44 |
| HYDRANT REPAIR/REPLACED | 1 |
| ISOLATION VALVE MAINTENANCE | 1 |
| ANGLE STOPS REPLACED | 1 |
| LINES LOCATED | 1 |
| MANVILLE BROWN WATER | 1 |
| BROWN WATER | 4 |
| WATER PRESSURE/ FROZEN CUSTOMER PIPES | 5 |
| WATER TURN ON/OFF | 6 |
| BAC T SAMPLES | 20 |
| METER BOX | |
| | |
| INSPECTIONS WATER/ WASTEWATER | TASK COMPLETED |
| SITES INSPECTED | 240 |
| MANHOLES INSPECTED | 6 |
| WASTEWATER LINES | 1/976 FEET |
| MANDRELS | 1/976 FEET |
| WATER PRESSURE TESTED | 1/513 FEET |
| CONSTRUCTION METER DISCONNECT | 1 |
| CONSTRUCTION BAC T/FLUSHING | 6/8201 GAL |
| | |
| | |



MEMO

To: Mayor and City Council Members
 From: Tracey Vasquez, Human Resources Director
 Date: July 19, 2023
 RE: **June 2023**

Meetings and Events:

Youth Citizens Police Academy

June 13, 2023
 June 20, 2023
 June 27, 2023

Juneteenth Event

June 19, 2023

HR Workshop Roundtable Meeting

June 22, 2023

Staff Meetings

June 13, 2023
 June 26, 2023

City Council Meetings

June 21, 2023- Executive Session

May 2023

- June 1 Manor needs design meeting at PGAL.
- June 6 began internship with Summer Youth Employment Program through Travis County and ManorISD.
- June 13 attended Elected Officials and use of Public Resource’s in Bond Election
- June 27 attended NEO GOV meeting for technologies specified for Human Resources.
- Continuing to update and revamp new policy manual for proposal.
- Day to day operations of the Human Resources department regarding property, liability, and worker’s comp insurance. Assisted employees with specific needs regarding benefits claims, FMLA, and training schedules.



MEMO

To: Mayor and City Council Members

From: Phil Green, IT Director

Date: July 19, 2023

RE: **June Monthly Report**

The following are accomplishments from the month of December

1. Active directory cleanup finished. Waiting on new website to finish the move to manortx.gov
2. Move to AT&T for Internet services is moving forward.
3. Evaluation move to AT&T for phones and cellular. Lawyers have reviewed.
4. Replaced WiFi Access points at City Hall, PD and Public Works to bring modernization and stability to the WiFi for city employees.
5. Implemented Mobile Device Management for all city devices. All City iPhones and iPads are now in the system.
6. Training.
7. Install complete for Chamber A/V solution. Users trained.



MEMO

To: Mayor and City Council Members
 From: Lluvia T. Almaraz, City Secretary
 Date: July 19, 2023
 Re: **June 2023**

City Records Obtained and Processed:

| ACTIVITY | DESCRIPTION | January | February | March | April | May | June |
|-----------------------------------|--|---------|----------|-------|-------|-----|------|
| City Council Agendas | City Council meetings & workshop agendas prepared & posted in accordance with Local Government Code. | 4 | 5 | 3 | 4 | 4 | 3 |
| Council Minutes | Minutes recorded, prepared, approved, archived | 4 | 5 | 3 | 4 | 3 | 3 |
| Ordinances | Ordinances written, processed, &/or published and forward to Municode for Code Supplement | 0 | 6 | 4 | 3 | 5 | 5 |
| Resolutions | Resolutions written & processed | 0 | 3 | 5 | 3 | 7 | 7 |
| Proclamations/Recognitions | Proclamations & Recognitions, written & presented | 0 | 2 | 2 | 1 | 4 | 0 |
| Bids | Bids advertised, received, tabulated, awarded, recorded | 1 | 0 | 0 | 0 | 0 | 0 |
| Boards & Commissions appointments | Board appointments implemented & completed; appointments recorded | 4 | 0 | 0 | 1 | 0 | 0 |
| Contracts & Agreements | Contracts & Agreements approved & executed | 2 | 1 | 14 | 10 | 8 | 17 |
| Open Records Requests | Number of Open Records Requests processed (within 10 days as required) | 64 | 32 | 47 | 38 | 41 | 66 |

COUNCIL MEETINGS

- Council Regular Meetings – June 7th and June 21st
- Council Special Meeting and Workshop – June 13th and June 21st
- Manor Public Facility Corporation – May 31st



MEMO

TRAINING/OTHER MEETINGS

- New Web Webinar Training – June 6th
- Records Management and Retention Webinar Training– June 6th
- Police Records (PRI) Webinar Training – June 7th
- Manor Chamber Luncheon – June 8th
- PRI Leadership in Police Records Webinar Training – June 9th
- TML Region 10 Officer's Meeting – June 12th
- JustFOIA Administrator Webinar Training – June 14th
- TMCA –Special Topics in Texas Webinar Training – June 22nd
- Civiplus Agenda Software Meeting – June 28th

COMMUNITY EVENTS

- Administered Manor Community Shred Day – June 10th

OTHER

- Ongoing daily responsibilities include Election Administration, Records Management Administration, Public Information Processes, Open Meetings Compliance, Boards and Commission processes, City Council Committees processes, Alcohol Beverage City Permits processes, Mayor and City Council administrative support, Administrative and Official duties and Customer Service.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution of the City Council of the City of Manor, Texas authorizing and dissolving the EntradaGlen Public Improvement District (PID) within the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.

BACKGROUND/SUMMARY:

The Dissolution Agreement entered into with the developer for the EntradaGlen PID, as amended called for the dissolution of the PID if assessments were not levied or bonds were not issued by May 31, 2023. While the developer is making progress toward bond issuance, the deadline pursuant to the Dissolution Agreement was not met and City staff was directed to process the dissolution of the PID for City Council consideration. The attached resolution is provided for City Council consideration to dissolve the EntradaGlen PID.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Resolution No. 2023-27

STAFF RECOMMENDATION:

It is the city staff's recommendation that the City Council approve Resolution No. 2023-27 of the City Council of the City of Manor, Texas authorizing and dissolving the EntradaGlen Public Improvement District (PID) within the City of Manor, Texas in accordance with the provisions of Chapter 372 of the Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.

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

RESOLUTION NO. 2023-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS AUTHORIZING AND DISSOLVING THE ENTRADAGLEN PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF MANOR, TEXAS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Manor, Texas (the “City”) is authorized by Chapter 372, Texas Local Government Code, as amended (the “Act”) to dissolve and create a public improvement district within its corporate limits and its extraterritorial jurisdiction; and

WHEREAS, on December 2, 2020, the City approved the creation of the EntradaGlen Public Improvement District (the “District”) by Resolution No. 2020-16;

WHEREAS, on December 2, 2020, Cottonwood Holdings, Ltd., Shadowglen Development Corporation, and Las Entradas Development Corporation (collectively, the “Petitioner”) entered into the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District, recorded as Document No. 2020247406 in the Official Public Records of Travis County, Texas, as amended by that First Amendment to the Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District dated October 19, 2022, recorded as Document No. 2022172162 in the Official Public Records of Travis County, Texas, and as further amended by that Second Amendment to the Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District dated November 16, 2022, recorded as Document No. 2022182574 in the Official Public Records of Travis County, Texas (collectively, the “Dissolution Agreement”), which provided that the Developer would not oppose dissolution of the District if the first issuance of PID bonds or a levy of special assessments did not occur by May 31, 2022; and

WHEREAS, the Dissolution Agreement constitutes the Developer’s petition to dissolve the District under Section 372.011, Texas Local Government Code, as amended (the “Petition”), attached hereto as Exhibit “A” and incorporated herein for all purposes, requesting the dissolution of the EntradaGlen Public Improvement District covering approximately 262.091 acres described in the Petition and on Exhibit “B” attached hereto and incorporate herein for all purposes; and

WHEREAS, Petitioner represents that they constitute (i) the owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal in the Petition, as determined by the current roll of the appraisal district in which the property is located and (ii) the record owners of real property liable for assessment under the proposal who: (A) constitute more than fifty percent (50%) of all record owners of property that is liable for assessment under the proposal in the Petition; or (B) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property described in the Petition, within the corporate limits of the City. It is further asserted that Petitioner includes the intended successors in interest to certain owners of taxable real property within the area of the District; and

WHEREAS, the Act states that a Petition to dissolve a public improvement district is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, after publishing notice in an official newspaper of general circulation in the City and mailing notice of the hearing, all as required by and in conformity with Section 372.009 of the Act, and pursuant to Section 372.011 of the Act, the City Council, on July 5, 2023, conducted a public hearing on the advisability of dissolution of the EntradaGlen Public Improvement District; and

WHEREAS, after all persons having an interest in the dissolution of the District were given the opportunity to be heard, the City Council closed the public hearing; and

WHEREAS, the Petition, has been examined, verified, and found to meet the requirements of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the City Council has determined that the approval of this Resolution is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANOR, THAT:

SECTION 1. The City Council hereby approves the recitals contained in the preamble of this Resolution and finds that all the recitals are true and correct and incorporate the same in the body of this Resolution as findings of fact.

SECTION 2. The Petition submitted to the City by the Petitioner was filed with the City Secretary and complies with Section 372.011 of the Act.

SECTION 3. Pursuant to the requirements of the Act, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing, hereby finds and declares: It is advisable to dissolve the EntradaGlen Public Improvement District.

SECTION 4. The EntradaGlen Public Improvement District is hereby dissolved under the Act in accordance with the findings set forth in this Resolution as to the advisability of the dissolution.

SECTION 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. If any section, article, paragraph, sentence, clause, phrase or word in this resolution or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this resolution; and the City Council hereby declares it would have passed such remaining portions of the resolution despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 7. The City Council hereby authorizes and directs the City Secretary to give notice of the authorization for the dissolution of the EntradaGlen Public Improvement District by recording this Resolution in the Official Public Records of Travis County, Texas.

SECTION 8. It is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9. This Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

PASSED AND ADOPTED by the City Council of Manor, Texas, at a regular meeting on the 19th day of July 2023, at which a quorum was present, and for which due notice was given pursuant to Government Code, Chapter 551.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary
City of Manor, Texas

**EXHIBIT "A"
PETITION FOR DISSOLUTION OF DISTRICT**



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Dec 18, 2020 01:29 PM Fee: \$58.00

2020247406

Electronically Recorded

**CORRECTION AFFIDAVIT FOR THE AMENDED AND
RESTATED AGREEMENT REGARDING THE DISSOLUTION
OF THE ENTRADAGLEN PUBLIC IMPROVEMENT
DISTRICT**

This Correction Affidavit (the "Affidavit") is hereby made as a correction instrument in substitution of the agreement titled "**Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District**" (the "Corrected Dissolution Agreement") dated December 2, 2020 and recorded in **Document No. 2020245954** of the Official Public Records of Travis County, Texas to correct the following incorrect information: Exhibit "A" of the Dissolution Agreement erroneously included an "Affidavit of Eric & Rebekah Thomason" that should not have been attached nor is it a part of Exhibit "A" of the Corrected Dissolution Agreement. Other than the stated correction, this Affidavit is intended to restate in all respects the Corrected Dissolution Agreement.

City of Manor, Texas

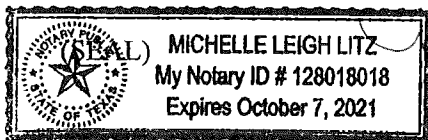
Veronica Rivera

Veronica Rivera
Assistant City Attorney

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Before me, the undersigned authority, on this day personally appeared Veronica Rivera, Assistant City Attorney of the City of Manor, Texas, known to me to be such person who signed the foregoing Affidavit in my presence and acknowledged to me that such person executed the foregoing Affidavit for purposes therein stated.

GIVEN UNDER MY HAND AND SEAL of office this 18th day of December, 2020.



Michelle Leigh Litz
Notary Public, State of Texas

**Amended and Restated Agreement Regarding the Dissolution of
the EntradaGlen Public Improvement District**

This Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District (the "Agreement") is entered into on this 2 day of Dec, 2020 by Cottonwood Holdings, Ltd., Shadowglen Development Corporation, and Las Entradas Development Corporation (collectively, the "Developer") and the City of Manor, a Texas home rule municipality (the "City"), hereinafter sometimes referred to collectively as the Parties.

RECITALS

A. The Developer requested the City establish the EntradaGlen Public Improvement District (the "Original EntradaGlen District") in that certain Petition for the Creation of a Public Improvement District to Finance Certain Improvements benefitting the Las Entradas and ShadowGlen Subdivisions dated August 16, 2017, and amended by the Amended Petition for the Creation of a Public Improvement District to Finance Certain Improvements to Las Entradas and ShadowGlen Subdivisions dated March 22, 2018 (collectively, the "Original Petition").

B. On July 18, 2018, the parties entered into the Agreement Regarding Dissolution of the EntradaGlen Public Improvement District recorded as Document No. 2018121739 in the Official Public Records of Travis County, Texas (the "Original Dissolution Agreement"), and the City approved the formation of the District over the property described in Exhibit A of the Original Petition, by Resolution No. 2018-06 (the "Original Resolution").

C. On October 29, 2020, the Developer filed with the City that certain "Petition for the Dissolution of the Original EntradaGlen Public Improvement District and for the Creation of a New Public Improvement District to Finance Improvements to Las Entradas and Shadowglen Subdivisions (EntradaGlen Public Improvement District)" (the "Petition").

D. On the same date that the parties entered into this Agreement, the City approved the dissolution of the Original EntradaGlen District and the formation of a new EntradaGlen Public Improvement District (the "District") over the property described in Exhibit A, attached hereto and incorporated herein for all purposes (the "Property"), by Resolution No. 2020-16 (the "Resolution").

E. The Developer has requested the City to issue bonds to assist with the financing of certain public improvements identified in the Resolution (the "PID Bonds").

F. The Parties desire to provide for the dissolution of the District if special assessments are not levied or the PID Bonds are not issued by the deadline set forth herein.

G. The Original Dissolution Agreement is hereby terminated and replaced in its entirety by this Agreement.

NOW, THEREFORE, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement, the parties agree as follows:

1. The Recitals set forth above are incorporated herein and made a part of this Agreement for all purposes.
2. The Developer agrees that this Agreement constitutes Developer's petition to dissolve the District under Section 372.011, Texas Local Government Code, and the City is hereby authorized to dissolve the District, in the event that (a) Hill Lane, as further described in the contemplated development agreement between the Parties (the "Development Agreement") is not constructed within eighteen (18) months after the effective date of the Development Agreement, or (b) by (i) the first issuance of PID Bonds are not issued, or (ii) a levy of special assessments does not occur, by October 31, 2022, whichever occurs earlier (the "Authorization"). In such event, the Developer will not oppose the City's dissolution of the District undertaken in accordance with this Agreement, and will cooperate with the City to cause the District to be dissolved. The Authorization shall terminate and expire upon the earlier of (i) the levy of special assessments or (ii) the first issuance of the PID Bonds.
3. This Agreement shall be a covenant running with the land and shall be binding upon future owners of the Property or portions thereof and shall further be binding upon and inure to the benefit of the parties, and their successors and assigns. Owner shall cause any person or entity to whom Owner transfers the Property or any portion thereof (the "Subsequent Owner") to execute a document containing language substantially similar to that set forth in paragraph 2 granting the City the authorization to dissolve the District as provided in paragraph 2. Owner shall provide the City with a copy of said document.
4. This Agreement may be amended only by a written instrument executed by all the Parties. Upon satisfaction of one of the conditions set forth in paragraph 2, the City will execute an instrument confirming the termination and expiration of this Agreement so that it can be recorded in the Official Public Records of Travis County, Texas.
5. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws provisions, and venue shall lie in Travis County, Texas.
6. It is acknowledged and agreed by the Parties that time is of the essence in the performance of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement and this Agreement is effective as of the first date indicated above.



Attest:

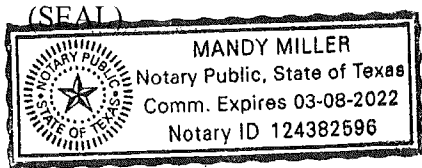
CITY:
City of Manor, Texas
a Texas home-rule municipal corporation

By: *Lluvia T. Almaraz*
Name: Lluvia T. Almaraz
Title: City Secretary

By: *Dr. Larry Wallace, Jr.*
Name: Dr. Larry Wallace, Jr.
Title: Mayor

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 3RD day of DECEMBER, 2020 by Dr. Larry Wallace, Jr., Mayor of the City of Manor, Texas, a Texas home-rule municipal corporation, on behalf of that corporation.



Mandy Miller
Notary Public, State of Texas

DEVELOPER:

COTTONWOOD HOLDINGS, LTD., a Texas limited partnership

By: COTTONWOOD GENERAL PARTNER, L.L.C., a Texas limited liability company, as General Partner

By: *Peter A. Dwyer*
Name: Peter A. Dwyer 12/2/2020
Title: President

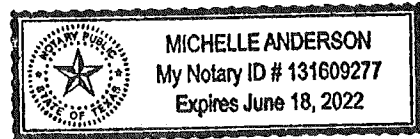
ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 2nd day of December, 2020, by Peter A. Dwyer, President of Cottonwood General Partner, L.L.C., a Texas limited liability company, General Partner of Cottonwood Holdings, Ltd., a Texas limited partnership on behalf of that limited liability company and limited partnership.

(SEAL)

Michelle Anderson
Notary Public, State of Texas



SHADOWGLEN DEVELOPMENT CORPORATION,
a Texas corporation

By: *[Signature]*
Name: Peter A. Dwyer *12/2/2020*
Title: President

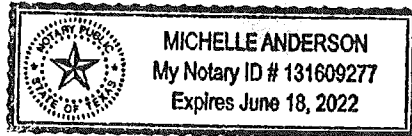
ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 2nd day of December, 2020, by Peter A. Dwyer, President of Shadowglen Development Corporation, a Texas corporation, on behalf of that corporation.

(SEAL)

[Signature]
Notary Public, State of Texas



LAS ENTRADAS DEVELOPMENT CORPORATION,
a Texas corporation

By: *[Signature]*
Name: Peter A. Dwyer *12/2/2020*
Title: President

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 2nd day of December
2020, by Peter A. Dwyer, President of Las Entradas Development Corporation, a Texas
corporation, on behalf of that corporation.

(SEAL)

[Signature]
Notary Public, State of Texas

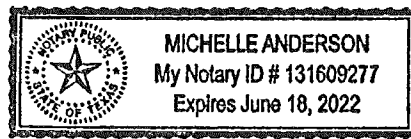
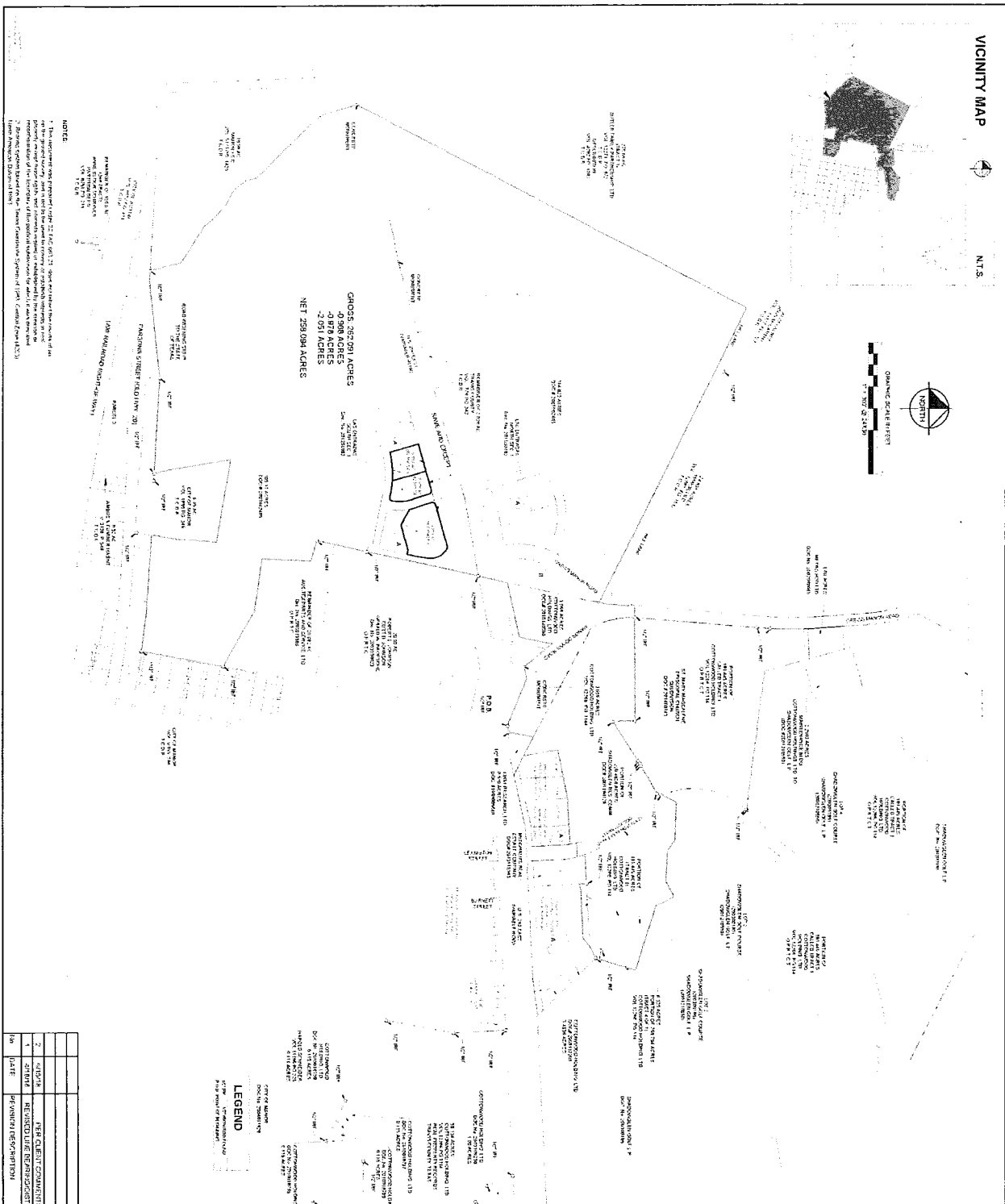


Exhibit "A"
The Property



NOTES:

- The land shown on this plat is the result of a survey conducted by the undersigned on or about the date of the plat and is subject to the provisions of the Public Improvement District Act, Chapter 49A, Texas Property Code, and the provisions of the Texas Constitution, Article VII, Section 1, Texas Constitution.
- Boundaries shown on this plat are based on the survey of the land shown on this plat.

| NO. | DATE | REVISION DESCRIPTION |
|-----|------|----------------------|
| 1 | | INITIAL SURVEY |
| 2 | | REVISION DESCRIPTION |

ENTRADA - GLEN
PUBLIC IMPROVEMENT DISTRICT
262,091 ACRES
SITUATED IN THE WILLIAM STANDER
SURVEY NO. 89, ABSTRACT NO. 74
JAMES MANOR
SURVEY NO. 40, ABSTRACT NO.
CITY OF MANOR, TRAVIS COUNTY.

Kimley-Horn

Scale: As Shown
Drawn by: [Name]
Checked by: [Name]
Date: [Date]

LEGEND

--- PROPERTY BOUNDARY

--- SURVEY BOUNDARY

--- ADJACENT PROPERTY BOUNDARY

--- ADJACENT SURVEY BOUNDARY

SECTION 10, T12N, R10E, S10W, CO. 10, TX.

SECTION 11, T12N, R10E, S10W, CO. 10, TX.

SECTION 12, T12N, R10E, S10W, CO. 10, TX.

SECTION 13, T12N, R10E, S10W, CO. 10, TX.

SECTION 14, T12N, R10E, S10W, CO. 10, TX.

SECTION 15, T12N, R10E, S10W, CO. 10, TX.

SECTION 16, T12N, R10E, S10W, CO. 10, TX.

SECTION 17, T12N, R10E, S10W, CO. 10, TX.

SECTION 18, T12N, R10E, S10W, CO. 10, TX.

SECTION 19, T12N, R10E, S10W, CO. 10, TX.

SECTION 20, T12N, R10E, S10W, CO. 10, TX.

SECTION 21, T12N, R10E, S10W, CO. 10, TX.

SECTION 22, T12N, R10E, S10W, CO. 10, TX.

SECTION 23, T12N, R10E, S10W, CO. 10, TX.

SECTION 24, T12N, R10E, S10W, CO. 10, TX.

SECTION 25, T12N, R10E, S10W, CO. 10, TX.

SECTION 26, T12N, R10E, S10W, CO. 10, TX.

SECTION 27, T12N, R10E, S10W, CO. 10, TX.

SECTION 28, T12N, R10E, S10W, CO. 10, TX.

SECTION 29, T12N, R10E, S10W, CO. 10, TX.

SECTION 30, T12N, R10E, S10W, CO. 10, TX.

SECTION 31, T12N, R10E, S10W, CO. 10, TX.

SECTION 32, T12N, R10E, S10W, CO. 10, TX.

SECTION 33, T12N, R10E, S10W, CO. 10, TX.

SECTION 34, T12N, R10E, S10W, CO. 10, TX.

SECTION 35, T12N, R10E, S10W, CO. 10, TX.

SECTION 36, T12N, R10E, S10W, CO. 10, TX.

SECTION 37, T12N, R10E, S10W, CO. 10, TX.

SECTION 38, T12N, R10E, S10W, CO. 10, TX.

SECTION 39, T12N, R10E, S10W, CO. 10, TX.

SECTION 40, T12N, R10E, S10W, CO. 10, TX.



Ra
Rebecca Guerrero, County Clerk
Travis County, Texas

Oct 26, 2022 09:59 AM Fee: \$46.00

2022172162

Electronically Recorded

ORIGINAL

First Amendment to the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District

This First Amendment to the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District (this "First Amendment") is entered into on this 19th day of October, 2022, by Cottonwood Holdings, Ltd., Shadowglen Development Corporation, and Las Entradas Development Corporation (collectively, the "Developer") and the City of Manor, a Texas home rule municipality (the "City"), herein sometimes referred to collectively as the Parties.

RECITALS

- A. On July 18, 2018, the parties entered into the Agreement Regarding Dissolution of the EntradaGlen Public Improvement District (the "Original Dissolution Agreement"), recorded as Document No. 2018121739 in the Official Public Records of Travis County, Texas, which provided, among other things, that the Developer would not oppose dissolution of the PID if the first issuance of PID bonds or a levy of special assessments did not occur by August 31, 2021.
- B. On October 29, 2020, the parties entered into the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District (the "Dissolution Agreement"), recorded as Document No. 2020247406 in the Official Public Records of Travis County, Texas, which provided, among other things, that the Developer would not oppose dissolution of the District if the first issuance of PID bonds ("PID Bonds") or a levy of special assessments did not occur by October 31, 2022.
- C. The Parties desire to provide for an extension to the dissolution of the District if special assessments are not levied or the PID Bonds are not issued by the deadline set forth herein.

NOW, THEREFORE, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement, the parties agree as follows:

- 1. The Recitals set forth above are incorporated herein and made a part of this First Amendment for all purposes.
- 2. All capitalized terms in this First Amendment shall have the same meanings as in the Dissolution Agreement unless expressly provided otherwise herein.
- 3. Section 2 of the Dissolution Agreement is hereby deleted and replaced with the following:

 "2. The Developer agrees that this Agreement constitutes Developer's petition to dissolve the District under Section 372.011, Texas Local Government Code, and the City is hereby authorized to dissolve the District, in the event that (a) Hill Lane, as further described in the contemplated development agreement between the Parties (the "Development Agreement") is not constructed within eighteen (18) months after the effective date of the Development Agreement, or (b) by (i) the first issuance of PID Bonds are not issued, or (ii) a levy of special assessments does not occur, by November 30, 2022, whichever occurs

earlier (the “Authorization”). In such event, the Developer will not oppose the City’s dissolution of the District undertaken in accordance with this Agreement, and will cooperate with the City to cause the District to be dissolved. The Authorization shall terminate and expire upon the earlier of (i) the levy of special assessments or (ii) the first issuance of the PID Bonds.”

4. All terms and conditions of the Dissolution Agreement are hereby ratified and affirmed, as modified by this First Amendment. To the extent there is any inconsistency between the Dissolution Agreement and this First Amendment, the provisions of this First Amendment shall control.
5. This First Amendment shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws provisions, and venue shall lie in Travis County, Texas.
6. The Parties hereto agree and understand that no oral agreements, or understandings, shall be binding, unless reduced to a writing which is signed by said Parties. The Parties hereto agree and understand that this First Amendment shall be binding on them, their personal representatives, heirs, successors and assigns.
7. This First Amendment may be executed in multiple counterparts, each of which will be deemed an original, and all of which will constitute one and the same agreement.

IN WITNESS WHEREOF, the parties have executed this First Amendment and this First Amendment is effective as of the first date indicated above.

[signature pages follow]



CITY:
City of Manor, Texas
a Texas home-rule municipal corporation

Attest:

By: *L. Almaraz*
Name: Luvia T. Almaraz
Title: City Secretary

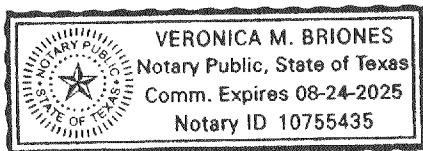
By: *Dr. Christopher Harvey*
Name: Dr. Christopher Harvey
Title: Mayor

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 19th day of October, 2022 by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home-rule municipal corporation, on behalf of that corporation.

(SEAL)

V. Briones
Notary Public, State of Texas



P

DEVELOPER:

COTTONWOOD HOLDINGS, LTD., a Texas limited partnership

By: COTTONWOOD GENERAL PARTNER, L.L.C., a Texas limited liability company, as General Partner

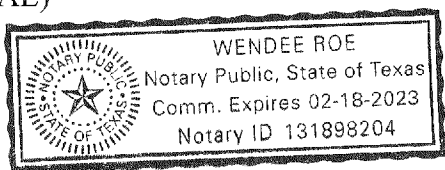
By: *Peter A. Dwyer*
Name: Peter A. Dwyer 10/18/2022
Title: President

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 18 day of October, 2022, by Peter A. Dwyer, President of Cottonwood General Partner, L.L.C., a Texas limited liability company, General Partner of Cottonwood Holdings, Ltd., a Texas limited partnership on behalf of that limited liability company and limited partnership.

(SEAL)



Wendee Roe
Notary Public, State of Texas

SHADOWGLEN DEVELOPMENT CORPORATION,
a Texas corporation

By: [Signature]
Name: Peter A. Dwyer 10/18/2022
Title: President

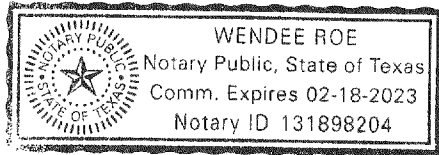
ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 18 day of October,
2022 by Peter A. Dwyer, President of Shadowglen Development Corporation, a Texas
corporation, on behalf of that corporation.

(SEAL)

[Signature]
Notary Public, State of Texas



LAS ENTRADAS DEVELOPMENT CORPORATION,
a Texas corporation

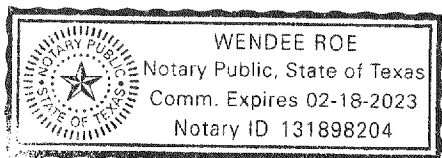
By: *P. Dwyer*
Name: Peter A. Dwyer *10/18/2022*
Title: President

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 18 day of October, 2022, by Peter A. Dwyer, President of Las Entradas Development Corporation, a Texas corporation, on behalf of that corporation.

(SEAL)



Wendee Roe
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

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



Rebecca Guerrero, County Clerk
Travis County, Texas

Nov 21, 2022 01:22 PM Fee: \$46.00

2022182574

Electronically Recorded

ORIGINAL

**Second Amendment to the Amended and Restated Agreement Regarding
the Dissolution of the EntradaGlen Public Improvement District**

This Second Amendment to the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District (this “Second Amendment”) is entered into on this 11th day of November, 2022, by Cottonwood Holdings, Ltd., Shadowglen Development Corporation, and Las Entradas Development Corporation (collectively, the “Developer”) and the City of Manor, a Texas home rule municipality (the “City”), herein sometimes referred to collectively as the Parties.

RECITALS

- A. On July 18, 2018, the parties entered into the Agreement Regarding Dissolution of the EntradaGlen Public Improvement District (the “Original Dissolution Agreement”), recorded as Document No. 2018121739 in the Official Public Records of Travis County, Texas, which provided, among other things, that the Developer would not oppose dissolution of the PID if the first issuance of PID bonds or a levy of special assessments did not occur by August 31, 2021.
- B. On December 2, 2020, the parties entered into the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District (the “Dissolution Agreement”), recorded as Document No. 2020247406 in the Official Public Records of Travis County, Texas, which provided that the Developer would not oppose dissolution of the District if Hill Lane was not constructed by January 7, 2023, or if the first issuance of PID bonds (“PID Bonds”) or a levy of special assessments did not occur by October 31, 2022.
- C. On October 19, 2022, the parties entered into the First Amendment to the Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District (the “First Amendment”), recorded as Document No. 2022172162 in the Official Public Records of Travis County, Texas, which provided, an extension to dissolution of the District from October 31, 2022, to November 30, 2022, to provide time for the Parties to negotiate a longer extension.
- D. The Parties have come to an agreement and desire to provide for an extension to the dissolution of the District if special assessments are not levied or the PID Bonds are not issued by the deadline set forth herein.

NOW, THEREFORE, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement, the parties agree as follows:

1. The Recitals set forth above are incorporated herein and made a part of this Second Amendment for all purposes, and the Recitals herein correctly reflect the date the Parties entered into the Dissolution Agreement, which was incorrectly stated in Recital B of the First Amendment.
2. All capitalized terms in this Second Amendment shall have the same meanings as in the Dissolution Agreement unless expressly provided otherwise herein.

3. Section 2 of the Dissolution Agreement and as amended by the First Amendment is hereby deleted in its entirety and replaced with the following:

“2. The Developer agrees that this Agreement constitutes Developer’s petition to dissolve the District under Section 372.011, Texas Local Government Code, and the City is hereby authorized to dissolve the District, in the event that (a) Hill Lane, as further described in the contemplated development agreement between the Parties (the “Development Agreement”) is not constructed within eighteen (18) months after the effective date of the Development Agreement, or (b) by (i) the first issuance of PID Bonds are not issued, or (ii) a levy of special assessments does not occur, by May 31, 2023, whichever occurs earlier (the “Authorization”). In such event, the Developer will not oppose the City’s dissolution of the District undertaken in accordance with this Agreement, and will cooperate with the City to cause the District to be dissolved. The Authorization shall terminate and expire upon the earlier of (i) the levy of special assessments or (ii) the first issuance of the PID Bonds.”

4. All terms and conditions of the Dissolution Agreement are hereby ratified and affirmed, as modified by this Second Amendment. To the extent there is any inconsistency between the Dissolution Agreement, the First Amendment, and this Second Amendment, the provisions of this Second Amendment shall control.
5. This Second Amendment shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws provisions, and venue shall lie in Travis County, Texas.
6. The Parties hereto agree and understand that no oral agreements, or understandings, shall be binding, unless reduced to a writing which is signed by said Parties. The Parties hereto agree and understand that this Second Amendment shall be binding on them, their personal representatives, heirs, successors and assigns.
7. This Second Amendment may be executed in multiple counterparts, each of which will be deemed an original, and all of which will constitute one and the same agreement.

IN WITNESS WHEREOF, the parties have executed this Second Amendment and this Second Amendment is effective as of the first date indicated above.

[signature pages follow]

CITY:
City of Manor, Texas
a Texas home-rule municipal corporation

Attest:

By: [Signature]
Name: Lluvia T. Almaraz
Title: City Secretary



[Signature]
Name: Dr. Christopher Harvey
Title: Mayor

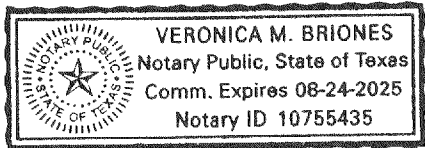
THE STATE OF TEXAS
COUNTY OF TRAVIS

§

This instrument was acknowledged before me on this 16th day of November, 2022 by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home-rule municipal corporation, on behalf of that corporation.

(SEAL)

[Signature]
Notary Public, State of Texas



DEVELOPER:

COTTONWOOD HOLDINGS, LTD., a Texas limited partnership

By: COTTONWOOD GENERAL PARTNER, L.L.C., a Texas limited liability company, as General Partner

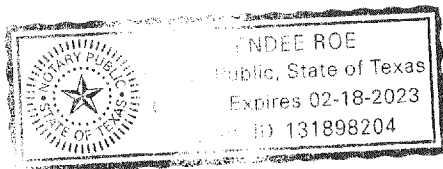
By: *[Signature]*
Name: Peter A. Dwyer *11/16/2022*
Title: President

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 16 day of November, 2022 by Peter A. Dwyer, President of Cottonwood General Partner, L.L.C., a Texas limited liability company, General Partner of Cottonwood Holdings, Ltd., a Texas limited partnership on behalf of that limited liability company and limited partnership.

(SEAL)



[Signature]
Notary Public, State of Texas

SHADOWGLEN DEVELOPMENT CORPORATION,
a Texas corporation

By: *Peter A. Dwyer*
Name: Peter A. Dwyer 11/16/2022
Title: President

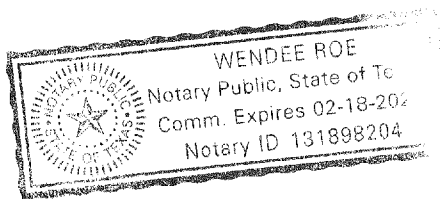
ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 16 day of November,
2022 by Peter A. Dwyer, President of Shadowglen Development Corporation, a Texas
corporation, on behalf of that corporation.

(SEAL)

Wendee Roe
Notary Public, State of Texas



LAS ENTRADAS DEVELOPMENT CORPORATION,
a Texas corporation

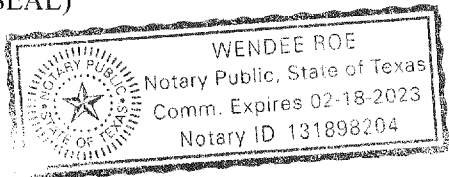
By: *Peter A. Dwyer*
Name: Peter A. Dwyer *11/16/2022*
Title: President

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 16 day of November,
2022, by Peter A. Dwyer, President of Las Entradas Development Corporation, a Texas
corporation, on behalf of that corporation.

(SEAL)

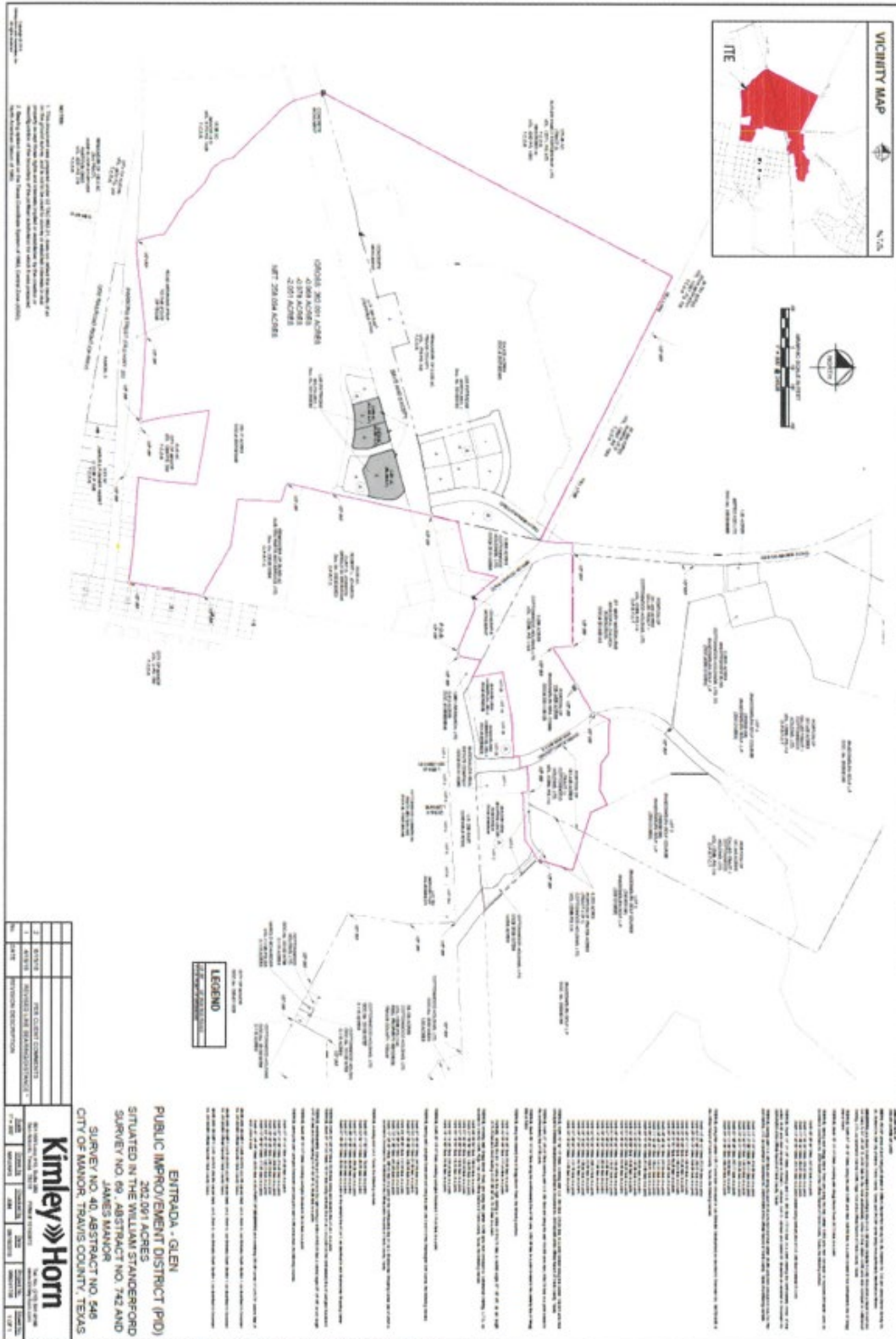


Wendee Roe
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

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

EXHIBIT "B"
EntradaGlen PID Boundary Map





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the Third Amendment to the EntradaGlen Development Agreement.

BACKGROUND/SUMMARY:

This amendment is being proposed by Transpak and is related to one of their building architectural standards. As they are moving through the building permit process, one of our architectural standards that requires 10% fenestration (windows) on primary facades (those facing public streets, parks, or major drive aisles) is being requested to be reduced to 5% fenestration as they have encountered a hardship in fully meeting the requirement. On their Hill Lane façade on the north building and the façade facing the commercial area on the south building they comply with the 10%, but the facades facing Entrada Blvd have 5% fenestration because those facades extend back into the warehousing/production spaces. Windows there would not be practical and potentially dangerous with the movement of heavy equipment.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Agreement
- Façade exhibits

STAFF RECOMMENDATION:

It is the City Staff’s recommendation that the City Council approve the Third Amendment to the EntradaGlen Development Agreement.

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

**THIRD AMENDMENT TO DEVELOPMENT AGREEMENT
(EntradaGlen)**

This THIRD AMENDMENT TO DEVELOPMENT AGREEMENT (this “Third Amendment”) is entered into as of the ___ day of _____, 2023 (the “Third Amendment Effective Date”), by and between the **City of Manor**, a Texas home-rule municipal corporation (the “City”), and **Las Entradas Development Corporation**, a Texas corporation, and its authorized and approved successors and assigns (collectively, the “**Developer**”). The City and the Developer are herein sometimes referred to individually as a “Party” and collectively as the “Parties”.

RECITALS

A. WHEREAS, the City and the Developer entered into that certain Development Agreement (EntradaGlen) dated July 7, 2021, that certain First Amendment to Development Agreement (EntradaGlen) dated effective June 15, 2022, and that certain Second Amendment to Development Agreement (EntradaGlen) dated effective November 16, 2022 (collectively, the “Agreement”) relating to the development by the Developer of that certain mixed-used master-planned project located within the municipal boundaries of the City, as more particularly described in the Agreement.

B. WHEREAS, the Agreement provides, among other things, provisions related to modifying the City’s Code of Ordinances (the “Code”) for the development of the project.

C. WHEREAS, the Parties now wish to amend the Agreement in certain respects, as more particularly set forth in this Third Amendment including providing for an additional Code modification.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals set forth above are incorporated herein and made a part of this Third Amendment to the same extent as if set forth herein in full.

2. Capitalized Terms. Any capitalized term that is used in this Third Amendment and is not otherwise defined herein shall have the meaning that is ascribed to it in the Agreement.

3. Modification. Exhibit I of the Agreement is amended to add subsection 4. as follows:

“4. A minimum of five percent (5%) fenestration on the EntradaGlen Boulevard primary facades shall meet the architectural element requirement.”

4. Amendment of Agreement. Except as expressly amended 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 section, subsection or clause of the Agreement is modified or deleted by this Third Amendment, any unaltered provision of such section, subsection or clause of the Agreement shall remain in full force and effect. However, where any provision of this Third Amendment conflicts or is inconsistent with the Agreement, the provision of this Third Amendment shall control.

5. Entire Agreement. This Third Amendment, together with any exhibits attached hereto, and the Agreement, as amended by this Third Amendment, constitute the entire agreement between the Parties with respect to the subject matter stated therein, supersedes all prior agreements relating to such subject matter and may not be amended except by a writing signed by the Parties and dated subsequent to the date hereof. The Parties hereto agree and understand that this Third Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective representatives, heirs, successors and assigns.

6. Governing Law. This Third Amendment shall be governed by, construed under and enforced in accordance with the laws of the State of Texas.

7. No Waiver. Neither the City’s nor the Developer’s execution of this Third Amendment shall (a) constitute a waiver of any of its rights and remedies under the Agreement or at law with respect to the other Party’s obligations under the Agreement or (b) be construed as a bar to any subsequent enforcement of any of its rights or remedies against the other party.

8. Captions. The captions preceding the text of each section and paragraph hereof, if any, are included only for convenience of reference and shall be disregarded in the construction and interpretation of this Third Amendment.

9. Interpretation. This Third Amendment has been jointly negotiated by the Parties and shall not be construed against a party because that Party may have primarily assumed responsibility for the drafting of this Third Amendment.

10. Authority. Each party hereto warrants that each has the full legal authority to execute and deliver this Third Amendment. In addition, the individual who executes this Third Amendment on behalf of each party hereto is authorized to act for and on behalf of such party and to bind such party to the terms and provisions hereof.

11. Severability. If any provision of this Third Amendment shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable, unless enforcement of this Third Amendment as so invalidated would be unreasonable or grossly inequitable under the circumstances or would frustrate the purpose of this Third Amendment.

12. Anti-Boycott Verification. To the extent this Third Amendment constitutes a contract for goods or services within the meaning of Section 2271.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2271 of the Texas Government Code, and subject to applicable Federal law, Developer represents that neither Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer (i) boycotts Israel or (ii) will boycott Israel through the term of this Third Amendment. The terms

“boycotts Israel” and “boycott Israel” as used in this paragraph have the meanings assigned to the term “boycott Israel” in Section 808.001 of the Texas Government Code, as amended.

13. Iran, Sudan and Foreign Terrorist Organizations. To the extent this Third Amendment constitutes a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2252 of the Texas Government Code, and except to the extent otherwise required by applicable federal law, Developer represents that Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer is a company listed by the Texas Comptroller of Public Accounts under Sections 2270.0201, or 2252.153 of the Texas Government Code.

14. Anti-Boycott Verification – Energy Companies. The Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott energy companies and will not boycott energy companies during the term of this Third Amendment. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, and to the extent such Section is not inconsistent with a governmental entity’s constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds. As used in the foregoing verification, “boycott energy company” means, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company: (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described by the preceding statement in (A).

15. Anti-Discrimination Verification – Firearm Entities and Firearm Trade Associations. The Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association during the term of this Third Amendment. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code. As used in the foregoing verification, “discriminate against a firearm entity or firearm trade association” means: (i) refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association; (ii) refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or (iii) terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; but does not include (a) the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories; or (b) a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency; or for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association.

16. Multiple Counterparts. This Third Amendment may be executed in multiple counterparts, each of which will be deemed original, and all of which will constitute one and the same agreement. Each such executed copy shall have the full force and effect of an original executed instrument.

[Signature pages follow]

EXECUTED in multiple originals, and in full force and effect as of the Third Amendment Effective Date.

CITY:

CITY OF MANOR, TEXAS,
a Texas home-rule municipal corporation

By: _____
Name: Dr. Christopher Harvey
Title: Mayor

Attest:

By: _____
Name: Lluvia T. Almaraz
Title: City Secretary

Approved as to form:

By: _____
Name: Veronica Rivera
Title: Assistant City Attorney

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 2023, by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home-rule municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public, State of Texas

[Signatures continue on next page.]



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the First Amendment to Development Agreement (Newhaven).

BACKGROUND/SUMMARY:

On April 19, 2023, Gregg Lane Dev LLC (“Developer”) and the City entered into a Development Agreement for a mixed use project on approximately 90.3 acre tract with the intent to create a PID and to, among other things, provide for a community benefit fee. The City’s PID Committee met and made a recommendation to calculate the fee based on 15% of bond par. The attached First Amendment to the Development Agreement is provided for City Council consideration.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- First Amendment

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve the First Amendment to Development Agreement (Newhaven).

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

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT
(Newhaven)**

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this “First Amendment”) is entered into as of the 19th day of July 2023 (the “First Amendment Effective Date”), by and between the **City of Manor**, a Texas home-rule municipal corporation (the “City”), and **Gregg Lane Dev LLC**, a Texas limited liability company, and its authorized and approved successors and assigns (the “**Developer**”). The City and the Developer are herein sometimes referred to individually as a “Party” and collectively as the “Parties”.

RECITALS

A. WHEREAS, the City and the Developer entered into that certain Development Agreement (Newhaven) dated April 19, 2023, with **Monarch Ranch at Manor LLC**, a Texas limited liability company (“Monarch Developer”), as a Consenting Party (the “Agreement”) relating to the development and improvement by the Developer of certain parcels of land located within the municipal boundaries of the City consisting of approximately 90.35 acres (the “Property”) as a mixed used project, as more particularly described in the Agreement.

B. WHEREAS, Monarch Developer consented to the Agreement for the limited purposes described in Sections 6.02, 6.03, and 6.04 of the Agreement, and pursuant to Section 13.01 of thereof, the Agreement may be amended by a writing approved by the City Council of the City that is signed by the Parties; therefore, Monarch Developer is not a party to this First Amendment.

C. WHEREAS, the Parties now wish to amend the Agreement in certain respects, including setting forth the percentage used to calculate the community benefit fee, and agreeing that the covenants in the Agreement and this First Amendment run with the land.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals set forth above are incorporated herein and made a part of this First Amendment to the same extent as if set forth herein in full.
2. Capitalized Terms. Any capitalized term that is used in this First Amendment and is not otherwise defined herein shall have the meaning that is ascribed to it in the Agreement.
3. Community Benefit Fee. The Parties agree that a payment of the community benefit fee in the amount of fifteen percent (15%) of bond par shall be paid by the Developer to the City three (3) days prior to bond closing.

4. Covenants Running with the Land. The terms of the Agreement and this First Amendment shall constitute covenants running with the land comprising the Property and shall be binding on all future developers and owners of land within the Property.

5. Amendment of Agreement. Except as expressly amended 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 section, subsection or clause of the Agreement is modified or deleted by this First Amendment, any unaltered provision of such section, subsection or clause of the Agreement shall remain in full force and effect. However, where any provision of this First Amendment conflicts or is inconsistent with the Agreement, the provision of this First Amendment shall control.

6. Entire Agreement. This First Amendment, together with any exhibits attached hereto, and the Agreement, as amended by this First Amendment, constitute the entire agreement between the Parties with respect to the subject matter stated therein, supersedes all prior agreements relating to such subject matter and may not be amended except by a writing signed by the Parties and dated subsequent to the date hereof. The Parties hereto agree and understand that this First Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective representatives, heirs, successors and assigns.

7. Governing Law. This First Amendment shall be governed by, construed under and enforced in accordance with the laws of the State of Texas.

8. No Waiver. Neither the City's nor the Developer's execution of this First Amendment shall (a) constitute a waiver of any of its rights and remedies under the Agreement or at law with respect to the other Party's obligations under the Agreement or (b) be construed as a bar to any subsequent enforcement of any of its rights or remedies against the other party.

9. Captions. The captions preceding the text of each section and paragraph hereof, if any, are included only for convenience of reference and shall be disregarded in the construction and interpretation of this First Amendment.

10. Interpretation. This First Amendment has been jointly negotiated by the Parties and shall not be construed against a party because that Party may have primarily assumed responsibility for the drafting of this First Amendment.

11. Authority. Each party hereto warrants that each has the full legal authority to execute and deliver this First Amendment. In addition, the individual who executes this First Amendment on behalf of each party hereto is authorized to act for and on behalf of such party and to bind such party to the terms and provisions hereof.

12. Severability. If any provision of this First Amendment shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable, unless enforcement of this First Amendment as so invalidated would be unreasonable or grossly inequitable under the circumstances or would frustrate the purpose of this First Amendment.

13. Anti-Boycott Verification. To the extent this First Amendment constitutes a contract for goods or services within the meaning of Section 2271.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2271 of the Texas Government Code, and subject to applicable Federal law, Developer represents that neither Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer (i) boycotts Israel or (ii) will boycott Israel through the term of this First Amendment. The terms “boycotts Israel” and “boycott Israel” as used in this paragraph have the meanings assigned to the term “boycott Israel” in Section 808.001 of the Texas Government Code, as amended. The foregoing verification is made solely to enable the City to comply with such Section and to the extent such Section does not contravene applicable Texas or federal law.

14. Iran, Sudan and Foreign Terrorist Organizations. The Developer represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer’s internet website:

<https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf>,

<https://comptroller.texas.gov/purchasing/docs/iran-list.pdf>, or

<https://comptroller.texas.gov/purchasing/docs/fto-list.pdf>.

The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable Federal law and excludes the Developer and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. The Developer understands “affiliate” to mean any entity that controls, is controlled by, or is under common control with the Developer within the meaning of SEC Rule 405, 17 C.F.R. § 230.405 and exists to make a profit.

15. Anti-Boycott Verification – Energy Companies. The Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott energy companies and will not boycott energy companies during the term of this First Amendment. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, and to the extent such Section is not inconsistent with a governmental entity’s constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds. As used in the foregoing verification, “boycott energy company” means, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company: (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described by the preceding statement in (A). The foregoing verification is made solely to enable the City to comply with such Section and to the extent such Section does not contravene applicable Texas or federal law.

16. Anti-Discrimination Verification – Firearm Entities and Firearm Trade Associations. The Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association during the term of this First Amendment. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code. As used in the foregoing verification, “discriminate against a firearm entity or firearm trade association” means: (i) refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association; (ii) refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or (iii) terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; but does not include (a) the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories; or (b) a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency; or for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association. The foregoing verification is made solely to enable the City to comply with such Section and to the extent such Section does not contravene applicable Texas or federal law.

17. Multiple Counterparts. This First Amendment may be executed in multiple counterparts, each of which will be deemed original, and all of which will constitute one and the same agreement. Each such executed copy shall have the full force and effect of an original executed instrument.

[Signature pages follow]

EXECUTED in multiple originals, and in full force and effect as of the Effective Date.

CITY:

CITY OF MANOR, TEXAS,
a Texas home-rule municipal corporation

By: _____
Name: Dr. Christopher Harvey
Title: Mayor

Attest:

By: _____
Name: Lluvia T. Almaraz
Title: City Secretary

Approved as to form:

By: _____
Name: Veronica Rivera
Title: Assistant City Attorney

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 2023, by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

[Signatures continue on next page.]

DEVELOPER:

GREGG LANE DEV LLC, a Texas limited liability company

By: Gregg Lane Manager, LLC, a Texas limited liability company, its Manager

By: SVAG Asset Management LLC, a Texas limited liability company, its Manager

By: _____
Name: Sudharshan Vembutty
Title: Manager

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on this ____ day of _____, 2023, by Sudharshan Vembutty, Manager of SVAG Asset Management LLC, a Texas limited liability company, Manager of Gregg Lane Manager, LLC, a Texas limited liability company, Manager of Gregg Lane Dev LLC, a Texas limited liability company, on behalf of said company.

(SEAL)

Notary Public, State of Texas



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution of the City Council of the City of Manor, Texas, authorizing and creating the Newhaven Public Improvement District (PID) within the City of Manor, Texas in accordance with Chapter 372 Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.

BACKGROUND/SUMMARY:

On April 19, 2023, Gregg Lane Dev LLC (“Developer”) and the City entered into a Development Agreement for a mixed use project on approximately 90.3 acre tract with the intent to create a PID. The attached resolution is provided for City Council consideration to create the Newhaven PID.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Resolution No. 2023-28

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve Resolution No. 2023-28 authorizing and creating the Newhaven Public Improvement District (PID) within the City of Manor, Texas in accordance with Chapter 372 Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.

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

RESOLUTION NO. 2023-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS AUTHORIZINNG AND CREATING THE NEWHAVEN PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF MANOR, TEXAS IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Manor, Texas (the “City”) is authorized by Chapter 372, Texas Local Government Code, as amended (the “Act”) to create a public improvement district within its corporate limits and its extraterritorial jurisdiction and to levy special assessments against property within the district to pay the costs of public improvement projects that confer a special benefit on property within the district; and

WHEREAS, on March 17, 2022, Gregg Lane Dev, LLC, a Texas limited liability company (the “Petitioner”), submitted and filed with the City Secretary of the City (the “City Secretary”) pursuant to the Act a “Petition for the Creation of a Public Improvement District to Finance Improvements to the Newhaven Development” (the “Petition”) requesting the establishment of a public improvement district within the corporate limits of the City, covering approximately 90.3 acres described in the Petition, and is more particularly described by metes and bounds in **Exhibit “A”** and depicted on **Exhibit “B”** (the “Property”) each attached hereto and incorporated herein for all purposes, to be known as the Newhaven Public Improvement District (the “District”); and

WHEREAS, Petitioner represents that they constitute (i) the owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal in the Petition, as determined by the current roll of the appraisal district in which the property is located and (ii) the record owners of real property liable for assessment under the proposal who: (A) constitute more than fifty percent (50%) of all record owners of property that is liable for assessment under the proposal in the Petition; or (B) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal in the Petition, within the corporate limits of the City; and

WHEREAS, the Act states that a Petition to create a public improvement district is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, Petitioners estimate the cost of the proposed public improvements is \$10,000,000.00 (including issuance and other financing costs) and that said cost will be recovered through an assessment against property in the District which will result in each parcel paying its fair share of the costs of public improvements based on the special benefits received by the property; and

WHEREAS, the City Council of the City (the “City Council”) has investigated and determined that the facts contained in the Petition are true and correct; and

WHEREAS, after publishing notice in an official newspaper of general circulation in the City and mailing notice of the hearing, all as required by and in conformity with the Act, the City Council conducted a public hearing on the advisability of the improvements and services on July 5, 2023; and

WHEREAS, after all persons having an interest in the creation of the District were given the opportunity to be heard, the City Council closed the public hearing; and

WHEREAS, the Petition, has been examined, verified, and found to meet the requirements of Section 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the City Council has determined that the approval of this Resolution is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS THAT:

SECTION 1. The City Council hereby approves the recitals contained in the preamble of this Resolution and finds that all the recitals are true and correct and incorporate the same in the body of this Resolution as findings of fact.

SECTION 2. The Petition submitted to the City by the Petitioner was filed with the City Secretary and complies with Section 372.005 of the Act.

SECTION 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), 372.009(b), and 372.010, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing, hereby finds and declares:

- (a) Advisability of the Proposed Improvements. It is advisable to create the District to provide the Authorized Improvements (as defined below) described in the Petition and this Resolution. The Authorized Improvements will promote the interests of the City and will confer a special benefit on property located within the District.
- (b) General Nature of the Proposed Improvements. The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act. The general nature of the proposed public improvements to be provided by the District that are necessary for the development of the Property within the District, in phases, may include, without limitation: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, swimming pools, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above,

including costs of establishing, administering and operating the District (collectively, the “Authorized Improvements”). These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property within the District.

- (c) Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements is \$10,000,000.00 (including bond issuance and other financing costs). The City will determine what amount or portion of the costs will be paid by assessment of the property owners within the District. Unless otherwise agreed upon by the City, the City will not be obligated to provide any funds to finance the proposed Authorized Improvements, other than from assessments levied on real property within the District. The developer of the Property (the “Developer”) may be obligated to pay the costs of certain specified Authorized Improvements within the District. The Developer may be reimbursed for the costs of certain specified Authorized Improvements from assessments levied within the District. The Developer may also pay certain costs of the Authorized Improvements from other funds available to the Developer.
- (d) District Boundaries. The District is proposed to include approximately 90.3 acres of land generally located near the northwest corner of the intersection of Gregg Lane and FM 973 and within the corporate limits of the City, as more particularly described in **Exhibit “A”** attached hereto, and as depicted on **Exhibit “B”** attached hereto.
- (e) Proposed Method of Assessment. An assessment methodology will be prepared that will address: (i) how the costs of the Authorized Improvements financed with the assessments are assessed against the property in the District, (ii) the assessments to be collected each year, and (iii) reduction of the assessments for costs savings (pursuant to the annual review of the service plan for the District). Additionally, a report will be prepared showing the special benefits accruing to property in the District and how the costs of the Authorized Improvements are assessed to property on the basis of the special benefits. The result will be that equal shares of the costs will be imposed on property similarly benefited. The assessment methodology will result in each parcel paying its fair share of the costs of the Authorized Improvements provided with the assessments based on the special benefits received by the property from the Authorized Improvements and property equally situated paying equal shares of the costs of the Authorized Improvements.
- (f) Proposed Apportionment of Cost between the District and the City. Authorization and creation of the District will not obligate the City to provide any funds to finance the Authorized Improvements. No City property in the District shall be assessed. All of the costs of the Authorized Improvements will be paid from assessments levied on the Property within the District and from other funds, if any, available to the District.
- (g) Management of the District. The District shall be managed by the City. The City may contract with a consultant or third-party administrator, who shall, from time to time, advise the City regarding certain operations of the District.

- (h) Advisory Body. The District shall be managed without the creation of an advisory body. The City Council reserves the right to appoint an advisory body in the future.

SECTION 4. The Newhaven Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings as to the advisability of the Authorized Improvements contained in this Resolution, which authorization shall take effect on the date of adoption of this Resolution. The District shall be subject to the terms, conditions, limitations, and reservations contained in the findings of Section 3 of this Resolution. The Authorized Improvements described in the Petition and Section 3 of this Resolution are authorized to be made in accordance with the service and assessment plan for the Newhaven Public Improvement District to be approved by City Council at a future meeting.

SECTION 5. The District can be terminated as provided by law. Subject to the last sentence of this Section 5, the power of the City to continue to levy and collect assessments within the District pursuant to the Act will cease and the District will be dissolved following the Authorization, as defined in that certain Agreement Regarding the Dissolution of the Newhaven Public Improvement District dated _____, 2023 attached hereto as **Exhibit “C”** (the “Dissolution Agreement”) and a public hearing has been held by the City Council as described in Section 372.011 of the Act. The Dissolution Agreement constitutes the Developer’s petition to dissolve the District under Section 372.011, Texas Local Government Code, as amended. The Dissolution Agreement is hereby authorized and approved. If the District is dissolved, the District shall remain in effect for the purpose of meeting obligations of indebtedness for the Authorized Improvements.

SECTION 6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. If any section, article, paragraph, sentence, clause, phrase or word in this Resolution or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution; and the City Council hereby declares it would have passed such remaining portions of the Resolution despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 8. The City Secretary is directed to give notice of the authorization for the establishment of the District by recording this Resolution in the Official Public Records of Travis County, Texas on or before the seventh day after the passage of this Resolution.

SECTION 9. It is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 10. This Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

PASSED AND ADOPTED by the City Council of Manor, Texas, at a regular meeting on the 19th day of July 2023, at which a quorum was present, and for which due notice was given pursuant to Government Code, Chapter 551.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary
City of Manor, Texas

AFTER RECORDING RETURN TO:

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

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION OF THE PROPERTY



Professional Land Surveying, Inc.
 Surveying and Mapping

Office: 512-443-1724
 Fax: 512-389-0943
 3500 McCall Lane
 Austin, Texas 78744

30.580 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 30.580 ACRES OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS, BEING A WESTERN PORTION OF THAT CERTAIN CALLED 39.4 ACRE TRACT DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2004009801 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 30.580 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with 'CHAPARRAL' cap set in the north line of a 60.292 acre tract described in Document No. 2013001967 of the Official Public Records of Travis County, Texas, same being the south line of said 39.4 acre tract, from which a 1/2" rebar found for the northernmost northeast corner of the 60.292, same being an angle point in the south line of the 39.4 acre tract, bears South 61°38'05" East a distance of 575.95 feet;

THENCE North 61°37'58" West with the south line of the 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar found at a distance of 648.82 feet, and continuing 20.62 feet, for total distance of 669.44 feet to a calculated point in the approximate centerline of Wilbarger Creek, also being the west line of the 39.4 acres and the being also the east line of an 85.769 acre tract described Document No. 2008118667 of the Official Public Records of Travis County, Texas;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of the 39.4 acre tract and the east line of 85.796 acres described in Document No. 2008118667 of the Official Public Records of Travis County, Texas, the following forty (40) courses:

1. North 00°28'28" East, a distance of 9.07 feet to a to a calculated point;
2. North 05°17'24" West, a distance of 31.85 feet to a to a calculated point;
3. North 01°00'43" West, a distance of 39.99 feet to a to a calculated point;
4. North 13°37'54" West, a distance of 36.17 feet to a to a calculated point;
5. North 03°30'27" West, a distance of 43.17 feet to a to a calculated point;
6. North 10°14'35" West, a distance of 42.68 feet to a to a calculated point;

1662-001-30.580 AC

7. North 22°31'57" West, a distance of 57.70 feet to a to a calculated point;
8. North 44°39'48" West, a distance of 45.77 feet to a to a calculated point;
9. North 54°56'29" West, a distance of 58.93 feet to a to a calculated point;
10. North 82°53'28" West, a distance of 51.24 feet to a to a calculated point;
11. South 71°16'10" West, a distance of 39.96 feet to a to a calculated point;
12. South 66°38'21" West, a distance of 51.94 feet to a to a calculated point;
13. North 89°22'53" West, a distance of 39.25 feet to a to a calculated point;
14. North 83°41'50" West, a distance of 51.08 feet to a to a calculated point;
15. North 89°13'01" West, a distance of 53.52 feet to a to a calculated point;
16. North 76°23'07" West, a distance of 54.75 feet to a to a calculated point;
17. North 76°02'03" West, a distance of 65.60 feet to a to a calculated point;
18. North 78°19'56" West, a distance of 54.07 feet to a to a calculated point;
19. South 73°52'38" West, a distance of 52.35 feet to a to a calculated point;
20. North 82°54'47" West, a distance of 58.96 feet to a to a calculated point;
21. North 48°39'03" West, a distance of 54.65 feet to a to a calculated point;
22. North 21°40'43" West, a distance of 61.82 feet to a to a calculated point;
23. North 00°14'42" East, a distance of 52.83 feet to a to a calculated point;
24. North 08°20'31" East, a distance of 53.76 feet to a to a calculated point;
25. North 08°21'04" East, a distance of 38.04 feet to a to a calculated point;
26. North 12°10'56" West, a distance of 48.92 feet to a to a calculated point;
27. North 26°26'40" West, a distance of 51.72 feet to a to a calculated point;
28. North 09°59'30" West, a distance of 51.78 feet to a to a calculated point;
29. North 09°26'58" West, a distance of 65.60 feet to a to a calculated point;

1662-001-30.580 AC

30. North 23°17'46" East, a distance of 51.71 feet to a to a calculated point;
31. North 34°54'31" East, a distance of 42.87 feet to a to a calculated point;
32. North 48°43'04" East, a distance of 60.00 feet to a to a calculated point;
33. South 79°51'17" East, a distance of 39.39 feet to a to a calculated point;
34. South 58°38'03" East, a distance of 48.87 feet to a to a calculated point;
35. North 59°05'59" East, a distance of 54.70 feet to a to a calculated point;
36. North 00°19'10" East, a distance of 38.05 feet to a to a calculated point;
37. North 15°36'04" West, a distance of 56.41 feet to a to a calculated point;
38. North 06°24'18" East, a distance of 49.34 feet to a to a calculated point;
39. North 34°41'25" East, a distance of 55.35 feet to a to a calculated point;
40. North 08°45'25" West, a distance of 12.36 feet to a to a calculated point;

THENCE South 70°46'58" East, a distance of 13.00, to a 1/2" rebar found for an angle point in the west line of the 39.4 acres, same being the east line of the 85.796 acres;

THENCE North 22°06'01" East, a distance of 137.89 feet to a 1/2" rebar with 'CHAPARRAL' cap found for the northwest corner of the 39.4 acre tract, same being an interior corner of the 85.796 acre tract;

THENCE South 62°49'58" East, with the north line of the 39.4 acre tract, same being a south line of the 85.796 acre tract, a distance of 155.36 feet to a 1/2" rebar found for an angle point on the north line of the 39.4 acre tract, also being the southernmost northeast corner of the 85.796 acre tract, also being the southwest corner of a 170 acre tract described in Volume 8293, Page 104 of the Deed Records of Travis County, Texas;

THENCE South 62°31'16" East, continuing with the north line of the 39.4 acre tract, same being the south line of said 170 acre tract, being the south line of a 57.215 acre tract described in Document No. 2002251950 of the Official Public Records of Travis County, Texas; also being the south line of 39.00 acres described in Volume 8947, Page 802 of the Real Property Records of Travis County, Texas; a distance of 1513.14 feet to a 1/2" iron pipe found in the south line of the 39.00 acre tract, for the most northernmost corner of the 39.4 acre tract, same being the northwest corner of a 3.56 acre tract described in Document No. 2009010572 of the Official Public Records of Travis County, Texas;

1662-001-30.580 AC

THENCE South 27°51'31" West, with an east line of the 39.4 acre tract, same being the west line of said 3.56 acre tract, also being the west line of a 75.37 acre tract described in Document No. 2008031946 of the Official Public Records of Travis County, Texas, passing a 1/2" iron pipe found for the most westerly southwest corner of said 75.37 acre tract at a distance of 548.40 feet and continuing 321.78 feet, for a total distance of 870.18 feet to the **POINT OF BEGINNING**, containing 30.580 acres of land, more or less.

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-30.580ac

Paul J. Flugel 1-6-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500





**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**59.765 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 59.765 ACRES, BEING A PORTION OF THAT CERTAIN TRACT OF LAND STATED TO CONTAIN 60.292 ACRES, MORE OR LESS, OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS AS DESCRIBED IN DISTRIBUTION DEED RECORDED IN DOCUMENT NO. 2020120760 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME LAND CONVEYED TO THE CARRILLO FAMILY PARTNERSHIP IN DOCUMENT NO. 2013001967, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 59.765 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the north right-of-way of Gregg Lane (variable width right-of-way), being the southeast corner of said 60.292 acre tract, and also the southwest corner of a 15.74 acre tract described in Document No. 2016051094 of the Official Public Records of Travis County, Texas, from which a TxDot Type II disk found in the north right-of-way of Gregg Lane, for the southeast corner of a 36.14 acre tract described in Document No. 2014113251 of the Official Public Records of Travis County, Texas bears South 62°01'41" East a distance of 1995.25 feet;

THENCE North 62°17'26" West, with the south line of the 60.292 acre tract, same being the north right-of-way line of Gregg Lane, a distance of 2133.10 feet to a calculated point in the approximate centerline of Wilbarger Creek;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of said 60.292 acre tract, and the east line of an 85.796 acre tract described Document No. 2008118667 of the Official Public records of Travis County, Texas, the following thirty-two (32) courses:

1. North 73°18'55" East, a distance of 46.89 feet to a to a calculated point;
2. North 65°28'25" East, a distance of 50.67 feet to a to a calculated point;
3. North 51°10'42" East, a distance of 48.58 feet to a to a calculated point;
4. North 48°30'24" East, a distance of 46.23 feet to a to a calculated point;
5. North 49°14'49" East, a distance of 52.77 feet to a to a calculated point;

1662-001-59.765 ACS

6. North 45°14'55" East, a distance of 55.96 feet to a to a calculated point;
7. North 43°43'26" East, a distance of 52.86 feet to a to a calculated point;
8. North 41°05'22" East, a distance of 48.00 feet to a to a calculated point;
9. North 32°42'55" East, a distance of 42.39 feet to a to a calculated point;
10. North 36°20'34" East, a distance of 43.28 feet to a to a calculated point;
11. North 24°58'46" East, a distance of 45.09 feet to a to a calculated point;
12. North 20°50'58" East, a distance of 58.26 feet to a to a calculated point;
13. North 11°43'28" East, a distance of 55.36 feet to a to a calculated point;
14. North 12°03'40" East, a distance of 59.87 feet to a to a calculated point;
15. North 11°44'50" East, a distance of 49.40 feet to a to a calculated point;
16. North 20°31'26" East, a distance of 49.47 feet to a to a calculated point;
17. North 26°12'00" East, a distance of 48.98 feet to a to a calculated point;
18. North 19°47'54" East, a distance of 56.22 feet to a to a calculated point;
19. North 08°36'09" East, a distance of 45.62 feet to a to a calculated point;
20. North 32°55'35" East, a distance of 52.23 feet to a to a calculated point;
21. North 47°27'44" East, a distance of 55.81 feet to a to a calculated point;
22. North 45°04'59" East, a distance of 51.38 feet to a to a calculated point;
23. North 43°53'12" East, a distance of 32.75 feet to a to a calculated point;
24. North 08°50'46" East, a distance of 41.41 feet to a to a calculated point;
25. North 05°45'16" West, a distance of 32.84 feet to a to a calculated point;
26. North 01°15'08" East, a distance of 35.86 feet to a to a calculated point;
27. North 14°04'03" East, a distance of 26.74 feet to a to a calculated point;
28. North 34°11'10" East, a distance of 54.41 feet to a to a calculated point;

- 29. North 26°59'21" East, a distance of 41.68 feet to a to a calculated point;
- 30. North 36°09'53" East, a distance of 43.97 feet to a to a calculated point;
- 31. North 25°00'27" East, a distance of 44.74 feet to a to a calculated point;
- 32. North 00°27'57" East, a distance of 24.90 feet to a to a calculated point for the northwest corner of the 60.292 acre tract, being the southwest corner of a 39.4 acre tract described in Document No. 2004009801 of the Official Public Records of Travis County, Texas ;

THENCE South 61°38'01" East with the south line of said 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar at 20.62 feet, and continuing for a total distance of 1100.33 feet to a 1/2 " rebar with 'Chaparral' cap set;

THENCE South 00°41'52" East, crossing the 60.292 acre tract a distance of 308.96 feet to a 1/2" rebar found for an interior corner of the 60.292 acre tract, same being the southernmost southwest corner of the 39.4 acre tract;

THENCE South 62°04'50" East with the north line of the 60.292 acre tract, same being the south line of the 39.4 acre tract, a distance of 551.18 feet to a 1/2" rebar found with plastic cap for the southeast corner of the 39.4 acre tract;

THENCE South 61°50'55" East, continuing with the north line of the 60.292 acre tract, a distance of 250.39 feet to a 2" iron pipe found in for the northeast corner of the 60.292 acre tract, same being the northwest corner of said 15.74 acre tract;

THENCE South 27°32'42" West, with the east line of the 60.292 acre tract, same being the west line of said 15.74 acre tract, a distance of 1131.13 feet to the **POINT OF BEGINNING**; containing 59.765 acres of land, more or less;

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

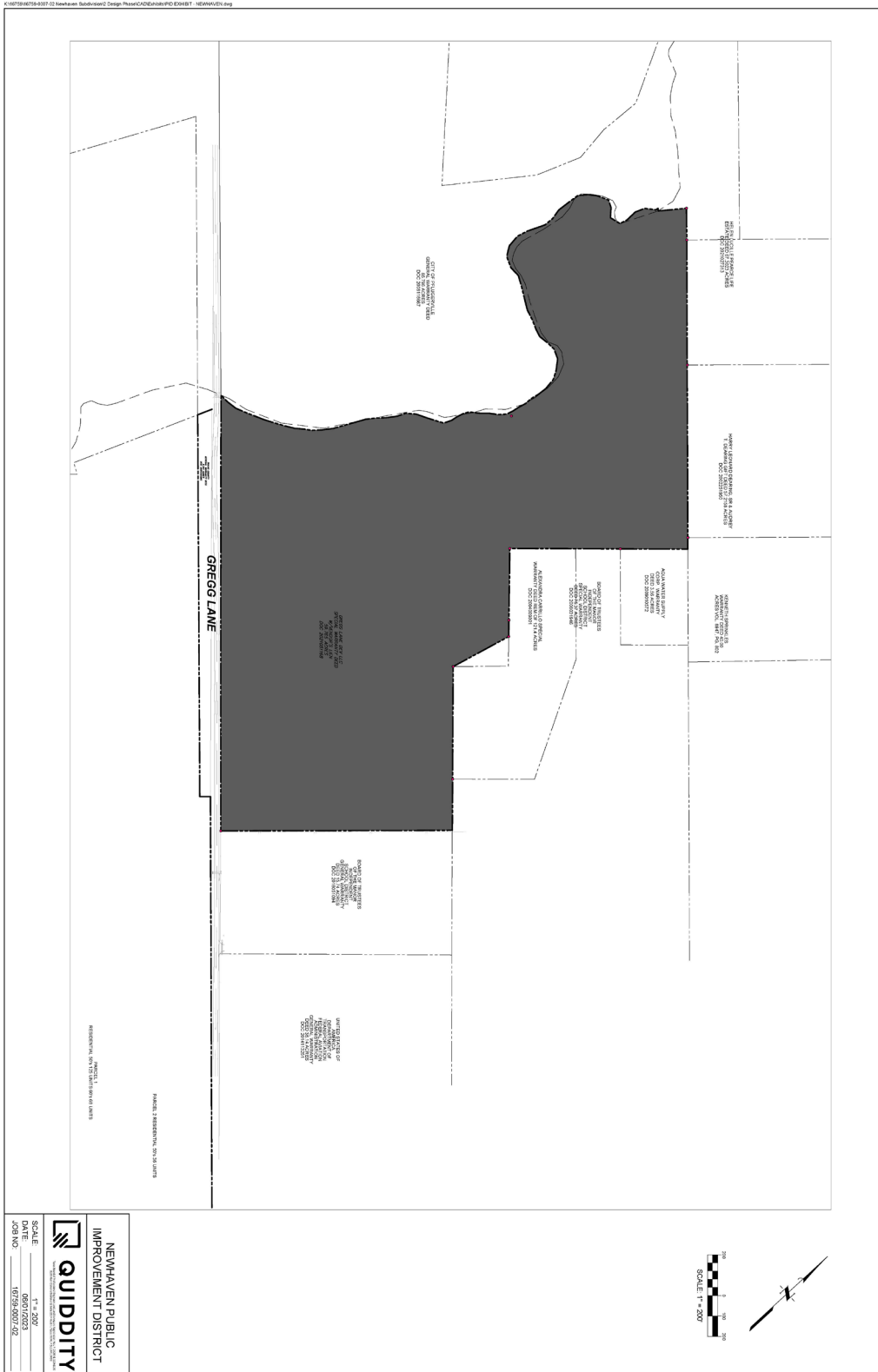
Attachments: Drawing 1662-001-59.765ac

Paul J. Flugel 1-18-2021
 Paul J. Flugel
 Registered Professional Land Surveyor
 State of Texas No. 5096
 TBPLS Firm No. 10124500



1662-001-59.765 ACS

EXHIBIT "B" PROPERTY DEPICTION



**EXHIBIT “C”
DISSOLUTION AGREEMENT**

EXHIBIT C

**Agreement Regarding the Dissolution of
the Newhaven Public Improvement District**

This Agreement Regarding the Dissolution of the Newhaven Public Improvement District (the “Agreement”) is entered into on this _____ day of _____, 2023 by Gregg Lane Dev LLC, a Texas limited liability company (the “Developer”) and the City of Manor, a Texas home rule municipality (the “City”), hereinafter sometimes referred to collectively as the “Parties.”

Whereas, the Developer requested the City establish the Newhaven Public Improvement District (the “District”) in that certain Petition for the Creation of a Public Improvement District to Finance Improvements to the Newhaven Development, submitted to the City on March 17, 2022, including any subsequent amendments (the “Petition”); and

Whereas, on the same date that the parties entered into this Agreement, the City authorized the creation of the District over the property described in **Exhibit A**, attached hereto and incorporated herein for all purposes (the “Property”), by Resolution No. _____, as it may be amended from time to time (the “Resolution”); and

Whereas, the Developer intends to request that the City issue bonds (the “PID Bonds”) to reimburse the Developer for the costs of certain public improvements (the “Authorized Improvements”) generally identified in the Resolution; and

Whereas, the Parties desire to provide for the dissolution of the District if (1) the Developer has not constructed Authorized Improvements with an aggregate value of \$1,000,000 or more, and (2) special assessments are not levied or the PID Bonds are not issued, by the deadline set forth herein; and

Whereas, as determined by the current tax roll of the Travis Central Appraisal District, the Developer constitutes (i) the owners of taxable real property representing more than 50% of the appraised value of real property liable for assessment under the Petition, and (ii) the record owners of taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under the Petition, as evidenced by the current tax roll with the signatures of the Petitioners (as defined in the Petition) registering support of the Petition next to the account for the respective Petitioner’s property on the tax rolls is attached hereto as **Exhibit B** and incorporated for all purposes; and

NOW, THEREFORE, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement, the Parties agree as follows:

1. The recitals set forth above are incorporated herein and made a part of this Agreement for all purposes.
2. The Developer agrees that this Agreement constitutes Developer’s petition to dissolve the District under Section 372.011, Texas Local Government Code, as amended, and the City is hereby authorized to dissolve the District if (1) the Developer has not constructed

Authorized Improvements with an aggregate value of \$1,000,000 or more, and (2) the first issuance of PID Bonds or a levy of special assessments does not occur by July 6, 2026 (collectively, the “Authorization”). The Developer will not oppose the City’s dissolution of the District undertaken in accordance with this Agreement and will cooperate with the City to cause the District to be dissolved.

3. The Authorization shall terminate and expire upon the earlier of (i) Developer’s construction of Authorized Improvements with an aggregate value of \$1,000,000 or more (ii) the City’s levy of special assessments, or (iii) the City’s first issuance of the PID Bonds.
4. This Agreement shall be a covenant running with the land and shall be binding upon future owners of the Property or portions thereof and shall further be binding upon and inure to the benefit of the parties, and their successors and assigns. Developer shall cause any person or entity to whom Developer transfers the Property or any portion thereof (the “Subsequent Owner”) to execute a document containing language substantially similar to that set forth in Section 2 granting the City the authorization to dissolve the District as provided in Section 2. The Developer shall provide the City with a copy of said document within three (3) business days of execution thereof.
5. This Agreement may be amended only by a written instrument executed by all the Parties. Upon satisfaction of one of the conditions set forth in Section 3, the City will execute an instrument confirming the termination and expiration of this Agreement so that it can be recorded in the Official Public Records of Travis County, Texas.
6. If the conditions set forth in Section 2 are met, but substantial progress has been made towards the construction of the Authorized Improvements (as defined in the Petition), the levy of special assessments, or the issuance of PID Bonds, then the City, in its sole and absolute discretion, may choose to set the Authorization aside and permit the District to remain in existence for a period of up to 6 months (an “Extension Period”) to allow progress to continue on the construction of the Authorized Improvements, the levy of special assessments, or issuance of PID Bonds. If, after the expiration of an Extension Period, additional progress has been made on either the construction of the Authorized Improvements, the levy of special assessments, or the issuance of PID Bonds, then the City may choose to permit one or more additional Extension Periods. If substantial progress has not been made at the expiration of an Extension Period, then the City may choose to take up the Authorization and dissolve the District, in its sole and absolute discretion.
7. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws provisions, and venue shall lie in Travis County, Texas.
8. It is acknowledged and agreed by the parties that time is of the essence in the performance of this Agreement.

EXHIBIT C

IN WITNESS WHEREOF, the parties have executed this Agreement and this Agreement is effective as of the first date indicated above.

[Signature page(s) to follow]

CITY:

City of Manor, Texas
a Texas home rule municipal corporation

Attest:

By: _____
Name: Lluvia T. Almaraz
Title: City Secretary

By: _____
Name: Dr. Christopher Harvey
Title: Mayor

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 2023, by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home rule municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public, State of Texas

EXHIBIT C

DEVELOPER:

GREGG LANE DEV LLC, a Texas limited liability company

By: Gregg Lane Manager, LLC, a Texas limited liability company, its Manager

By: SVAG Asset Management LLC, a Texas limited liability company, its Manager

By: _____
Name: Sudharshan Vembutty
Title: Manager

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me, on the ____ day of _____, 2023, by Sudharshan Vembutty, Manager of SVAG Asset Management LLC, a Texas limited liability company, Manager of Gregg Lane Manager, LLC, a Texas limited liability company, Manager of Gregg Lane Dev LLC, a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

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

EXHIBIT C

**Exhibit A
Property Description**



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943
3500 McCall Lane
Austin, Texas 78744

**30.580 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 30.580 ACRES OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS, BEING A WESTERN PORTION OF THAT CERTAIN CALLED 39.4 ACRE TRACT DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2004009801 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 30.580 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with 'CHAPARRAL' cap set in the north line of a 60.292 acre tract described in Document No. 2013001967 of the Official Public Records of Travis County, Texas, same being the south line of said 39.4 acre tract, from which a 1/2" rebar found for the northernmost northeast corner of the 60.292, same being an angle point in the south line of the 39.4 acre tract, bears South 61°38'05" East a distance of 575.95 feet;

THENCE North 61°37'58" West with the south line of the 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar found at a distance of 648.82 feet, and continuing 20.62 feet, for total distance of 669.44 feet to a calculated point in the approximate centerline of Wilbarger Creek, also being the west line of the 39.4 acres and the being also the east line of an 85.769 acre tract described Document No. 2008118667 of the Official Public Records of Travis County, Texas;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of the 39.4 acre tract and the east line of 85.796 acres described in Document No. 2008118667 of the Official Public Records of Travis County, Texas, the following forty (40) courses:

1. North 00°28'28" East, a distance of 9.07 feet to a to a calculated point;
2. North 05°17'24" West, a distance of 31.85 feet to a to a calculated point;
3. North 01°00'43" West, a distance of 39.99 feet to a to a calculated point;
4. North 13°37'54" West, a distance of 36.17 feet to a to a calculated point;
5. North 03°30'27" West, a distance of 43.17 feet to a to a calculated point;
6. North 10°14'35" West, a distance of 42.68 feet to a to a calculated point;

1662-001-30.580 AC

EXHIBIT C

7. North 22°31'57" West, a distance of 57.70 feet to a to a calculated point;
8. North 44°39'48" West, a distance of 45.77 feet to a to a calculated point;
9. North 54°56'29" West, a distance of 58.93 feet to a to a calculated point;
10. North 82°53'28" West, a distance of 51.24 feet to a to a calculated point;
11. South 71°16'10" West, a distance of 39.96 feet to a to a calculated point;
12. South 66°38'21" West, a distance of 51.94 feet to a to a calculated point;
13. North 89°22'53" West, a distance of 39.25 feet to a to a calculated point;
14. North 83°41'50" West, a distance of 51.08 feet to a to a calculated point;
15. North 89°13'01" West, a distance of 53.52 feet to a to a calculated point;
16. North 76°23'07" West, a distance of 54.75 feet to a to a calculated point;
17. North 76°02'03" West, a distance of 65.60 feet to a to a calculated point;
18. North 78°19'56" West, a distance of 54.07 feet to a to a calculated point;
19. South 73°52'38" West, a distance of 52.35 feet to a to a calculated point;
20. North 82°54'47" West, a distance of 58.96 feet to a to a calculated point;
21. North 48°39'03" West, a distance of 54.65 feet to a to a calculated point;
22. North 21°40'43" West, a distance of 61.82 feet to a to a calculated point;
23. North 00°14'42" East, a distance of 52.83 feet to a to a calculated point;
24. North 08°20'31" East, a distance of 53.76 feet to a to a calculated point;
25. North 08°21'04" East, a distance of 38.04 feet to a to a calculated point;
26. North 12°10'56" West, a distance of 48.92 feet to a to a calculated point;
27. North 26°26'40" West, a distance of 51.72 feet to a to a calculated point;
28. North 09°59'30" West, a distance of 51.78 feet to a to a calculated point;
29. North 09°26'58" West, a distance of 65.60 feet to a to a calculated point;

1662-001-30.580 AC

EXHIBIT C

30. North 23°17'46" East, a distance of 51.71 feet to a to a calculated point;
31. North 34°54'31" East, a distance of 42.87 feet to a to a calculated point;
32. North 48°43'04" East, a distance of 60.00 feet to a to a calculated point;
33. South 79°51'17" East, a distance of 39.39 feet to a to a calculated point;
34. South 58°38'03" East, a distance of 48.87 feet to a to a calculated point;
35. North 59°05'59" East, a distance of 54.70 feet to a to a calculated point;
36. North 00°19'10" East, a distance of 38.05 feet to a to a calculated point;
37. North 15°36'04" West, a distance of 56.41 feet to a to a calculated point;
38. North 06°24'18" East, a distance of 49.34 feet to a to a calculated point;
39. North 34°41'25" East, a distance of 55.35 feet to a to a calculated point;
40. North 08°45'25" West, a distance of 12.36 feet to a to a calculated point;

THENCE South 70°46'58" East, a distance of 13.00, to a 1/2" rebar found for an angle point in the west line of the 39.4 acres, same being the east line of the 85.796 acres;

THENCE North 22°06'01" East, a distance of 137.89 feet to a 1/2" rebar with 'CHAPARRAL' cap found for the northwest corner of the 39.4 acre tract, same being an interior corner of the 85.796 acre tract;

THENCE South 62°49'58" East, with the north line of the 39.4 acre tract, same being a south line of the 85.796 acre tract, a distance of 155.36 feet to a 1/2" rebar found for an angle point on the north line of the 39.4 acre tract, also being the southernmost northeast corner of the 85.796 acre tract, also being the southwest corner of a 170 acre tract described in Volume 8293, Page 104 of the Deed Records of Travis County, Texas;

THENCE South 62°31'16" East, continuing with the north line of the 39.4 acre tract, same being the south line of said 170 acre tract, being the south line of a 57.215 acre tract described in Document No. 2002251950 of the Official Public Records of Travis County, Texas; also being the south line of 39.00 acres described in Volume 8947, Page 802 of the Real Property Records of Travis County, Texas; a distance of 1513.14 feet to a 1/2" iron pipe found in the south line of the 39.00 acre tract, for the most northernmost corner of the 39.4 acre tract, same being the northwest corner of a 3.56 acre tract described in Document No. 2009010572 of the Official Public Records of Travis County, Texas;

1662-001-30.580 AC

EXHIBIT C

THENCE South 27°51'31" West, with an east line of the 39.4 acre tract, same being the west line of said 3.56 acre tract, also being the west line of a 75.37 acre tract described in Document No. 2008031946 of the Official Public Records of Travis County, Texas, passing a 1/2" iron pipe found for the most westerly southwest corner of said 75.37 acre tract at a distance of 548.40 feet and continuing 321.78 feet, for a total distance of 870.18 feet to the **POINT OF BEGINNING**, containing 30.580 acres of land, more or less.

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-30.580ac

Paul J. Flugel 1-6-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



1662-001-30.580 AC

EXHIBIT C



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

59.765 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 59.765 ACRES, BEING A PORTION OF THAT CERTAIN TRACT OF LAND STATED TO CONTAIN 60.292 ACRES, MORE OR LESS, OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS AS DESCRIBED IN DISTRIBUTION DEED RECORDED IN DOCUMENT NO. 2020120760 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME LAND CONVEYED TO THE CARRILLO FAMILY PARTNERSHIP IN DOCUMENT NO. 2013001967, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 59.765 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the north right-of-way of Gregg Lane (variable width right-of-way), being the southeast corner of said 60.292 acre tract, and also the southwest corner of a 15.74 acre tract described in Document No. 2016051094 of the Official Public Records of Travis County, Texas, from which a TxDot Type II disk found in the north right-of-way of Gregg Lane, for the southeast corner of a 36.14 acre tract described in Document No. 2014113251 of the Official Public Records of Travis County, Texas bears South 62°01'41" East a distance of 1995.25 feet;

THENCE North 62°17'26" West, with the south line of the 60.292 acre tract, same being the north right-of-way line of Gregg Lane, a distance of 2133.10 feet to a calculated point in the approximate centerline of Wilbarger Creek;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of said 60.292 acre tract, and the east line of an 85.796 acre tract described Document No. 2008118667 of the Official Public records of Travis County, Texas, the following thirty-two (32) courses:

1. North 73°18'55" East, a distance of 46.89 feet to a to a calculated point;
2. North 65°28'25" East, a distance of 50.67 feet to a to a calculated point;
3. North 51°10'42" East, a distance of 48.58 feet to a to a calculated point;
4. North 48°30'24" East, a distance of 46.23 feet to a to a calculated point;
5. North 49°14'49" East, a distance of 52.77 feet to a to a calculated point;

1662-001-59.765 ACS

EXHIBIT C

6. North 45°14'55" East, a distance of 55.96 feet to a to a calculated point;
7. North 43°43'26" East, a distance of 52.86 feet to a to a calculated point;
8. North 41°05'22" East, a distance of 48.00 feet to a to a calculated point;
9. North 32°42'55" East, a distance of 42.39 feet to a to a calculated point;
10. North 36°20'34" East, a distance of 43.28 feet to a to a calculated point;
11. North 24°58'46" East, a distance of 45.09 feet to a to a calculated point;
12. North 20°50'58" East, a distance of 58.26 feet to a to a calculated point;
13. North 11°43'28" East, a distance of 55.36 feet to a to a calculated point;
14. North 12°03'40" East, a distance of 59.87 feet to a to a calculated point;
15. North 11°44'50" East, a distance of 49.40 feet to a to a calculated point;
16. North 20°31'26" East, a distance of 49.47 feet to a to a calculated point;
17. North 26°12'00" East, a distance of 48.98 feet to a to a calculated point;
18. North 19°47'54" East, a distance of 56.22 feet to a to a calculated point;
19. North 08°36'09" East, a distance of 45.62 feet to a to a calculated point;
20. North 32°55'35" East, a distance of 52.23 feet to a to a calculated point;
21. North 47°27'44" East, a distance of 55.81 feet to a to a calculated point;
22. North 45°04'59" East, a distance of 51.38 feet to a to a calculated point;
23. North 43°53'12" East, a distance of 32.75 feet to a to a calculated point;
24. North 08°50'46" East, a distance of 41.41 feet to a to a calculated point;
25. North 05°45'16" West, a distance of 32.84 feet to a to a calculated point;
26. North 01°15'08" East, a distance of 35.86 feet to a to a calculated point;
27. North 14°04'03" East, a distance of 26.74 feet to a to a calculated point;
28. North 34°11'10" East, a distance of 54.41 feet to a to a calculated point;

1662-001-59.765 ACS

EXHIBIT C

- 29. North 26°59'21" East, a distance of 41.68 feet to a to a calculated point;
- 30. North 36°09'53" East, a distance of 43.97 feet to a to a calculated point;
- 31. North 25°00'27" East, a distance of 44.74 feet to a to a calculated point;
- 32. North 00°27'57" East, a distance of 24.90 feet to a to a calculated point for the northwest corner of the 60.292 acre tract, being the southwest corner of a 39.4 acre tract described in Document No. 2004009801 of the Official Public Records of Travis County, Texas ;

THENCE South 61°38'01" East with the south line of said 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar at 20.62 feet, and continuing for a total distance of 1100.33 feet to a 1/2 " rebar with 'Chaparral' cap set;

THENCE South 00°41'52" East, crossing the 60.292 acre tract a distance of 308.96 feet to a 1/2" rebar found for an interior corner of the 60.292 acre tract, same being the southernmost southwest corner of the 39.4 acre tract;

THENCE South 62°04'50" East with the north line of the 60.292 acre tract, same being the south line of the 39.4 acre tract, a distance of 551.18 feet to a 1/2" rebar found with plastic cap for the southeast corner of the 39.4 acre tract;

THENCE South 61°50'55" East, continuing with the north line of the 60.292 acre tract, a distance of 250.39 feet to a 2" iron pipe found in for the northeast corner of the 60.292 acre tract, same being the northwest corner of said 15.74 acre tract;

THENCE South 27°32'42" West, with the east line of the 60.292 acre tract, same being the west line of said 15.74 acre tract, a distance of 1131.13 feet to the **POINT OF BEGINNING**; containing 59.765 acres of land, more or less;

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-59.765ac

Paul J. Flugel 1-18-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



1662-001-59.765 ACS

EXHIBIT C

Item 11.



EXHIBIT C

**Exhibit B
Evidence of Standing**

EXHIBIT C

LANDOWNER AFFIDAVIT OF OWNERSHIP

SUBJECT PROPERTY INFORMATION

Subdivision Name, Block, Lot, or legal description if not subdivided: _____
of lots (if subdivided): _____ # of acres: _____
Site Property ID #(s): _____
Location: _____ County: _____
Development Name: _____

OWNER

Company/Applicant Name: _____
Authorized Company Representative (if company is owner): _____
Type of Company and State of Formation: _____
Title of Authorized Company Representative (if company is owner): _____
Applicant Address: _____
Applicant Fax: _____
Applicant Phone: _____
Applicant/Authorized Company Representative Email: _____

I hereby certify that the above-named owner is the rightful owner of the Property. I am either the owner of the property identified above or a partner/manager/officer/director/member of the company who is authorized to act on behalf of the company. I further certify that the information provided herein is true and correct.

Owner's Signature: _____ Date: _____

State of _____ §
 §
County of _____ §

This instrument was acknowledged before me on _____, 20__, by
_____, who is the _____ of
_____, a _____ on behalf of said company

Notary Public State of Texas



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an Agreement Regarding the Dissolution of the Newhaven Public Improvement District.

BACKGROUND/SUMMARY:

On April 19, 2023, Gregg Lane Dev LLC (“Developer”) and the City entered into a Development Agreement for a mixed-use project on an approximately 90.3-acre tract with the intent to create a PID and provide for the parties to enter into a dissolution agreement contemporaneously with the PID creation. The dissolution agreement provides that the PID may be dissolved if the levying of assessments or bond issuance does not take place by July 6, 2026, and Developer is requesting that the PID may be dissolved if Developer has not constructed authorized improvements in the aggregate value of \$1,000,000 or more as an addition. The attached dissolution agreement is provided for City Council consideration.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Dissolution Agreement

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve the Agreement Regarding the Dissolution of the Newhaven Public Improvement District.

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

**Agreement Regarding the Dissolution of
the Newhaven Public Improvement District**

This Agreement Regarding the Dissolution of the Newhaven Public Improvement District (the “Agreement”) is entered into on this _____ day of _____, 2023 by Gregg Lane Dev LLC, a Texas limited liability company (the “Developer”) and the City of Manor, a Texas home rule municipality (the “City”), hereinafter sometimes referred to collectively as the “Parties.”

Whereas, the Developer requested the City establish the Newhaven Public Improvement District (the “District”) in that certain Petition for the Creation of a Public Improvement District to Finance Improvements to the Newhaven Development, submitted to the City on March 17, 2022, including any subsequent amendments (the “Petition”); and

Whereas, on the same date that the parties entered into this Agreement, the City authorized the creation of the District over the property described in **Exhibit A**, attached hereto and incorporated herein for all purposes (the “Property”), by Resolution No. _____, as it may be amended from time to time (the “Resolution”); and

Whereas, the Developer intends to request that the City issue bonds (the “PID Bonds”) to reimburse the Developer for the costs of certain public improvements (the “Authorized Improvements”) generally identified in the Resolution; and

Whereas, the Parties desire to provide for the dissolution of the District if (1) the Developer has not constructed Authorized Improvements with an aggregate value of \$1,000,000 or more, and (2) special assessments are not levied or the PID Bonds are not issued, by the deadline set forth herein; and

Whereas, as determined by the current tax roll of the Travis Central Appraisal District, the Developer constitutes (i) the owners of taxable real property representing more than 50% of the appraised value of real property liable for assessment under the Petition, and (ii) the record owners of taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under the Petition, as evidenced by the current tax roll with the signatures of the Petitioners (as defined in the Petition) registering support of the Petition next to the account for the respective Petitioner’s property on the tax rolls is attached hereto as **Exhibit B** and incorporated for all purposes; and

NOW, THEREFORE, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement, the Parties agree as follows:

1. The recitals set forth above are incorporated herein and made a part of this Agreement for all purposes.
2. The Developer agrees that this Agreement constitutes Developer’s petition to dissolve the District under Section 372.011, Texas Local Government Code, as amended, and the City is hereby authorized to dissolve the District if the first issuance of PID Bonds or a levy of

special assessments does not occur by July 20, 2026 (collectively, the “Authorization”). The Developer will not oppose the City’s dissolution of the District undertaken in accordance with this Agreement and will cooperate with the City to cause the District to be dissolved.

3. The Authorization shall terminate and expire upon the earlier of (i) Developer’s construction of Authorized Improvements with an aggregate value of \$1,000,000 or more (ii) the City’s levy of special assessments, or (iii) the City’s first issuance of the PID Bonds.
4. This Agreement shall be a covenant running with the land and shall be binding upon future owners of the Property or portions thereof and shall further be binding upon and inure to the benefit of the parties, and their successors and assigns. Developer shall cause any person or entity to whom Developer transfers the Property or any portion thereof (the “Subsequent Owner”) to execute a document containing language substantially similar to that set forth in Section 2 granting the City the authorization to dissolve the District as provided in Section 2. The Developer shall provide the City with a copy of said document within three (3) business days of execution thereof.
5. This Agreement may be amended only by a written instrument executed by all the Parties. Upon satisfaction of one of the conditions set forth in Section 3, the City will execute an instrument confirming the termination and expiration of this Agreement so that it can be recorded in the Official Public Records of Travis County, Texas.
6. If the conditions set forth in Section 2 are met, but substantial progress has been made towards the construction of the Authorized Improvements (as defined in the Petition), the levy of special assessments, or the issuance of PID Bonds, then the City, in its sole and absolute discretion, may choose to set the Authorization aside and permit the District to remain in existence for a period of up to 6 months (an “Extension Period”) to allow progress to continue on the construction of the Authorized Improvements, the levy of special assessments, or issuance of PID Bonds. If, after the expiration of an Extension Period, additional progress has been made on either the construction of the Authorized Improvements, the levy of special assessments, or the issuance of PID Bonds, then the City may choose to permit one or more additional Extension Periods. If substantial progress has not been made at the expiration of an Extension Period, then the City may choose to take up the Authorization and dissolve the District, in its sole and absolute discretion.
7. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflict of laws provisions, and venue shall lie in Travis County, Texas.
8. It is acknowledged and agreed by the parties that time is of the essence in the performance of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement and this Agreement is effective as of the first date indicated above.

[Signature page(s) to follow]

CITY:

City of Manor, Texas

a Texas home rule municipal corporation

Attest:

By: _____

Name: Lluvia T. Almaraz

Title: City Secretary

By: _____

Name: Dr. Christopher Harvey

Title: Mayor

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 2023, by Dr. Christopher Harvey, Mayor of the City of Manor, Texas, a Texas home rule municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public, State of Texas

DEVELOPER:

GREGG LANE DEV LLC, a Texas limited liability company

By: Gregg Lane Manager, LLC, a Texas limited liability company, its Manager

By: SVAG Asset Management LLC, a Texas limited liability company, its Manager

By: _____
Name: Sudharshan Vembutty
Title: Manager

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me, on the ____ day of _____, 2023, by Sudharshan Vembutty, Manager of SVAG Asset Management LLC, a Texas limited liability company, Manager of Gregg Lane Manager, LLC, a Texas limited liability company, Manager of Gregg Lane Dev LLC, a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

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

Exhibit A Property Description



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

30.580 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 30.580 ACRES OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS, BEING A WESTERN PORTION OF THAT CERTAIN CALLED 39.4 ACRE TRACT DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2004009801 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 30.580 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with 'CHAPARRAL' cap set in the north line of a 60.292 acre tract described in Document No. 2013001967 of the Official Public Records of Travis County, Texas, same being the south line of said 39.4 acre tract, from which a 1/2" rebar found for the northernmost northeast corner of the 60.292, same being an angle point in the south line of the 39.4 acre tract, bears South 61°38'05" East a distance of 575.95 feet;

THENCE North 61°37'58" West with the south line of the 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar found at a distance of 648.82 feet, and continuing 20.62 feet, for total distance of 669.44 feet to a calculated point in the approximate centerline of Wilbarger Creek, also being the west line of the 39.4 acres and the being also the east line of an 85.769 acre tract described Document No. 2008118667 of the Official Public Records of Travis County, Texas;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of the 39.4 acre tract and the east line of 85.796 acres described in Document No. 2008118667 of the Official Public Records of Travis County, Texas, the following forty (40) courses:

1. North 00°28'28" East, a distance of 9.07 feet to a to a calculated point;
2. North 05°17'24" West, a distance of 31.85 feet to a to a calculated point;
3. North 01°00'43" West, a distance of 39.99 feet to a to a calculated point;
4. North 13°37'54" West, a distance of 36.17 feet to a to a calculated point;
5. North 03°30'27" West, a distance of 43.17 feet to a to a calculated point;
6. North 10°14'35" West, a distance of 42.68 feet to a to a calculated point;

1662-001-30.580 AC

7. North 22°31'57" West, a distance of 57.70 feet to a to a calculated point;
8. North 44°39'48" West, a distance of 45.77 feet to a to a calculated point;
9. North 54°56'29" West, a distance of 58.93 feet to a to a calculated point;
10. North 82°53'28" West, a distance of 51.24 feet to a to a calculated point;
11. South 71°16'10" West, a distance of 39.96 feet to a to a calculated point;
12. South 66°38'21" West, a distance of 51.94 feet to a to a calculated point;
13. North 89°22'53" West, a distance of 39.25 feet to a to a calculated point;
14. North 83°41'50" West, a distance of 51.08 feet to a to a calculated point;
15. North 89°13'01" West, a distance of 53.52 feet to a to a calculated point;
16. North 76°23'07" West, a distance of 54.75 feet to a to a calculated point;
17. North 76°02'03" West, a distance of 65.60 feet to a to a calculated point;
18. North 78°19'56" West, a distance of 54.07 feet to a to a calculated point;
19. South 73°52'38" West, a distance of 52.35 feet to a to a calculated point;
20. North 82°54'47" West, a distance of 58.96 feet to a to a calculated point;
21. North 48°39'03" West, a distance of 54.65 feet to a to a calculated point;
22. North 21°40'43" West, a distance of 61.82 feet to a to a calculated point;
23. North 00°14'42" East, a distance of 52.83 feet to a to a calculated point;
24. North 08°20'31" East, a distance of 53.76 feet to a to a calculated point;
25. North 08°21'04" East, a distance of 38.04 feet to a to a calculated point;
26. North 12°10'56" West, a distance of 48.92 feet to a to a calculated point;
27. North 26°26'40" West, a distance of 51.72 feet to a to a calculated point;
28. North 09°59'30" West, a distance of 51.78 feet to a to a calculated point;
29. North 09°26'58" West, a distance of 65.60 feet to a to a calculated point;

1662-001-30.580 AC

- 30. North 23°17'46" East, a distance of 51.71 feet to a to a calculated point;
- 31. North 34°54'31" East, a distance of 42.87 feet to a to a calculated point;
- 32. North 48°43'04" East, a distance of 60.00 feet to a to a calculated point;
- 33. South 79°51'17" East, a distance of 39.39 feet to a to a calculated point;
- 34. South 58°38'03" East, a distance of 48.87 feet to a to a calculated point;
- 35. North 59°05'59" East, a distance of 54.70 feet to a to a calculated point;
- 36. North 00°19'10" East, a distance of 38.05 feet to a to a calculated point;
- 37. North 15°36'04" West, a distance of 56.41 feet to a to a calculated point;
- 38. North 06°24'18" East, a distance of 49.34 feet to a to a calculated point;
- 39. North 34°41'25" East, a distance of 55.35 feet to a to a calculated point;
- 40. North 08°45'25" West, a distance of 12.36 feet to a to a calculated point;

THENCE South 70°46'58" East, a distance of 13.00, to a 1/2" rebar found for an angle point in the west line of the 39.4 acres, same being the east line of the 85.796 acres;

THENCE North 22°06'01" East, a distance of 137.89 feet to a 1/2" rebar with 'CHAPARRAL' cap found for the northwest corner of the 39.4 acre tract, same being an interior corner of the 85.796 acre tract;

THENCE South 62°49'58" East, with the north line of the 39.4 acre tract, same being a south line of the 85.796 acre tract, a distance of 155.36 feet to a 1/2" rebar found for an angle point on the north line of the 39.4 acre tract, also being the southernmost northeast corner of the 85.796 acre tract, also being the southwest corner of a 170 acre tract described in Volume 8293, Page 104 of the Deed Records of Travis County, Texas;

THENCE South 62°31'16" East, continuing with the north line of the 39.4 acre tract, same being the south line of said 170 acre tract, being the south line of a 57.215 acre tract described in Document No. 2002251950 of the Official Public Records of Travis County, Texas; also being the south line of 39.00 acres described in Volume 8947, Page 802 of the Real Property Records of Travis County, Texas; a distance of 1513.14 feet to a 1/2" iron pipe found in the south line of the 39.00 acre tract, for the most northernmost corner of the 39.4 acre tract, same being the northwest corner of a 3.56 acre tract described in Document No. 2009010572 of the Official Public Records of Travis County, Texas;

1662-001-30.580 AC

THENCE South 27°51'31" West, with an east line of the 39.4 acre tract, same being the west line of said 3.56 acre tract, also being the west line of a 75.37 acre tract described in Document No. 2008031946 of the Official Public Records of Travis County, Texas, passing a 1/2" iron pipe found for the most westerly southwest corner of said 75.37 acre tract at a distance of 548.40 feet and continuing 321.78 feet, for a total distance of 870.18 feet to the **POINT OF BEGINNING**, containing 30.580 acres of land, more or less.

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-30.580ac

Paul J. Flugel 1-6-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



1662-001-30.580 AC



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**59.765 ACRES
SUMNER BACON SURVEY No. 62, ABSTRACT No. 63
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 59.765 ACRES, BEING A PORTION OF THAT CERTAIN TRACT OF LAND STATED TO CONTAIN 60.292 ACRES, MORE OR LESS, OUT OF THE SUMNER BACON SURVEY NO. 62, ABSTRACT NO. 63, IN TRAVIS COUNTY, TEXAS AS DESCRIBED IN DISTRIBUTION DEED RECORDED IN DOCUMENT NO. 2020120760 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME LAND CONVEYED TO THE CARRILLO FAMILY PARTNERSHIP IN DOCUMENT NO. 2013001967, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 59.765 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the north right-of-way of Gregg Lane (variable width right-of-way), being the southeast corner of said 60.292 acre tract, and also the southwest corner of a 15.74 acre tract described in Document No. 2016051094 of the Official Public Records of Travis County, Texas, from which a TxDot Type II disk found in the north right-of-way of Gregg Lane, for the southeast corner of a 36.14 acre tract described in Document No. 2014113251 of the Official Public Records of Travis County, Texas bears South 62°01'41" East a distance of 1995.25 feet;

THENCE North 62°17'26" West, with the south line of the 60.292 acre tract, same being the north right-of-way line of Gregg Lane, a distance of 2133.10 feet to a calculated point in the approximate centerline of Wilbarger Creek;

THENCE with the approximate centerline of Wilbarger Creek, being the west line of said 60.292 acre tract, and the east line of an 85.796 acre tract described Document No. 2008118667 of the Official Public records of Travis County, Texas, the following thirty-two (32) courses:

1. North 73°18'55" East, a distance of 46.89 feet to a to a calculated point;
2. North 65°28'25" East, a distance of 50.67 feet to a to a calculated point;
3. North 51°10'42" East, a distance of 48.58 feet to a to a calculated point;
4. North 48°30'24" East, a distance of 46.23 feet to a to a calculated point;
5. North 49°14'49" East, a distance of 52.77 feet to a to a calculated point;

1662-001-59.765 ACS

6. North 45°14'55" East, a distance of 55.96 feet to a to a calculated point;
7. North 43°43'26" East, a distance of 52.86 feet to a to a calculated point;
8. North 41°05'22" East, a distance of 48.00 feet to a to a calculated point;
9. North 32°42'55" East, a distance of 42.39 feet to a to a calculated point;
10. North 36°20'34" East, a distance of 43.28 feet to a to a calculated point;
11. North 24°58'46" East, a distance of 45.09 feet to a to a calculated point;
12. North 20°50'58" East, a distance of 58.26 feet to a to a calculated point;
13. North 11°43'28" East, a distance of 55.36 feet to a to a calculated point;
14. North 12°03'40" East, a distance of 59.87 feet to a to a calculated point;
15. North 11°44'50" East, a distance of 49.40 feet to a to a calculated point;
16. North 20°31'26" East, a distance of 49.47 feet to a to a calculated point;
17. North 26°12'00" East, a distance of 48.98 feet to a to a calculated point;
18. North 19°47'54" East, a distance of 56.22 feet to a to a calculated point;
19. North 08°36'09" East, a distance of 45.62 feet to a to a calculated point;
20. North 32°55'35" East, a distance of 52.23 feet to a to a calculated point;
21. North 47°27'44" East, a distance of 55.81 feet to a to a calculated point;
22. North 45°04'59" East, a distance of 51.38 feet to a to a calculated point;
23. North 43°53'12" East, a distance of 32.75 feet to a to a calculated point;
24. North 08°50'46" East, a distance of 41.41 feet to a to a calculated point;
25. North 05°45'16" West, a distance of 32.84 feet to a to a calculated point;
26. North 01°15'08" East, a distance of 35.86 feet to a to a calculated point;
27. North 14°04'03" East, a distance of 26.74 feet to a to a calculated point;
28. North 34°11'10" East, a distance of 54.41 feet to a to a calculated point;

1662-001-59.765 ACS

- 29. North 26°59'21" East, a distance of 41.68 feet to a to a calculated point;
- 30. North 36°09'53" East, a distance of 43.97 feet to a to a calculated point;
- 31. North 25°00'27" East, a distance of 44.74 feet to a to a calculated point;
- 32. North 00°27'57" East, a distance of 24.90 feet to a to a calculated point for the northwest corner of the 60.292 acre tract, being the southwest corner of a 39.4 acre tract described in Document No. 2004009801 of the Official Public Records of Travis County, Texas ;

THENCE South 61°38'01" East with the south line of said 39.4 acre tract, same being the north line of the 60.292 acre tract, passing a 1/2" rebar at 20.62 feet, and continuing for a total distance of 1100.33 feet to a 1/2 " rebar with 'Chaparral' cap set;

THENCE South 00°41'52" East, crossing the 60.292 acre tract a distance of 308.96 feet to a 1/2" rebar found for an interior corner of the 60.292 acre tract, same being the southernmost southwest corner of the 39.4 acre tract;

THENCE South 62°04'50" East with the north line of the 60.292 acre tract, same being the south line of the 39.4 acre tract, a distance of 551.18 feet to a 1/2" rebar found with plastic cap for the southeast corner of the 39.4 acre tract;

THENCE South 61°50'55" East, continuing with the north line of the 60.292 acre tract, a distance of 250.39 feet to a 2" iron pipe found in for the northeast corner of the 60.292 acre tract, same being the northwest corner of said 15.74 acre tract;

THENCE South 27°32'42" West, with the east line of the 60.292 acre tract, same being the west line of said 15.74 acre tract, a distance of 1131.13 feet to the **POINT OF BEGINNING**; containing 59.765 acres of land, more or less;

Surveyed on the ground on August 3, 2020.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1662-001-59.765ac

Paul J. Flugel 1-18-2021

Paul J. Flugel
 Registered Professional Land Surveyor
 State of Texas No. 5096
 TBPLS Firm No. 10124500



1662-001-59.765 ACS



Exhibit B
Evidence of Standing

LANDOWNER AFFIDAVIT OF OWNERSHIP

SUBJECT PROPERTY INFORMATION

Subdivision Name, Block, Lot, or legal description if not subdivided: _____
 # of lots (if subdivided): _____ # of acres: _____
 Site Property ID #(s): _____
 Location: _____ County: _____
 Development Name: _____

OWNER

Company/Applicant Name: _____
 Authorized Company Representative (if company is owner): _____
 Type of Company and State of Formation: _____
 Title of Authorized Company Representative (if company is owner): _____
 Applicant Address: _____
 Applicant Fax: _____
 Applicant Phone: _____
 Applicant/Authorized Company Representative Email: _____

I hereby certify that the above-named owner is the rightful owner of the Property. I am either the owner of the property identified above or a partner/manager/officer/director/member of the company who is authorized to act on behalf of the company. I further certify that the information provided herein is true and correct.

Owner's Signature: _____ Date: _____

State of _____ §
 §
 County of _____ §

This instrument was acknowledged before me on _____, 20____, by _____, who is the _____ of _____, a _____ on behalf of said company.

 Notary Public State of Texas



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion and possible action on Letter of Intent for Underwriting Services for Special Assessment Bonds and G-17 (Newhaven Public Improvement District).

BACKGROUND/SUMMARY:

The City’s PID policy provides that the City Council select an underwriter with input from the Developer. By separate agenda item on July 5, 2023, City Council is considering the creation of the Newhaven Public Improvement District (PID). City staff recommends FMSbonds be selected as the Underwriter to provide services for the special assessment bonds due to their experience and prior services rendered to the city. The Developer has not objected to this recommendation. The attached Letter of Intent is provided for City Council consideration if the Newhaven PID is created on the same date as this agenda item.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Letter of Intent

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve and select FMSbonds to provide underwriting services for the Newhaven PID and approve the Letter of Intent for Underwriting Services for Special Assessment Bonds and G-17 and authorize the City Manager to execute the Letter of Intent.

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



June 26, 2023

Mr. Scott Moore, City Manager
City of Manor
105 E. Eggleston Street
Manor, Texas 78653

Re: Letter of Intent for Underwriting Services for Special Assessment Bonds & G-17

Dear Mr. Moore:

FMSbonds, Inc. (“FMS”) is being engaged as the underwriter by the City of Manor (the “City”) for its forthcoming issuance of Public Improvement District Special Assessment Bonds (the “Bonds”). We ask that you, as representative of the Issuer and Obligated Party within the meaning of SEC rules (“Issuer”), agrees, and acknowledge by signing below:

- FMS has been engaged as the underwriter for each issuance of the Bonds (the “Underwriter”) and not as financial advisor or municipal advisor;
- As an Underwriter, FMS may provide advice to the City on the structure, timing, terms and other similar matters concerning the Bonds;
- The Issuer has reviewed Attachment I which contains Municipal Securities Rulemaking Board (MSRB) Rule G-17 disclosures;
- It is the present intention of the City that FMS will underwrite each issuance of Bonds for the City, upon formal approval by the City, finalizing the structure of the Bonds, and the execution of a mutually agreed upon Bond Purchase Agreements for each issue.
- Any advice, suggestions, or recommendations we may provide to the Issuer in connection with the structuring and issuance of the Bonds shall be part of our scope of services as Underwriter.
- The services we shall provide as Underwriter are limited in scope to the Bonds and can be terminated at the discretion of the City at any time.

Sincerely yours,

Acknowledged and Agreed to by:

FMSbonds, Inc.

By: _____
Print Name: R.R. "Tripp" Davenport, III
Print Title: Director

By: _____
Print Name: Scott Moore
Print Title: City Manager

Attachment I

MSRB G-17 Disclosure

The City has engaged FMSbonds, Inc. (“FMS”) to serve as underwriter, and not as a financial advisor or municipal advisor, in connection with the issuance of Special Assessment Bonds (the "Bonds"). As part of our services as underwriter, FMS may provide advice concerning the structure, timing, terms, and other similar matters concerning each issuance of Bonds. Any such advice was provided by FMS as an underwriter and not as your financial advisor.

Pursuant to the Notice, we are required by the MSRB to advise you that:

- MSRB Rule G-17 requires an underwriter to deal fairly at all times with both municipal issuers, delegated persons such as the Issuer and investors.
- The underwriter’s primary role is to purchase the Bonds with a view to distribution in an arm’s-length commercial transaction with the Issuer. As such, the underwriter has financial and other interests that differ from those of the Issuer.
- Unlike a municipal advisor, the underwriter does not have a fiduciary duty to the Issuer under the federal securities laws and are, therefore, not required by federal law to act in the best interests of the Issuer without regard to their own financial or other interests.
- The underwriter has a duty to purchase the Bonds from the Issuer at a fair and reasonable price, but must balance that duty with its duty to sell the Bonds to investors at prices that are fair and reasonable.
- As underwriter, we will review the disclosure document for each issuance of Bonds in accordance with, and as part of, our responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.¹

FMS will be compensated by a fee and/or an fee that will be set forth in each bond purchase agreement to be negotiated and entered into in connection with each issuance of Bonds. Payment or receipt of the underwriting fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based, in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since an underwriter may have an incentive to recommend a transaction that is unnecessary or to recommend that the size of a transaction be larger than is necessary. The Issuer acknowledges no such recommendation has been made by FMS.

Please note nothing in this letter is an expressed nor an implied commitment by us to provide financing or to purchase or place each issuance of Bonds or any other securities. Any such commitment shall only be set forth in a bond purchase agreement or other appropriate form of agreement for the type of transaction undertaken by you.

¹ Under federal securities law, an issuer of securities has the primary responsibility for disclosure to investors. The review of the disclosure document by the underwriters is solely for purposes of satisfying the underwriters’ obligations under the federal securities laws and such review should not be construed by an issuer as a guarantee of the accuracy or completeness of the information in the disclosure document.

Further, our participation in each transaction contemplated herein remains subject to, among other things, the execution of a bond purchase agreement (or other appropriate form of agreement), further internal review and approvals, satisfactory completion of our due diligence investigation and market conditions.

FMS is acting independently in seeking to act as an underwriter in the transactions contemplated herein and shall not be deemed for any purpose to be acting as an agent, joint venturer or partner of any other principal involved in the proposed financing. FMS assumes no responsibility, express or implied, for any actions or omissions of, or the performance of services by, the other underwriters in connection with the transactions contemplated herein or otherwise.

If you or any other Issuer representatives have any questions or concerns about these disclosures, please make those questions or concerns known immediately to FMS. In addition, Issuer should consult with its own financial, municipal, legal, accounting, tax and other advisors, as applicable, to the extent it deems appropriate. Depending on the final structure of the transaction that the City and FMS decide to pursue or if additional actual or perceived material conflicts are identified, we may be required to send you additional disclosures.

It is our understanding that you have the authority to bind the City with us, and that you are not a party to any conflict of interest relating to the subject transaction. If our understanding is incorrect, please notify FMS immediately.

The MSRB requires that we seek your acknowledgement that you have received this letter. Accordingly, please send me an email to that effect, or sign and return the enclosed copy of this letter to me at the address set forth above within five (5) business days of the date of this letter. Depending on the structure of the transaction that the Issuer decides to pursue, or if additional actual or perceived material conflicts are identified, we may be required to send you additional disclosures. At that time, we also will seek your acknowledgement of receipt of any such additional disclosures.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Tyler Shows, EIT Staff Engineer
DEPARTMENT: Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an Amendment for additional services for the Manor Commercial Park Wastewater Collection System and Carriage Hills Lift Station #5 Improvements (Statement of Work No.7).

BACKGROUND/SUMMARY:

The proposed project will provide centralized wastewater collection system improvements to the existing Manor Commercial Park development. While the project was under design, additional proposed areas to provide service were added to the project which increased the proposed service area to now include almost all of the area east of Manor Commercial Park to Old Kimbro Road for commercial/industrial project development. The larger service area and increased wastewater flows will require the design of additional system improvements that were not in the scope of the original Statement of Work.

The original scope had approximately 8,000 LF of wastewater line installation and Lift Station upgrades. The increased scope includes approximately 6,000 linear feet (LF) of additional 12-inch diameter gravity sewer main, additional upgrades to the Carriage Hills Lift Station, upsizing approximately 400LF of 12-inch diameter gravity sewer main, upsizing approximately 3,000LF of 15-inch diameter gravity sewer main. This additional work requires an amendment to the original Statement of Work for the project.

LEGAL REVIEW: Not applicable
FISCAL IMPACT: Yes
PRESENTATION: No
ATTACHMENTS: Yes

- Statement of Work No. 7, Amendment No. 1

STAFF RECOMMENDATION:

It is the city staff's recommendation that the City Council approve the amendment to Statement of Work #7 to George Butler Associates, Inc. for the Manor Commercial Park Wastewater Collection System & Carriage Hills Lift Station #5 Improvements in the amount of \$181,630.00.

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

Statement of Work No. 7, Amendment No. 1

This Amendment No. 1 to Statement of Work No. 7 to the Master Services Agreement between the City of Manor, Texas, as CITY, and George Butler Associates, Inc., as ENGINEER, dated October 22, 2021 hereby authorizes ENGINEER to undertake the work assignment described in the following, said assignment to be performed within the terms and conditions defined in said Master Services Agreement, except as modified herein.

Manor Commercial Park Wastewater Collection System & Carriage Hills Lift Station #5 Improvements

A. PROJECT DESCRIPTION

The City of Manor has requested that George Butler and Associates, Inc. provide additional preliminary, design, bidding and construction phase engineering services described below and in the scope of services.

The original Manor Commercial Park scope contemplated installing a wastewater collection system to Beltex Drive to service Manor Commercial Park and some eastern portions to Old Kimbro Road. While that design was in progress, information was presented that increased the proposed service area to include almost all the area east of Manor Commercial Park to Old Kimbro Road for commercial project development. The larger service area and increased wastewater flows will necessitate the following system enhancements: extension of new wastewater line segments, Carriage Hills lift station improvements with increased pumping capacity, and upsizing of the existing wastewater gravity line upstream and downstream of the Carriage Hills Lift station to adequately convey proposed wastewater flows. The levels of service for this area will increase from 1,170 LUEs and 443 Acres to 1,781 LUEs and 616 Acres.

Under this Amendment, GBA will provide Professional Engineering preliminary engineering, final design, permitting, bidding, and construction phase services for installing a wastewater collection system to serve the area of Manor Commercial Park and the area east to Old Kimbro Road. These additional improvements include the design of approximately 6,000 linear feet (LF) of 12-inch diameter gravity sewer main, 16 manholes, additional upgrades to the Carriage Hills Lift Station, upsizing approximately 400LF of 12-inch diameter gravity sewer main to 15-inch, upsizing approximately 3,000LF of 15-inch diameter gravity sewer main to 18-inch.

Additional Easements are also required for the installation of the gravity sewer line, that crosses five property parcels. Five additional wastewater and temporary construction easements are needed, and approximately 9,500 LF of additional surveying is required to survey the contemplated line extension and line oversizing assignments.

B. SCOPE OF SERVICES

Under Statement of Work Amendment No. 7, Amendment No. 1, George Butler and Associates, Inc. will provide redesigns of Lift Station #5 capacity, including new site layout, electrical service, pumps, and upsizing of the existing gravity sewer line to service the proposed additional service area and LUEs in the system.

C. BASIS OF COMPENSATION

The total compensation for this amendment shall be on a lump sum basis as follows:

| | |
|--|-------------|
| 1 - Preliminary Engineering: | \$24,430.00 |
| 2 - Additional Surveying: Topographic Surveying | \$32,200.00 |
| Easement Descriptions and Exhibits | \$28,290.00 |
| 3 - Construction Documents Phase: | \$51,280.00 |
| 4 - Permitting Phase: | \$7,070.00 |
| 5 - Bidding Phase: | \$5,860.00 |
| 6 – Construction Phase: | \$32,500.00 |

Total: \$181,630

The City shall make payments to the Engineer on a monthly billing basis in accordance with the original Proposal.

APPROVED:

CITY OF MANOR, TEXAS

By: _____

Title: _____

ACCEPTED:

GEORGE BUTLER AND ASSOCIATES, INC.

By: Frank T. Phelan

Title: Senior Associate



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Moore, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Letter of Interest for the Bristol Myers Squibb Foundation Grant. (BMHC)

BACKGROUND/SUMMARY:

The Health Committee has been working to identify partnership opportunities to support the different health programs and activities for our Manor residents to benefit from those partnerships and health driven initiatives. The Manor community has faced some barriers in receiving services and the effort to build stronger coalitions and collaborative partnerships are a priority. The Health Committee and the other Council Committees is to leverage our partnership efforts to help identify the different strategies that will achieve the best outcomes for our growing community. The following information is highlight the opportunity for the City Council to consider.

Funding Agency

The Bristol Myers Squibb Foundation advances health equity for disadvantaged populations around the world with interest in bringing together partners from the government, nonprofit, academic and private sectors to test innovations related to cancer, immunology, and cardiology. Potential funding to BMHC is restricted to a planning grant associated with implementing services or studies around stroke, irregular heartbeat, genetic heart conditions, hypertension, and/or hypertrophic obstructive cardiomyopathy.

BMHC Collaborations / Partners

CommUnity Care, a federally qualified health center for basic physical health services at BMHC and in the City of Manor.

American Heart Association (AHA) will provide advisory and consultative support for the development and deployment of the baseline community assessment and facilitate connection and collaboration.

University of Texas at Austin provides scholarly research and data analysis support via Dell Medical School, Population Health, School of Pharmacy, School of Social Work, and Center for Health Communications.

Dollar For, a UT Austin chapter providing support with screening and paperwork submission for BMHC clients with outstanding debt for services received within the past 8 months at nonprofit hospitals for potential debt reduction or forgiveness.

Sickle Cell Association of Texas (Marc Thomas Foundation), provides sickle cell screenings, health plans, and information.

Integral Care, is the local authority for mental health and intellectual developmental disabilities in Travis County.

Saffron Women's Trust Foundation, coordinates support for women in financial need, and will support BMHC clients with significant others and daughters.

Austin Public Library System provides knowledge, technology, and inspiration to the Austin community through 20+ locations.

Texas Tobacco Free provides BMHC personalized materials to promote reduced smoking, as well as, academic write-ups and various quit-smoking support tools for clients.

(Proposed) Manor Independent School District, there is a nursing program amongst others that could enable students to be involved for credit and/or experience.

(Proposed) The City of Manor is interested in establishing a stronger health awareness of residents; to include, appropriately targeted support programs and health education, and advocacy of needed services and programs.

(Proposed) People's Community Clinic provides primary care services to for Manor Independents School District staff up to age 24, enrolled students, and their siblings; to include, children and adolescent/young adults who reside in the City of Manor.

Grant Interest

BMHC exists to lower barriers for successful healthcare as a no-wrong-door safety-net program addressing disparities through effective strategies focused on decreasing mortality and morbidity rates among men of color, their immediate family, and those with extenuating circumstances via improved quality of life, self-health maintenance, and family lifestyle at no-additional-cost to clients. For over a year, BMHC has ensured the longevity of life by making physical, behavioral, and social care more accessible in underserved and underrepresented communities while transforming and removing stigmas regarding typical healthcare systems into positive life-changing experiences via health education, care coordination, patient navigation, and internships. The uniqueness of partnering with the City of Manor is it's a minority-majority community with a population of 33,062-plus and annual growth average of 2,733 residents. Manor has no health department or basic health assessment for its 64% Hispanic, 20% Black, 60% over age 18, and 50% gender-split population requiring it to over-rely on regional systems unaccustomed to its uniqueness, resulting in advocacy hindrances for targeted scaling of primary care and specialty services to meet and exceed community needs.

Project Method & Evaluation Plan

Phase I, six (6) months.

1. Month 1 & 2
 - a. Create a project manager position split paid via contract by BMHC and the City of Manor.
 - b. Confirm collaborators and specify roles to mitigate overlap.
 - c. Create materials for marketing, promotion and surveying.
 - d. Define key performance indicators, data analysis method, and reporting mechanism.

2. Month 3 & 4
 - a. Finalize interviews and contract project manager.
 - b. Finalize and approve for use 1b.
 - c. Finalize and approve for use 1c.
3. Month 5 & 6
 - a. Data Collection (i.e., door to door surveys; electronic surveys via social media, etc; tabling at community events and heavy foot traffic areas).
 - b. Assess and revise outreach and engagement strategy.

Phase II, six (6) months.

1. Month 1 & 2
 - a. Data Analysis (i.e., trends, outliers, etc).
 - b. Finalize and approve.
2. Month 3 & 4
 - a. Identify and categorize existing health-related services and program in the City of Manor.
 - b. Identify and establish access to health-related services and programs needed in the City of Manor.
3. Month 5 & 6
 - a. Create materials for marketing and promotion to enhance residential use of existing services and programs; and collaborations with health-related providers for needed services and programs in the City of Manor.
 - b. Define key performance indicators, data analysis method, and reporting mechanism.
 - c. Assess and revise outreach and engagement strategy.

Phase III, six (6) months.

1. Month 1 & 2
 - a. Create near, mid, and long-term outcomes collaboratively lead by the BMHC and City of Manor.
 - b. Define structural composition of official City of Manor health-related services and programs.
 - c. Establish key performance indicators, data analysis method, and reporting mechanism.
2. Month 3 & 4
 - a. Create and finalize materials for marketing and promotion.
 - b. Launch official City of Manor health-related services and programs.
 - c. Identify and recommend health-related funding opportunities.
3. Month 5 & 6
 - a. Assess and revise outreach and engagement strategy.
 - b. Publish project report and recommend other health-related projects.
 - c. Terminate or refund project manager position.

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

STAFF RECOMMENDATION:

It is the city staff's recommendation that the City Council direct city staff to work with the Health Committee and local sponsoring organizations in establishing a partnership to pursue funding opportunities for health initiatives.

PLANNING & ZONING COMMISSION:

Recommend Approval

Disapproval

None



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Moore, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Splash Pad to be installed at Timmermann Park.

BACKGROUND/SUMMARY:

In 2021, city staff had requested proposals from certified contracts to construct a splash pad in Timmerman Park. On March 29, 2023, the Park Committee met and discussed a number of projects for Timmermann Park that included the installation of a basketball court, handicap accessible gazebo, skate park, splash pad, and BBQ pits. Funds have been budgeted to add amenities to Timmerman Park and the Park Committee is supportive of utilizing those resources to construct the splash pad. The goal of making the public parks more interactive and creating additional family oriented activities in our public spaces would be achieved by the splash pad to Timmerman Park.

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

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council direct city staff to execute an agreement to construct a Splash Pad in Timmerman Park in an amount not to exceed \$575,000.

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

Timmermann Park

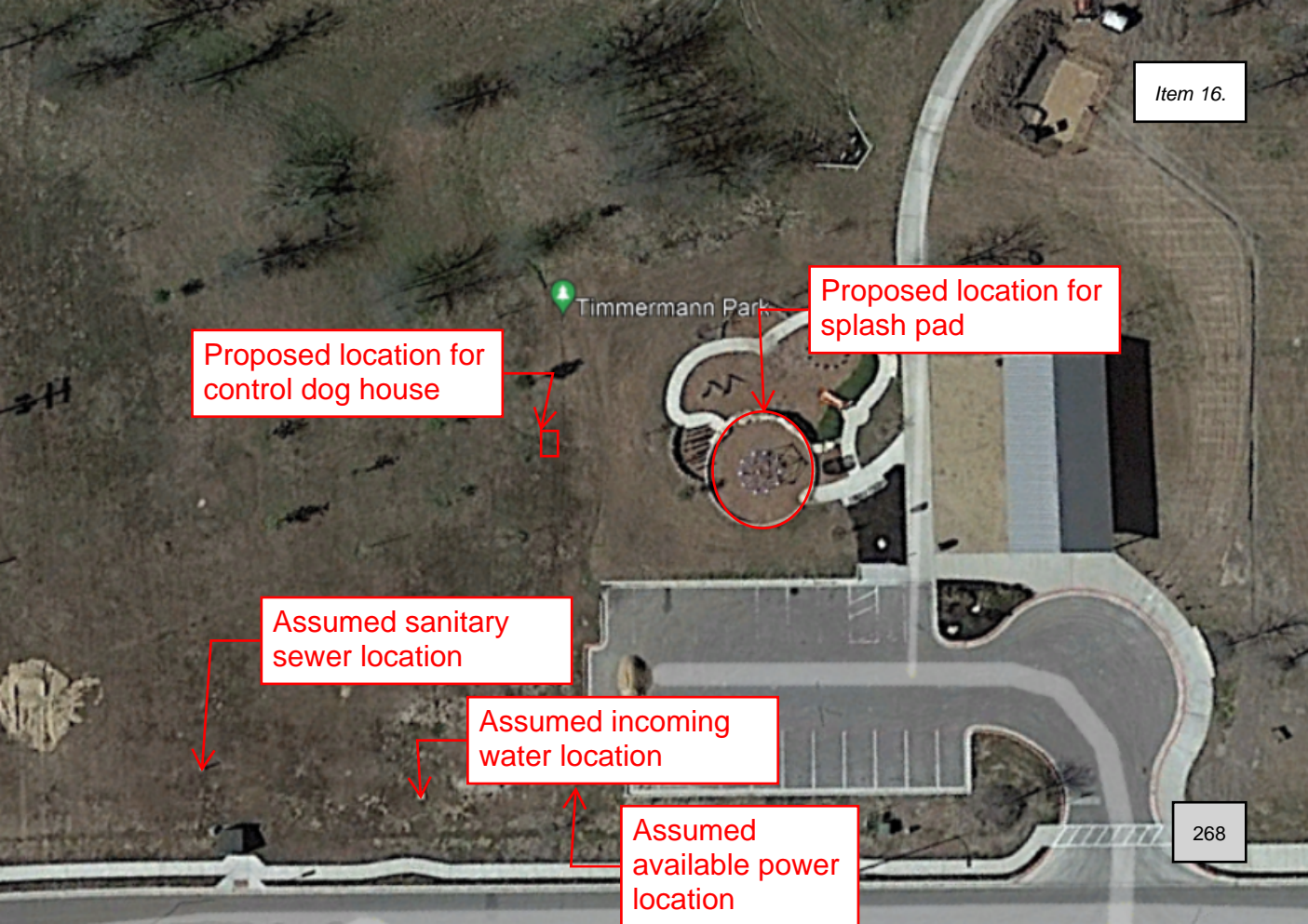
Proposed location for control dog house

Proposed location for splash pad

Assumed sanitary sewer location

Assumed incoming water location

Assumed available power location





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Stormwater Drainage Fee.

BACKGROUND/SUMMARY:

The drainage fee was last presented to the City Council on April 19th during a workshop session and then at the regular meeting. We received feedback about varying rates between residential and nonresidential properties and when other cities that have implemented a fee adopted them and their populations at the time. Legal has provided an opinion on the varying rate structure and Raftelis has prepared an analysis of when surrounding communities implemented their fees, how much those fees were, and what their populations were.

For the purposes of this discussion, if the City Council is satisfied with the information provided to move forward, we'd like to establish the rate structure and get feedback and approval of the community outreach plan. We have created an implementation schedule that has a go-live date of October 1st for the upcoming FY, so to stay on target for that date we need to move into community outreach over the next two months, but to communicate the fee and its benefits effectively and accurately we need to know the rate structure.

Three rate structures have been provided as options so far for FY24- \$2, \$3, and \$6.50 per ERU. The \$2 primarily will fund the Stormwater Master Plan and Capital Planning. \$3 funds those activities plus 1 full-time employee (this employee is already active and paid from the Streets Dept budget but would be paid from the drainage fee if implemented at \$3 or more). \$6.50 funds the full 1st year suggested program: Stormwater Master Plan, Capital Planning, 1 FTE (existing), contracted MS4 compliance, maintenance, storm drain medallions, system mapping, street sweeper, 1 FTE (new), and small project maintenance and repair.

The rate model starting at \$3 in FY24 was also included out to FY30 that increases to \$4 in FY25, \$5 FY26, \$6 FY27, \$7.50 FY28, and \$8 FY29 and FY30. Those rates do not fund the full program or capital projects in some fiscal years and if the City Council desires to fund more of the program then transfers from the General Fund would be necessary.

As originally modeled to fully fund the program and estimated capital project costs, the starting rate was \$6.50/ERU, increasing to \$8.50 in FY26, then \$10 in FY27 to FY33. This rate model includes the "enhanced level of service" in FY28 when the city would create a Drainage Department either as part of the Streets Dept or its own department in Public Works. That enhanced level of service includes 3 new FTEs, gradall truck, dump truck, vector trailer, dumping fees, and fuel/maintenance for those vehicles. Also under the full program, the estimated capital project revenue is about \$400,000/year, which can be reserved over a few years if certain capital projects exceed that amount.

LEGAL REVIEW: Yes, Veronica Rivera
FISCAL IMPACT: No
PRESENTATION: Yes
ATTACHMENTS: Yes

- Presentation
- Benchmarking
- Draft Communication Plan
- Draft Feasibility Report
- Implementation Schedule

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council discuss and provide feedback to staff on a stormwater drainage fee rate model and community outreach plan.

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



City of Manor

Stormwater Utility Feasibility Study

April 19, 2023

City's obligations for funding drainage system



- Compliance with water quality permit issued by TCEQ
- Preventative and proactive maintenance and repair of aging infrastructure
 - › Maintaining a safe environment for current residents and anticipated future development

City's Current Stormwater Program

- Stormwater management performed by Streets Department and contracted engineering firm.
- Funded by general fund, through the Streets Department budget
- Performs services to fulfill obligations under NPDES Phase II MS4 permit issued by TCEQ, including public outreach, site inspections and permit reviews.
- Maintains drainage system infrastructure on City property and ROW, including storm sewers, roadside drainage and streets.

Future Program- proposed enhancements

Short Term

- Enhanced preventative and proactive maintenance, asset management
- Acquire CMMS to help improve operational efficiency
- Street sweeping program to meet MS4 requirements
- Stormwater Master Plan



Long Term

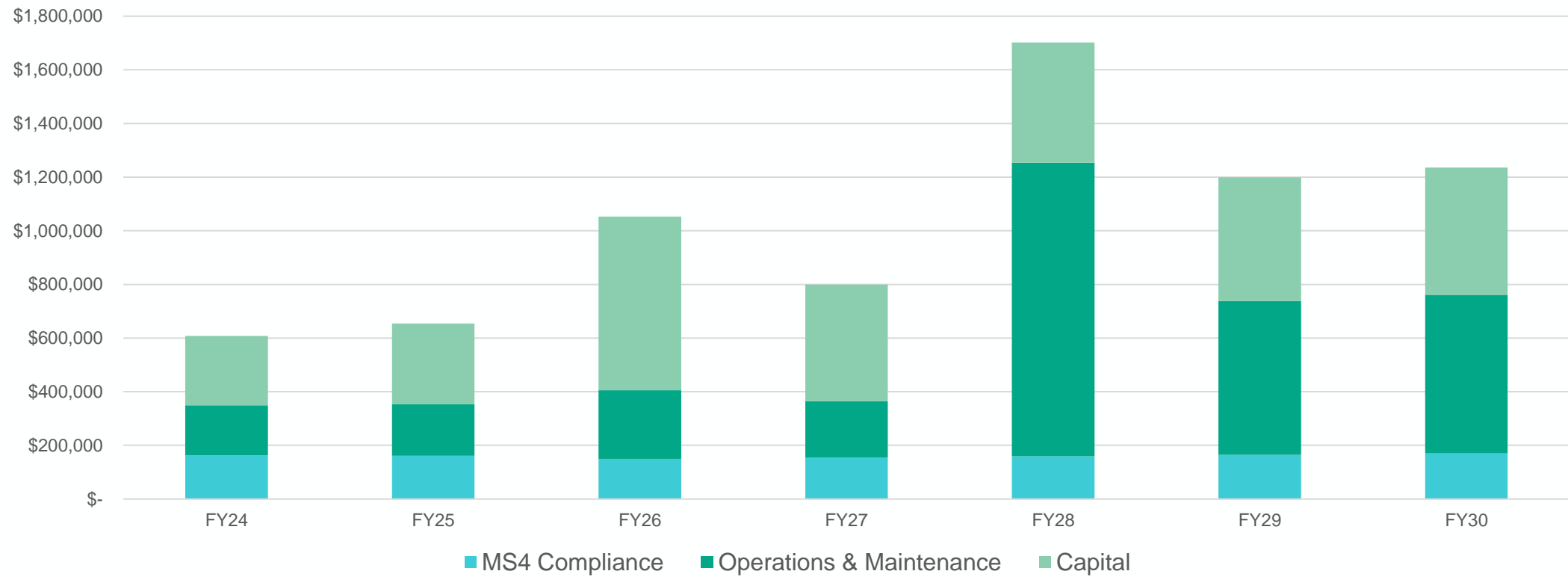
- City takes over responsibility of surface drainage, maintenance of all culverts and ditches (3 crew members and equipment (dump truck, gradall, vector trailer)
- Capital projects- street reprofiling to prevent flooding, other projects as identified in SWMP

To sufficiently fund a growing program, a fee is a more stable source of revenue than taxes/general fund.

Fee Funded Program Components – Rate Comparison

| FY24 Monthly Rate per ERU | | \$2.00 | \$3.00 | \$6.50 |
|---------------------------------|------------|-------------------------------------|------------|------------|
| FY24 Appx Revenue | | \$210,289 | \$315,433 | \$683,439 |
| <u>Fee Funded (Est)</u> | | | | |
| Stormwater Master Plan | \$ 161,461 | X | X | X |
| Support on Capital Planning | \$ 37,132 | X | X | X |
| 1 FTE: Inspector | \$ 80,734 | | X | X |
| Contracted MS4 Compliance | \$ 32,292 | | | X |
| Maintenance | \$ 26,910 | | X | X |
| Storm Drain Medallions | \$ 6,458 | X | X | X |
| System Mapping | \$ 16,146 | | | X |
| Street Sweeper | \$ 106,090 | | | X |
| 1 FTE: Street Sweeper Operator | \$ 80,734 | | | X |
| Maintenance and Repair- Small P | \$ 59,676 | | | X |
| | \$ 607,634 | \$ 205,051 | \$ 312,696 | \$ 607,634 |
| | | Needed from General Fund \$ 397,345 | \$ 292,201 | |

Stormwater Program Costs



| | FY24 | FY25 | FY26 | FY27 | FY28 | FY29 | FY30 |
|---|-------------------|------------------|------------------|------------------|-------------------|------------------|------------------|
| | \$ 3.00 | \$ 4.00 | \$ 5.00 | \$ 6.00 | \$ 7.50 | \$ 8.00 | \$ 8.00 |
| FY24 Appx Revenue | \$315,433 | \$425,949 | \$539,240 | \$655,361 | \$829,679 | \$896,315 | \$907,790 |
| Stormwater Master Plan | X | | | | | | |
| Support on Capital Planning | X | | | | | | |
| 1 FTE: Inspector | X | X | X | X | X | X | X |
| Contracted MS4 Compliance | | | X | X | X | X | X |
| Maintenance | X | X | X | X | X | X | X |
| Storm Drain Medallions | X | X | X | X | X | X | X |
| System Mapping | | X | X | | | | |
| CMMS purchase and setup | | | X | X | X | X | X |
| Street Sweeper | | | X | X | X | X | X |
| 1 FTE: Street Sweeper Operator | | | X | X | X | X | X |
| Maintenance and Repair- Small Projects | | X | X | X | X | X | X |
| 2 FTEs: Foreman and Crew Member | | | | X | X | X | X |
| 1 FTE: Add'l Crew Member | | | | X | X | X | X |
| Dumping Fees for streets and Drainage Cleanup | | | | | X | X | X |
| XL3100 Used Gradall Truck | | | | | X | X | X |
| Fuel and Maintenance | | | | | X | X | X |
| Dump Truck | | | | | | X | X |
| Vactor Trailer | | | | | | X | X |
| Future Capital Projects | | | | | | | |
| Needed from General Fund* (capital projects add'l) | \$ 292,201 | \$ 9,765 | \$ - | \$ - | \$ 513,801 | \$ - | \$ - |

Options

Funding Approach

Tax/General fund

- SW program competes for funding with other City priorities
- Historically insufficient to fully fund program

Stormwater fee

- Can generate sufficient revenue to support envisioned program
- Tied to each property's impact on drainage system
- Used to generate revenue in many SW programs in Texas

Combination

- Fee could be supplemented by tax/general fund
- Fee could be set lower, initially
- Portion of costs covered by fee could be gradually increased over time
- Some protection against competing priorities of general fund monies



Level of Service

Minimum:

Permit compliance

Proactive maintenance and capital planning

Stormwater Utility Funding Approach

Sufficient and Stable Revenue

Rates set to recover sufficient program funding; funds do not need to compete with other City priorities

Fairness in Revenue Recovery

Fees for each ratepayer tied to their impact and stormwater program costs, similar to water and sewer.

Increasingly Common in TX

Large and small communities across the State have developed, or are developing, stormwater utilities

Stormwater fee rate structure



Enabling legislation

*“The governing body of the municipality may charge a lot or tract of benefitted property for drainage service on any basis other than the value of the property, but the basis must be directly related to drainage and the terms of the levy, and any classification of the benefitted properties in the municipality must be **nondiscriminatory, equitable, and reasonable.**”*



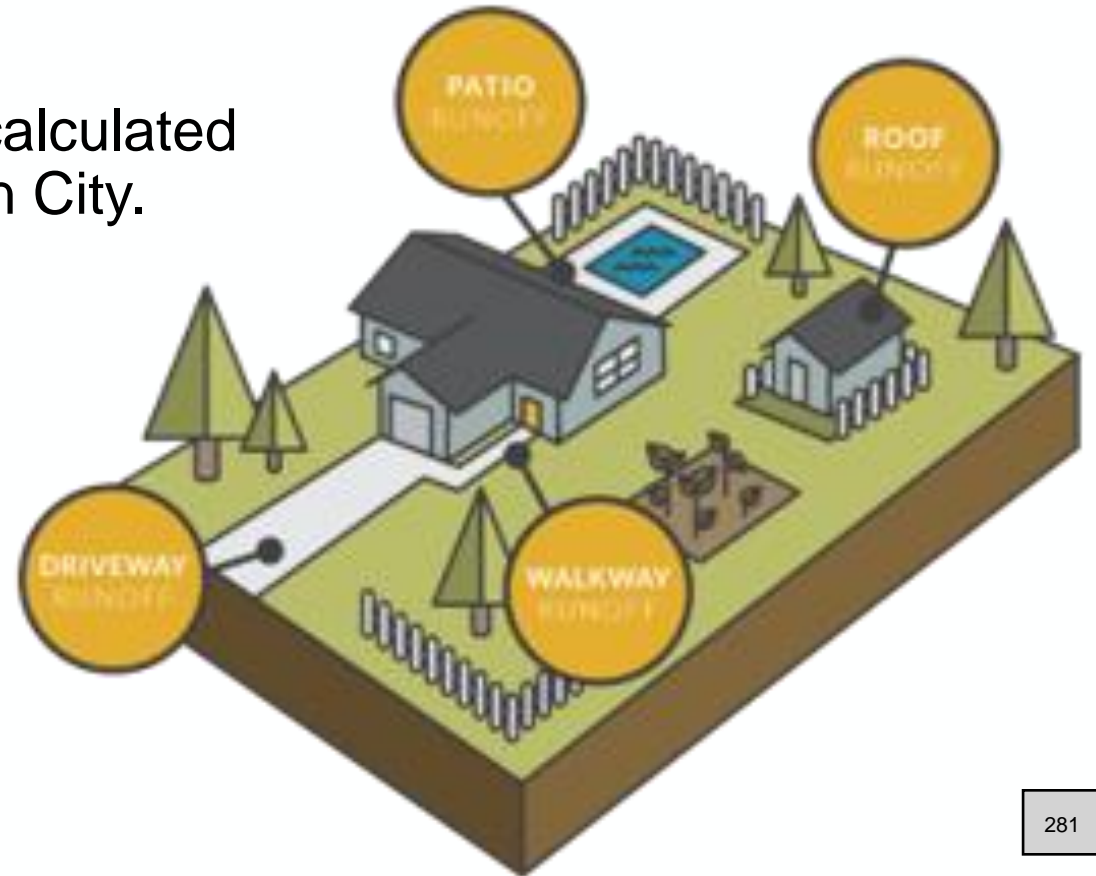
Impervious area basis

- For Manor’s stormwater program, impervious area has been determined as the most **equitable** and **reasonable** basis for the charge.
- Impervious area from residential and non-residential properties results in the same impact to stormwater runoff.
- Difficult to differentiate between property classes based on program costs or average proportion of impervious area on properties
 - Some nonresidential properties have very low proportions of imperviousness
- No broadly applicable geographic distinctions in soil quality, etc.

Stormwater Fee Background

Impervious area: Hard surfaces that impede the infiltration of stormwater runoff, such as concrete, pavement, structures, and compacted dirt and gravel.

ERU: The amount of impervious area on a typical residential property in Manor (2,730 sq ft). Value calculated by measuring random sample of SFR properties in City.



Stormwater Fee Background

Single Family Residential

- › Properties with a single residential structure
- › Simplified billing – flat rates or tiered rates.

Non-Single Family Residential

- › All other properties
- › Billed based on measured impervious area (current values are estimates)

| Class | Count of Parcels | ERUs | Percent ERUs |
|--------------|------------------|--------------|--------------|
| NSFR | 863 | 5,375 | 55% |
| SFR | 4,333 | 4,333 | 45% |
| SFR-F | 1,340 | - | |
| Total | 6,536 | 9,708 | |

Stormwater Rate Structure



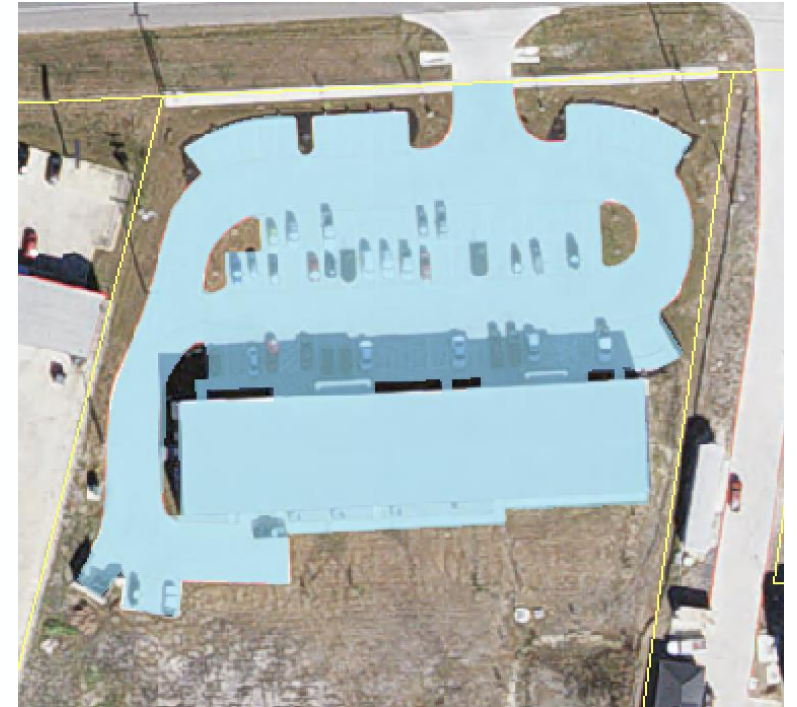
Single Family Residential

- Each property charged a flat rate of 1 ERU (\$6.50*)

Non-Single Family Residential



- Charged \$6.50* per ERU measured on the property.
- Charged a minimum of 1 ERU if they have greater than 400 sq ft impervious area
- Property's ERU rounded up to next whole number.

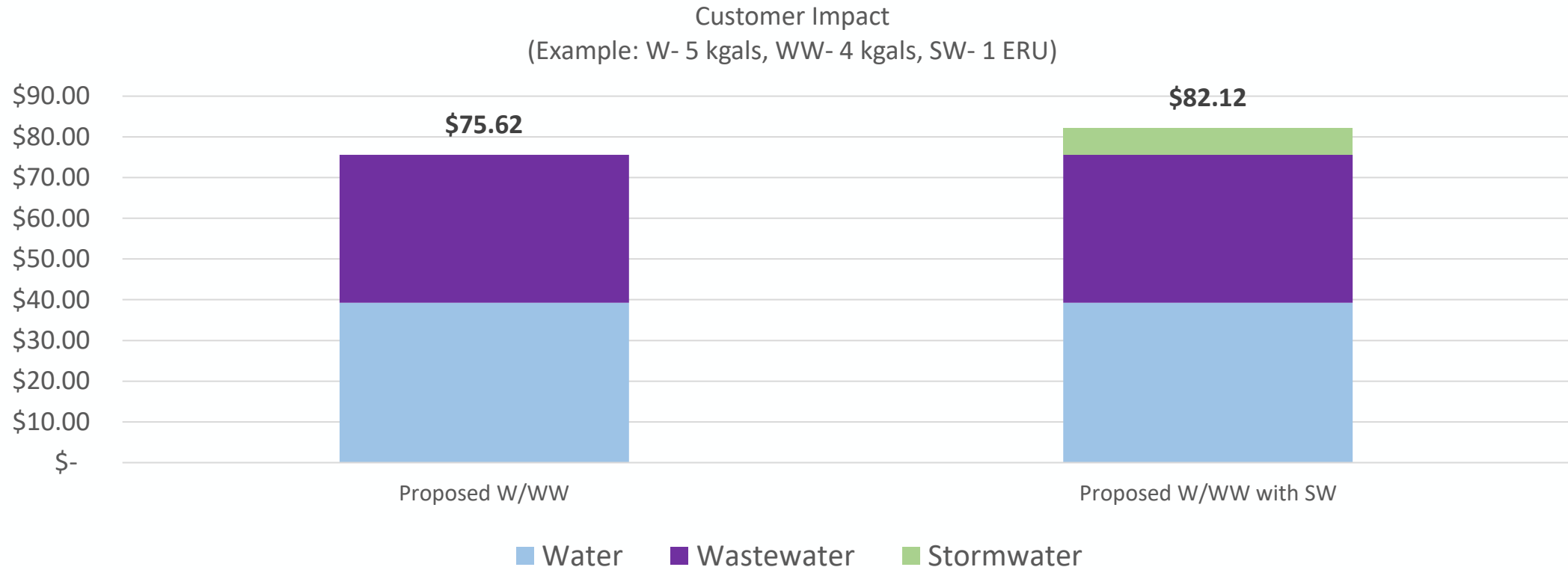


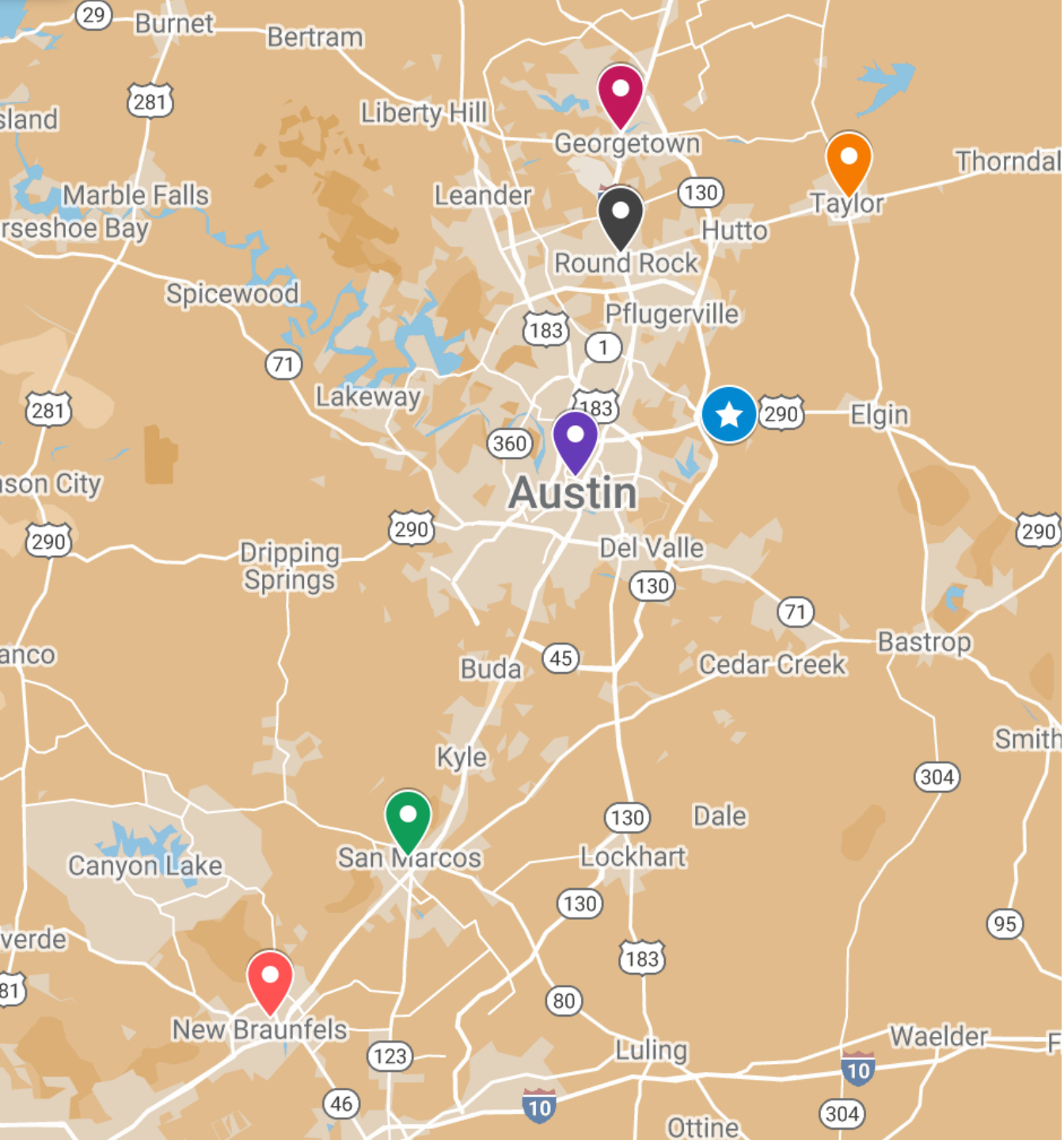
Example:

| Impervious Area | ERUs | Fee |
|-----------------|------|----------|
| 61,498 sq ft | 23 | \$149.50 |






*Draft 2024 Rates from Feasibility Study

Combined W/WW/SW Customer Impact





Fee Comparison

| Utility | Fee per ERU |
|---|-------------|
|  Manor | \$6.50 |
|  Austin | \$9.80 |
|  Taylor | \$3.00 |
|  Round Rock | \$4.75 |
|  San Marcos | \$14.90 |
|  New Braunfels | \$4.59 |
|  Georgetown | \$6.50 |

City of Manor

Stormwater Utility Implementation

Benchmarking Research

City of Austin

| Year Implemented | Rate per ERU | Pop. |
|------------------|--------------|---------|
| 2014 | \$9.80 | 901,463 |

City of Taylor

| Year Implemented | Rate per ERU | Pop. |
|------------------|--------------|--------|
| 2021 | \$3.00 | 16,807 |
| 2019 | \$1.00 | 17,410 |

City of Round Rock

| Year Implemented | Rate per ERU | Pop. |
|------------------|--------------|---------|
| 2014 | \$4.75 | 112,733 |
| 2010 | \$2.75 | 100,774 |

City of San Marcos

| Year Implemented | Rate per ERU | Pop. |
|------------------|--------------|--------|
| 2022 | \$14.90 | NA |
| 2021 | \$13.99 | 68,580 |
| 2020 | \$12.89 | 67,701 |

City of New Braunfels

| Year Implemented | Rate per ERU | Pop. |
|------------------|--------------|--------|
| 2016 | \$4.59 | 73,454 |

City of Georgetown

| Year Implemented | Rate per ERU | Pop. |
|------------------|--------------|--------|
| 2015 | \$6.50 | 63,566 |
| 2012 | \$4.75 | 52,499 |

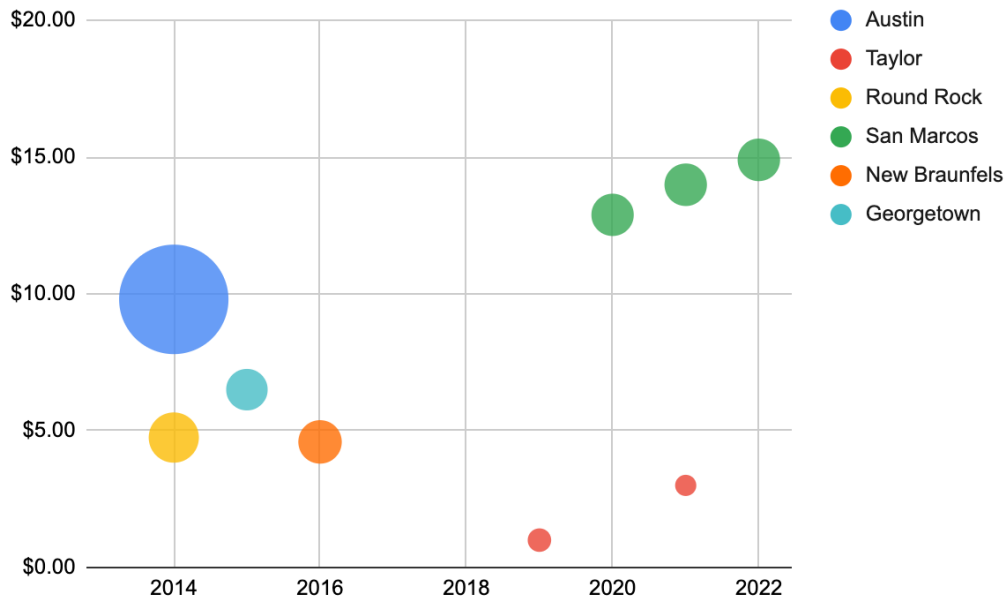


Figure 1: Stormwater Utility Fee Implementations by Year and Population

Bubble size indicates population

Sources:

NewGen Strategies and Solutions, *Stormwater Utility Trends in Texas* (2021)

Western Kentucky University Stormwater Utility Survey 2012
(<https://www.wku.edu/seas/documents/swusurvey-2012.pdf>)

City of Austin 1992 Code Section 18-3-7; Ord. 031204-14; Ord. 031211-11; Ord. 20090827-052; Ord. 20100225-031; Ord. No. 20150625-021, Pt. 6, 10-1-15; Ord. No. 20160804-080, Pt. 1, 8-15-16.

City of Taylor Ord. No. 2010-36, §§ I—III, 10-14-2010 ; Ord. No. 2019-31 , § 2(Exh. A), 12-12-2019

City of Round Rock Ord. No. G-10-11-23-10B3, § I, 11-23-2010

City of San Marcos Ord. No. 1999-55, § 1, 7-12-99; Ord. No. 2020-41 , § 1, 6-16-20

City of New Braunfels Ord. No. 2016-74, § I, 12-12-16

City of Georgetown Ord. No. 2012-03, § 2(Exh. A)

U.S. Census Bureau

Manor, Texas

Stormwater Utility Fee Communication Strategy

Privileged and Confidential Draft / July 12, 2023



[This Photo](#) by Unknown Author is licensed under [CC BY-SA-NC](#)



Situational Analysis

Manor's Stormwater History

The City's stormwater program is currently funded by the City's General Fund, primarily through the Streets Department budget, and it is managed by the Streets Department and a contracted engineering firm. The team currently performs services to fulfill the obligations under an NPDES Phase II MS4 permit issued by TCEQ, including public outreach, site inspections and permit reviews. They also maintain the drainage system infrastructure on City property and City Right-of-Ways, including storm sewers, roadside drainage and streets.

Stormwater costs are expected to rise over the next five years, from approximately \$500,000 to \$1.6 million as the city implements a more proactive program. Costs include activities related to continued compliance with the TCEQ water quality permit and preventative and proactive maintenance and repair of the City's aging infrastructure, so the City can continue to maintain a safe environment for current residents and anticipated future development.

Short Term Stormwater System Goals

- Enhanced preventative and proactive maintenance, asset management
- Street sweeping program to meet MS4 requirements
- Stormwater Master Plan and capital planning

Long Term Stormwater System Goals

- City takes over responsibility of surface drainage, maintenance of all culverts and ditches (three crew members and equipment (dump truck, gradall, vector trailer)
- Capital projects, such as, street re-profiling to prevent flooding and other projects as identified in SWMP

Communications Opportunities

The City has a fairly limited communications environment currently but has some opportunities to inform the public about the upcoming fee, the rationale behind it, and the growing and improving stormwater program.

- The City hired a branding company to support its communications about initiatives related to the upcoming bond referendum. The City could use the outreach associated with this effort to communicate the value of a broader set of City services (including stormwater management)
- A new website is being developed for community engagement, which could be leveraged to engage residents in conversations about the new stormwater fee.
- Some open houses have been conducted in the past, most recently related to the City's long-term development planning process, and the same avenue could be used to build awareness and start collecting feedback about the stormwater fee.
- A public City event is scheduled in October, where the City could table and feature information about the enhanced stormwater program or its program plans, but this will not be early enough to inform people about the upcoming fee. Rather, it can be used to demonstrate or share upcoming program enhancements.
- City Council meetings provide monthly opportunities to share updates about the fee to the public.

Communications Goals and Audiences

Goals

- The community is aware of, understands and supports the need for a stormwater utility fee. They are aware of the City's efforts to address regulatory, environmental, and financial challenges related to stormwater management.
- There is general agreement about the equity and fairness of an impervious-based fee.
- Untaxed properties and others don't derail the change.
- Property owners have an opportunity to learn how the new fee is associated with their property characteristics, how it may impact them financially, and have some recourse should they believe their fee to be calculated incorrectly.

Stakeholder audiences

Stakeholders are individuals, groups, or organizations that have an interest in the stormwater fee and may be directly or indirectly affected by the fee. Internal stakeholders that work for and lead the City are also included in the stakeholder group.

The following stakeholder audiences have been identified as having a connection and interest to the outcome of a decision on a stormwater fee:






- Commercial property owners and managers
- Subdivision Leadership/Homeowners Associations
- City Council and City employees
- City business community
- Faith-based and other nonprofit organizations
- Single family residential property owners
- Environmental groups
- Affordability Advocates
- Local news media

Levels of Public Engagement

Identifying the proper role of the public and the level of engagement (public participation) is a critical component of developing effective engagement strategies. We used the following International Association of Public Participation (IAP2) Public Participation Spectrum to organize the myriad stakeholder audiences into three categories of priority: Involve, Consult, and Inform.

We recommend the following approach to engagement with Manor’s different audience segments:

Manor’s Impervious Surface Fee Public Participation Spectrum

| |  Inform |  Consult |  Involve |  Collaborate |  Empower |
|----------|---|--|---|---|--|
| GOAL | To provide balanced and objective information in a timely manner | To obtain feedback on analysis, issues, alternatives and decisions | To make sure that concerns and needs are considered and understood | To partner with in each aspect of decision-making | To make final decisions |
| PROMISE | “We will keep you informed.” | “We will listen to and acknowledge your concerns.” | “We will work with you to ensure your concerns and needs are directly reflected in the decisions made.” | “We will look to you for advice and innovation and incorporate this in decisions as much as possible.” | “We will implement what you decide.” |
| Audience | All Community | All Community | Business, Nonprofit, and Faith-based Community Environmental and Affordability Advocates | Employees: <ul style="list-style-type: none"> • Finance & Billing • Streets, Planning • Community Relations | City Council & Mayor |

Collaborate and Empower

Only the consultants, staff, and the elected officials are a part of the Collaborate category, as they provide advice to the elected officials in their decision making. Only elected officials are in the Empower category, as they have the power to make the final decision on the fee that’s implemented. Collaboration tools and techniques include memos, emails, presentations and workshops.

Involvement

Stakeholder audiences have influence and interest in a new impervious surface fee for a variety of reasons: some may be financially impacted by a new fee, and some may have influence in its success because of their role in the project. It will be important to reach out often to stakeholders in this category and engage with them to ensure they understand the basis for the change, how it will impact them, and provide opportunities to provide input into key elements.

Involvement Communication and Engagement Strategies and Tactics

| STAKEHOLDER AUDIENCE | COMMUNICATION AND ENGAGEMENT STRATEGIES AND TACTICS |
|--|---|
| <p>Top Tier Infrastructure Users</p> <ul style="list-style-type: none"> ● Large commercial property owners ● Subdivision/Home Owner Associations ● Business community ● Non-profit organizations ● Faith organizations | <p>Informational Conversations</p> <p>These stakeholders will be invited to have conversations with the City staff prior to City Council action to help build an understanding of their knowledge and concerns about the City's stormwater infrastructure in general, to inform them about the impervious surface fee, and to learn how we can best communicate with them, their community and/or network, and other stakeholders.</p> <ul style="list-style-type: none"> ● Develop individualized slide deck ● Offer meetings, with group representative ● One-page fact sheet with infographics |
| <ul style="list-style-type: none"> ● Environmentalists/Smart growth / People connected to the City's stream restoration efforts or who support sustainability efforts ● Economic Development Authority ● Affordability Advocates | <ul style="list-style-type: none"> ● Email updates on this effort, send materials out and specifically invite them to share information with their own network, and invite them to share any information they are hearing from the communities they represent with the city to help prevent misinformation. |

Consult and Inform

The stakeholders represent audiences who will have interest, as it relates to their bill or as they see the direct impact to their quality of life.

Consult Communication and Engagement Strategies and Tactics

| STAKEHOLDER AUDIENCE | COMMUNICATION AND ENGAGEMENT STRATEGIES AND TACTICS |
|---|--|
| <ul style="list-style-type: none"> ● All | <p>To provide information about the City's stormwater infrastructure and fee plans, and to capture and any concerns they have about it.</p> <ul style="list-style-type: none"> ● Website with information, including imagery and sample measured impervious area, and FAQs ● Social Media Posts ● Postcard mailed to all residents/businesses |

Key Message Platform

A message platform provides consistency and relevancy to the City's communications about the City's proposed stormwater fee. Sharing this with all employees and the City's leadership and elected officials assures consistency, which builds trust in the City and the program. Messages are intended to be simple and informative.

The City of Manor shares with its residents a strong value for clean, healthy streams and is committed to programs and services that enhance the beauty of our City and our property values.

- A. The City's Department of Public Works manages, maintains and repairs storm drain pipes and various storm sewer structures throughout the City.
- B. In addition to the structural components of the stormwater system, the City also regulates and protects the floodplain throughout the City limits.

Stormwater management has become an increasing and urgent priority for the City with the increasing frequency and severity of storms.

- A. Severe storm events are occurring more often and with more intensity than they were when much of Manor infrastructure was built many decades ago.
- B. One inch of rain falling on 3,000 square feet of pavement generates more than 1,000 gallons of runoff.
- C. Managing stormwater isn't about managing where it comes from to a property, it's about how it's handled on a property and where it goes from there.

The primary reasons why we need to manage stormwater effectively are flood control and stream health. We've been making progress on both, but more must be done to protect our property values and comply with the regulations that protect our waters.

- A. Manor complies with water quality requirements related to the Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR040000 and specific pollutant reduction requirements for Gilleland Creek.
- B. To maintain the health of local waterways, we should minimize the pollution reaching them. Rainfall runoff typically moves quickly to these waterways and carries pollutants like fertilizer and motor oil with it. Slowing these waters allows pollutants to be removed resulting in cleaner waterways.

The City is currently partially funding its stormwater program with property taxes. This is problematic because property value is not correlated with a property's demand on the stormwater system.

- A. The City currently funds its stormwater program through real estate taxes.

- B. The City has been spending about \$25,000 per year on infrastructure maintenance, municipal stormwater permit compliance, environmental, and drainage improvement projects but it doesn't fund a sufficient program.
- C. The General Fund supports additional program expenses such as administrative and personnel costs, overhead, materials, and equipment.
- D. City leadership worked with stormwater program staff and funding consultants during late 2022 to assess near-term and future costs of service for the City's stormwater infrastructure, and to evaluate how well the current method of funding the City's stormwater services recovers its costs. The City is currently underfunding its program and should establish a stable and sufficient revenue stream to enhance the program to meet community needs.

A dedicated impervious surface-based fee is a proposed solution.

- E. The study showed that a dedicated fee, based on the amount of hard (impervious) surfaces on a property is a more equitable way to recover the costs of stormwater management, since it's directly related to each property's demand on the City's stormwater infrastructure.
- F. A dedicated *stormwater fee* will help transition the City toward a sufficient and stable revenue source to effectively address the City's drainage issues and meet Texas DEQ's regulatory requirements.
- G. To determine the fee for each property, the City is using Geographic Information System (GIS) data and aerial imagery to determine the amount of impervious surface on parcels within the City.
- H. The City's proposed billing unit (an equivalent residential unit or ERU) is equal to 2,730 square feet of impervious surface, so every 2,730 square feet of impervious cover equals one ERU.
- I. The City's proposed rate structure includes a flat rate for single-family residential properties, each of which will be charged for 1 ERU of impervious area.
- J. The City's proposed rate structure includes a variable rate for all other properties, each of which will be charged per ERU (2,730 square feet) of impervious area.
- K. As an example, if a shopping center has a rooftop, parking lot, and walkways that equals 50,000 sq.ft of impervious cover, you would calculate the number of billing units like this:

$$30,000 \text{ sq.ft} \div 2,730 \text{ sq.ft} = 10.9, \text{ then round up to the nearest whole number} = 11 \text{ ERUs.}$$

- L. The proposed fee per ERU is \$6.50 per month, so for the example above, the monthly stormwater fee (which will be on the water and sewer bill) would be \$71.50
- M. For comparison, this fee for stormwater is about the middle of our peers, at less than Austin and San Marcos, but higher than New Braunfels and Round Rock.

If approved by Council, the stormwater fee will go into effect in late 2023.

- A. The new fee will be billed monthly with water and sewer.
- B. Properties with significant amounts of hard surfaces will experience a larger bill related to stormwater.

A credit program is being considered to give property owners a chance to receive financial credits for taking actions on their property that reduces the demand on the stormwater system.

- A.** Once developed, the City will post credit information at its website and notify property owners through the billing and on social media.

The funding provided by this new fee will enable the City to make the investments needed to help ensure our properties are protected against major weather events and we do our part to protect our local streams.

- A.** This fee will fund projects that will ease the impacts that impervious surfaces have on the City's stormwater infrastructure. Projects will be identified and prioritized through a master planning effort anticipated in 2024.
- B.** These projects will have direct benefit to City residents because they will protect properties from flooding, reduce the risk of wet basements and flooded yards, reduce traffic delays during storms, enhance safety for cars and pedestrians and restore streams and the walking trails along them.

Communication Channels

For this plan, the City is encouraged to use all available communication channels it has and supplementing them with some active outreach to key stakeholders to improve the chances of broad community awareness of the Stormwater Fee and attaining the goals of this public engagement strategy.

Direct Mail Postcard/Bill Insert

It is recommended the City create a colorful piece describing the purpose of the fee, the benefits to the City and the timing of decisions and implementation. This direct mail piece should be sent to all residents and businesses in advance of the decision.

Website

The City has a section on its website devoted to stormwater service. This serves as the primary destination for stormwater information that is promoted through the City's various channels. The website will need to be updated to include details about the new fee and the credit program once available. It is recommended the City add some imagery to enhance the visual experience for the reader.

Presentations

Certain stakeholder audiences have been identified as having the potential for a high level of interest in the

fee, while others may have a lower interest level, but be in positions where they are influential in the community. A presentation should be developed that is geared for these stakeholders and focuses on clear messages about why the stormwater fee is being implemented and the need to invest in infrastructure.

Social Media

Social media (Instagram, Facebook, and Linked In) provides a great opportunity to reach a diverse array of stakeholders with stormwater messages and receive their input and questions. If the City isn't already using these tools, it might be worth exploring. If it is using these platforms, it is recommended that stormwater messaging be incorporated into the content calendar.

QR Codes

Utilizing the City's existing Quick Response (QR) code technology, the City can deploy information to residents about the implementation of stormwater measures. The codes could be applied along waterways in public spaces, included in storm drain

medallions, or messaging on existing code stations could be updated to announce new stormwater initiatives. Using this technology, messaging can be updated as frequently as necessary.

Surrogates

Surrogates are people or organizations of people, either loosely or formally assembled, who will support this shift in funding and the concept of a stormwater

fee. They value clean water and/or the protection and enhancement of property values and see this as a key opportunity to secure both. Surrogates will be identified by the City and provided with a fact sheet, social media posts, and talking points, and encouraged to share the information with the people who follow them.

Communications Materials

Communications materials provide a home for the messages and content and are delivered through appropriate communication channels. The following is an outline of communication materials that can be developed for this plan:

| Material | Description | Channels |
|---|---|---|
| FAQs | Q&A that describes what the Stormwater Fee is, why it's needed, what it pays for and how different properties will be impacted. | Website Presentations Internal communicators Social Media |
| Infographics | Graphic representation of how the rate is developed; Graphic representation of what the Fee covers; Graphic of how bills impacted | Website Presentations Social Media Direct Mail Newsletter |
| Fact Sheet | Full-color explanation of what the new fee is for, why it's needed, what it pays for, and how properties will be affected. | Surrogates Presentations |
| Postcard | To announce the proposed fee and encourage people to attend presentations or review the website for more info | Mailed directly to all residents |
| PowerPoint Slide Decks | Short, 15 to 20-minute presentation showing the City's infrastructure investment needs and providing context for new fee. | Presentations to different groups |
| Staff/Council/Customer Service Talking Points | For use by all as needed | Internal communicators |
| Video(s) | To explain what stormwater is, how it impacts the community, how the fee works | Social media Presentations Website |



Implementation Schedule

| TASK | RESPONSIBLE | July | August | September | October |
|---|-------------------|------|--------|-----------|-----------|
| Review, approve Plan | City | X | | | |
| Develop PPT Deck | Raftelis and City | X | | | |
| Develop and mail postcard | Raftelis and City | X | | | |
| Create Infographics | Raftelis and City | X | | | |
| Revise website | | | | | |
| Create Video(s) | Raftelis | | X | | |
| Provide materials to Surrogates for sharing | City | | X | | |
| Meet with Commercial Prop Managers | City | | X | | |
| Meet with Big Box/Dealers | City | | X | | |
| Meet with Office Building Owner | City | | X | | |
| Meet with HOAs | City | | X | | |
| Meet with Faith-Nonprofits | City | | X | | |
| Summarize Comments/Findings | Raftelis | | | X | |
| Incorporate Feedback into Recommendation to Council | City | | | X | |
| Recommendation presented to Council for vote | City | | | X | |
| Continue communications about program | City | | | | Post Vote |

CITY OF MANOR

Stormwater Fee Feasibility Study

DRAFT REPORT / Jan 26, 2023

Contents

- 1. Stormwater Program Summary..... 5**
 - 1.1. Background.....5
 - 1.2. Current Program.....5
 - 1.3. Future Operating Program6
 - 1.4. Future Capital Program.....7
 - 1.5. Stormwater Program Costs.....8
- 2. Units of Service Analysis Error! Bookmark not defined.1**
 - 2.1. Equivalent Residential Unit (ERU) AnalysisError! Bookmark not defined.1
 - 2.2. Units of Service AnalysisError! Bookmark not defined.4
- 3. Financial Planning Model Error! Bookmark not defined.6**
 - 3.1. OverviewError! Bookmark not defined.6
 - 3.2. DashboardError! Bookmark not defined.6
 - 3.3. InputsError! Bookmark not defined.6
 - 3.4. CIPError! Bookmark not defined.7
 - 3.5. Operating Costs.....Error! Bookmark not defined.7
 - 3.6. Units of ServiceError! Bookmark not defined.8
 - 3.7. Fund Proof.....19
 - 3.8. Debt Schedule20
 - 3.9. Rate Calculation20
- 4. Rate Structure Analysis 2Error! Bookmark not defined.**
 - 4.1. Basis2Error! Bookmark not defined.
 - 4.2. Structure2Error! Bookmark not defined.
- 5. Recommended Rate Structure and Rates 23**
 - 5.1. Rate Structure24
 - 5.2. Rates24
 - 5.3. Summary25
- 6. Implementation Recommendations..... 26**
 - 6.1. Data Development26
 - 6.2. Data Maintenance26

6.3. Public Outreach.....26

6.4. Customer Service26

6.5. Billing Policies.....27

6.6. Staffing and Workload27

6.7. Billing System Configuration27

6.8. Bill File Development.....27

Figures

Figure 1.1: Current Program 8

Figure 1.2: Future Program..... 8

Figure 2.1: SFR Sample Distribution **1Error! Bookmark not defined.**

Figure 2.2: SFR Digitized Impervious Area Example..... 13

Figure 2.3: SFR Sample Impervious Area Distribution 13

Figure 2.4: Parcel Class Distribution 15

Figure 2.5: Parcels and Units of Service by Class..... 15

Figure 3.1: Dashboard 16

Figure 3.2: Inputs 17

Figure 3.3: CIP..... 17

Figure 3.4: Operating Costs 18

Figure 3.5: Units of Service..... 19

Figure 3.6: Fund Proof 19

Figure 3.7: Debt Schedule **Error! Bookmark not defined.0**

Figure 3.8: Rate Calculation..... **Error! Bookmark not defined.0**

Figure 5.1: Summary of Rate Structure Recommendations **Error! Bookmark not defined.4**

Figure 5.2: Rate Recommendation **Error! Bookmark not defined.4**

Appendices

Appendix A: Final SFR Sample Parcel IDs..... **Error! Bookmark not defined.8**

THIS PAGE INTENTIONALLY LEFT BLANK

1. Stormwater Program Summary

1.1. Background

The City of Manor provides numerous public services to its citizens to promote public safety, attract businesses, and maintain and improve the quality of life. Many of these services relate either directly or indirectly to management of the stormwater drainage system infrastructure, which includes storm sewers, roadside drainage, streets, and other components, or to improving water quality in the City's streams and receiving waterbodies. The costs associated with providing these basic services are increasing, as are the water quality regulations to which the City is subject. It is anticipated that the area will experience continued suburban expansion related to the growth of nearby urban center, Austin. Manor's stormwater management activities are performed using equipment from the Streets Department, personnel from the Streets department and GBA, the City's contracted Engineering consultant. These activities are currently funded under the Streets Department budget, which draws funding from property tax revenues.

1.2. Current Program

The City of Manor funds services to fulfill obligations required by the City's Phase II Municipal Separate Storm Sewer System (MS4) permit, issued in 2015 by the Texas Commission on Environmental Quality. The City maintains storm drainage systems, inspects construction sites, investigates suspicious and illicit discharges, and participates in public outreach and education. GBA helps draft documents required for MS4 compliance and the City submitted a renewal application in 2019.

The Streets department employs a full-time stormwater inspector, who conducts one-time inspections for any new development, annual inspections for post-construction devices and City sites, and inspections in response to suspicious and illicit discharges as required by the City's MS4 permit. The inspector also conducts bi-weekly inspections for construction site stormwater control measures and additional inspections following more than one inch of rainfall, as a part of each site's Stormwater Pollution Prevention Plan (SWPPP). SWPPP inspections are paid for by permitting fees. GBA schedules and reviews inspections and issues violations and notices to developers. The City is in the process of refining the permitting fees. Subdivision projects currently pay 3% of the total construction cost for utility inspections. No inspection fees are currently charged for general commercial projects. The City is also developing an ordinance to enforce sediment and erosion control requirements on home builders for individual home construction sites.

For public outreach, GBA drafts several mailers and pamphlets which the City distributes. These materials are purposed to educate the public on stormwater pollution. GBA is in the process of mapping the storm inlets in the City. GBA notifies the City or HOA (depending on the responsibly party) if storm inlet or detention pond maintenance is needed. One year and two year post-construction warranty inspections are also performed. The maintenance and inspection records are not currently recorded and stored in a computerized maintenance management software (CMMS). The existing storm sewer network, including pipe size, inlets, and connectivity, within the older parts of the City is mostly mapped and maintained in GIS. When a new development project is closed out, as-built CAD files are provided to GBA from the developer's engineer. GBA maintains a GIS layer of the storm sewer network and updates the storm network in GIS as this new information is provided.

For each storm inlet, it is planned that Streets staff will install a medallion which informs the public that the inlet drains to a water body. GBA also holds training sessions with City staff on Illicit Discharge Detection and Elimination (IDDE) and good housekeeping practices and performs updates to the City's Operations and Maintenance Manual.

The City's Streets crew oversees all drainage maintenance in Parks and public rights of way. The crew spends less than 5% of their time on drainage related activities. The City's Code of Ordinances states that residents are responsible for maintaining drainage ditches on their own property. The City does maintain a small number of roadside ditches to which the ordinance does not apply, including 34.13 acres of drainage easements. Roadside drainage is inspected whenever a road is constructed or repaved.

In recent memory, the City has implemented one capital project to improve stormwater drainage. In 2016-17, the City dug two new drainage ditches along Caldwell and Bastrop streets. The project was initiated after a Council member received calls from constituents due to frequent flooding and was funded with bond proceeds. Due to the need expressed by the community this project was prioritized over a street repaving project. The project was designed to convey a 25-year storm and addressed the frequent flooding in the area. The total project cost was \$290,360.

The City's stormwater management plan was submitted to the Texas Commission on Environmental Quality (TCEQ) in July 2019 and has not yet been approved by TCEQ. The City is currently in year 3 of 5 of its MS4 permit term. There is currently no permit or TMDL requirements for installation of water quality BMPs. For new and redevelopment, stormwater detention of peak runoff flows is required such that post-construction peak flows do not exceed pre-construction peak flows from the site.

1.3. Future Operating Program

City leadership, public, and City staff have expressed attitudes toward an enhanced stormwater program that does more for the Citizens of Manor. Many residents have called the Streets department due to blockages, flooding, and standing water on their street. In addition to increasing the City's capacity to respond to these calls, staff want the program to evolve to be more preventative and proactive, through more frequent replacement and management of storm drains and stormwater infrastructure. Manor is a growing City. Enhancing the City's stormwater management is a necessary adaptation to growth and also makes Manor a more attractive location for businesses and new residents.

As stated earlier, property owners in the City of Manor are responsible for ditch maintenance (mowing) and keeping culverts and ditches free of obstruction. If property owners need assistance with removing debris or cleaning culverts, property owners can call or email Public Works for assistance. These roadside ditches often get blocked, which can lead to flooding or standing water spreading to nearby properties and the right of way. The City commonly gets calls related to these blockages. Staff anticipates the current ordinance may be changed at some point, in which case the City could begin maintaining these residential ditches and culvert pipes to prevent flooding. Additionally, staff expressed that it would be beneficial to establish more proactive maintenance of ditches, culvert pipes, and easements currently within the City's scope. Taking on these responsibilities would require the Streets department to add 2 to 3 more full-time personnel, additional equipment including a Gradall and Dump Truck, and payment of dumping fees. Hiring a drainage crew would reduce the workload of the Streets crew, allowing them to focus solely on streets maintenance and construction. As currently modeled, costs related to enhanced ditch maintenance kick in in FY2028, though

other future costs (above and beyond the current program), discussed below, are planned for nearer-term implementation.

The City's downtown storm drainage system is in generally good condition and the City experiences little flooding. However, it is an aging system and staff expressed that maintenance and possible replacement may be needed for some assets. The City wants to be prepared for storm events and address these issues early by proactively investing in existing infrastructure renewal. This repair and replacement work could be completed by additional crew members discussed above. The funding required depends on labor and material costs and the condition of the City's storm drains and downtown system. A closer inspection and survey of the City's storm drainage assets and addressing any gaps in the mapping of the existing storm sewer network will help the City develop a proactive schedule of maintenance and replacement.

There are some activities under the City's MS4 stormwater program that staff feel could be enhanced to meet state permit requirements. One of these is street sweeping. The City is tasked with implementing a street sweeping program to keep trash and debris off of roads and prevent contaminants from flowing into waterways. Doing so would require the purchase of a street sweeper, the payment of dumping fees, and adding an additional staff member. Depending on the level of service for this program, this staff member could also be pulled into other stormwater and streets maintenance duties. Options for service include sweeping all streets on a cycle, or sweeping areas based on complaints. Additionally, the City seeks to reinforce its good housekeeping activities such as trainings and inspections moving forward.

A second area of improvement to meet permit requirements is the illicit discharge detection and elimination (IDDE) program. Staff have developed a handbook and a customer hotline is being setup in 2022. Currently, the City has limited capacity for IDDE inspections which they would like to improve in 2023 and beyond.

Currently the water department has a vactor trailer that is shared with the street/drainage department for stormwater work. The water department also shares shares a 6-yard dump truck and a 3-yard dump truck with the street/drainage department. For the 2023 budget, the street department has requested a XL3100 used Gradall truck for cleaning drainage ditches and a 12-yard tandem dump truck for hauling in and off materials. In the future, staff indicate the streets/drainage department will need their own vactor trailer, street sweeper (Timco 600 or equal), and a 12-yard dump truck.

1.4. Future Capital Program

The City has funded one stormwater capital project in the past in response to citizen complaints as noted above, but has not established a sustaining capital program dedicated to stormwater. Staff have identified some potential projects that have been talked about internally and through public comment. There are a few suburban streets in Manor which frequently hold standing water after a 1-inch rain event. These are a common source of calls. Manor staff report that fixing the standing water issues require reprofiling the roadways. The budget needed to reprofile these streets would depend on the size of the area being reprofiled, with work performed by the City's Streets crew. A list of roads fitting this description and estimated project costs is being developed by GBA. Other potential projects mentioned were the conversion of wide drainage ditches to multi-use areas, replacing ditches with curb-gutter, and converting roadside drainage to centralized drainage.

GBA will also be performing a stormwater master plan in the future which will take about 6 months to complete. The master plan will identify any additional areas of flooding and help prioritize additional capital investment needs. Placeholders for capital improvements will be included in the stormwater funding requirements and can be phased in and modified as the program matures.

1.5. Stormwater Program Costs Summary

Figure 1.1 Current Program

| Category | Cost Description | SW Program Rationale | Annual Cost | Notes |
|------------|---------------------------------|---|-------------|--|
| MS4 | 1 FTE Salary & Benefits | Inspecting construction and post construction SCMs, City sites, retention ponds, illicit discharges | \$76,100 | Fully burdened cost for foreman confirmed by City. One FTE, began in 2020. |
| MS4 | GBA Contract for MS4 Compliance | Outreach, Education, Trainings, Documentation, Inspection Review | \$30,000 | Oversees MS4 compliance. |
| Operations | Maintenance | Upkeep of easements and roadside ditches | \$25,000 | Maintains drainage in Parks and right of way. Estimate of 5% of Streets crew time. |
| Capital | Past capital projects | One project to address flooding protection up to a 25-year storm | \$290,360 | No other current projects. |

Figure 1.2 Future Program

| Category | Cost Description | SW Program Rationale | Cost | Notes |
|----------|---------------------------------|---|-------------|--|
| MS4 | 1 FTE Salary & Benefits | Inspecting construction and post construction SCMs, City sites, retention ponds, illicit discharges | \$76,100/yr | Fully burdened cost for foreman confirmed by City. |
| MS4 | GBA Contract for MS4 Compliance | Outreach, Education, Trainings, Documentation, Inspection Review | \$30,000/yr | Oversees MS4 compliance. |
| MS4 | Stormwater Master Plan | Determine current and future needs of stormwater system | \$150,000 | |

| Category | Cost Description | SW Program Rationale | Cost | Notes |
|------------|---|---|--------------|--|
| MS4 | Storm Drain Medallions | MS4 requirement | \$6,000 | Cost is for medallions only. Assumes staff can install as part of regular field work. |
| MS4 | Complete mapping and inventory of storm system and inlets/outfalls within GIS | MS4 requirement and proactive asset management | \$30,000 | GIS system allows for efficient O&M and asset renewal. |
| MS4 | CMMS purchase and setup | Allows for efficient management of O&M work orders and tracking ongoing costs | \$50,000 | This cost may change if the City would like to utilize a CMMS to manage other department's O&M activities in addition to stormwater. |
| Operations | 3 FTE Salary & Benefits | Additional Drainage Crew (2) and Streets Crew (1) | \$205,500/yr | Assumes 1 foreman (\$76,100) and 2 crew persons (\$64,700 each). Drainage crew workload influenced by residential drainage ordinance. Proactive storm drains asset management. |
| Operations | Dumping Fees for Streets and Drainage cleanup | For cleaning drainage ditches and disposal of debris | \$3,050/yr | Assumes two 20-yard dumpsters filled and disposed of 4 times per year based on ditches cleaned quarterly. \$381 disposal fee for each 20-yard dumpster. |
| Operations | Drainage and Street sweeping-sweeper, fuel, equipment maintenance | Remove debris and decrease stormwater pollution entering waterways | \$140,000 | Sweeping of all streets each year. Assumes cost of purchasing street sweeper (\$120,000) plus annual labor and fuel costs (\$20,000). Approximate cost = \$300/mile. |

| Category | Cost Description | SW Program Rationale | Cost | Notes |
|------------|--|---|-----------|---|
| Operations | XL3100 Used Gradall Truck | Clearing of drainage ditches | \$60,000 | Dedicated for streets/drainage department |
| Operations | Dump Truck | Clearing of drainage ditches | \$280,000 | Dedicated for streets/drainage department. Estimate based on recent purchase. |
| Operations | Vactor Trailer | Cleaning storm system | \$155,000 | Dedicated for streets/drainage department. Estimate based on recent purchase. |
| Operations | Maintenance and Repair- Small Projects | Preventative and proactive maintenance of storm system | \$100,000 | |
| Capital | GBA support on capital planning | Identify/prioritize capital projects for 10 year period | \$35,000 | |
| Capital | 2025 Capital Project | Reduce standing water and flooding | \$500,000 | Projects identified based on outcomes of SW Master Plan |
| Capital | 2026 Capital Project | Reduce standing water and flooding | \$500,000 | Projects identified based on outcomes of SW Master Plan |

2. Units of Service Analysis

Part of the Stormwater Fee Feasibility involves consideration of different rate structures. Impervious area units of service are a critical input to the rate structure analysis and modeling of potential rates. The methodology for establishing units of service for the City are described in this section.

2.1. Equivalent Residential Unit (ERU) Analysis

Generally, a stormwater utility's Equivalent Residential Unit (ERU) represents the typical impervious surface area of a single-family residential (SFR) property. Many utilities implement a simplified charge for all SFR customers. Single-family residential land parcels have similar characteristics, lending themselves to a simplified rate structure. They are also numerous and so it is also efficient, from an administrative viewpoint, to treat them the same. Since it is both equitable and efficient, many utilities adopt a single flat rate for this property class. Under a flat residential rate, customers are charged the same amount – typically for 1 ERU - regardless of size and amount of impervious area on an individual property. Fees for non-single family residential (NSFR) properties such as commercial, industrial, institutional, and multi-family properties would be calculated by their amount of impervious area per ERU or part thereof.

For this analysis, single-family residential parcels were identified through a visual review of City parcels. A parcel was selected if it contained 1-2 residences. Parcels intersected by the City boundary were included if the residence was contained within City limits.

The following analysis and results are presented by Raftelis to the City of Manor, Texas as a part of the Stormwater Rate Study. Task 3 of the agreed-upon scope of work includes an assessment to update the existing ERU value. The Rate Structure Analysis component will be provided in a separate deliverable.

2.1.1. Data

Raftelis' analysis was based 2020 aerial imagery of the greater Austin area taken by Sudex in 2020 and accessed on the Texas Natural Resource Information System. The analysis also used geographic tax parcels provided by the City in June 2022.

2.1.2. Methodology

A Raftelis analyst began by identifying parcels within the City that contained 1-2 residential structures, through a visual review of the aerial imagery. These 4,326 parcels were flagged as Single Family Residential. A random sample of 350 parcels was then taken from this grouping. This sample size was selected to ensure a reasonable level of confidence in the result. We ensured, by visual review of the sample parcels, that they encompassed a representative range of geography, structure age, and housing type. In some cases, an original randomly selected sample SFR property was not suitable to be included because it was obscured by vegetation or the residence was split between multiple parcels, both of which can impair the accuracy of measuring a typical residential property. In these cases, the analyst chose a visibly similar property from the same geographic region to replace that sample property. The final sample list is attached as Appendix A, and a map of the final, measured sample parcels throughout the City is shown below in Figure 2.1. The measured sample parcels are highlighted in yellow. Other parcels are in red.



Figure 2.1 SFR Sample Distribution

Using ArcGIS, overlaying parcels on top of 2020 imagery, the analyst created new spatial features to represent the impervious area on each property based on visual assessment of the property. Impervious surface is defined any surface that reduces the land's natural ability to absorb and hold rainfall. This includes areas that have been cleared, graded, paved, graveled, compacted, or covered with structures. Pools and decks were not considered impervious. The polygons were created to match the footprint on the ground of these surfaces, rather than rooflines which may be obscured by the angle of the aerial photography.

See Figure 2.2 below for a selection of digitized SFR properties. The sample property is outlined in yellow, the impervious area features created by Raftelis are translucent blue.



Figure 2.2 SFR Digitized Impervious Area Example

2.1.3. Results

Raftelis' 350 sampled parcels had a wide range of impervious area amounts, from a minimum of 1,111 square feet to a maximum of 17,965 square feet. The entire sample had a median value of 2,734 square feet of impervious area. The median is represented by the red line below.

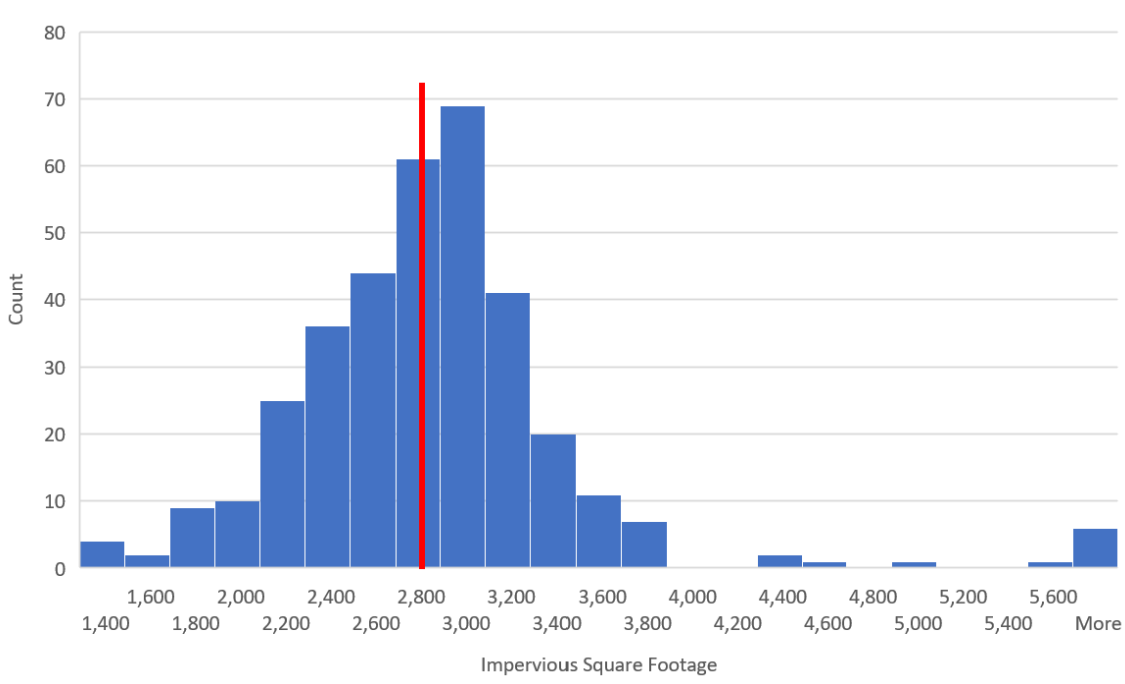


Figure 2.3 SFR Sample Impervious Area Distribution

Raftelis recommends that the City use an **ERU value of 2,730 square feet** in developing an impervious area rate structure for a potential stormwater fee. This value represents the median impervious surface area of sampled properties.

2.2. Total Units of Service Analysis

2.2.1. Methodology

For the ERU analysis above, a Raftelis analyst identified parcels containing 1-2 detached residences. Vacant parcels within platted residential subdivisions were identified as a separate class; SFR Future. These parcels are likely to have construction completed in the future and could be eligible to bill as SFRs once a certificate of completion is attained.

The remaining parcels were identified as Non-Single Family Residential (NSFR) properties. The distribution of SFR, SFR Future, and NSFR properties across the City is shown in Figure 4.

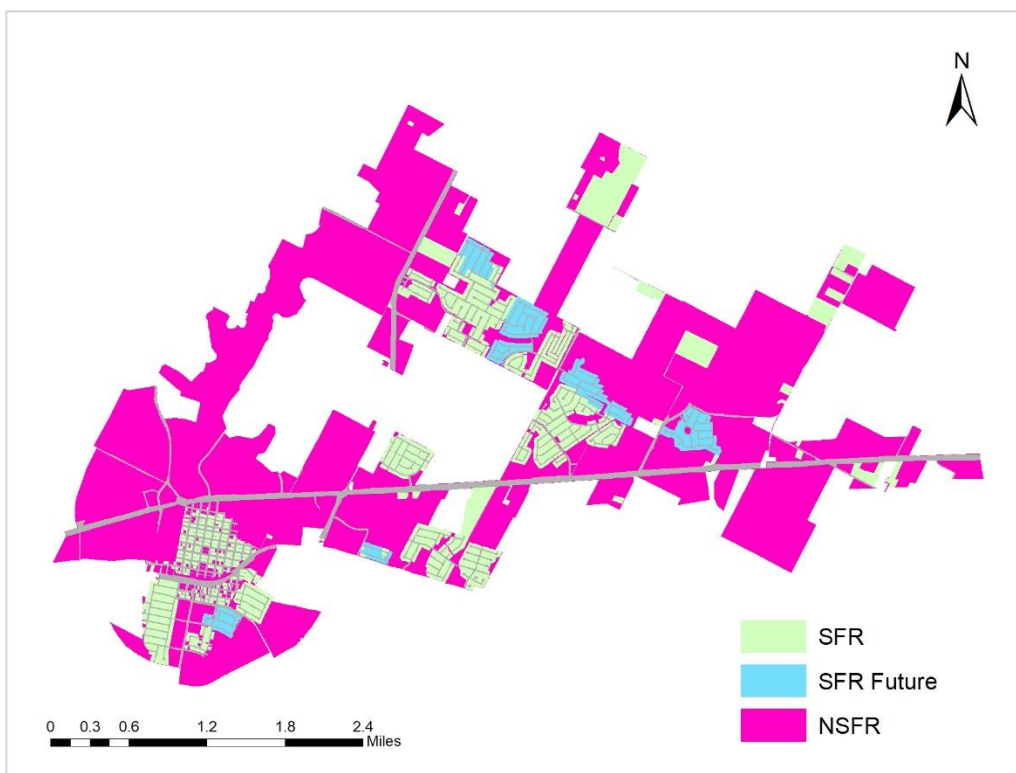


Figure 2.4 City of Manor Parcel Class Distribution

To estimate the impervious area for NSFR properties, our analyst reviewed each parcel and assigned a runoff factor by approximating the portion impervious area coverage on the parcel. Where a residence was split between two parcels, one parcel was identified as SFR and the associated parcel was tagged as NSFR with a runoff factor of 0. For each NSFR parcel the assigned runoff factor was multiplied by the gross parcel area to produce an estimated impervious area.

2.2.2. Results

The results of this estimate were compared with SFR properties using the 2,730 square feet ERU value estimated above. In Figure 2.5 below, each SFR property contains approximately 1 ERU of impervious area, or 2,730 square feet. The estimated impervious area for all NSFR properties (in square feet) was converted

into ERUs to produce an estimated **5,383** ERUs on non-residential properties, or **55%** of the impervious area in Manor. The proportion of ERUs is indicative of each class’s contribution to stormwater runoff.

Figure 2.5 Parcels and Units of Service by Class

| Class | Count of Parcels | ERUs | Percent ERUs |
|--------------|-----------------------------|-------------|---------------------|
| NSFR | 863 | 5,383 | 55% |
| SFR | 4,326 | 4,326 | 45% |
| SFR-F | 1,340 | - | 0% |
| Total | 6,536 | 9,223 | |

Because there is uncertainty in this initial estimate, we recommend using the resultant ERU values for the purposes of rate modeling, but acknowledge that calculated rates are preliminary and approximate until such time that the rate structure is determined and necessary data fully developed. A factor of conservatism is applied to these units through the collection rate in the inputs tab, described in Section 3.3.

3. Financial Planning Model

3.1. Overview

The financial planning model is a tool that summarizes the utility’s revenues and expenditures in order to calculate the impact of a future event or decision. The model helps one visualize and plan the level of service of the utility and how each scenario impacts ratepayers. The model is meant to be a living document that is updated as the cost of expenditures changes and as new rates are approved. It is a customizable tool in which the user can manipulate rate increases, escalations, capital spending, debt, rate structure and more.

3.2. Dashboard

The dashboard is the focal point of the model. Use the dashboard to:

- Add an enhanced level of service (takeover of surface drainage maintenance)
- Change the year enhanced LOS scenario is implemented
- Add debt/bond proceeds to offset CIP
- Manually input rates and view resulting revenues against revenue requirements

| Input values in the light blue boxes to drive the rate increase and LOS | | FY 2022 | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 |
|---|-----------------------|---------------|---------------|---------------|---------------|-----------------|---------------|
| Stormwater Fee Increase | | | | \$ 6.50 | | \$ 2.00 | \$ 1.50 |
| | <i>Percent Change</i> | | | 100% | 0% | 24% | 15% |
| Revenues | | | \$ 719,409.00 | \$ 728,597.35 | \$ 964,955.96 | \$ 1,149,755.56 | |
| Revenue Requirements | | | | | | | |
| Total Operating Expenses | | \$ 131,100.00 | \$ 135,445.50 | \$ 483,912.62 | \$ 276,187.09 | \$ 267,721.13 | \$ 276,274.15 |
| Total CIP | | \$ - | \$ - | \$ 143,221.50 | \$ 327,818.10 | \$ 675,305.29 | \$ 463,709.63 |
| Total Debt Service | | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Subtotal: Revenue Requirements | | \$ 131,100.00 | \$ 135,445.50 | \$ 627,134.12 | \$ 604,005.19 | \$ 943,026.41 | \$ 739,983.78 |
| Transfer from General Fund | | | | | | | |
| Surplus/Deficit | | | | \$ 199,526.00 | \$ 412,338.00 | \$ 639,338.00 | \$ 804,497.00 |
| Ending Cash Balance | | | | | | | |
| Operating Reserve Fund | | | | \$ 24,095 | \$ 70,801 | \$ 3,018 | \$ 90,830 |
| Operating Reserve Target | | | | \$ 159,095 | \$ 90,801 | \$ 88,018 | \$ 90,830 |
| Unfunded/Debt Service Needed | | | | \$ - | \$ - | \$ - | \$ - |
| Proposed Debt- Series Bonds | | | | | | | |
| Proposed Debt- SRF Loan | | | | | | | |
| Capital Reserve Fund | | | | \$ 32,210 | \$ 70,024 | \$ 101,841 | \$ 354,817 |
| Capital Reserve Target | | | | \$ 300,000 | \$ 300,000 | \$ 300,000 | \$ 300,000 |

Figure 2.1 Dashboard

3.3. Inputs

The inputs tab has a variety of other settings which control the model.

Collection Rate- Percent of customers for which the utility expects to collect full payment. Entering a value less than 100 assumes a reduction in collections as a result of non-payment. Non-payment is sometimes higher for stormwater-only customers, or customers with only stormwater service on the account. Reducing the collection rate also effectively accounts for a range of error in the non-residential units of service estimation (Section 2.2).

Credit Reduction- An additional percent reduction in billing units resulting from customer participation in credit or discount programs. Other utilities who have implemented credit programs typically see impacts totaling less than 2% of revenues. Credit program participants usually see a maximum 20-50% reduction in their bill.

Customer Growth- percent increase in billing units by class, indicative of construction of new impervious areas. Insights such as permit applications and COs issued can help inform these growth rates.

Residential Tiers- When “On”, the model assumes the use of residential tiers in place of a flat rate for all SFR customers (see Section 4, Rate Structure Analysis). A tiering scenario alters the number of residential ERUs, and associated revenues, by a small amount.

Operating Reserve Goal- number of days the utility could sustain the program using operating reserves, based on the operating costs listed for each fiscal year. As the model is currently built, revenues must meet the operating reserve goal before flowing to the capital reserve fund.

Capital Reserve Goal- dollar amount that acts as an arbitrary target for the capital fund. Goal is on the fund proof and fund balances but does not affect any calculations.

Escalation Rates- annual percent increase in costs which accounts for inflation. Can be altered based on category of cost, as selected in the operating tab.

| Adjusted Revenues | | | |
|-------------------------------|---------|---------|------------------|
| | FY 2024 | FY 2025 | FY 2026 & beyond |
| Collection Rate | 95% | 95% | 96% |
| Credit Reductions | 0.0% | 0.5% | 1.0% |
| Customer Growth | | | |
| Residential | 1.00% | | |
| Non-Single Family Residential | 1.50% | | |

Figure 2.2 Inputs

3.4. CIP

The City has not identified any specific capital improvement projects, but projects will be identified through the stormwater master plan and other capital planning initiatives. The model currently includes placeholders for a project in 2025 and 2026 and \$100,000 annually reserved for ongoing maintenance, repair and asset renewal.

| Account | Description | Escalation | FY 2021 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 |
|-------------------|--|------------|----------------|-------------|-------------|-------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| | | | Revised Budget | Actual | Budget | Projected | Projected | Projected | Projected | Projected | Projected |
| Future | Maintenance and Repair- Small Projects | General | \$ - | \$ - | \$ - | \$ - | \$ 106,090 | \$ 109,273 | \$ 112,551 | \$ 115,927 | \$ 119,405 |
| Future | GBA support on capital planning | General | \$ - | \$ - | \$ - | \$ - | \$ 37,132 | \$ - | \$ - | \$ - | \$ - |
| Future | Future Project Placeholder | General | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 218,545 | \$ 337,653 | \$ - | \$ - |
| Future | Future Project Placeholder | General | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 225,102 | \$ 347,782 | \$ - |
| Future | Future Project Placeholder | General | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Future | Future Project Placeholder | General | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 358,216 |
| Future | Future Project Placeholder | General | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Future | Future Project Placeholder | General | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Subtotal - | | | \$ - | \$ - | \$ - | \$ - | \$ 143,222 | \$ 327,818 | \$ 675,305 | \$ 463,710 | \$ 477,621 |

Figure 2.3 CIP

3.5. Operating Costs

Costs in this section were developed based on the program summary and discussions with City staff. The bottom section of this tab shows costs in 2022 dollars, and the top section escalates costs based on factors defined by category in the inputs tab. Costs in red in the bottom section are linked to the enhanced LOS scenario (surface drainage).

Note: The version of the model at time of this report has descriptions in the bottom section formatted to call attention to certain costs. Items in red are linked to the enhanced level of service associated with the Future Program, as described above.

| Year | Description |
|------|---|
| 2022 | 1 FTE Salary & Benefits |
| 2022 | GBA Contract for MS4 Compliance |
| 2022 | Stormwater Master Plan |
| 2022 | Maintenance |
| 2022 | Storm Drain Medallions |
| 2022 | Complete mapping and inventory of storm system and inlets outfalls within GIS |
| 2022 | CMMS purchase and setup |
| 2022 | Street Sweeper |
| 2022 | 2 FTE Salary & benefits- Foreman & Crew Member |
| 2022 | 1 FTE Salary & benefits- Crew Member |
| 2022 | Dumping Fees for streets and Drainage Cleanup |
| 2022 | XL3100 Used Gradall Truck |
| 2022 | Fuel and Maintenance |
| 2022 | Dump Truck |
| 2022 | Vactor Trailer |

Figure 2.4 Operating Costs

3.6. Units of Service

The NSFR units in this tab were estimated using the method described in 2.2.1.

SFR units can be shown as either a flat rate or tiered rate. Using a switch on the Inputs tab, the user is able to turn residential tiers “On” or “Off”. Switching between rate structures leads to a slight adjustment in units. For further explanation of the distinction between these rate structures, see Section 4.

The number of parcels for each residential tier is calculated using a runoff factor. The runoff factor, or C-factor, is the portion of the parcel covered by impervious surfaces. This factor was determined using the sample of 350 residential parcels measured in 2.2. A runoff factor was calculated for each parcel individually, by dividing impervious area by gross parcel area. The average for the sample was 0.43 or 43% impervious. For each Single Family Residence (SFR) in the “Parcels” tab, this runoff factor is multiplied by the gross area to produce an impervious area and corresponding tier.

Tier breakpoints are adjustable and influence the size and ERU within each tier. Parcels are placed in Tier 1 if they are less than or equal to the breakpoint. Parcels are placed in Tier 2 if they are greater than the first breakpoint, and less than or equal to the second breakpoint. Parcels are placed in Tier 3 if they exceed the second breakpoint.

The tier ERU is the median impervious area within the tier, divided by the ERU. The user is able to manually enter an ERU for each tier, informed by this calculated value. The number of units is the product of the tier ERU and parcels within the tier.

| Runoff Factor (Used to predict impervious area) | | 0.43 | | | | | | | |
|---|--------------------------------------|--------------------|----------|------------------|-------------------|---------------------------------|--------------|--------------|--------------|
| ERU | | 2,730 | | | | | | FY 2024 | FY 2025 |
| Single Family Residential | <i>Selected Rate Structure: Flat</i> | | | | | | | | |
| <i>Tiers</i> | | | | | | | | | |
| Tier | Breakpoints (sq. ft.) | Median within Tier | Tier ERU | Rounded Tier ERU | Number of Parcels | Units of Service | | | |
| 1 | 2,400 | 2,145 | 0.79 | 0.80 | 1,097 | 878 | 886 | 895 | |
| 2 | 3,400 | 2,581 | 0.95 | 1.00 | 2,609 | 2,609 | 2,635 | 2,661 | |
| 3 | Over | 4,116 | 1.51 | 1.50 | 620 | 930 | 939 | 949 | |
| | | | | | Sum: | 4,417 | 4,461 | 4,505 | |
| <i>Flat Rate</i> | | | | | | 4,326 | 4,326 | 4,326 | 4,369 |
| | | | | | | Subtotal: Residential Units | 4,326 | 4,326 | 4,369 |
| | | | | | | % Change | | | 1.0% |
| Non-Single Family Residential | | | | | | 865 | 5,383 | | |
| | | | | | | Subtotal: Non-Residential Units | 5,383 | 5,383 | 5,463 |
| | | | | | | % Change | | | 1.5% |
| Future Residential | | | | | | 1,340 | 0 | | |
| | | | | | | Conservative Adjustment: | -5% | | |
| | | | | | | Total ERUs: | 9,223 | 9,223 | 9,341 |
| | | | | | | % Change | | | 1.3% |

Figure 2.5 Units of Service

3.7. Fund Proof

This tab summarizes the source and flow of revenues into the operating fund and capital fund and how those revenues are used.

Cash flows into the operating fund where it is spent on operating expenses. Cash flows to meet the operating reserve fund goal defined in the inputs tab. Any surplus to that goal flows into the capital reserve fund to be spent on capital projects.

Rather than showing a negative balance, the capital reserve fund will show the unfunded portion of projects, or the amount of debt needed to complete the projects in the CIP tab. Any available funds are spent on projects listed for the fiscal year, without accounting for the reserve target. If there is a surplus of funds transferred from the operating fund after project costs, they accumulate in this fund.

The user can add additional transfers between the operating and capital reserve funds as desired.

| Stormwater Capital Fund | FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 | FY 2029 | FY 2030 |
|------------------------------|------------|------------|------------|------------|--------------|--------------|------------|
| FY Beginning Fund Balance | | \$ 32,210 | \$ 70,024 | \$ 101,841 | \$ 354,817 | \$ 102,196 | \$ - |
| Transfer to Operating Fund | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Transfer from Operating Fund | \$ 175,431 | \$ 365,631 | \$ 707,121 | \$ 716,685 | \$ 225,000 | \$ 314,989 | \$ 649,838 |
| Proposed Debt- Series Bonds | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Proposed Debt- SRF Loan | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Planned CIP | \$ 143,222 | \$ 327,818 | \$ 675,305 | \$ 463,710 | \$ 477,621 | \$ 491,950 | \$ 506,708 |
| Surplus/ (Deficit) | \$ 32,210 | \$ 37,814 | \$ 31,817 | \$ 252,976 | \$ (252,621) | \$ (176,961) | \$ 143,131 |
| Unfunded/Debt Service Needed | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 74,765 | \$ - |
| Capital Reserve Target | \$ 300,000 | \$ 300,000 | \$ 300,000 | \$ 300,000 | \$ 300,000 | \$ 300,000 | \$ 300,000 |
| FY Ending Fund Balance | \$ 32,210 | \$ 70,024 | \$ 101,841 | \$ 354,817 | \$ 102,196 | \$ - | \$ 143,131 |

Figure 2.6 Fund Proof

3.8. Debt Schedule

This tab is not currently being used but is capable of showing debt service calculations, if needed. The user can input proceeds in the dashboard tab and view the schedule of repayment on this tab based on the input term and interest assumptions.

| | | FY 2023 | FY 2024 | FY 2025 | FY |
|---|------------|---------|---------------|---------------|------|
| <i>FY 2024 Series Bonds</i> | | | 1 | 2 | |
| Issuance | \$ 100,000 | | | | |
| Insurance | \$ - | | | | |
| Issuance Costs | \$ 2,000 | | | | |
| Debt Service Reserve (1) | \$ 7,018 | | | | |
| Principal | \$ 109,018 | | \$ 1,505.04 | \$ 1,587.82 | \$ |
| Interest | | | \$ 5,996.00 | \$ 5,913.22 | \$ |
| Less: Capitalized Interest | | | | | |
| Total Payment | | | \$ 7,501.04 | \$ 7,501.04 | \$ |
| Year End Principal Balance | | | \$ 107,513.11 | \$ 105,925.30 | \$ 1 |
| <i>FY 2024 Series Bonds Assumptions</i> | | | | | |
| Term | 30 | | | | |
| Interest Rate | 5.50% | | | | |

Figure 2.7 Debt Schedule

3.9. Rate Calculation

This tab shows information related to categories of costs and revenue requirements. It calculates an annual rate that is each year’s revenue requirements divided by the units of service and benchmarks this rate against the override rate entered in the dashboard.

The calculated rate does not account for the buildup of reserve funds and allows rates to fluctuate up and down based on yearly revenue requirements. Where the calculated rate is less than the override rate, additional funds are being absorbed into reserves. Where the calculated rate exceeds the override rate, this indicates a higher-cost year where funds are being drawn from reserves. In any year the calculated annual rate shows the minimum rate needed to sustain the utility at its current level.

| | | | | | | | | |
|--------------------------------|----|-------|----|-------|----|--------|----|--------|
| Calculated Annual Rate per ERU | \$ | 75.63 | \$ | 72.30 | \$ | 108.42 | \$ | 109.04 |
| Annual Rate per ERU | \$ | 78 | \$ | 78 | \$ | 102 | \$ | 120 |
| | | | | 0% | | 31% | | 18% |

Figure 2.8 Rate Calculation

4. Rate Structure Analysis

Raftelis held discussions with City staff on 10/06/22 and 11/29/22 in which several rate structure options and their advantages and disadvantages were presented. The rate structure ultimately depends on what the charge is based upon, so discussions first focused on the data basis for the fee, then shifted into the structuring of how properties may be charged.

4.1. Basis

The industry standard for stormwater fees is to charge based on each property's impervious area (IA). Impervious area defines surfaces that are covered or compacted with material that slows infiltration of stormwater; such as pavement, concrete, pavers/stones, structures, and compacted gravel and dirt. The amount of impervious area on a parcel is most directly related to the quantity of stormwater to be handled by the system. Impervious surface causes the peak discharge volume of runoff from a parcel of land to be higher than it would otherwise. It also contributes to increased concentrations of pollutants in the runoff as these pollutants are not able to soak into the ground.

Impervious area can be estimated using an intensity of development factor (IDF) or runoff factor (C-factor). In some cases it can be estimated using tax assessment data. The most accurate way to measure impervious area is to capture it using GIS tools. Raftelis looked into a predictive equation for impervious area using parcel and tax data. Raftelis did not believe the results of the equation were accurate enough to apply to the City's stormwater billing. As part of the Units of Service Analysis, a runoff factor was assigned to each non-residential parcel to predict impervious square footage. In the City of Manor, there are 241 non-residential parcels identified as having impervious area. Increased accuracy could be achieved by measuring this subset of parcels using GIS tools.

A few agencies use gross area as a component in their charge. As opposed to impervious area, gross land area contributes proportionately more to the nutrients and pollutants that stormwater runoff may pick up and less to the sheer volume of runoff to be managed. Pervious cover absorbs more rainfall and contributes less to runoff. However, pervious land still contributes pesticides, fertilizers, leaves, and other undesirable materials to the runoff that does occur.

4.2. Structure

Utilities typically bill properties based on their classification. Most commonly customers are identified as Single Family Residential (SFR) or Non-Single Family Residential (NSFR), or similar terms in order to distinguish commercial and residential properties. Agencies with a significant portion of other distinct land uses or parcel types sometimes opt for additional classifications, for example agricultural land or townhomes.

SFR properties are typically charged a single, flat rate (1 ERU) or placed into tiers and charged one of several rates. The utility may choose square foot breakpoints to manipulate how many properties fall in a tier and what they are charged. In order to tier properties, the impervious area for each property must be predicted or measured. In Manor, there are approximately 4,326 residential parcels to measure. Some utilities elect to place a cap on the SFR class, in which outlier properties with impervious area above a certain threshold are charged as NSFR. This approach also requires measurement of residential parcels.

NSFR Properties are typically charged per Equivalent Residential Unit (ERU) of impervious area. It is common to charge NSFR properties a minimum of 1 ERU. The number of ERUs can be rounded up or down to the nearest whole integer or the utility may charge for portions of ERUs. Rounding ERUs arguably simplifies billing and communication, as many customers receive similar charges. Charging for fractional ERUs in some ways conflicts with the purpose of a billing unit like an ERU, as it is conceptually similar to charging per impervious square foot. On the other hand, charging for partial ERUs prevents customers from being “tipped over” into a higher ERU.

It is standard practice to exempt NSFR properties with less than some threshold of impervious surface area (for Manor, we propose 400 square feet). This helps reduce billing errors resulting from minor inaccuracies in parcel geometry, such as impervious area overlapping onto a neighboring property. Properties fitting this description, as calculated by the runoff factor approach, were exempted from the Units of Service estimation.

Another approach brought to the attention of the City was the use of a base charge. A base charge covers fixed costs that are the same for all accounts regardless of impervious area. Billing and collections, data management and updating, programming, and customer support may fall within this category. These costs, then, are distributed evenly to each account holder by being allocable to a fixed charge per parcel.

5. Recommended Rate Structure and Rates

5.1. Rate Structure

This recommendation considers industry standards, data availability, equitability, administrative burden, and stormwater program cost drivers. Manor's program is developing and focused on MS4 permit compliance and flooding prevention. Manor is not subject to any TMDLs or other major water quality requirements that largely impact the cost of the program.

As part of analyses performed in Section 2, an analyst reviewed parcels in the City against 2020 imagery. A runoff factor was assigned to each NSFR parcel. During this analysis, the analyst noted the following:

- There was a wide range of resulting runoff factors
- A majority of NSFR parcels had a runoff factor of 0 indicating no development or impervious area, including parcels holding natural areas or streams
- There are several large undeveloped or mostly undeveloped properties with a runoff factor below 5 percent

In summary, the gross area of parcels in the City is not always related to the owner's ability to pay, the extent of development on the property, or the property's impacts to the City's stormwater cost drivers.

In regards to fixed costs, the City does not have a substantial amount of easily identifiable costs that could be reallocated towards a base charge. A charge of this nature also increases the complexity of the rate structure. This option could be reconsidered as the City incurs additional costs.

Raftelis recommends using **impervious area** as the basis for the stormwater fee. Impervious area is both a simple and accurate rate structure that is closely tied to the amount of runoff a property contributes. The City's costs relate directly to the conveyance of this runoff. Impervious area is a defensible approach as it is the industry standard for stormwater utilities.

Raftelis recommends billing customers as **Single Family Residential** or **Non-Single Family Residential** based on their land use. This is a common approach to Stormwater billing and aligns with billing practices for other City utilities.

Raftelis recommends charging Single Family Residential properties a **flat rate** of 1 ERU. A tiered structure requires capturing or estimating impervious area for approximately 4,325 properties. Additionally, tiering adds administrative burden due to an uptick in customer calls when neighboring properties are placed in different tiers. This presents data management and customer service challenges for the City. A flat structure is equitable, requires sufficient revenue, and is an accepted method used by utilities throughout the US.

Raftelis recommends charging Non-Single Family Residential properties **per whole ERU**, with a **minimum of 1 ERU** charged to properties with impervious area exceeding 400 square feet. Raftelis recommends measuring this subset of properties for the most accurate billing.

| | Recommendation | Discussion |
|--|---|---|
| Basis | Impervious Area | Industry Standard Simple & accurate |
| Single Family Residential Structure | Charge a flat rate of 1 ERU per property | Simple to administer Widely used |
| Non-Single Family Residential Structure | Charge properties per ERU based on measured IA Charge a minimum of 1 ERU if the IA exceeds 400 sq ft | Closely relates to impacts Widely used |

Figure 5.1 Summary of Rate Structure Recommendations

5.2. Rates

As described in Section 3, the model is highly adjustable to fit different scenarios and levels of service. This rate recommendation funds the stormwater program to a level prescribed below:

- The City takes on additional surface drainage responsibilities for an enhanced level of service beginning in FY 2028
- The City cash funds a robust capital program including planning, asset maintenance and repair, and two large projects
- The City initially prioritizes capital projects over building an operating reserve to meet the operating reserve target. This is accomplished through interfund transfers from the operating fund to the capital fund according the following schedule, as input in the Fund Proof tab:

| FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 |
|----------------|----------------|----------------|----------------|----------------|
| \$135,000 | \$20,000 | \$85,000 | | \$225,000 |

- The City funds the following capital projects. Costs will be refined through near-term study of watershed and drainage needs:
 - 2025 Capital Project
 - 2026 Capital Project
 - Smaller Projects related to Maintenance and Repair

Based on this scenario the recommended rate per ERU for the City is as follows:

| FY 2024 | FY 2025 | FY 2026 | FY 2027 |
|----------------|----------------|----------------|----------------|
| \$6.50 | \$6.50 | \$8.50 | \$10.00 |

Figure 5.2 Rate Recommendation

Based on the results of this study, this schedule of rates should allow the City to fully cash anticipated operating and capital costs. Future rates beyond FY 2027 may need further adjustment to meet these criteria.

5.3. Summary

Sections 1 through 5 of this document summarize the results of tasks 1-4 as part of the Stormwater Fee Feasibility Study Scope of Work. Section 6 enumerates implementation recommendations as part of task 5, and task 6 involves the drafting and presentation of this report.

The City of Manor performs a number of services to support stormwater management. There is desire for the City to ramp up these activities for a more proactive program that supports the quality of life in Manor and makes it an attractive location for businesses and residences. Recovering these costs through a stormwater fee benefits the City by providing a stable and sufficient revenue stream, increasing awareness of stormwater management in the community, establishing reserve funds to grow and mature the stormwater utility over time, and funding activities and projects for a resilient, safe, and clean community. An impervious area rate structure is an effective way to link the cost drivers of the stormwater program, i.e. stormwater runoff, with impacts to ratepayers.

6. Implementation Recommendations

Recommendations and results from the feasibility study, documented in sections above, propose an approach to charging a stormwater fee to property owners in Manor. The City's chosen rate structure and planned program determine how stormwater fees will be generated for each customer.

Applying calculated stormwater fees to customer's accounts accurately and completely, maintaining trust in the utility billing system, fostering understanding of changes to customer's bills, and responding to customer inquiries, among other responsibilities, require a separate phase of planning to ensure a successful fee implementation and fee process moving forward.

6.1. Data Development

The proposed rate structure is based on impervious area. The impervious area for residential properties is estimated to be 1 ERU per property. For non-residential properties, 5,383 ERUs were estimated in the Units of Service Analysis (Section 2.2). Increased accuracy could be achieved by measuring the 241 parcels identified as having impervious area. This measurement could be performed in GIS and would take approximately 30 hours to complete.

6.2. Data Maintenance

After go-live, updated customer data related to the stormwater fee will need to be consumed on a regular basis, and customer's fees updated accordingly. Such data includes new aerial imagery (impervious area removals and additions), parcel changes (subdivisions, recombinations, lot line adjustments, ownership), inclusion of new customers (issuing of COs, new permit applications), and updates in response to customer complaints or appeals. Impervious area data will need to be maintained and tracked in response to all these sources. A change detection table is one method used to track IA updates.

New stormwater-only accounts (charged only for stormwater service) will need to be created as impervious area changes are detected on parcels without an existing account. A customer may be eligible to charge for stormwater before they apply for water or sewer service. Customers who do not currently pay for water, sewer, solid waste, or other City services are also eligible, provided they fall within City limits and contain impervious area. Discussions with City staff indicate that there would be a limited number of these types of accounts.

6.3. Public Outreach

Materials such as FAQs, fact sheets, website content, flyers, and bill inserts can help educate customers on how and why the City is changing its approach to stormwater funding. Messages can be communicated at Council meetings, public meetings, and community events.

6.4. Customer Service

Customer Service staff will need to be educated on how to answer basic customer questions, and how to elevate more challenging calls to related to the stormwater fee. Customer Service can expect the largest volume of calls at go-live and additional help such as a call center or hotline may be needed.

6.5. Billing Policies

Some customers may call the City and appeal the amount of their stormwater fee. Establishing policies for how these cases are handled can help the utility prepare for and effectively respond to these calls. Other billing policies include hierarchy of payments, penalty for nonpayment, discounts, and credits.

6.6. Staffing and Workload

Maintaining customer data, responding to customers, and ensuring accurate and complete billing adds workload for City staff. Defining roles, workflows, and responsibilities can help these processes run more efficiently.

6.7. Billing System Configuration

In most cases, impervious area data related to stormwater is housed outside of the billing system, typically in a geodatabase. The City's billing system will need to be configured so that updates to this data can be consumed and applied to customer's bills. Updates could be performed manually or through an automated interface. The billing system may need to allow discounts or credits based on billing policies developed by the City.

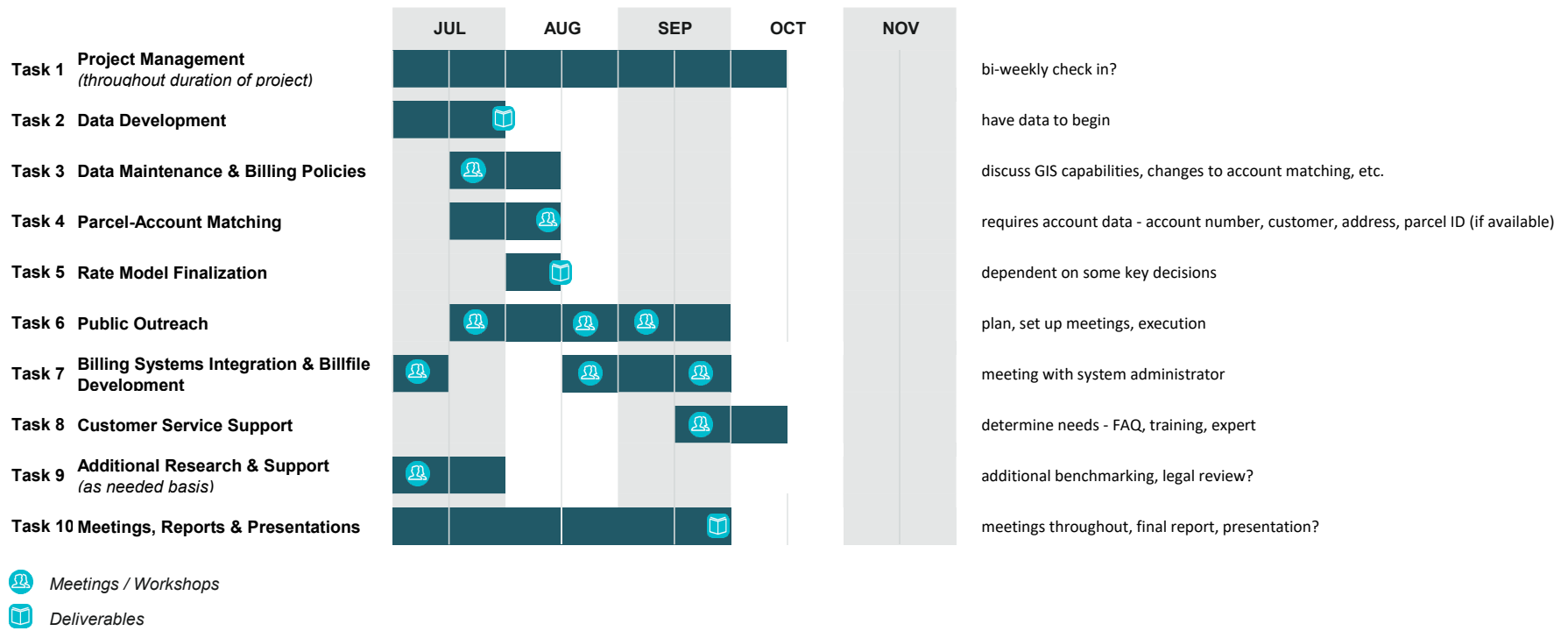
6.8. Bill File Development

An initial bill file will need to be developed and QCed prior to go-live to be loaded into the City's billing system. The format and fields contained in this file will need to be determined by City staff based on specifications of the billing system.

Appendix A Final SFR Sample Parcel IDs

| | | | |
|-----------|-----------|-----------|-----------|
| 233620206 | 239690322 | 241770307 | 243750203 |
| 233620303 | 239690728 | 241750909 | 243750504 |
| 233621731 | 239690111 | 239770913 | 243750215 |
| 233621718 | 239690215 | 245720358 | 243750305 |
| 233621702 | 239690921 | 245720379 | 243750615 |
| 233650410 | 239690905 | 245720373 | 243750620 |
| 233621517 | 239690911 | 245720396 | 243770429 |
| 233621714 | 239690915 | 245720804 | 243750632 |
| 233650111 | 239690333 | 233591606 | 237621305 |
| 233650112 | 239690701 | 235690639 | 242800290 |
| 233621626 | 235720424 | 235721506 | 231620118 |
| 233621613 | 239750502 | 235690905 | 231590816 |
| 233622002 | 239690821 | 235721312 | 231620324 |
| 235690504 | 239690316 | 235690644 | 231620326 |
| 235690522 | 239690717 | 235690649 | 231620303 |
| 235690510 | 235720474 | 235721009 | 231620302 |
| 235690524 | 235720467 | 239890105 | 231620301 |
| 243720522 | 235721217 | 235690916 | 233622104 |
| 243720527 | 235721213 | 245720148 | 241750610 |
| 245720332 | 235720479 | 245720105 | 241770114 |
| 243720712 | 235720480 | 245720932 | 241750613 |
| 243720426 | 237690115 | 245720933 | 241750614 |
| 243720433 | 233650311 | 245720971 | 241750322 |
| 245720321 | 235590905 | 247690112 | 241771210 |
| 245720343 | 235591303 | 247690406 | 241770820 |
| 243720513 | 242700310 | 247690410 | 241771212 |
| 243720710 | 239750308 | 247690407 | 241771637 |
| 245750306 | 239750407 | 247690415 | 241750621 |
| 233720118 | 241750507 | 245720945 | 241771635 |
| 233720111 | 241750518 | 245720964 | 241771508 |
| 235720513 | 241750519 | 247690104 | 241771217 |
| 235720522 | 231590627 | 245720926 | 247720341 |
| 235720405 | 231590621 | 245720956 | 247720234 |
| 235720203 | 231590613 | 239771106 | 247720230 |
| 235690720 | 231590509 | 241770908 | 247720227 |
| 235720207 | 231590506 | 241770921 | 247720223 |
| 235690706 | 231590707 | 241770922 | 247720328 |
| 235690715 | 231590433 | 239770901 | 247720405 |
| 235720402 | 231590210 | 241770711 | 247720401 |
| 235720221 | 231590223 | 243750307 | 247720502 |
| 235720212 | 231590208 | 243770411 | 247720305 |
| 235720805 | 231590306 | 243770512 | 241771612 |
| 235720956 | 231590636 | 243770414 | 243751011 |
| 235720423 | 233591505 | 243770204 | 247750101 |
| 235720957 | 233592231 | 243770401 | 247720916 |
| 239750419 | 233592233 | 245770106 | 247720808 |
| 235720432 | 233591513 | 245690415 | 247720813 |
| 239750429 | 233592123 | 245690508 | 247720818 |
| 239750606 | 233591321 | 245690713 | 247720815 |
| 239750620 | 233592105 | 245690510 | 247721001 |
| 239770206 | 233592010 | 247690605 | 235691313 |
| 239750625 | 235592103 | 245690304 | 243751403 |

| | | | |
|-----------|-----------|-----------|-----------|
| 235720413 | 233591431 | 245721608 | 243751306 |
| 235720959 | 233591430 | 245721410 | 243751223 |
| 235720431 | 233591104 | 245721603 | 243751231 |
| 239750426 | 233591022 | 245720994 | 247720921 |
| 239750430 | 233590903 | 245721503 | 247720554 |
| 237621402 | 233591723 | 245721504 | 247720453 |
| 237621402 | 233591721 | 243720302 | 247720551 |
| 237622201 | 233591728 | 243720308 | 247720931 |
| 235590802 | 233591729 | 245720949 | 247720451 |
| 235621803 | 233591715 | 245720946 | 247720933 |
| 235623306 | 233591417 | 241770810 | 247720944 |
| 237621601 | 233591301 | 241770903 | 247720430 |
| 235620503 | 233591332 | 245720993 | 247720539 |
| 235621304 | 233591604 | 239771306 | 247721013 |
| 235622406 | 239750518 | 241770616 | 247721123 |
| 235622605 | 245750406 | 241790103 | 247721119 |
| 237621309 | 245720703 | 241790204 | 247721111 |
| 237620805 | 245750233 | 241770710 | 247721115 |
| 235590402 | 245750235 | 241770713 | 233590401 |
| 235621103 | 245750242 | 239771301 | 233620619 |
| 235621403 | 235690627 | 241790206 | 233590701 |
| 235591103 | 235721604 | 239790102 | 233590804 |
| 235591402 | 235721605 | 239771316 | 233590313 |
| 239690103 | 235721402 | 239771317 | 237590603 |
| 239690210 | 235721408 | 239771322 | 245750209 |
| 239690609 | 235622102 | 241771022 | 245750216 |
| 239750519 | 239750718 | 245720525 | 241771304 |
| 239750520 | 239750716 | 245721241 | 241771313 |
| 239691041 | 239750714 | 245720537 | 241750615 |
| 239691023 | 239750907 | 247720106 | 241750323 |
| 239691001 | 239750910 | 247720105 | 241771326 |
| 239690513 | 239750903 | 247720103 | 241771324 |
| 239690832 | 239750746 | 247720202 | 241771609 |
| 239690834 | 233592019 | 241770706 | 245650116 |
| 239690310 | 235592002 | 243770430 | |
| 239690711 | 245720136 | 243750630 | |





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on an ordinance rezoning one (1) lot on .132 acres, more or less, and being located at 209 N. Lexington Street, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

BACKGROUND/SUMMARY:

This property was previously requested to be rezoned C-1 Light Commercial back in 2018. It came before the Planning and Zoning Commission on 10/3/18 and recommended for denial then it went to the City Council on 11/7/18. The item was postponed at City Council to the 12/5/18 meeting, where it was denied. Parking concerns were the reason for the denials.

This application is to rezone the property to Neighborhood Business (NB), which is our most restrictive commercial zoning category and has similar lot development standards as Single Family – maximum building height is 35’ and the maximum lot coverage for the building is 40%. NB zoning is intended to be directly adjacent to and/or surrounded by single-family and other residential uses. NB is a low-density commercial zoning that allows for office, retail, restaurant, and personal service uses. The applicant is proposing a hair salon use. Parking and other site development regulations like landscaping, drainage, and outdoor lighting would follow city code as no variances are requested at this time. Personal Services require 1 parking space per 200 sf of gross floor area. The current building on the property is approximately 900 sf so 5 parking spaces would be required.

This property in the Comprehensive Plan’s Future Land Use Map is within a block designated as Downtown Mixed-Use but it is on the border with the Neighborhood Mixed-Use designation that extends north along Lexington Street. The properties directly south on the other side of the alley are zoned Downtown Business (DB), as well as the ones south of Boyce Street. North of this property exists other Neighborhood Business zoned properties including 409 N. Lexington, 709 N. Lexington, and 810 N. Lexington. Neighborhood Business (NB) zoning is more consistent with the Neighborhood Mixed-Use designation which allows a combination of dense residential and nonresidential uses in a compact, neighborhood-scale design to create a walkable environment. Adaptive reuse of residential structures for commercial purposes and infill commercial buildings with residential design characteristics are common and appropriate in these areas.

P&Z did not have a quorum so this item is being moved to their August 9th meeting and no recommendation is provided.

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

- Ordinance
- Rezoning Map
- Aerial Image
- FLUM
- Downtown Mixed-Use Dashboard
- Neighborhood Mixed-Use Dashboard
- Notice and Mailing Labels

STAFF RECOMMENDATION:

It is the City Staff’s recommendation that the City Council postpone until August 16th an ordinance rezoning one (1) lot on .132 acres, more or less, and being located at 209 N. Lexington Street, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**
X – no quorum

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY SUBURBAN (SF-1) TO NEIGHBORHOOD BUSINESS (NB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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 Ordinance. City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Single Family Suburban (SF-1) to zoning district Neighborhood Business (NB). The Property is accordingly hereby rezoned to Neighborhood Business (NB).

Section 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed 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, Chapt. 551, Texas Gov't. Code.

ORDINANCE NO.

Page 2

PASSED AND APPROVED FIRST READING on this the 19st day of July 2023.

PASSED AND APPROVED SECOND AND FINAL READING on this the ___ day of August 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC,
City Secretary

ORDINANCE NO.

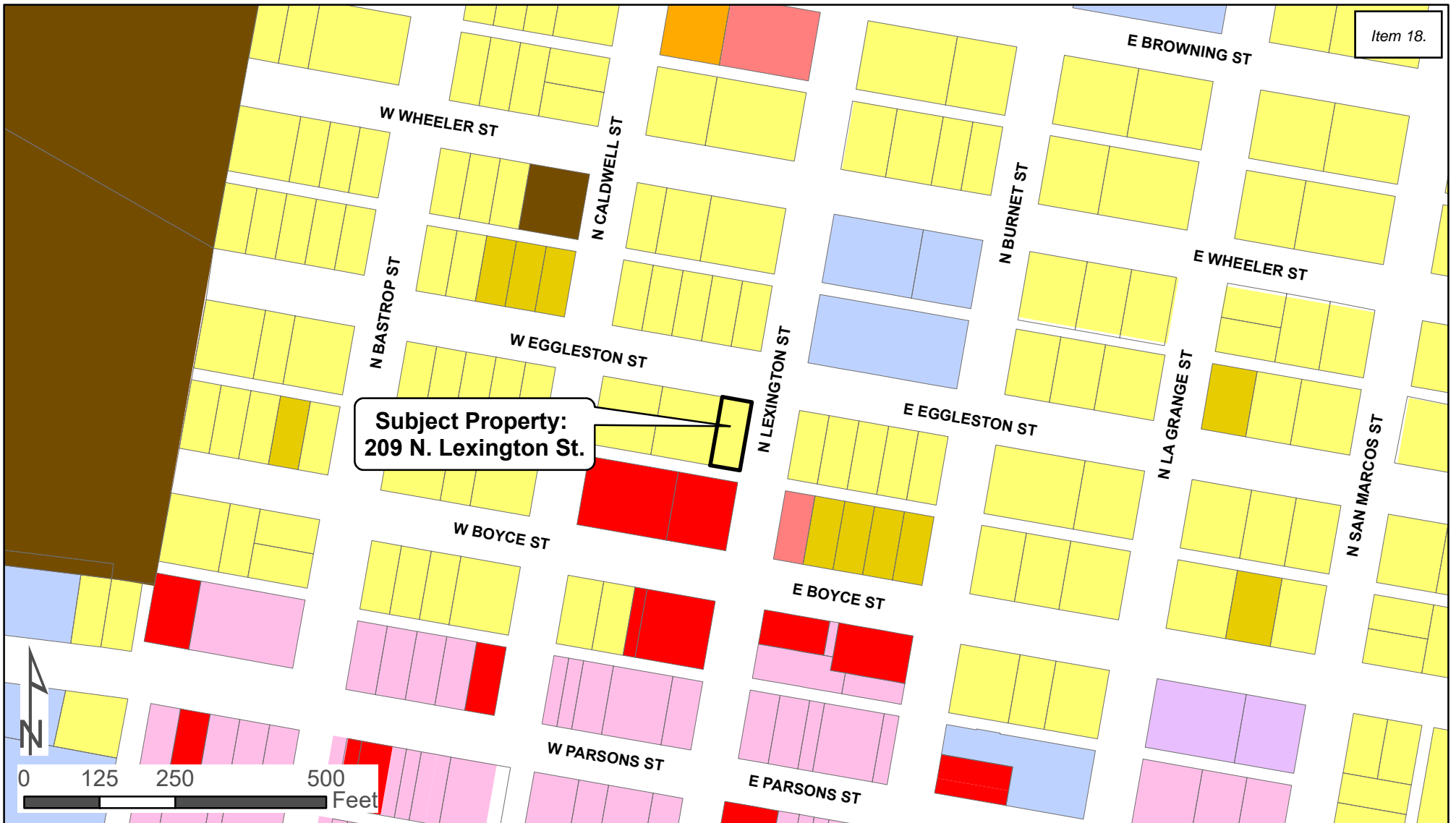
Page 3

EXHIBIT "A"

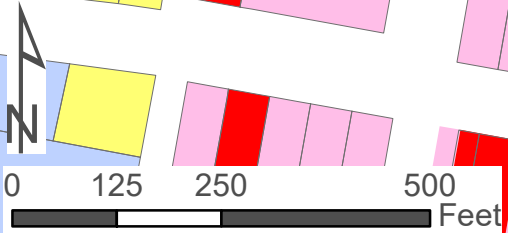
Property Address:
209 North Lexington Street, Manor, TX 78653

Property Legal Description:

Lot 6, Block 43, Town of Manor, and Addition in Travis County, Texas, according to the map or plat thereof recorded in Volume V, Page 796, of the Deed Records, Travis County, Texas























**Subject Property:
209 N. Lexington St.**

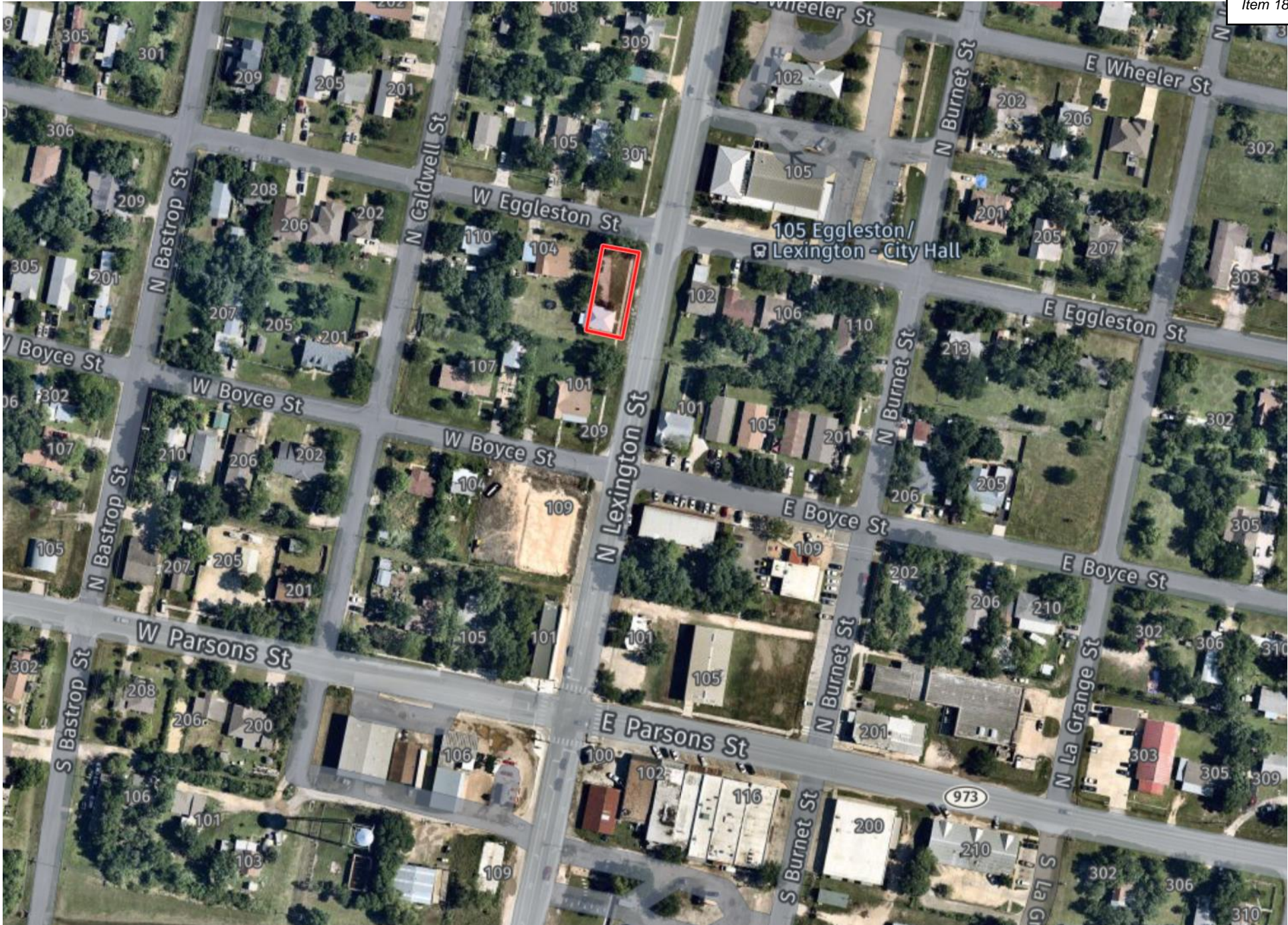


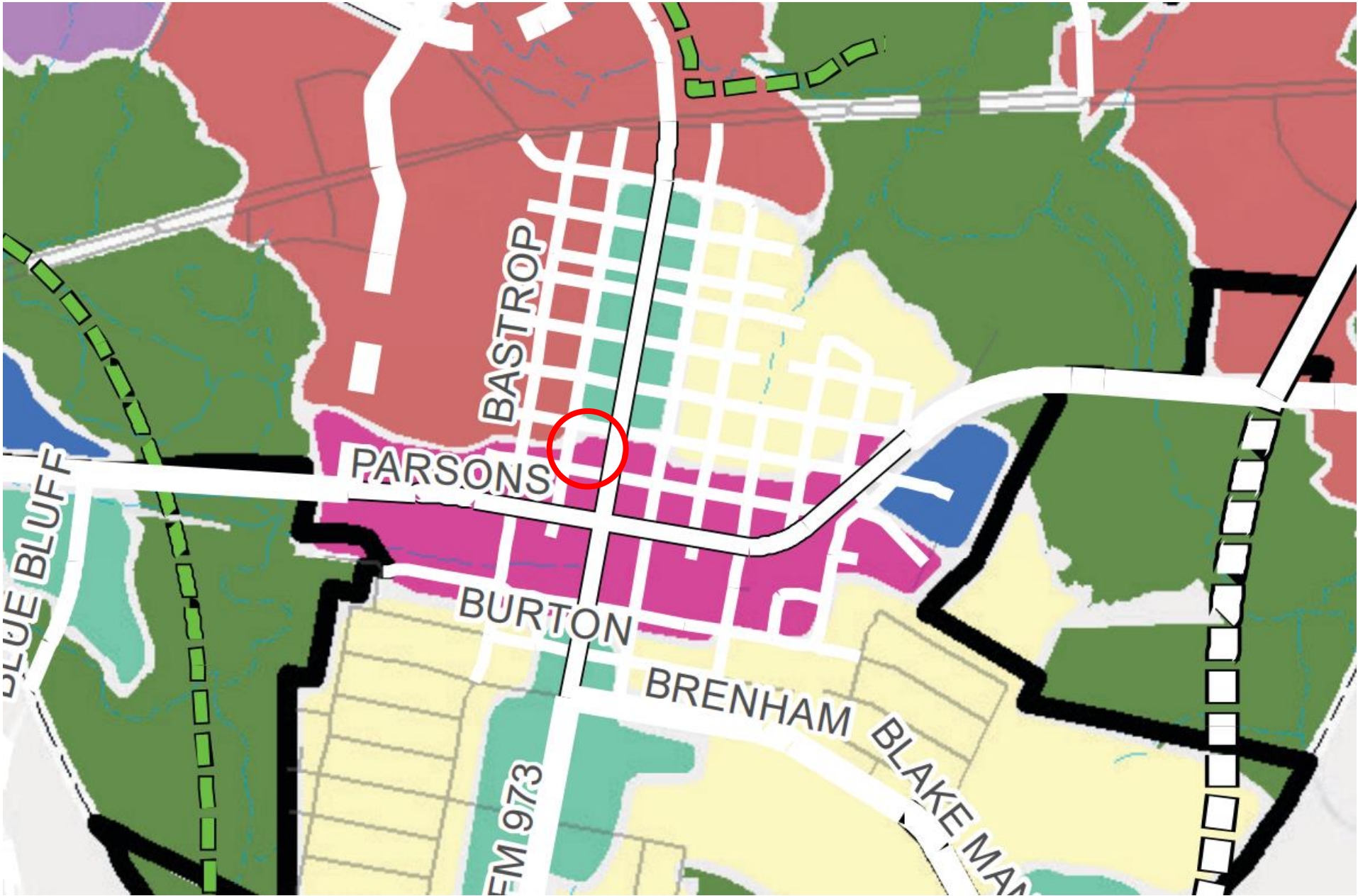
**Current:
Single Family Suburban (SF-1)**

**Proposed:
Neighborhood Business (NB)**

| Zone | |
|---|--------------------------------|
|  | A - Agricultural |
|  | SF-1 - Single Family Suburban |
|  | SF-2 - Single Family Standard |
|  | TF - Two Family |
|  | TH - Townhome |
|  | MF-1 - Multi-Family 15 |
|  | MF-2 - Multi-Family 25 |
|  | MH-1 - Manufactured Home |
|  | I-1 - Institutional Small |
|  | I-2 - Institutional Large |
|  | GO - General Office |
|  | C-1 - Light Commercial |
|  | C-2 - Medium Commercial |
|  | C-3 - Heavy Commercial |
|  | NB - Neighborhood Business |
|  | DB - Downtown Business |
|  | IN-1 - Light Industrial |
|  | IN-2 - Heavy Industrial |
|  | PUD - Planned Unit Development |
|  | ETJ |
















FUTURE LAND USE MAP

The Future Land Use Map serves as the guide for future zoning and development decisions and provides a foundation to support the vision and recommendations of the plan. This is accomplished by setting a land use framework that influences regulatory mechanisms and policy decisions that shape the built environment. Each of the designations presented on the land use categories below correlates with the map on the right.

-  Neighborhoods: Residential one- and two-family homes, along with townhomes, are found near neighborhood mixed-use areas and allow up to 8 dwelling units per acre.
-  Mixed-Density Neighborhoods: Mixed density residential uses primarily support a mix of housing options that may consist of one or more of the following housing types: single family detached, single family attached, duplexes, townhomes, cluster housing and small-scale multifamily.
-  Commercial Corridor: This category consists of nonresidential land uses that meet the needs of both local and regional residents. This includes big box stores and multi-tenant commercial uses.
-  Employment: This category applies to the business centers along SH 290 and FM 973. The primary uses for employment centers are large urban employment centers, corporate campuses, and mixed-use environments.
-  Neighborhood Mixed-Use: This category allows a combination of dense residential and nonresidential uses in a compact, neighborhood-scale design to create a walkable environment. Residential densities within this area should be between 4 and 20 dwelling units per acre.
-  Downtown Mixed-Use: This category includes commercial, business, and office uses that line the Old Highway 20 corridor and adjacent streets, including the traditional downtown shopping district of Manor.
-  Community Mixed-Use: This category allows a combination of dense residential and nonresidential uses in a compact, design at a larger scale than neighborhood mixed-use to create a walkable environment.
-  Public/Semi-Public: This category includes uses that are governmental, institutional or religious in nature.
-  Parks and Open Space: This category consists of parks, recreational facilities, and open spaces that are currently in existence or planned.

DOWNTOWN MIXED-USE

Downtown Mixed-Use is intended for the residential, commercial, business, and office uses that line the Old Highway 20 corridor and adjacent streets, including the traditional downtown shopping district of Manor.

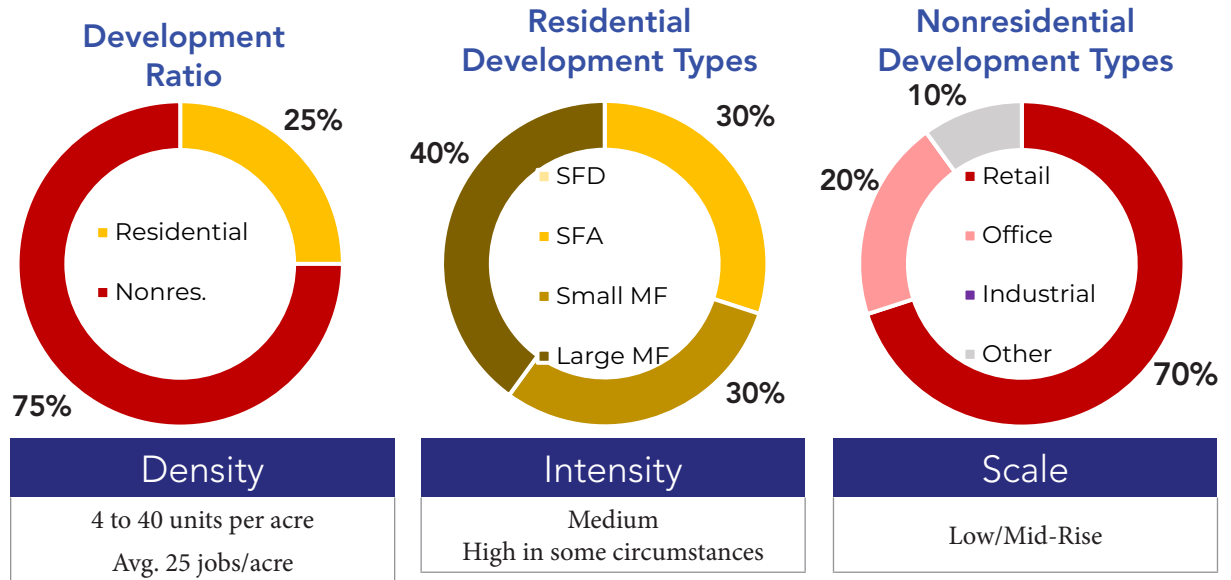
Not only is this area currently a mixed-use environment currently, but it is envisioned to see a strong reinvention via more density and a higher mix of uses in the future. This area should be designed to accommodate transit, should rail services extend to Manor from Austin. However, even if the rail does not come, a downtown that is comprised of high-density mixed-use development will still bring many opportunities and benefits to the community.

Densities range between 4 and 40 units per acre, although individual sites may achieve higher densities if they are coordinated within the rest of the area, provide superior access to services and amenities, and appropriate compatibility to adjacent uses is provided.

Here, infill development especially presents opportunities for small businesses, unique and dense housing options and potentially even small scale/artisan manufacturing.

The pedestrian environment and experience should be top priority in Downtown and feature public gathering places, active streets, engaging storefronts, and sidewalk cafes. This is the best place in Manor to double down on and invest in creating a sense of place and identity for the community.

Figure 3.10. Downtown Mixed-Use Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered compatible since the intent is to provide retail/services, activity centers and diversified housing to support surrounding neighborhoods and drive community identity/gathering |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ● ● ○ ○ | This can be compatible provided that the overall Downtown Mixed Use area also contains mixed-use urban flex buildings or shopping centers with which this housing product integrates in a manner to promote walkability and transitions; these development types should be located on secondary roads rather than primary thoroughfares within Downtown, as those areas are best reserved for ground-floor retail and services |
| Apartment House (3-4 units) | ● ● ● ○ ○ | |
| Small Multifamily (8-12 units) | ● ● ● ○ ○ | |
| Large Multifamily (12+ units) | ● ● ● ○ ○ | |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ● ● | This is the ideal form of development within the Downtown Mixed Use category; provides for activity centers, retail, services and diverse housing options at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; design should emphasize the pedestrian experience rather than people driving automobiles |
| Mixed-Use Urban, Community Scale | ● ● ● ○ ○ | Not generally considered compatible due to incompatible scale with neighborhoods, but can be depending on adjacencies to green space or more intensive uses |
| Shopping Center, Neighborhood Scale | ● ● ● ● ○ | While less preferred than a mixed-use urban flex building, the use provides for activity centers, retail and services at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; becomes more compatible if a horizontal approach to mixed-use is deployed, such as inclusion of small apartments nearby or within the same site, or to match the scale of adjacent historic buildings |
| Shopping Center, Community Scale | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be depending on adjacencies to green space or more intensive uses; may function better on the western and eastern edges of the Downtown Mixed Use area |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be if particularly small-scale and included alongside more appropriate development types, or with integration of a storefront experience. Examples of appropriate uses might include maker spaces, coffee roasting, micro-breweries, and similar businesses |
| Manufacturing | ● ○ ○ ○ ○ | Not considered compatible |
| Civic | ● ● ● ● ● | Considered supportive to the function and livability of this future land use category, government buildings, schools and community facilities can serve as activity hubs. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |

NEIGHBORHOOD MIXED-USE

Neighborhood Mixed-Use allows a combination of dense residential and nonresidential uses in a compact, neighborhood-scale design to create a walkable environment.

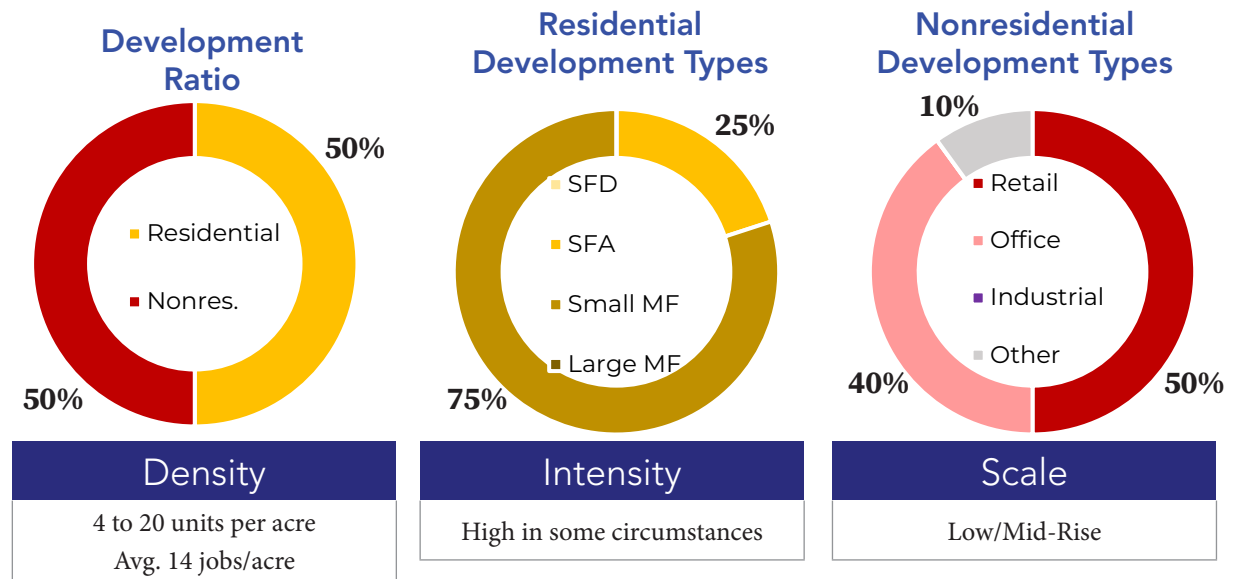
Neighborhood mixed-use areas allow residential units in close proximity to goods, services and civic activities, thus reducing dependence on the car and promoting community interaction, belonging, identity, and pride.

These places emphasize urban design and the experience created through density, intensity and scale; the mix of housing; walkability; streetscapes and a high quality public realm; parking management; and access to amenities such as parks, civic spaces and neighborhood services.

Often situated around an activity-generating element or an active public gathering spot, mixing of uses can take shape as either or both vertical (stacked on top of each other) and horizontal (next to each other). In vertical mixed-use, the ground floor is encouraged to be food and beverage or pedestrian-oriented retail and services, to promote foot traffic and activity.

Adaptive reuse of residential structures to commercial purposes and infill commercial buildings with residential design characteristics are common and appropriate in these areas.

Figure 3.8. Neighborhood Mixed-Use Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ●○○○○ | Not considered appropriate since the intent of mixed-use is to provide retail/services, activity centers and diversified housing in more dense and compact forms; these uses will provide opportunities and amenities to surrounding lower density neighborhoods. |
| SFD + ADU | ●○○○○ | |
| SFA, Duplex | ●○○○○ | |
| SFA, Townhomes and Detached Missing Middle | ●●●○○ | This can be appropriate provided that the overall Neighborhood Mixed-Use area also contains mixed-use buildings and/or shopping centers with which this product integrates in a manner to promote walkability and access. Can be utilized as a transition between Neighborhood Mixed-Use and other uses. |
| Apartment House (3-4 units) | ●●●○○ | |
| Small Multifamily (8-12 units) | ●●●○○ | |
| Large Multifamily (12+ units) | ●○○○○ | Not considered appropriate due to incompatible scale with neighborhoods |
| Mixed-Use Urban, Neighborhood Scale | ●●●●● | This is the ideal form of development within the Neighborhood Mixed Use category; provides for activity centers, retail, services and diverse housing options at a scale compatible with and supportive of surrounding neighborhoods. Promotes walkability and 10-minute neighborhoods. |
| Mixed-Use Urban, Community Scale | ●●○○○ | Not generally considered appropriate due to incompatible scale with neighborhoods; may be appropriate if adjacent to green space or more intensive uses. |
| Shopping Center, Neighborhood Scale | ●●●●○ | While less preferred, this use can provide retail and services at a scale compatible with and supportive of surrounding neighborhoods, promoting walkability and 10-minute neighborhoods. Becomes more appropriate if a horizontal approach to mixed-use is deployed. |
| Shopping Center, Community Scale | ●●○○○ | Not generally considered appropriate due to incompatible scale with neighborhoods; may be appropriate if adjacent to green space or more intensive uses. |
| Light Industrial Flex Space | ●●○○○ | Not generally considered appropriate due to incompatible scale with neighborhoods, but can be if particularly small-scale and included alongside more appropriate development types; examples might include artisan-scale manufacturing, maker spaces, and similar businesses. |
| Manufacturing | ●○○○○ | Not considered appropriate. |
| Civic | ●●●●● | Considered supportive to the function and livability of this future land use category, government buildings, schools and community facilities can serve as activity hubs. |
| Parks and Open Space | ●●●●● | Generally considered appropriate or compatible within all Land Use Categories. |



6/28/2023

City of Manor Development Services

Notification for a Rezoning Application

Project Name: 209 N Lexington Rezoning from SF-1 to NB
 Case Number: 2023-P-1546-ZO
 Case Manager: Michael Burrell
 Contact: mburrell@manortx.gov – 512-215-8158

The City of Manor Planning and Zoning Commission and City Council will be conducting a Regularly Scheduled meeting for the purpose of considering and acting upon on a Rezoning Application for 209 N Lexington, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for one (1) lot on .132 acres, more or less, at 209 N Lexington, Manor, TX from Single Family (SF-1) to Neighborhood Business (NB).

Applicant: Chavez Welding & Fencing LLC
Owner: MARCOS CHAVEZ

The Planning and Zoning Commission will meet at 6:30PM on July 12, 2023 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on July 19, 2023 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 Rezoning Application has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners during the discussion of this item.

105 E. EGGLESTON STREET • P.O. BOX 387 • MANOR, TEXAS 78653
 (T) 512.272.5555 • (F) 512.272.8636 • WWW.CITYOFMANOR.ORG

CASTILLO MONICA ANN (442097)
PO BOX 1097
MANOR TX 78653-1097

SANCHEZ NORA L & JOSE A JR (373442)
PO BOX 232
MANOR TX 78653-0232

BUILD BLOCK INC (1907925)
2700 E 2nd St
Los Angeles CA 90033-4102

DAVIS CAPITAL INVESTMENTS LLC
(1850555)
P.O. BOX 248
MANOR TX 78653

120 EAST BOYCE STREET LLC (1754550)
1004 MERIDEN LN
AUSTIN TX 78703-3823

TANCOR LLC (1278159)
9009 FAIRWAY HILL DR
AUSTIN TX 78750-3023

BAHRAMI BEHZAD (212733)
PO BOX 82653
AUSTIN TX 78708-2653

ALVARADO MIGUEL ANGEL & GLORIA
(215770)
PO BOX 294
MANOR TX 78653-0294

ACOSTA MOSES (1574304)
PO BOX 645
MANOR TX 78653

MENDEZ JUAN OJEDA (215768)
104 E EGGLESTON ST
MANOR TX 78653-3407

PAIZ RAMON E JR (1372820)
PO BOX 280
MANOR TX 78653-0280

LUTZ JAMES T & ALEXANDRA CARRILLO
(1323195)
14812 FM 973 N
MANOR TX 78653-3540

MCDONNELL COLE FOSTER & STEPHEN
SNYDER MCDONNELL (1939832)
103 W Eggleston St
Manor TX 78653-3371

RODRIGUEZ ROSALINDA (1829444)
105 W EGGLESTON
MANOR TX 78653-3371

NUNN LILLIE M (215593)
PO BOX 207
MANOR TX 78653-0207

NUNN ROSS ETUX (215594)
PO BOX 207
MANOR TX 78653-0207

YOUNG CLAUDIE G & SAMMIE M
(215610)
PO BOX 145
MANOR TX 78653-0145

VASQUEZ JUAN JR & DIANA E GERL
(215609)
PO BOX 499
MANOR TX 78653-0499

JUNG JIWON (1897485)
2700 E 2ND ST
LOS ANGELES CA 90033-4102

JUNG JIWON (1899139)
101 W BOYCE ST
MANOR TX 78653



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on a Preliminary Planned Unit Development (PUD) Site Plan for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.

Applicant: Sotol Ventures

Owner: Dalton Wallace

BACKGROUND/SUMMARY:

This Preliminary PUD allows up to 325 single-family lots with up to 80% of the lots being 50' and 20% being 60' wide. The minimum lot size is 6,000 (50' x 120') and the minimum dwelling unit size (heated/cooled area) is 1,700 sf.

There are 4.1 acres of C-2 Medium Commercial on FM 973 with certain uses prohibited.

The PUD is consistent with the land use designations in the Comprehensive Plan's Future Land Use Map with Commercial Corridor uses on FM 973 and Neighborhood uses between the commercial and Wilbarger Creek. The PUD is also consistent with the Trails Plan and Thoroughfare Plan in the Comprehensive Plan.

The PUD has 8.8 acres of non-floodplain, non-detention area parkland in three areas and is connected by a trail system. The amount of parkland acreage exceeds code requirements by 3.88 acres. Within the parkland, they'll construct a 2-5 year old playground, 5-12 year old playground, minimum 20 stall parking lot, 10,000 sf dog park, minimum 20'x30' pavilion, and a basketball court. These are public amenities but maintained by the HOA.

Additionally, the owner is retaining the floodplain/open space but is dedicating an access easement for a regional trail that will be constructed with this PUD that connects to the Shadowglen trail(s) in the south and Monarch Ranch to the north, as well as internal trails that connect to the proposed Monarch Ranch internal trails. To provide a safe trail crossing across the collector road, a crosswalk with pedestrian-activated flashing lights will be installed.

Staff also recommends that one additional trail connection be made into Shadowglen from the sidewalk trail that extends from Allard Drive to the southern boundary of the Okra Tract.

The PUD also contains two unloaded collector roads that are 64' ROW, one of which is on our Thoroughfare Plan and would be a parallel north-south route to FM 973. This roadway, Silent Falls Way, would extend through Okra and Monarch Ranch, then cross Gregg Lane and extend north through the New Haven and Mustang Valley subdivisions to Anderson Lane ending at Schmidt Lane. Similar to Mustang Valley, New Haven and Monarch Ranch, the collector roads will have a 10' landscaping buffer along them and upgrading subdivision fencing with masonry columns.

TxDOT has provided and the developer has agreed in lieu of a TIA they will extend the center turn lane from Tinajero to the northern connection of Suncrest with it tapering off past Suncrest. A right-turn lane on southbound FM 973 will also be added. No signal is planned. Travis County also waived a TIA as the County roads that are being connected to within Shadowglen are built out and no further improvements would be required. No existing city roads are being connected so the city is not requiring a TIA as TxDOT has worked out the necessary mitigations with the developer.

This item was postponed at the June 21st meeting to July 19th because P&Z did not have a quorum on June 14th to provide a recommendation. P&Z lacked a quorum again on July 12th so this item still lacks a P&Z recommendation. The applicant has requested that the City Council consider the discussion of the item so the applicant can begin receiving feedback. This zoning case is planned to go back before P&Z on August 9th so if the City Council would like to conduct the public hearing and provide feedback, that information would go to P&Z on August 9th, then this case would come back before the City Council on August 16th for second reading. Upon second reading any additional feedback received by P&Z would be provided to the City Council.

This is only the Preliminary PUD Site Plan and after the public hearings are held and its approved, it would be resubmitted as a Final PUD Site Plan which would then come back to P&Z and City Council for public hearings and approval. Approval of the Preliminary PUD Site Plan is not an approval of the final development.

LEGAL REVIEW: No
FISCAL IMPACT: No
PRESENTATION: Yes
ATTACHMENTS: Yes

- PUD Site Plan
- Rezoning Map
- Aerial Image
- FLUM & Dashboards
- FM 973 Improvement Area
- Collector Road Alignment
- Allard Drive Trail Connection
- Engineer Comments & Acceptance
- Public Notice and Labels

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve a first reading of a Preliminary Planned Unit Development (PUD) Site Plan for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX with the additional trail connection at Allard Drive.

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



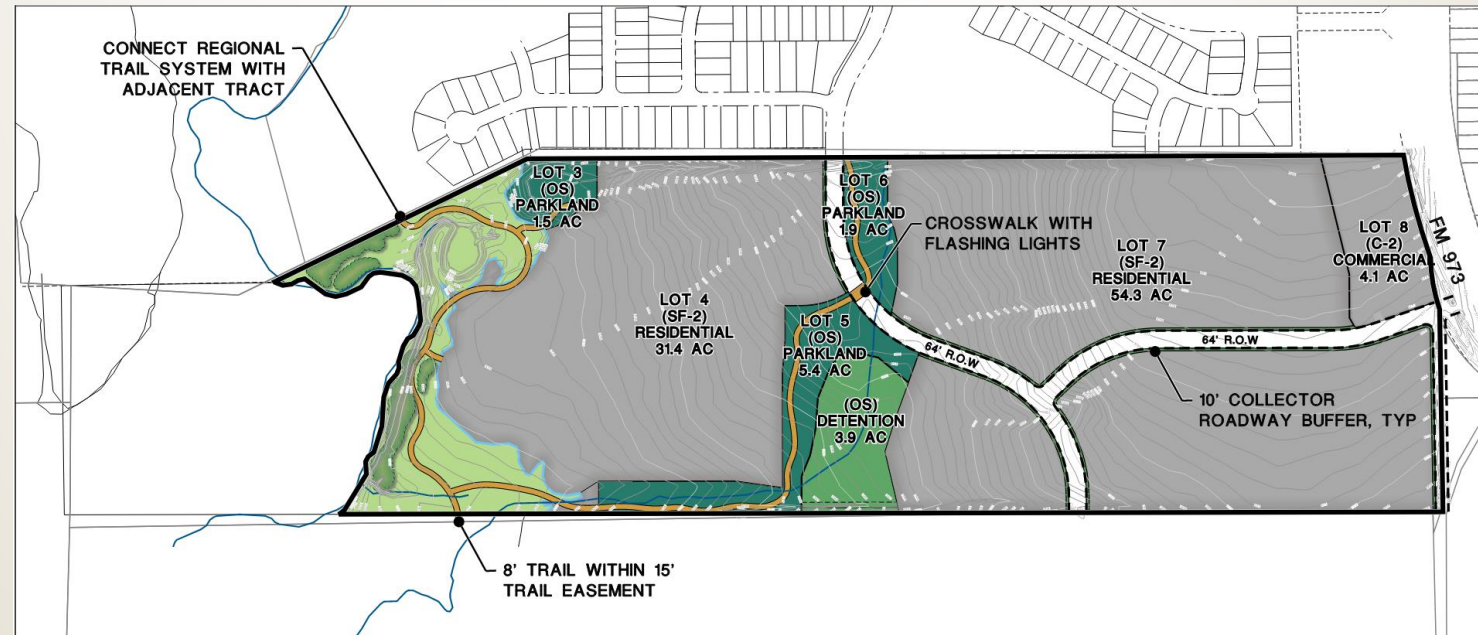


OKRA

Located off FM 973

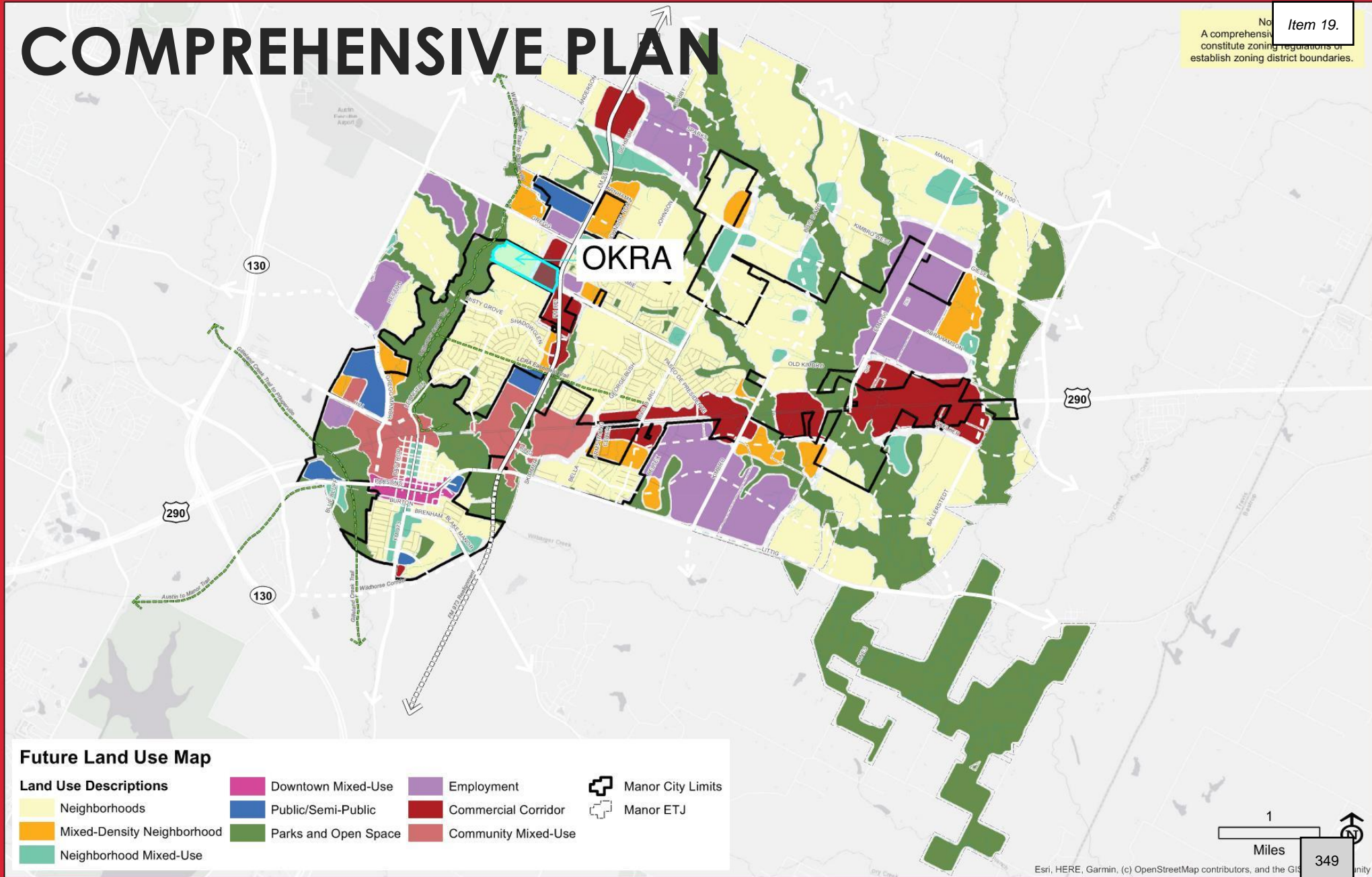
OKRA

- 113.415 acres
- Currently zoned C2
- Proposed mix-use development with commercial and residential



COMPREHENSIVE PLAN

No. **Item 19.**
 A comprehensive zoning regulations or establish zoning district boundaries.

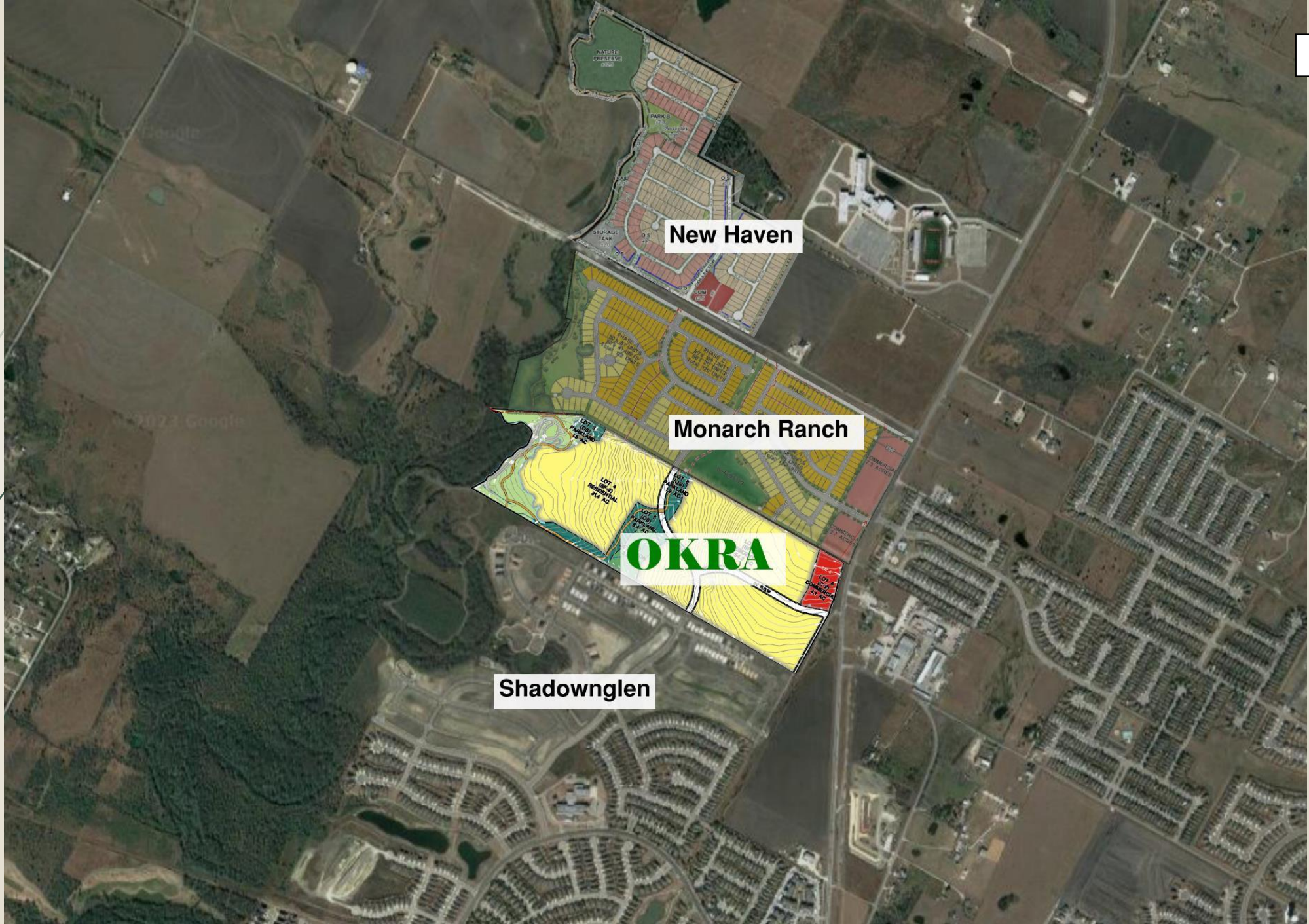


Future Land Use Map

Land Use Descriptions

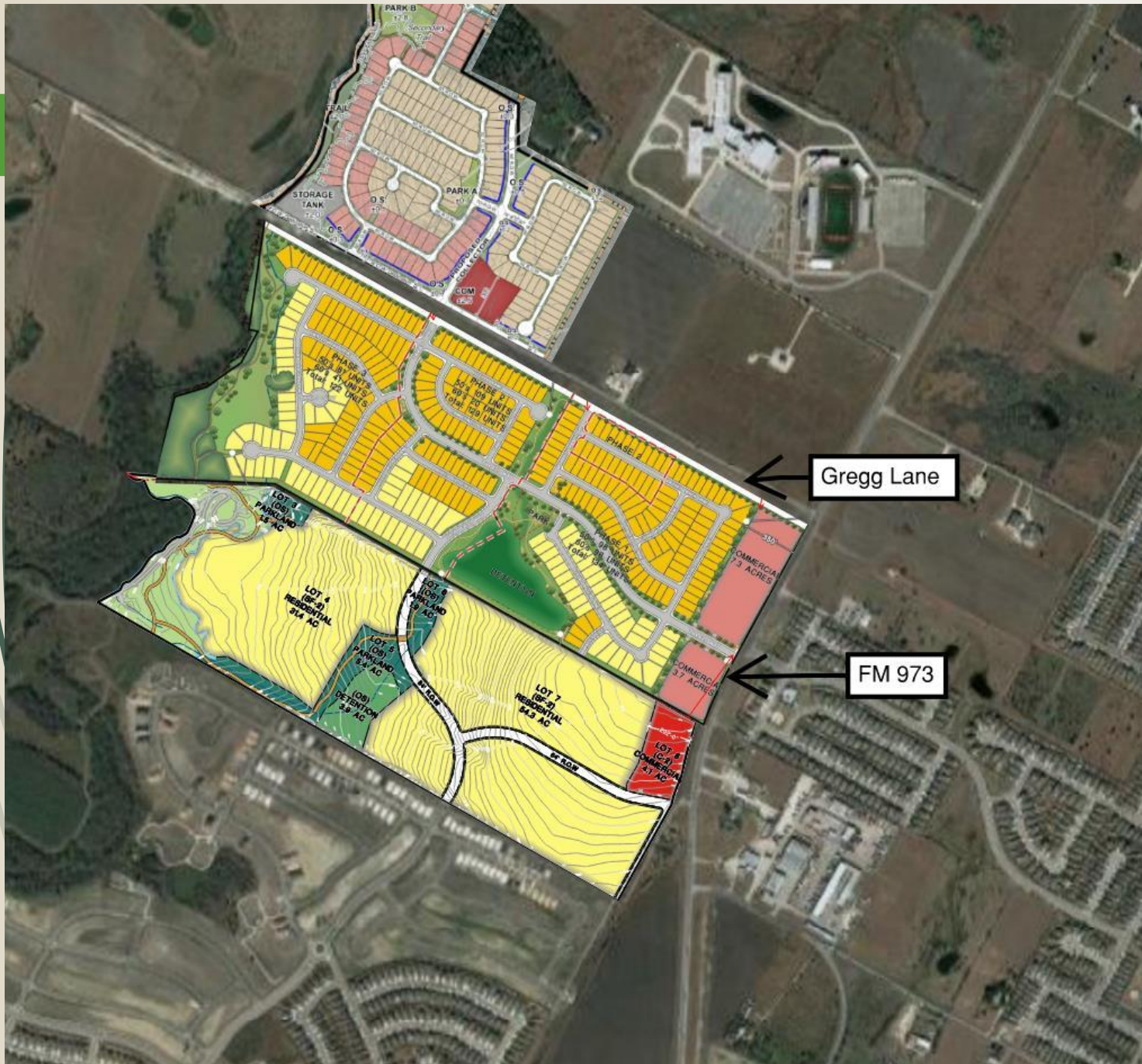
- | | | |
|----------------------------|----------------------|-------------------|
| Downtown Mixed-Use | Employment | Manor City Limits |
| Neighborhoods | Public/Semi-Public | Manor ETJ |
| Mixed-Density Neighborhood | Parks and Open Space | |
| Neighborhood Mixed-Use | Commercial Corridor | |
| | Community Mixed-Use | |

1
 Miles
 349
 Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS User Community

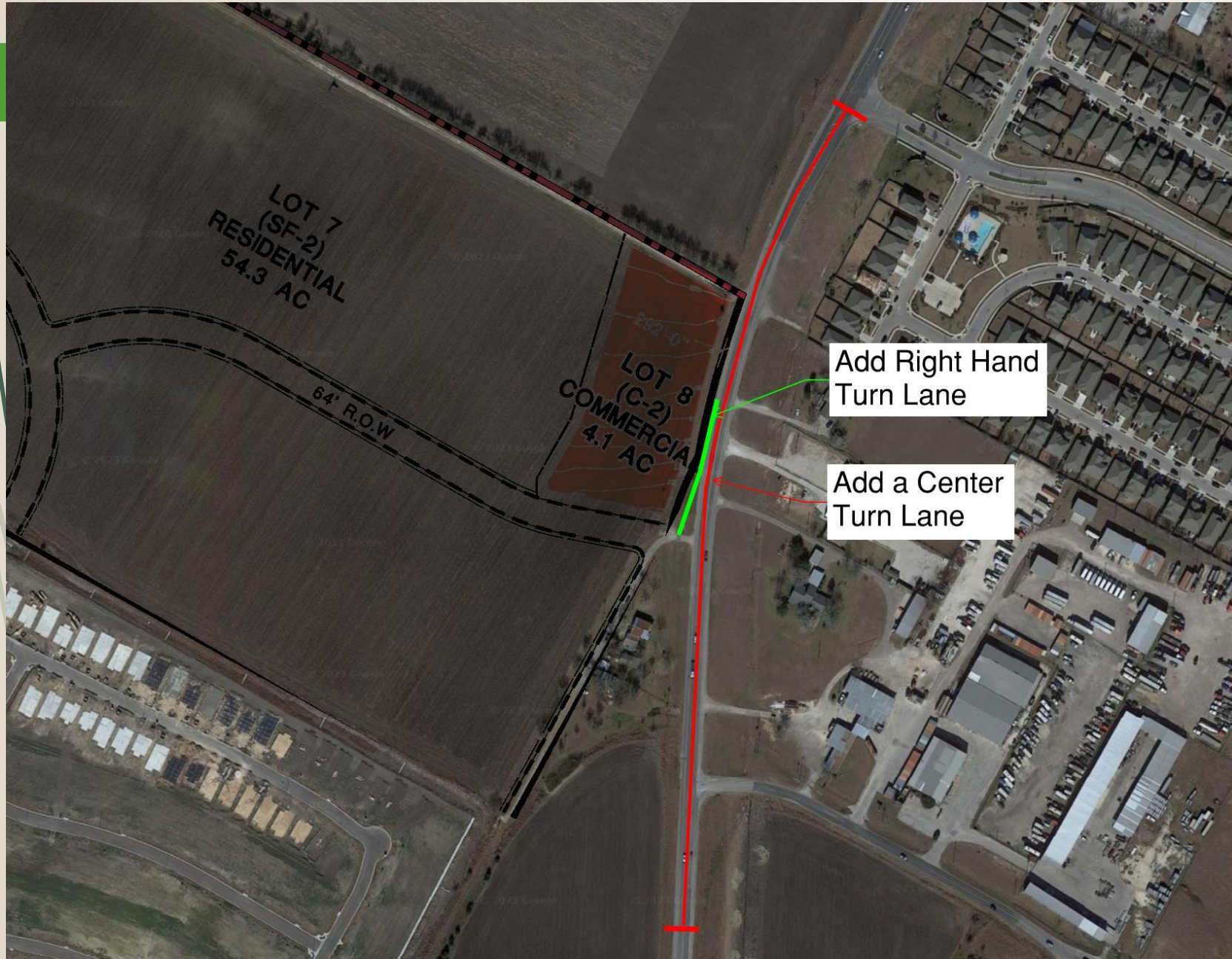


INTERNAL ROAD IMPROVEMENTS

- ▶ 64' Silent Falls Way collector road from Shadowglen to New Haven
- ▶ 64' collector road entrance off FM 973



EXTERNAL ROAD IMPROVEMENTS



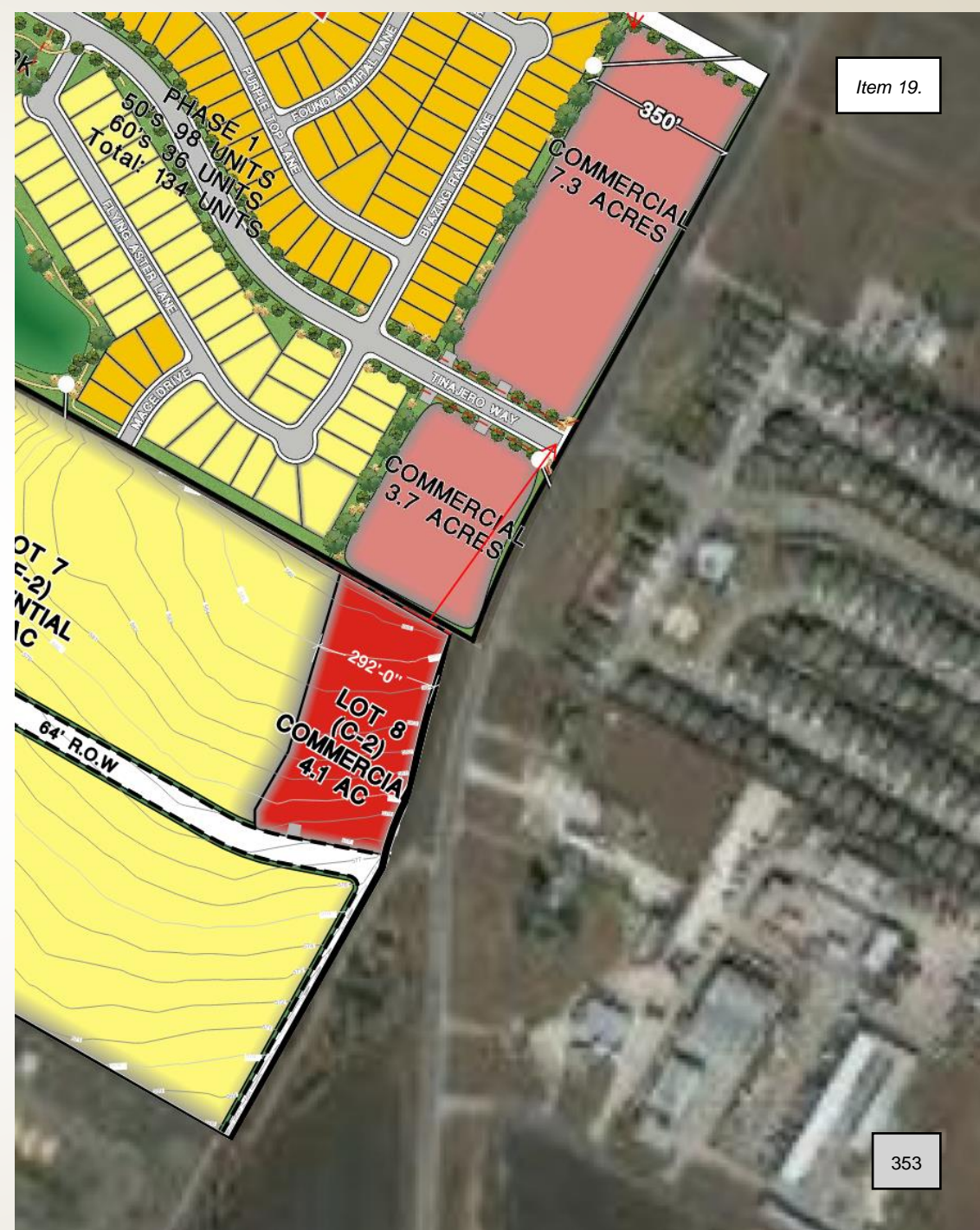
- Extend the Center Lane that ends at Tinajero Way past Suncrest
- Add a Right Hand Turn Lane into OKRA

COMMERCIAL – C2

➤ 4.1 acres commercial

The following uses shall be prohibited within the C-2 area of the PUD:

- Amusement (outdoor)
- Automobile Repair (minor)
- Automobile Repair (major)
- Commercial Off-Street Parking
- Contractor's Shop
- Financial Services (alternative)
- Funeral Services
- Kennel
- Laundry Services
- Mini-Storage Warehouse
- Off-Site Accessory Parking
- Pawnshop
- Recreational Vehicle Sales and Rental
- Truck and Trailer Sales and Rental
- Veterinary Service, Large



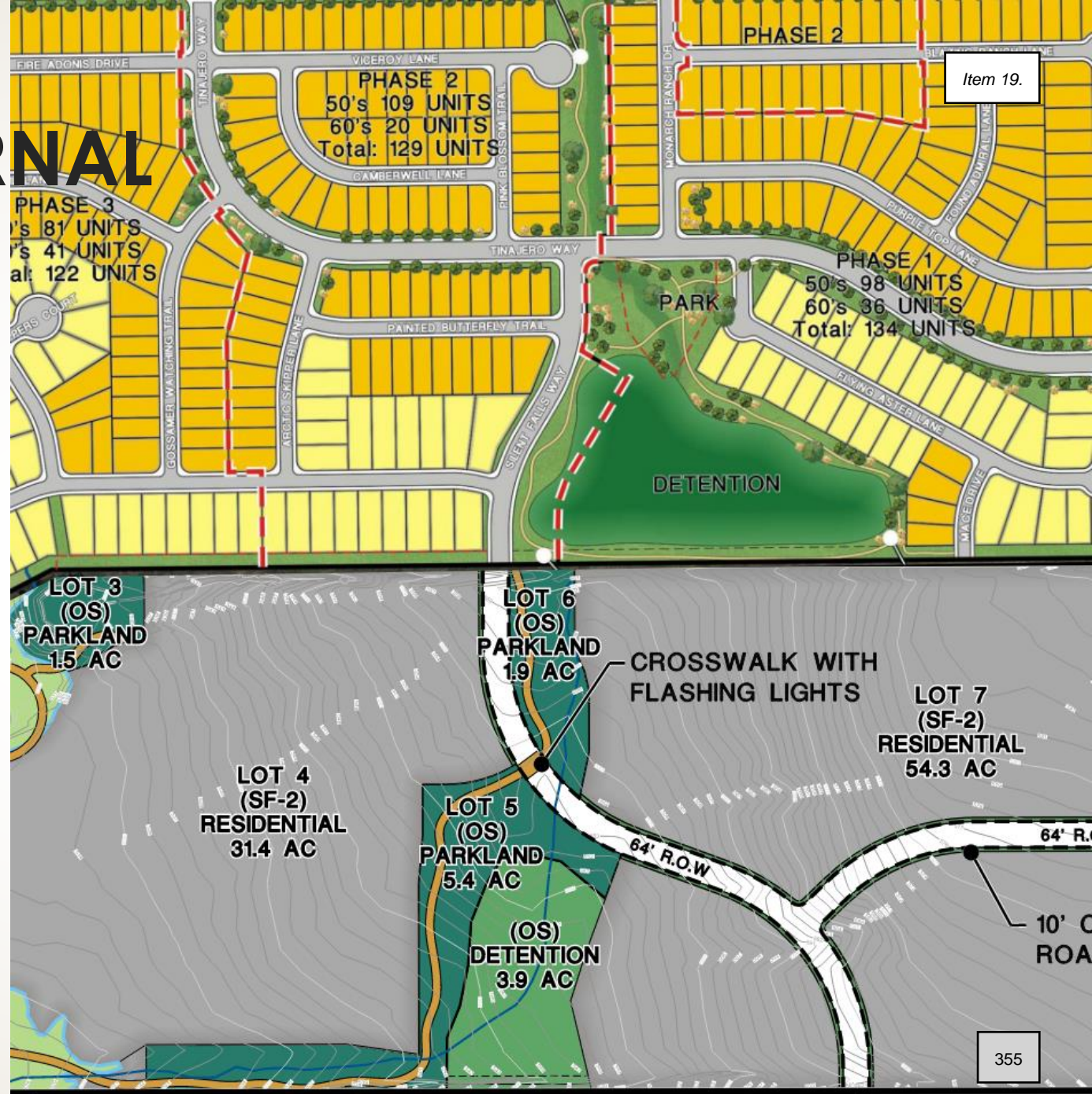
RESIDENTIAL – SF2



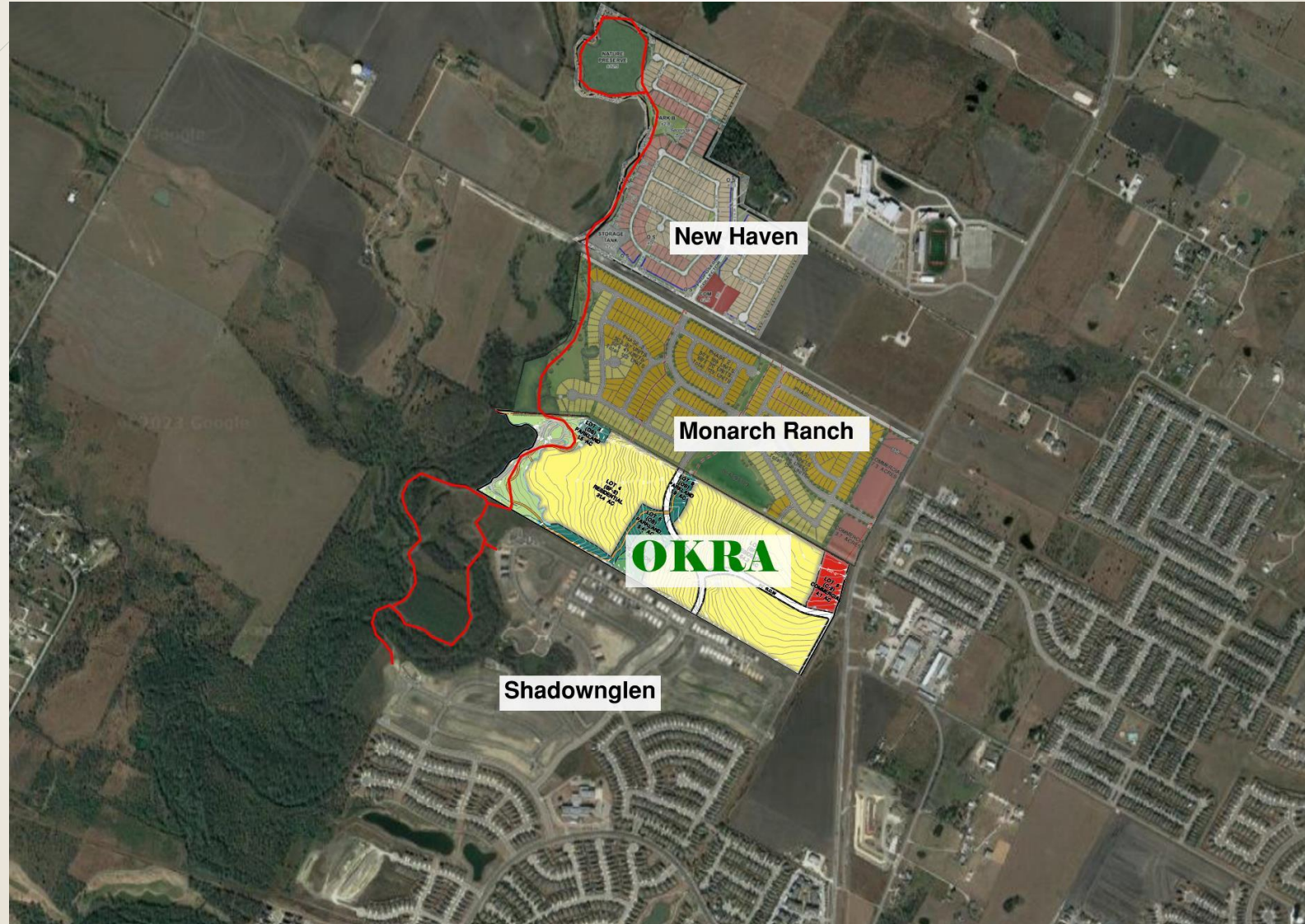
- Mixture of 60' and 50' lots
- Lot depth 120 ft
- ~300 homes

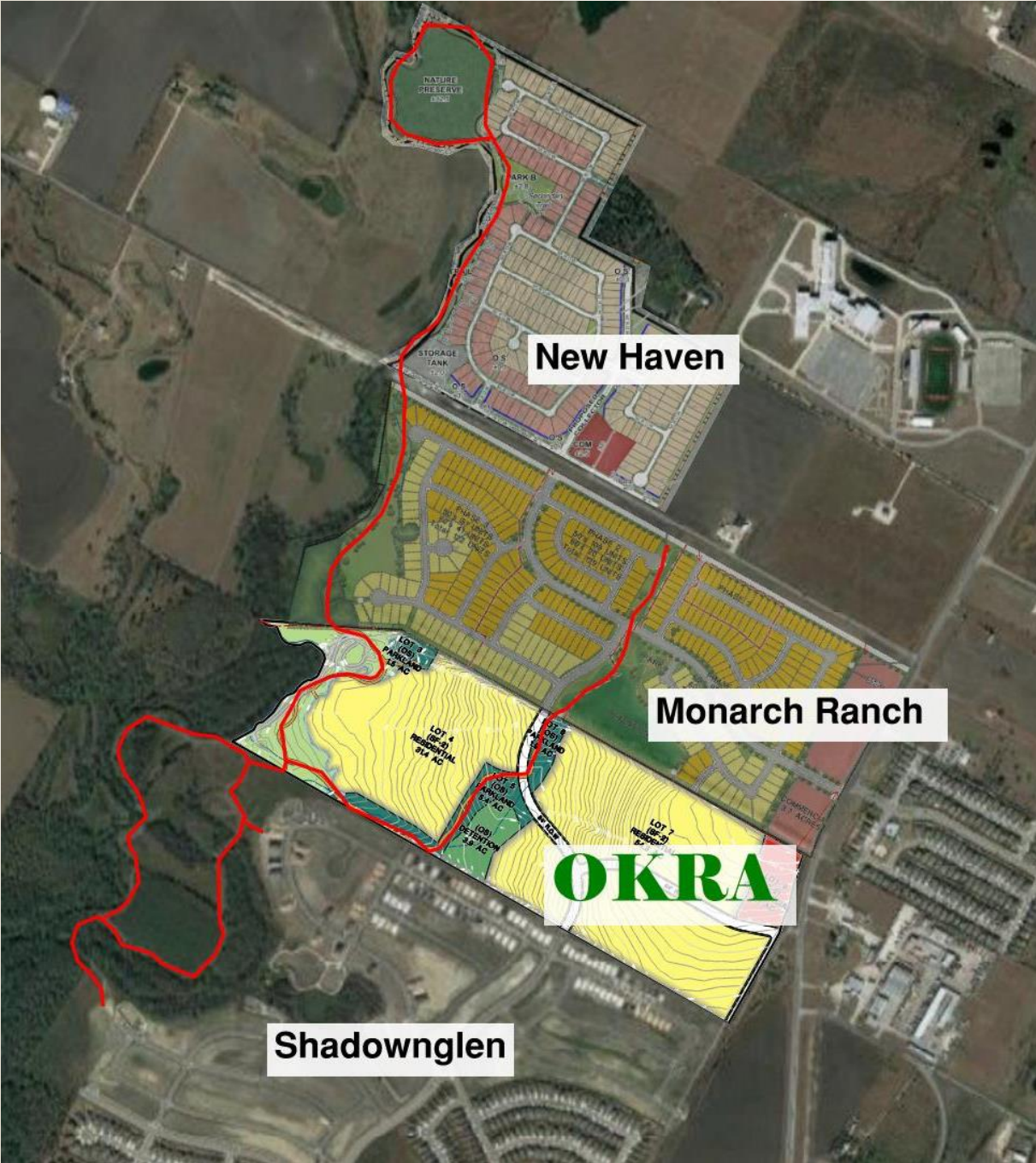
PARKLAND- INTERNAL

- Connected to Monarch Ranch's public parkland land through trails and a crosswalk
- 8.8 acres
 - Detention is **not** included in the parkland calculation
- Amenities:
 - Two playgrounds
 - Parking
 - Dog park
 - Basketball court
 - Pavilion



PARKLAND REGIONAL

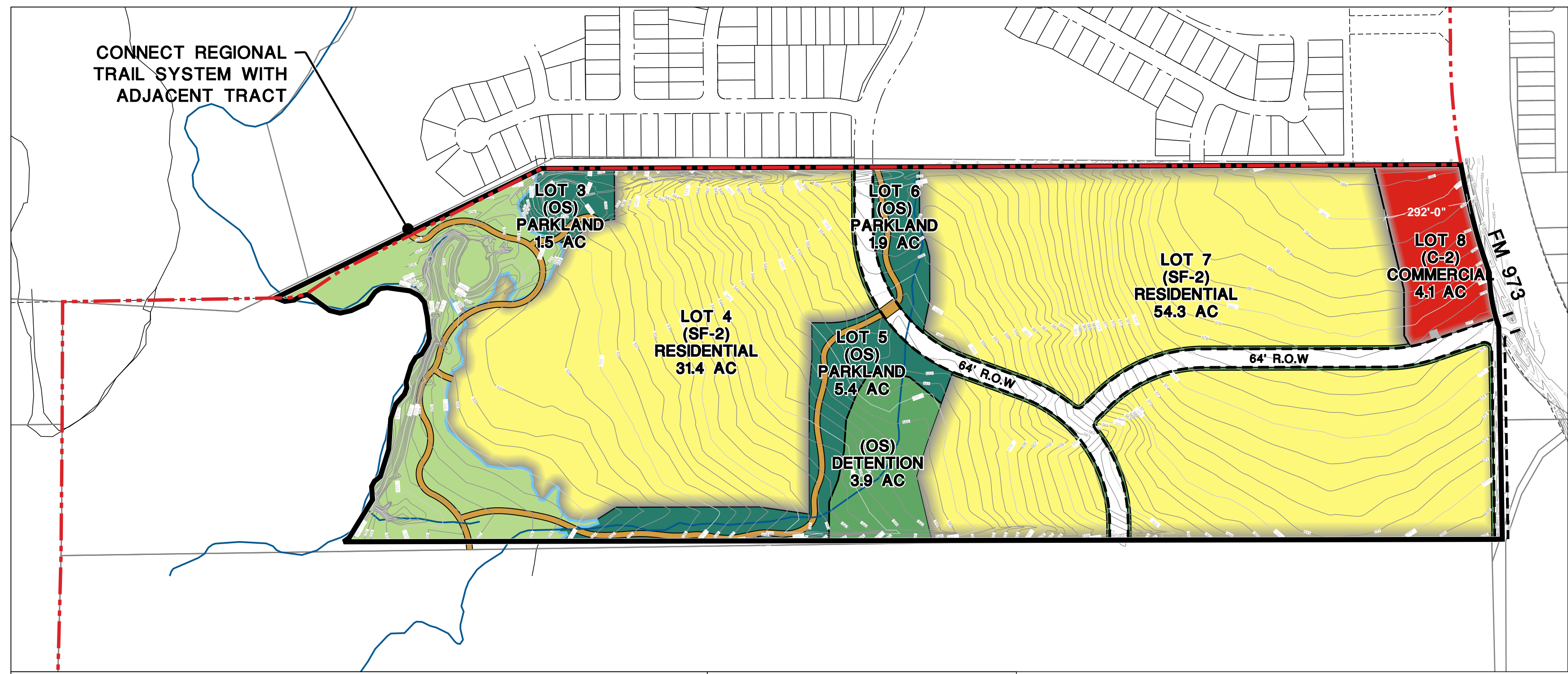




- Regional Trail and Public Park on OKRA maintained by OKRA HOA

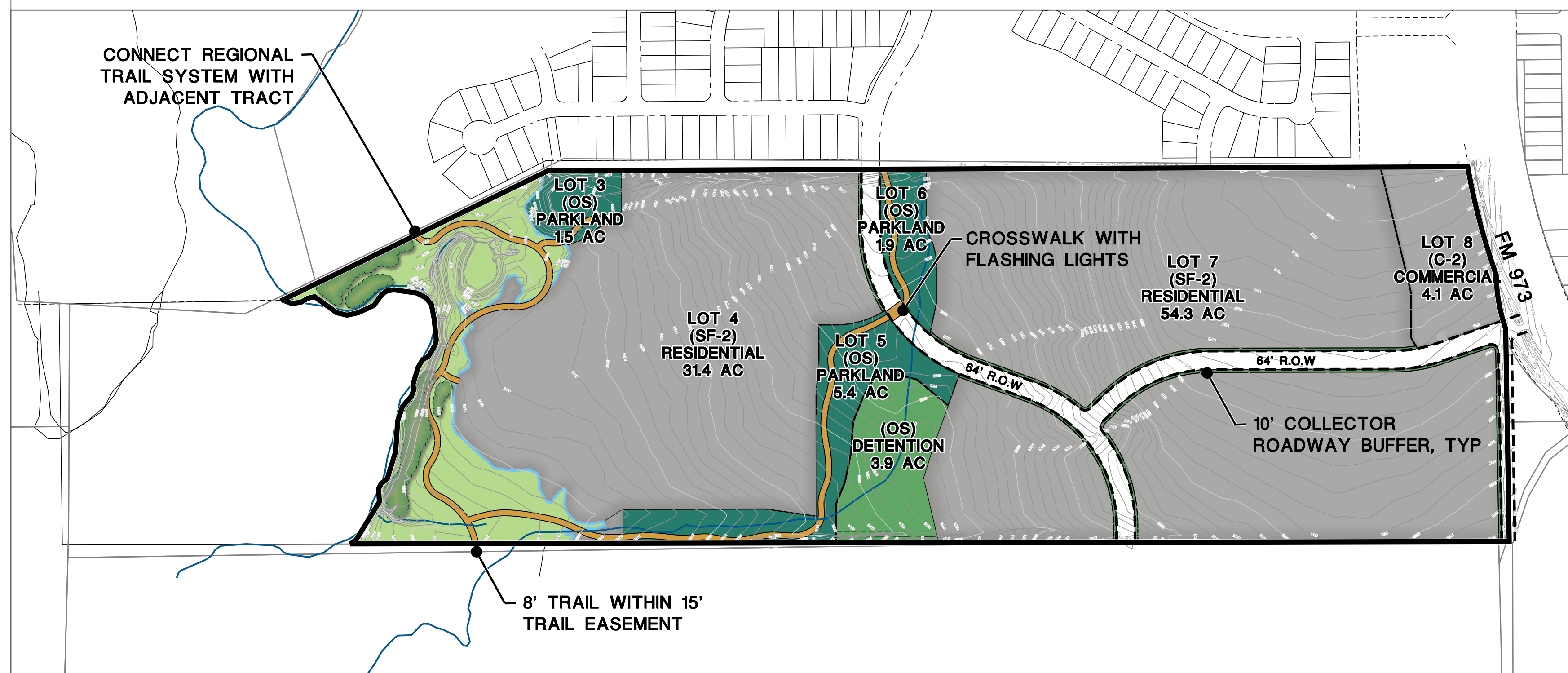
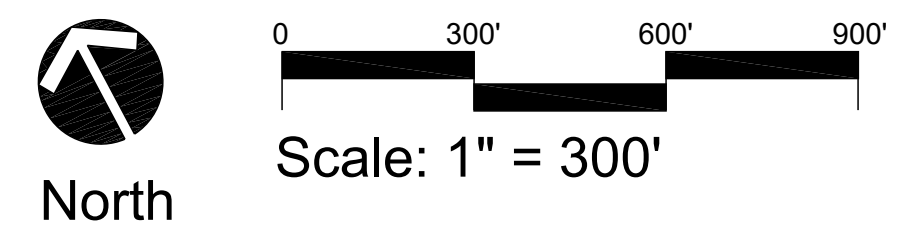


Questions?



| LAND USE | ACREAGE | LOTS | DENSITY |
|-------------------------------------|--------------------|----------|------------------|
| (SF-2) RESIDENTIAL | 86.0 ACRES | 325 LOTS | 3.7 DU/AC |
| (C-2) MEDIUM COMMERCIAL | 4.1 ACRES | 1 LOTS | |
| (OS) FLOODPLAIN (RETAINED BY OWNER) | 10.9 ACRES | 1 LOTS | |
| (OS) PARKLAND | 8.8 ACRES | 3 LOTS | |
| (OS) DETENTION | 3.9 ACRES | 1 LOTS | |
| TOTAL | 113.4 ACRES | | 2.9 DU/AC |

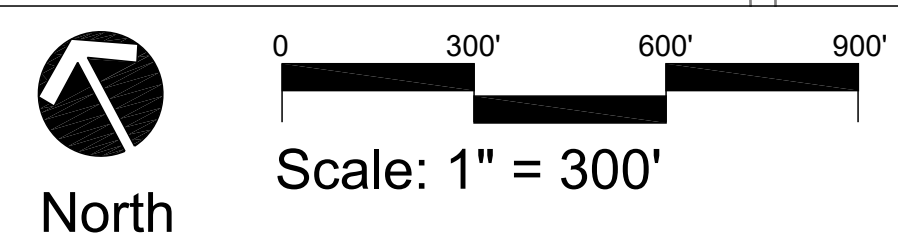
| LEGEND |
|-----------------------------|
| — PLAN BOUNDARY |
| - - - PROPOSED RIGHT-OF-WAY |
| - · - · - CITY LIMITS |
| — 8' TRAILS |



PARK PLAN
PARK LAND DEDICATION:

| | | | |
|----------------------------|-----------|-------------------------|-------------------------|
| 325 | /66 x 1 = | 4.9 | 8.8 |
| (number of dwelling units) | | (required park acreage) | (proposed park acreage) |

8' CONCRETE TRAILS 4,733 L.F.



Approval and authorized for record by the City Council for the City of Manor, Texas.

Dated this ___ Day of ___, 20__

By: _____
Honorable Mayor Dr. Christopher Harvey
Mayor of the City of Manor, Texas

A. Purpose and Intent

1. The Okra Tract Planned Unit Development (PUD) is comprised of approximately 136.3 acres. The development of this Property is a combination of light commercial along FM 973 at the Eastern edge of the Property and a single-family detached residential community on the remainder of the Property.

B. Applicability and Base Zoning

- All aspects regarding the development of this PUD shall comply with the City of Manor Code of Ordinances, except as established in this exhibit, titled Final PUD Site Plan.
- For the purpose of establishing development standards for the PUD, the following base zoning districts have been selected from the Manor Code of Ordinances:

SF-2 (Single-Family Standard)
C-2 (Medium Commercial)

C. Conceptual Site Layout and Land Use Plan

1. The Land Use Plan has been attached to this PUD to illustrate the design intent for the Property. The Final PUD Site Plan is intended to serve as a guide to illustrate the general community vision and design concept and is not intended to serve as a final document.

D. Allowable/Prohibited Uses

- The allowable residential use shall be detached single-family dwellings on individually platted lots. The maximum residential lot count shall be three hundred and twenty five (325). Commercial uses shall be consistent with allowable C-2 (Medium Commercial) land uses as defined in Division 3, Section 14.02.017 of City of Manor Code of Ordinances except as modified herein.
- The following uses shall be prohibited within the C-2 area of the PUD:
 - Amusement (outdoor)
 - Automobile Repair (minor)
 - Automobile Repair (major)
 - Commercial Off-Street Parking
 - Contractor's Shop
 - Financial Services (alternative)
 - Funeral Services
 - Kennel
 - Laundry Services
 - Mini-Storage Warehouse
 - Off-Site Accessory Parking
 - Pawnshop
 - Recreational Vehicle Sales and Rental
 - Truck and Trailer Sales and Rental
 - Veterinary Service, Large

E. Residential Development Standards

- To ensure product diversity, the following single-family detached residential percentages shall apply to the residential district within this PUD:
 - A maximum of 80 percent (80%) of the total lots may have a width of less than sixty feet (60').
 - A minimum of 20 percent (20%) of the total shall have a width of sixty feet (60') or wider.

2. The Okra Tract residential development will comply with the Development Standards set forth below:

RESIDENTIAL USES
 Lot Area: 6,000 s.f. Minimum (fronted loaded garage)
 Lot Width: (minimum) 50 ft.
 Front Setback: (minimum) 25 ft.
 Side Setback: (minimum) 5 ft.
 Street Side Setback: (minimum) 15 ft.
 Rear Setback to residential: (minimum) 10 ft.
 Rear Setback to commercial: 15 ft.
 Minimum dwelling unit size: 1,700 sq. ft.
 Maximum building coverage: 50%
 Maximum building coverage plus accessory structures: 60%

3. Standards not listed follow code, as amended

F. Commercial Development Standards

1. The Okra Tract commercial development shall comply with the C-2 (Medium Commercial) development standards set forth in the City of Manor Code of Ordinances, as amended.

G. Drainage Dedication and Facilities

1. Residential drainage facilities shall utilize earthen berms and be designed with a curvilinear shape where possible. If concrete retaining walls are required in the design of detention facilities, such areas shall be limited to not more than forty percent (40%) of the perimeter of the pond.

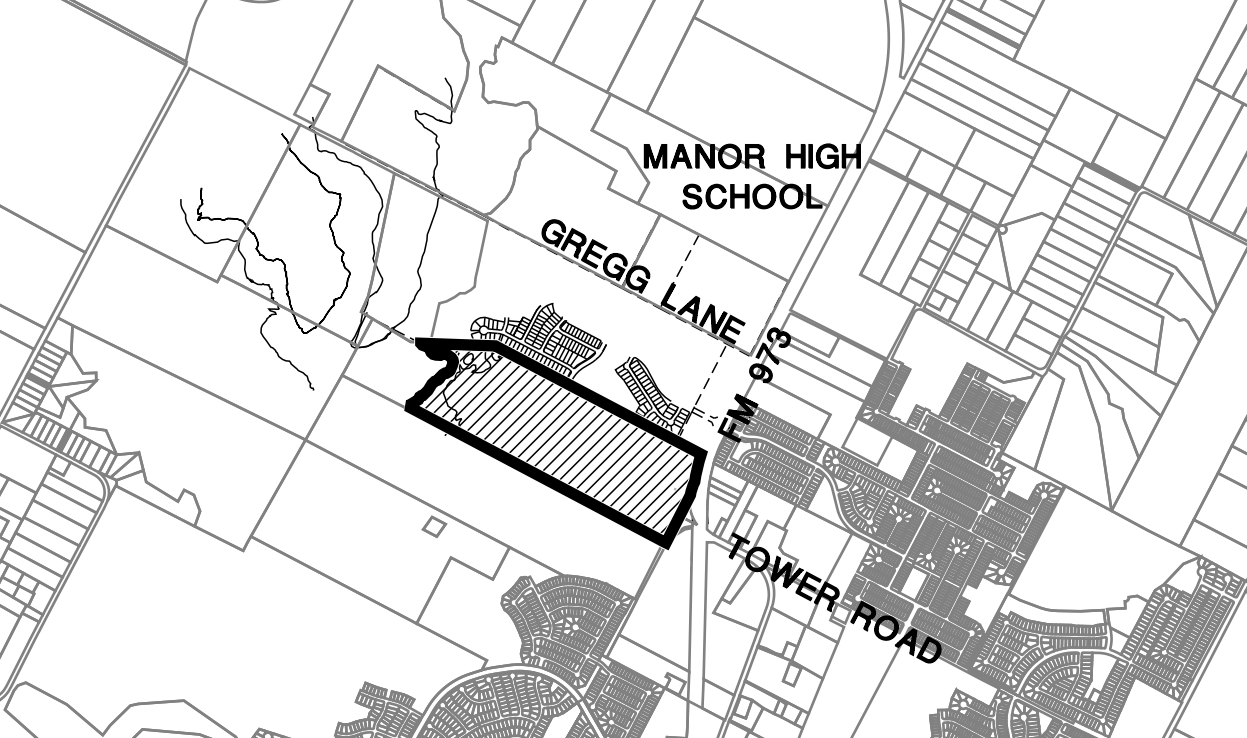
H. Parkland and Open Space

- This Final PUD Site Plan provides approximately 8.8 acres of park and open space with the dedication of three (3) tracts of land as illustrated on the Parks Plan on this sheet. The parks and open space will include detention facilities for the project, tree preservation areas, trail corridor easement and active programmed parkland.
- An eight-foot (8') concrete trail located within a fifteen-foot (15') public trail easement shall provide pedestrian/bike access along the owner retained floodplain connecting from the north property boundary to the south property boundary, as depicted on Park Plan. Trees shall be planted parallel to the concrete trail at a spacing of one (1) tree for every forty (40) linear feet. Trees shall be a minimum of three (3) inch caliper and selected from the Type A/B tree list of the City of Manor Code of Ordinances.
- Parkland amenities located within the Okra Tract PUD shall include a minimum of the following recreational elements: playground, parking area, dog park, picnic areas, picnic pavilion and open lawn/gaming area.
 - Age 5-12 playground
 - Age 2-5 playground
 - Parking area with a minimum of 20 parking spaces
 - Minimum 10,000 square foot dog park
 - Minimum 20 foot by 30 foot picnic pavilion
 - Basketball court
- The proposed parkland and public regional trail shall be dedicated to the City of Manor and privately maintained by the Okra Tract Homeowner's Association.

I. Landscaping

- Unloaded Collector Landscape Buffer.
 - For internal, unloaded collector roadways, a minimum ten (10) foot landscape buffer, measured from the edge of the collector right of way, shall be provided. One (1), minimum three (3) inch caliper, Type A large or Type B medium native tree (as defined by the Manor Code of Ordinances) and five (5), minimum three (3) gallon, shrubs shall be planted per 50 linear feet of landscape buffer.
 - Subdivision wall fence standard for fence walls along the unloaded collector roadways, a minimum (6) foot masonry walls with masonry columns a minimum of (200) foot apart.
- Storm Water Detention
 - Storm water detention facilities, if required shall be screened according to the requirements outlined in the City of Manor Code of Ordinances, Section 15.03.021 (f).
- All landscape buffers and walls shall be privately maintained by the Okra Tract Homeowners Association.

VICINITY MAP
Scale: 1" = 1/2 Mile



OKRA TRACT PRELIMINARY PUD SITE PLAN
MANOR, TEXAS

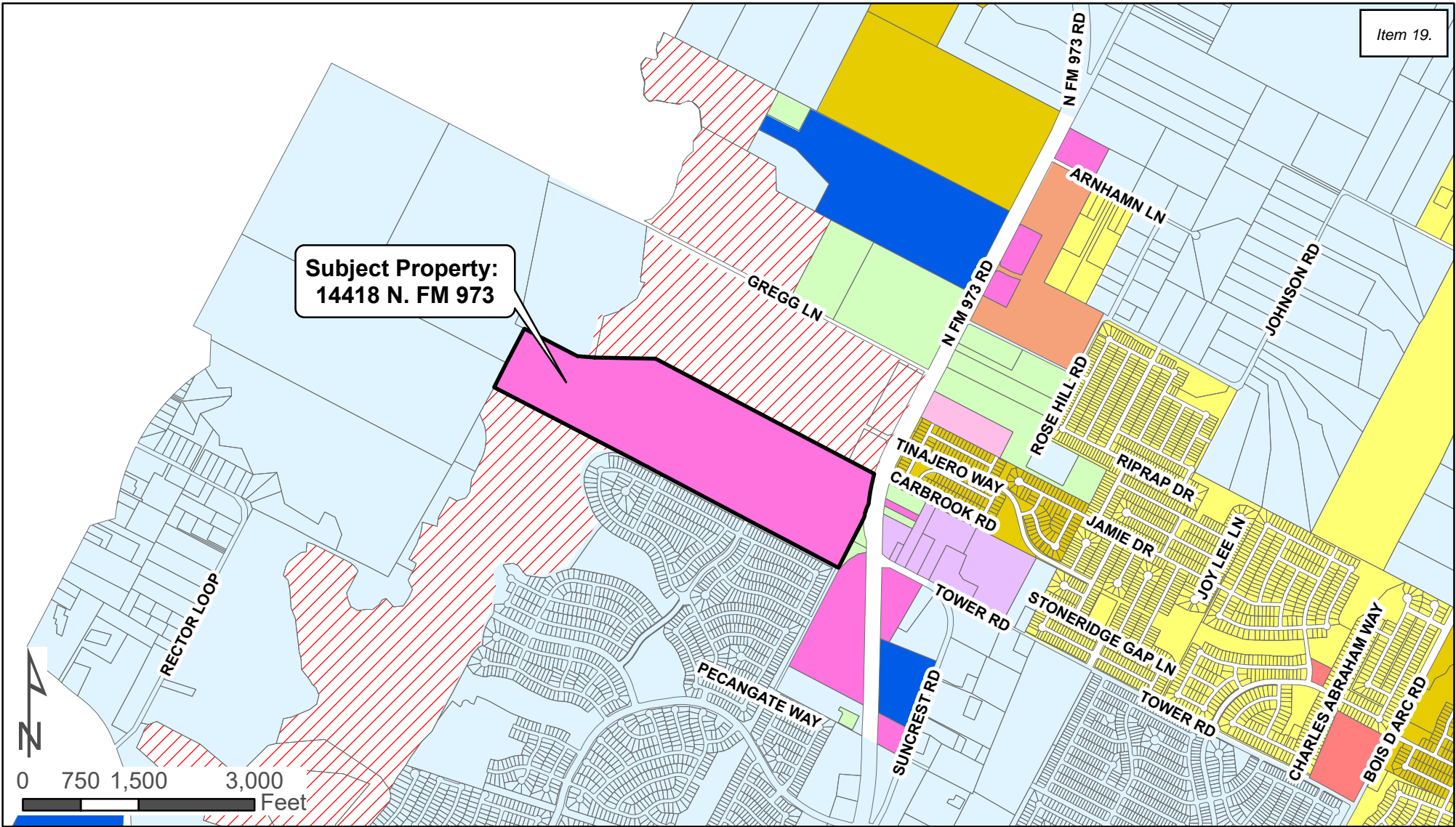
Issue Date: 2/10/2023

| Issued: | Date |
|------------------|-----------|
| 1. PUD Submittal | 2/10/2023 |
| 2. | |
| 3. | |
| 4. | |
| 5. | |

Drawn By: TW
Reviewed By: MB
Project No. 220013 - BBGR

SHEET 1 of 1

Subject Property:
14418 N. FM 973



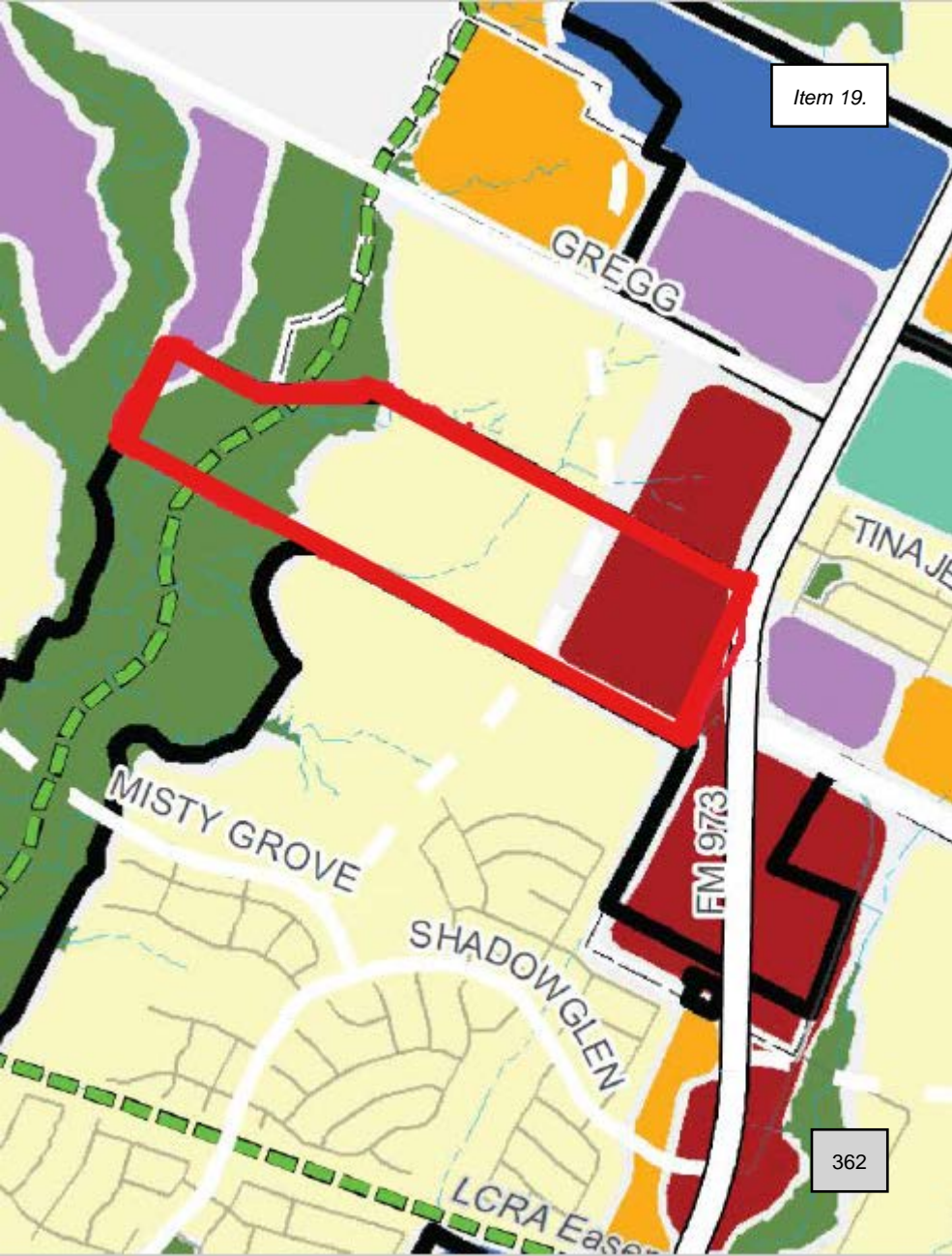
Current:
Medium Commercial (C-2)

Proposed:
Planned Unit Development (PUD)

| Zone | |
|------|--------------------------------|
| | A - Agricultural |
| | SF-1 - Single Family Suburban |
| | SF-2 - Single Family Standard |
| | TF - Two Family |
| | TH - Townhome |
| | MF-1 - Multi-Family 15 |
| | MF-2 - Multi-Family 25 |
| | MH-1 - Manufactured Home |
| | I-1 - Institutional Small |
| | I-2 - Institutional Large |
| | GO - General Office |
| | C-1 - Light Commercial |
| | C-2 - Medium Commercial |
| | C-3 - Heavy Commercial |
| | NB - Neighborhood Business |
| | DB - Downtown Business |
| | IN-1 - Light Industrial |
| | IN-2 - Heavy Industrial |
| | PUD - Planned Unit Development |
| | ETJ |



Item 19.



362

COMMERCIAL CORRIDOR

Commercial Corridors consist of nonresidential land uses that meet the needs of both local and regional residents. This includes big box stores and multi-tenant commercial or retail uses.

They are typically located along high volume roadways or at high volume intersections and generate large amounts of sales tax revenue.

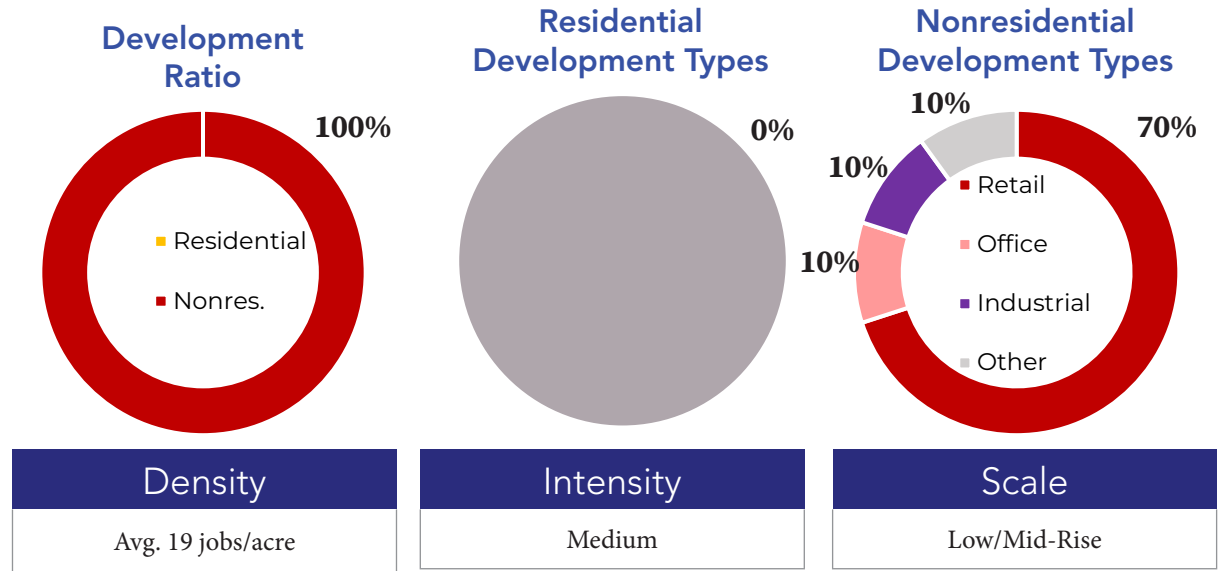
Commercial corridors often consist of traditional and suburban commercial development with large surface parking lots that front a major roadway or highway.

While it is recognized these corridors rely upon automobile accessibility and exposure, development should seek opportunities to leverage different forms with elements of mixed-use within the non-residential use framework. This introduces walkability for people once they arrive, reducing the number of trips and increasing the area’s appeal as a destination.

This district is especially appropriate for several needs that residents of Manor currently look elsewhere to provide, including:

- Healthcare services, including hospitals.
- Retail and entertainment.
- Specialized facilities that support workforce and skills development, such as information technology, skilled trades and advanced manufacturing.

Figure 3.6. Commercial Corridor Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|---|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered appropriate, as the Commercial Corridors are generally oriented towards uses that rely on access and visibility to major roadways and highways and residential is not encouraged along the major roadways and highways for environmental justice and quality of life reasons. The activity and traffic generated by Commercial Corridor uses is not compatible with residential housing. |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ○ ○ ○ ○ | |
| Apartment House (3-4 units) | ● ○ ○ ○ ○ | |
| Small Multifamily (8-12 units) | ● ○ ○ ○ ○ | |
| Large Multifamily (12+ units) | ● ○ ○ ○ ○ | |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ○ ○ | May be nonresidential mixed-use, such as office over retail or some residential can be appropriate if deeper within a site and less proximate to the major roadways. Residential mixed-use can also be appropriate to support transition to adjacent, lower density or residential areas. To note, mixed-use buildings are typically considered the highest fiscally performing development type on a per-acre basis. |
| Mixed-Use Urban, Community Scale | ● ● ● ○ ○ | |
| Shopping Center, Neighborhood Scale | ● ● ● ● ● | Appropriate overall. |
| Shopping Center, Community Scale | ● ● ● ● ● | |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not considered appropriate due to limited potential for sales tax revenue generation and lower dependence on direct exposure to major roadways; can be appropriate if deeper within a site and less proximate to the major roadways, but should not be predominant use. |
| Manufacturing | ● ○ ○ ○ ○ | Not considered appropriate. |
| Civic | ● ● ● ● ● | Considered supportive to the function of this future land use category; likely more functional facilities, such as utilities, rather than people-centered or community serving facilities. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |

NEIGHBORHOODS

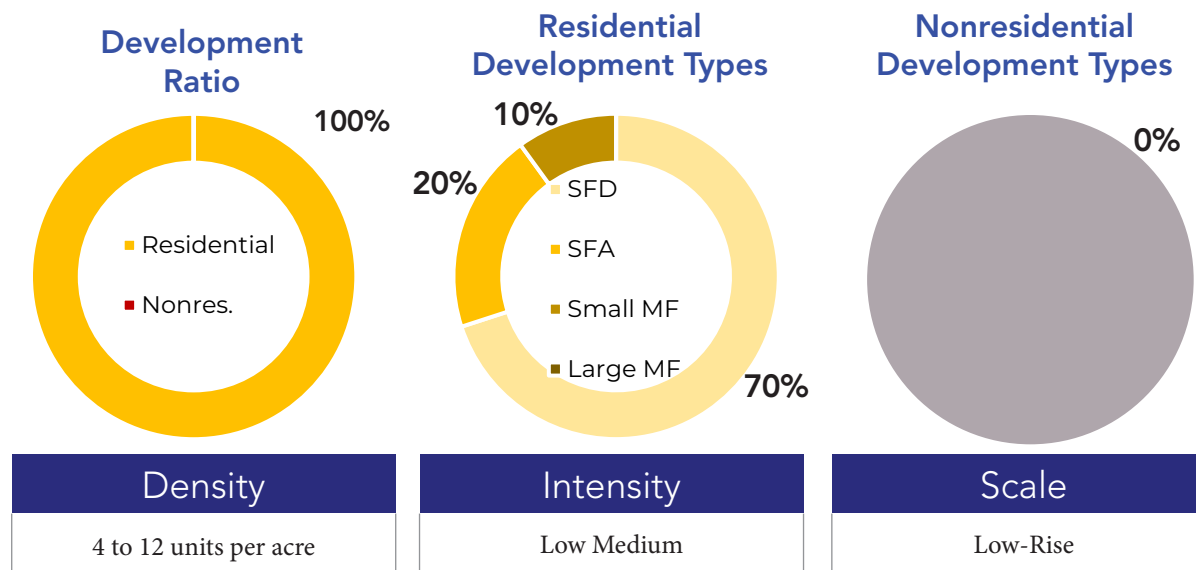
Residential one- and two-family/duplex homes make up the majority of this land use category. Some townhomes and lower density missing middle housing should be included to create diversity and housing choice and are good options to create transitions between neighborhoods and other land use areas. A mixture of housing types allows people to stay in the neighborhood even as their housing needs change, promoting long-term stability.

These housing types typically fall under the International Residential Code for one- and two-family dwellings, and can be financed via conventional Federally-backed mortgages.

While some neighborhood areas are currently adjacent to commercial centers, a more appropriate transition between the two would be the Mixed-Density Neighborhood land use categories.

Neighborhood lots are typically 5,000 square feet to 15,000 square feet for one- and two-family homes, with townhome lots being between 2,000 square feet and 3,000 square feet. Given the density expectations, smaller lot sizes should be offset by open space with an emphasis on creating interconnected greenways that connect neighborhoods to one another and to jobs, services, and parks.

Figure 3.4. Neighborhoods Land Use Mix Dashboard



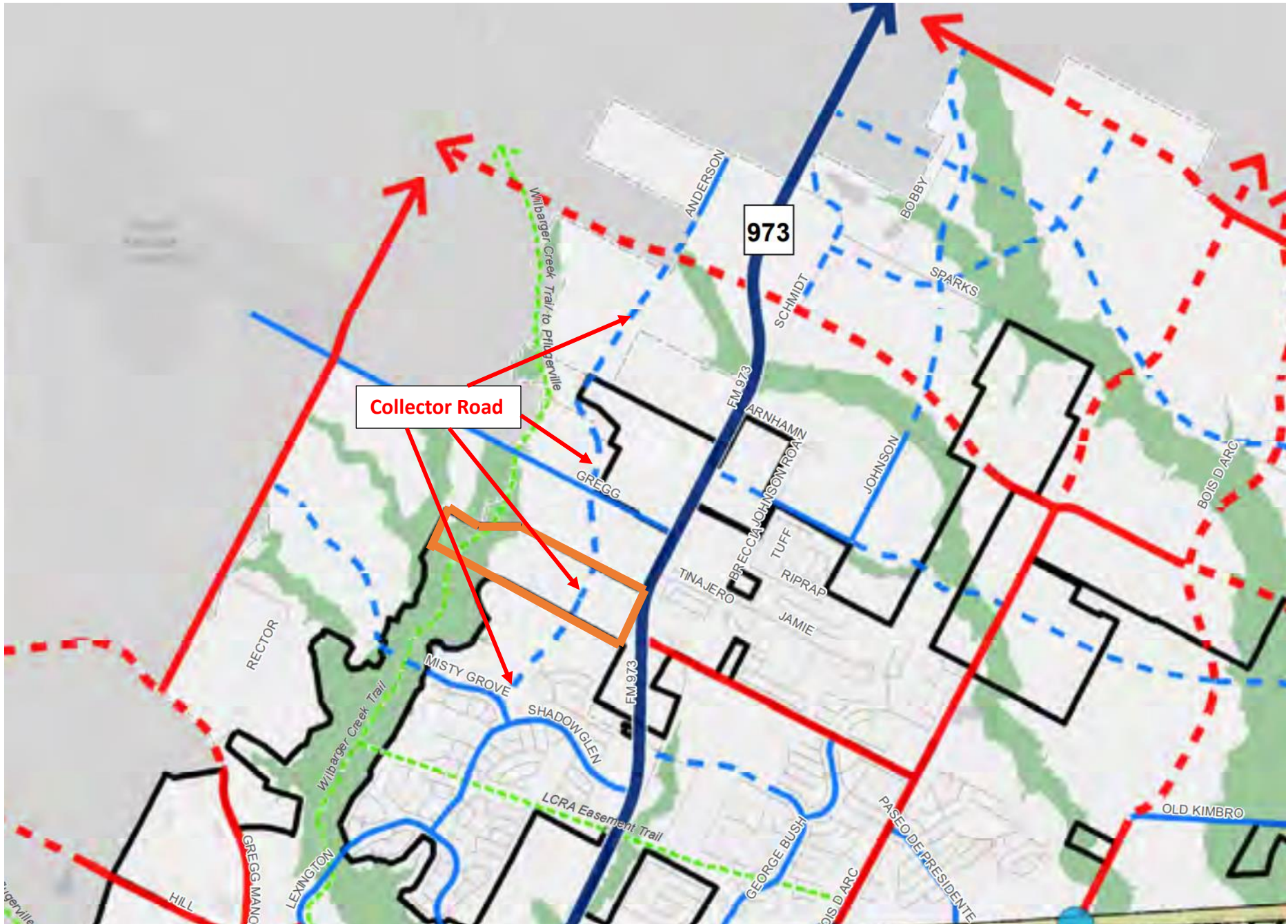
| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ●●●●○ | Appropriate overall, but with this housing type being so prominent in the City currently, seek to integrate with other forms of housing to create diversity and housing choice. Encourage diversity of lot sizes. Encourage joint driveways, alley access and rear parking. |
| SFD + ADU | ●●●●● | Lot and site design should accommodate an ADU to the side or rear; ADU should be clearly secondary to the primary residence. |
| SFA, Duplex | ●●●●● | Similar in character and lot standards to single-family detached; Joint/shared driveways encouraged, as well as alleys and rear parking; ADUs can be included consistent with the above. |
| SFA, Townhomes and Detached Missing Middle | ●●●●● | Townhouses and Bungalow Courts should include at least 4 units, Pocket Neighborhoods 8-12 units. Functions best at corner properties (excluding townhomes). Encouraged especially when retail/services are nearby. Encourage joint driveways, alley access and rear parking. ADUs consistent with above. |
| Apartment House (3-4 units) | ●●●●○ | Can be part of a diverse housing type palette within the Neighborhood category. Similar in character and lot standards to SFD; functions best at corner properties. Encouraged especially when retail/services are nearby. Encourage joint driveways, alley access and rear parking. |
| Small Multifamily (8-12 units) | ●●●○○ | Scale is not typically appropriate with neighborhood-scale, unless adjacent to Neighborhood Mixed Use. May be appropriate as a transitional use from land use categories containing nonresidential uses. |
| Large Multifamily (12+ units) | ●○○○○ | Not considered appropriate, but may occur in other future land use categories adjacent to Neighborhoods. |
| Mixed-Use Urban, Neighborhood Scale | ●○○○○ | |
| Mixed-Use Urban, Community Scale | ●○○○○ | Not considered appropriate. |
| Shopping Center, Neighborhood Scale | ●○○○○ | Not considered appropriate, but may occur in other future land use categories adjacent to Neighborhoods. |
| Shopping Center, Community Scale | ●○○○○ | Not considered appropriate. |
| Light Industrial Flex Space | ●○○○○ | |
| Manufacturing | ●○○○○ | |
| Civic | ●●●●● | Considered supportive to the function and livability of this future land use category; government buildings, schools and community facilities can serve as activity hubs within neighborhoods. |
| Parks and Open Space | ●●●●● | Generally considered appropriate or compatible within all Land Use Categories. |

APPROXIMATE CENTER TURN LANE IMPROVEMENT AREA: TINAJERO TO SUNCREST

RIGHT TURN LANE ON SOUTHBOUND FM 973 AT SITE DRIVEWAY

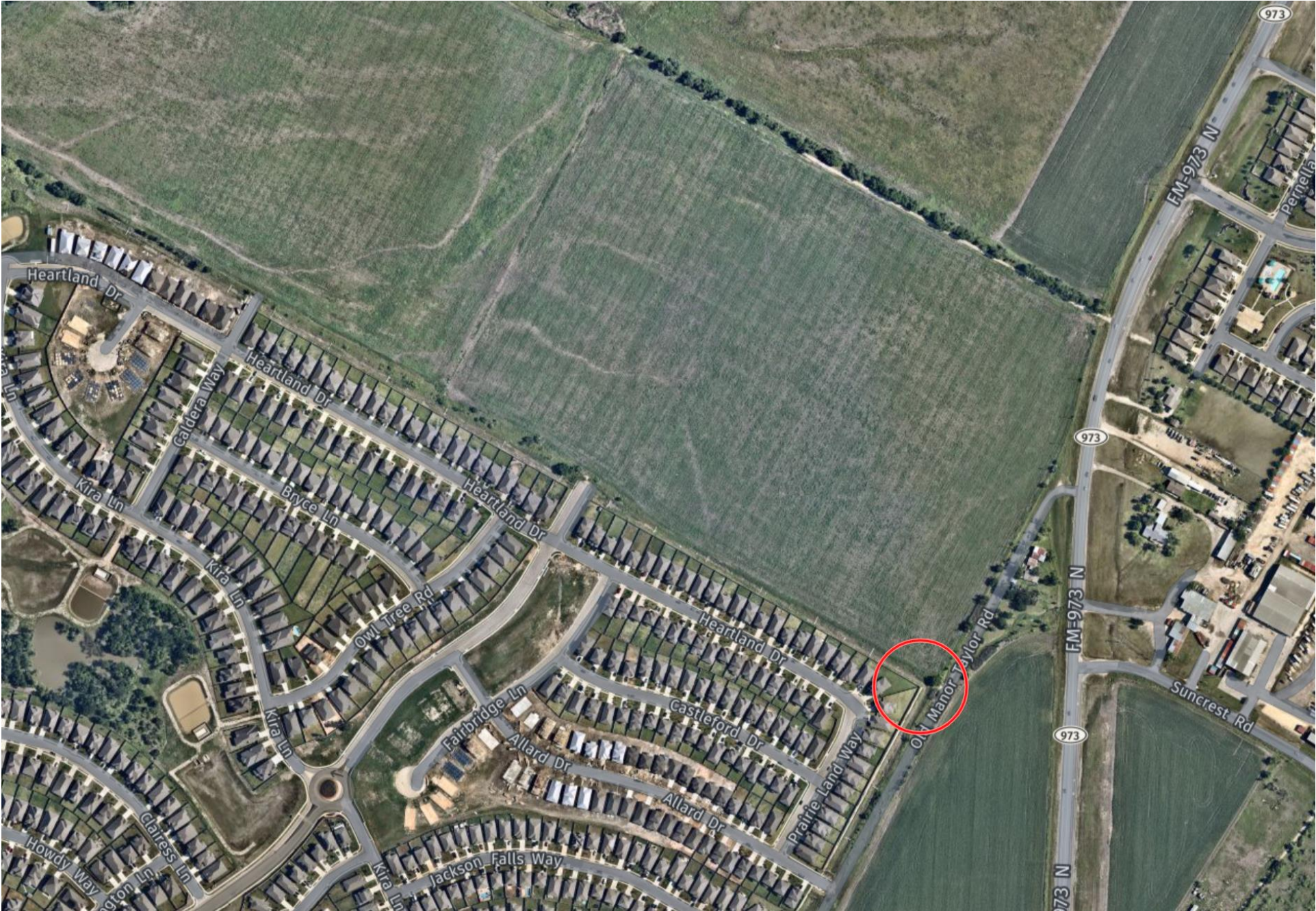


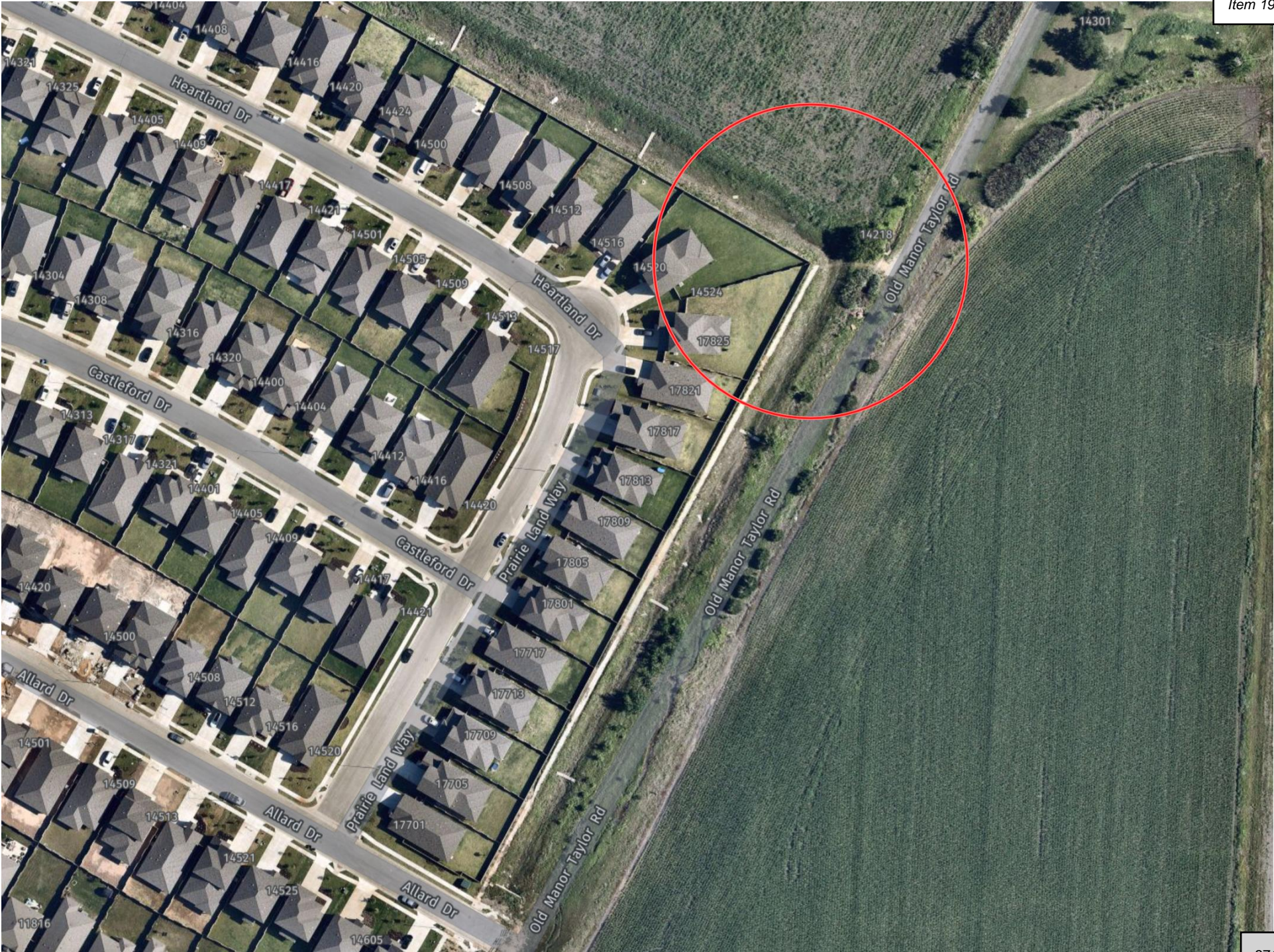
COLLECTOR ROADWAY ALIGNMENT



ADDITIONAL TRAIL CONNECTION AREA TO SHADOWGLEN AT ALLARD DRIVE









1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Tuesday, March 21, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO
Job Address: 14418 Old Manor-Taylor Road, Manor, Austin, TX. 78653

Dear Rachel Shanks,

The first submittal of the Okra Tract PUD (*Zoning Request*) submitted by Sotol Ventures and received on May 12, 2023, have been reviewed for compliance with the City of Manor Site Development/Zoning Ordinance 185.

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 (737) 247-7557 or by email at pgray@gbateam.com.

The following are Comments from the City Engineer:

1. The drawing name should be Preliminary PUD Site Plan.
2. The P&Z Signature Block should say Preliminary PUD Site Plan.
3. Please provide labels for topographical data. Parkland is to be located in areas where the slope is less than or equal to 5%.
4. Provide the depth of the proposed commercial portion of the PUD. There is a 25' setback for commercial. Provide information on how much of the site is usable for commercial.
5. Will the parkland have any amenities like bathrooms, benches, lights, etc. If so, then the proposed quantity and size should be provided.
6. The City's Zoning Ordinance requires that information be submitted describing the environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
7. Trees should be planted along the trail located in Lot 3. The tree spacing should be 40 feet and the trees should be Type A/B per the City's Ordinance.
8. Landscape lots should be shown in the PUD. Buffer yards should be shown as well.
9. Landscape lots should be located outside of the right-of-way and should be maintained by the HOA.
10. Note 2 is missing from the Landscaping Notes.
11. Landscaping is required for all detention facilities.
12. The proposed trails should be maintained by the HOA.

The following are comments from the City Planner:

1. How much of the parkland is detention facilities. Detention areas can no longer be counted as parkland.
2. Remove note 4. The amenity center can't reduce public parkland.
3. Add a basketball court to the amenities. P&Z and City Council are requiring amenities for young adults.
4. Update P&Z chair to LaKesha Small
5. What is the depth of the commercial area? Commercial uses have a 25' landscaping buffer to residential along with a 15' streetscape landscaping requirement that cannot contain any buildings, parking or paving so the lot depth needs to be deep enough for a commercial site with that combined 40' of landscaping buffers/setbacks.
6. How much floodplain is there? Parkland and floodplain are listed as 10.9 acres, but the diagram only calls out parkland.

3/21/2023 2:12:01 PM
Okra Tract PUD
2023-P-1515-ZO
Page 3

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 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.
Lead AES
GBA



1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Tuesday, March 21, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO
Job Address: 14418 Old Manor-Taylor Road, Manor, Austin, TX. 78653

Dear Rachel Shanks,

The first submittal of the Okra Tract PUD (*Zoning Request*) submitted by Sotol Ventures and received on February 21, 2023, have been reviewed for compliance with the City of Manor Site Development/Zoning Ordinance 185.

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 (737) 247-7557 or by email at pgray@gbateam.com.

The following are comments from the City Planner:

1. How much of the parkland is detention facilities. Detention areas can no longer be counted as parkland.

Approximately 4 to 5 acres in the 7.5 acre central park is detention. Plan and park calculations have been revised to remove detention area. Please note this is zoning and the detention pond has not been engineered, so this is an approximate estimate.

2. Remove note 4. The amenity center can't reduce public parkland.

Amenity center has been removed from the PUD.

3. Add a basketball court to the amenities. P&Z and City Council are requiring amenities for young adults.

Added.

4. Update P&Z chair to LaKesha Small

Added.

5. What is the depth of the commercial area? Commercial uses have a 25' landscaping buffer to residential along with a 15' streetscape landscaping requirement that cannot contain any buildings, parking or paving so the lot depth needs to be deep enough for a commercial site with that combined 40' of landscaping buffers/setbacks.

Depth is approximately 290 feet. There is ample room for the required buffers and landscaping, parking and building in the commercial parcel.

6. How much floodplain is there? Parkland and floodplain are listed as 10.9 acres, but the diagram only calls out parkland.

Floodplain is 10.9 acres. Color and acreage are shown in the legend on the land use plan.

The following are Comments from the City Engineer:

1. The drawing name should be Preliminary PUD Site Plan.

Okay. Revised. On the Monarch PUD to the north we had to revise the language to say Final Site Plan.

2. The P&Z Signature Block should say Preliminary PUD Site Plan.

Okay. Revised

3. Please provide labels for topographical data. Parkland is to be located in areas where the slope is less than or equal to 5%.

Contour labels are on the lines. We increased the label size and have tried to create a higher resolution image so you can zoom in and read if you like.

4. Provide the depth of the proposed commercial portion of the PUD. There is a 25' setback for commercial. Provide information on how much of the site is usable for commercial.

Depth is 290 feet approximately.

5. Will the parkland have any amenities like bathrooms, benches, lights, etc. If so, then the proposed quantity and size should be provided.

Since we are still in the entitlement process, the park area has not been designed. The list of amenities guaranteed are in the PUD language under H.3

6. The City's Zoning Ordinance requires that information be submitted describing the environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.

Please see attached Phase 1 Environmental Report.

7. Trees should be planted along the trail located in Lot 3. The tree spacing should be 40 feet and the trees should be Type A/B per the City's Ordinance.

The trail in Lot 3 is intended to meander around the existing trees along the creek. However, Section H.2 of the PUD already calls out trees every 40 feet along the trail.

8. Landscape lots should be shown in the PUD. Buffer yards should be shown as well.

The landscape buffers along the collector road are shown on the park plan and labeled accordingly. We added the buffers to the land use plan as well in case you missed them. Any other internal landscape lots are not defined at this zoning stage.

9. Landscape lots should be located outside of the right-of-way and should be maintained by the HOA.

The 10 foot wide landscape area has been added graphically along the collector roads. Other landscape lots will not be fully known until more detailed subdivision plans are prepared. The PUD already states that the landscape and parks will be maintained by the HOA.

10. Note 2 is missing from the Landscaping Notes.

Numbers have been re-formatted.

11. Landscaping is required for all detention facilities.

We call out in the PUD, Section L, that we will landscape the detention per the Manor ordinance.

12. The proposed trails should be maintained by the HOA.

Section H of the PUD requires parks and trails to be maintained by the HOA.

addressed with your plan resubmittal. To access your project online, please go to www.mygovernmentonline.org at the online portal to upload your drawings in PDF format.

Item 19.

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.
Lead AES
GBA



1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Thursday, May 4, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO
Job Address: 14418 Old Manor-Taylor Road, Manor, Austin 78653

Dear Rachel Shanks,

The subsequent submittal of the Okra Tract PUD submitted by Sotol Ventures and received on May 12, 2023, have been reviewed for compliance with the City of Manor Site Development/Zoning Ordinance 185. 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 Tyler Shows. Should you have any questions or require additional information regarding any of these comments, please contact Tyler Shows by telephone at (737) 247-7552 or by email at tshows@gbateam.com.

The following are comments from the city planner:

- i. ~~How much of the parkland is detention facilities. Detention areas can no longer be counted as parkland.~~
- ii. ~~Remove note 4. The amenity center can't reduce public parkland.~~
- iii. Add a basketball court to the amenities. P&Z and City Council are requiring amenities for young adults. Refer to question 7.
- iv. ~~Update P&Z chair to LaKeshia Small~~
- v. ~~What is the depth of the commercial area? Commercial uses have a 25' landscaping buffer to residential along with a 15' streetscape landscaping requirement that cannot contain any buildings, parking or paving so the lot depth needs to be deep enough for a commercial site with that combined 40' of landscaping buffers/setbacks.~~
- vi. ~~How much floodplain is there? Parkland and floodplain are listed as 10.9 acres, but the diagram only calls out parkland.~~
- vii. Section H1 - update park acreage. Has 10.9 when the Parks Plan has 8.8
- viii. Section H3f - is "sports court" a basketball court?
- ix. Section I1 - add subdivision wall standard for fence walls along unloaded collectors: Minimum 6' masonry walls with masonry columns a minimum of 200' apart

The following are comments from the city planner:

1. ~~The drawing name should be Preliminary PUD Site Plan.~~
2. ~~The P&Z Signature Block should say Preliminary PUD Site Plan.~~
3. ~~Please provide labels for topographical data. Parkland is to be located in areas where the slope is less than or equal to 5%.~~
4. Provide the depth of the proposed commercial portion of the PUD. There is a 25' setback for commercial. Provide information on how much of the site is usable for commercial. **Provide a callout for the depth of the commercial portion. (290 feet approximately).**
5. ~~Will the parkland have any amenities like bathrooms, benches, lights, etc. If so, then the proposed quantity and size should be provided.~~
6. ~~The City's Zoning Ordinance requires that information be submitted describing the environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.~~
7. ~~Trees should be planted along the trail located in Lot 3. The tree spacing should be 40 feet and the trees should be Type A/B per the City's Ordinance.~~
8. ~~Landscape lots should be shown in the PUD. Buffer yards should be shown as well.~~
9. ~~Landscape lots should be located outside of the right-of-way and should be maintained by the HOA.~~
10. ~~Note 2 is missing from the Landscaping Notes.~~
11. ~~Landscaping is required for all detention facilities.~~
12. ~~The proposed trails should be maintained by the HOA~~

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 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 /Manor/Parts/Blank, or by e-mail at tshows@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,



Tyler Shows
Staff Engineer
GBA



1500 County Road 269
Leander, TX 78641

P.O. Box 2029
Leander, TX 78646-2029

Date: Wednesday, May 24, 2023

Rachel Shanks
Sotol Ventures

rshanks@sotolventures.com

Permit Number 2023-P-1515-ZO

Job Address: 14418 Old Manor-Taylor Road, Manor, Austin 78653

Dear Rachel Shanks,

The subsequent submittal of the Okra Tract PUD Site Plans submitted by Rachel Shanks and received by our office on May 12, 2023, has been reviewed for compliance with the City of Manor Zoning Ordinance 185. 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 cover sheet to Scott Dunlop at the City of Manor for signatures. A copy of the signed cover sheet 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 black ink, appearing to read 'Tyler Shows'.

Tyler Shows
Staff Engineer
GBA

Pauline Gray, P.E.
Lead AES,
Jay Engineering, A Division of GBA



5/31/2023

City of Manor Development Services

Notification for a Preliminary PUD Site Plan

Project Name: Orka Tract Preliminary PUD
 Case Number: 2023-P-1515-ZO
 Case Manager: Michael Burrell
 Contact: mburrell@manortx.gov – 512-215-8158

The City of Manor Planning and Zoning Commission and City Council will be conducting a Regularly Scheduled meeting for the purpose of considering and acting upon on a Subdivision Preliminary Planned Use Development for the Okra Tract Subdivision located at 14418 N. FM 973, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Preliminary PUD for the Okra Tract Development, three hundred and thirty-one (331) lots on 113.4 acres, more or less, and being located at 14418 N. FM 973, Manor, TX.

Applicant: Sotol Ventures

Owner: Dalton Wallace

The Planning and Zoning Commission will meet at 6:30PM on 6/14/2023 at 105 East Eggleston Street in the City Hall Council Chambers.

City Council will meet at 7:00PM on 6/21/2023 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 Preliminary PUD Site Plan has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners and Council Members during the discussion of this item.

14420 Pernella Rd Intervivos Revocable Trust
14420 Pernella Rd
Manor, TX 78653

ANDERSSON CATHERINE & DANIEL
13917 HEARTLAND DR
Manor, TX 78653

Arthur Ray & Odette Vanessa Taylor
14416 Pernella Rd
Manor, TX 78653

BAJWA NAJM US SAQIB & TAHIRA NAJM
139 HEARTLAND DR
Manor, TX 78653

BIREDDY ANVESH REDDY
14012 Heartland Dr
Manor, TX 78653

BRASSELL REBECCA & PATRICK
14005 HEARTLAND DR
Manor, TX 78653

CABRERA KEVIN E & ISABEL S
14401 HEARTLAND DR
Manor, TX 78653

CITY OF MANOR
105 E EGGLESTON ST
Manor, TX 78653

CONROY KEVIN
13916 Heartland Dr
Manor, TX 78653

DAVIS ANISSA CHEREE & ARTHUR JR
13925 HEARTLAND DR
Manor, TX 78653

De Jesus-Martinez Ignacio ETAL
14405 FM 973 N
Manor, TX 78653

DEROCH MANDY BARBER
14108 HEARTLAND DR
Manor, TX 78653

DIACONU MARIANA & GERALD BRANDON TODD
14420 Heartland Dr
Manor, TX 78653

DICK GEOFFREY SCOTT & ANIKA VAN BOOM
14316 HEARTLAND DR
Manor, TX 78653

Enfield Partners LLC ETAL
2303 Camino Alto
Austin, TX 78746

GHAFFAR AAMIR & SOPHIA BAWANY
13933 HEARTLAND DR
Manor, TX 78653

Gliberto & Maria Estrada
1411 FM 973 N
Manor, TX 78653

GLORIA ALVARO F
13904 Heartland Dr
Manor, TX 78653

GUZMAN MASON ANDREW
14208 HEARTLAND DR
Manor, TX 78653

HAYNES BUCHANAN CAROL M
14200 HEARTLAND DR
Manor, TX 78653

Henrietta Velasquez
14315 Old Manor-Taylor Rd
Manor, TX 78653

JACKSON NICOLETTE & CARSON JAMES GOSSETT
14029 Heartland Dr
Manor, TX 78653

JAIN KRITIKA & ANAND BHAVANE JAYANTI
14032 Heartland Dr
Manor, TX 78653

JEFF 1 LLC
5001 PLAZA ON THE LATE #200
Austin, TX 78746

JOHN LIPIKA R & SHERVIN AMBANATTU BABU
13901 Heartland Dr
Manor, TX 78653

Juan Chaparro
14408 Pernella Rd
Manor, TX 78653

KALE MICHAEL & LASHONDRA M
14013 HEARTLAND DR
Manor, TX 78653

Kristine & Matthew Escobedo
14400 Pernella Rd
Manor, TX 78653

KURIAN CLEMENT & LIZ MANDAPATHIL
14004 Heartland Dr
Manor, TX 78653

LAKE ELIJAH & KANESHA
14301 HEARTLAND DR
Manor, TX 78653

LEKCAM Communication LLC
16404 Marcello Dr
Pflugerville, TX 78660

LEONARD SCOTT
13921 Heartland Dr
Manor, TX 78653

MADHYASTHA SUHASA & ASHRITHA PURADAWANE
BALACHANDRA
14309 HEARTLAND DR
Manor, TX 78653

Mary Clark
14404 Pernella Rd
Manor, TX 78653

Masrur Reza, Mustafa Ali Reza Chowdhury, Fauzia Zaman
14412 Pernella Rd
Manor, TX 78653

MCCUE KEVIN & BRITTANY BAMBERG
14033 Heartland Dr
Manor, TX 78653

Meritage Homes of Texas LLC
611 S Congress Ave, suite 510
Austin, TX 78704

Meritage Homes of Texas LLC
17101 Orinda Lane
Pflugerville, TX 78660

Monarch Ranch at Manor LLC
310 Enterprise Dr.
Oxford, MS 38655

PADILLA ELIAS JOSE
14308 HEARTLAND DR
Manor, TX 78653

PERRY HOMES LLC
PO BOX 34306
Houston, TX 77234

Roy & Frank Velasquez
14301 Old Manor-Taylor Rd
Manor, TX 78653

RUSSELL RACHEL R & WILLIAM B WRIGHT
14421 HEARTLAND DR
Manor, TX 78653

RUST CREEK LLC
9606 OLD MANOR RD #1
Austin, TX 78724

SAMUEL ANCY & SIJU THOMAS VARGHESE
14325 HEARTLAND DR
Manor, TX 78653

SANTIAGO JONA FATIMA P & HONOFRE JOEY
14017 HEARTLAND DR
Manor, TX 78653

SG LAND HOLDINGS LLC
2646 DUPONT DR STE 60 PMB 520
Irvine, CA 92612

SG LAND HOLDINGS LLC
2646 DUPONT DR STE 60 PMB 520
Irvine, CA 92612

SG LAND HOLDINGS LLC
2646 DUPONT DR STE 60 PMB 520
Irvine, CA 92612

SNELL TYLER & MATTIE
13908 HEARTLAND DR
Manor, TX 78653

SNYDER JACOB ADAM
13913 HEARTLAND DR
Manor, TX 78653

SORATHIA BHARGAV
3472 Fitzsimmons Cmn
Fremont, CA 94538

SRIHARI FNU & PRIYANKA PUPPALA
14009 Heartland Dr
Manor, TX 78653

Stanley & Sandra Voelker
14401 FM 973 N
Manor, TX 78653

STEVES DANIEL & JANELLE
14400 HEARTLAND DR
Manor, TX 78653

STEWART MARIANNE K & LARRY N
14300 HEARTLAND DR
Manor, TX 78653

STONE LEISA M & ZACHARY P
14413 HEARTLAND DR
Manor, TX 78653

SUTT DYLAN J
14104 Heartland Dr
Manor, TX 78653

THOMPSON MATTHEW
14505 HEARTLAND DR
Manor, TX 78653

Timmerman Commercial Investments LP
501 Vale ST
Austin, TX 78746

TRIPATHI ANKIT MANI
14205 HEARTLAND DR
Manor, TX 78653

UNAL BELGIN & AYHAN
14320 HEARTLAND DR
Manor, TX 78653

VALENZUELA MELINDA S & MATTHEW R
14204 HEARTLAND DR
Manor, TX 78653

WANG YILI & YUNQING XIA
14001 HEARTLAND DR
Manor, TX 78653

WEISS KERMIT R & EMMAGENE
PO BOX 25
Manor, TX 78653

WILLIAMS LAURA
14305 HEARTLAND DR
Manor, TX 78653

YINGST ALEX BICERA
13920 Heartland Dr
Manor, TX 78653

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on an ordinance rezoning two (2) lots on .297 acres, more or less, at 108 W Boyce & 104 W Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB).

Applicant: Jiwon Jung
Owner: Build Block

BACKGROUND/SUMMARY:

The property at 108 W. Boyce was previously requested to be rezoned to Downtown Business by the same applicant. At the February 8th P&Z meeting, discussion was held and the rezoning request for 108 W. Boyce was recommended for denial due to the lot’s small size and the remaining single family home at 104 W. Boyce between 108 W. Boyce and 109 N. Lexington. The City Council also denied the request for 108 W. Boyce for the same reasons. The applicant has purchased the lot at 104 W. Boyce to alleviate the prior concerns as the property is now larger and there won’t be a single family residence between two commercial/mixed-use developments.

The applicant has provided a conceptual layout of 3-story mixed-use building for the property. Downtown Business zoning is consistent with the area’s designation in the Comprehensive Plan’s Future Land Use Map as Downtown Mixed-Use. A combination of on-site and off-site (street) parking is envisioned.

This item was postponed from June 21st meeting because P&Z did not have a quorum to provide a recommendation. P&Z again did not have a quorum at their July 12th meeting so no recommendation is provided.

LEGAL REVIEW: No
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Ordinance
- Letter of Intent
- Rezoning map
- Aerial Image
- Conceptual Site Plan
- FLUM
- Downtown Mixed-Use Dashboard
- Public Notices and Labels

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council postpone the first reading of an ordinance rezoning two (2) lots on .297 acres, more or less, at 108 W Boyce & 104 W Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB) until August 16th, Regular Council Meeting.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**
X – no
quorum

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY SUBURBAN (SF-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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 Ordinance. City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Single Family Suburban (SF-1) to zoning district Downtown Business (DB). The Property is accordingly hereby rezoned to Downtown Business (DB).

Section 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed 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, Chapt. 551, Texas Gov't. Code.

ORDINANCE NO.

Page 2

PASSED AND APPROVED FIRST READING on this the ___ day of ___ 2023.

PASSED AND APPROVED SECOND AND FINAL READING on this the ___ day of ___ 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC,
City Secretary

ORDINANCE NO.

Page 3

EXHIBIT "A"

Property Address:
104-108 West Boyce Street, Manor, TX 78653

Property Legal Description 104 West Boyce Street:

Being the west one-half (1/2) of Lot 16, 17 and east one-half (1/2) of Lot 18, Block 29, Town of Manor

Property Legal Description 108 West Boyce Street:

Being the west one-half (1/2) Lot 18, 19, and 20, Block 29, Town of Manor

May. 15, 2023

Development Services
City of Manor
105 E Eggleston Street
Manor, TX 78653

Letter of Intent for Rezoning

Project Address: 104 Boyce St, Manor, TX 78653

Property ID: 238661

Legal Description: W 1/2 OF LOT 16, 17 & E 1/2 OF LOT 18 BLK 29 MANOR TOWN OF

The property owner seeks to rezone the 0.165-acre lot located at 108 W Boyce St, Manor, TX 78653 from SF-1(Single Family Suburban) to DB (Downtown Business).

Manor city is planning to expand its central commercial area to revitalize the city and improve the quality of life of adjacent residential areas. To keep up with that idea, dense development of urban areas, especially divided into Downtown Mixed-Use uses including the site, will be required. However, the subject site, which is in the Downtown Mixed-Use area, is currently designated as an SF-1(Single Family Suburban) zone, and only low-density development is possible, which is not in line with Manor city's urban planning. In this situation, I hope that we can create a dense commercial and residential community to meet the idea of Manor city planning, through this zoning change.

As a large multi-family and mixed-use development project such as Manor Crossing Project is planned, the owner seeks an opportunity to respond to the population growth. Rezoning this tract will allow providing opportunities for cultural diversity and commercial growth. The property currently sits along West Boyce Street as a cross lot being DB-zoned parcel. I believe that rezoning the subject tract as proposed will not alter or impair the adjacent uses/properties.

I appreciate your consideration of the proposed rezoning application for approval and will be available to answer questions you might have regarding this matter. Please do not hesitate to email with your questions and comments.

Sincerely,

Jiwon Jung
CEO of Build Block Inc.
2700 E 2nd St
Los Angeles, CA 90033

May. 15, 2023

Development Services
City of Manor
105 E Eggleston Street
Manor, TX 78653

Letter of Intent for Rezoning

Project Address: 108 W Boyce St, Manor, TX 78653

Property ID: 238660

Legal Description: W 1/2 OF LOT 18,19-20 BLK 29 MANOR TOWN OF

The property owner seeks to rezone the 0.165-acre lot located at 108 W Boyce St, Manor, TX 78653 from SF-1(Single Family Suburban) to DB (Downtown Business).

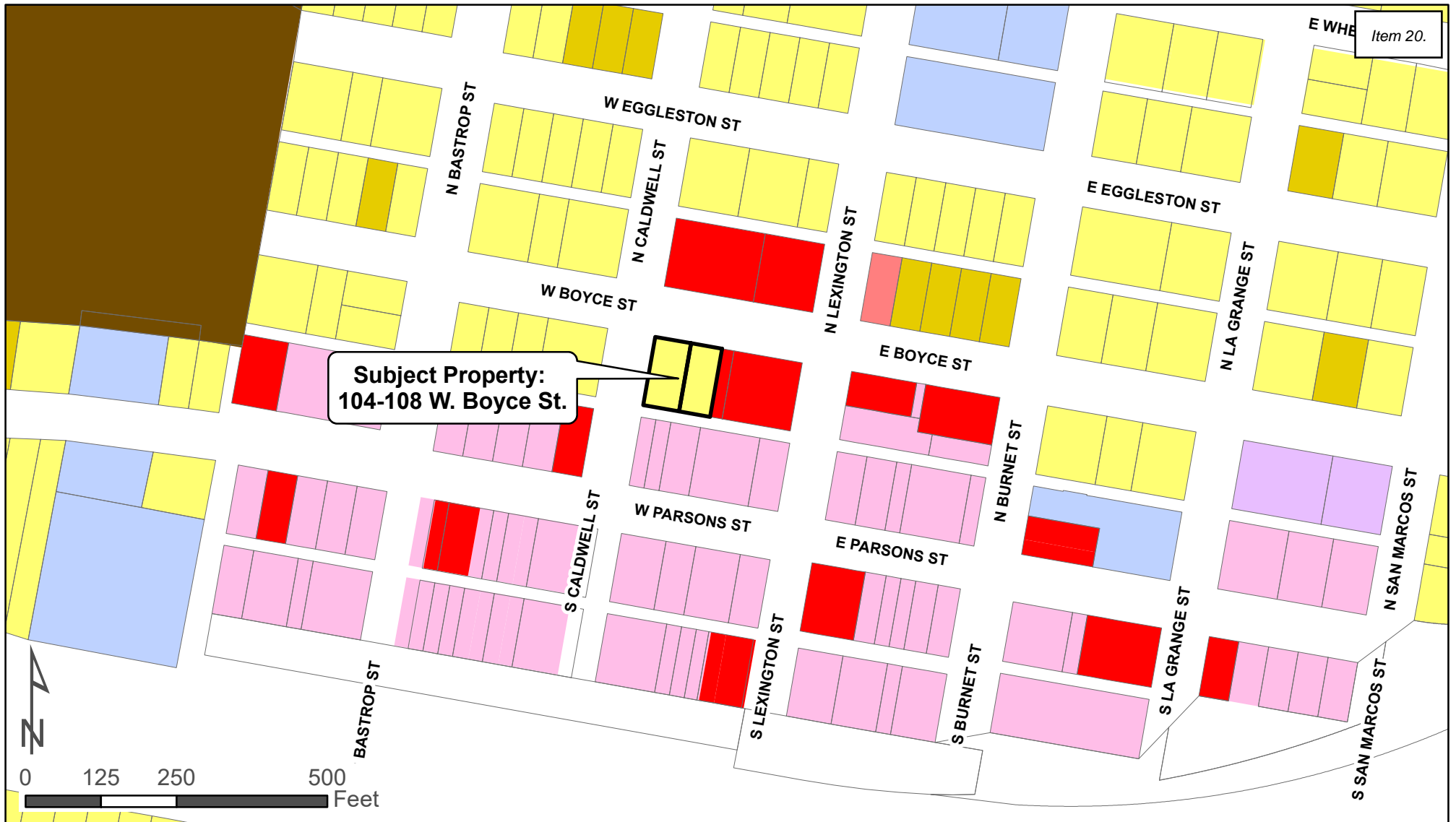
Manor city is planning to expand its central commercial area to revitalize the city and improve the quality of life of adjacent residential areas. To keep up with that idea, dense development of urban areas, especially divided into Downtown Mixed-Use uses including the site, will be required. However, the subject site, which is in the Downtown Mixed-Use area, is currently designated as an SF-1(Single Family Suburban) zone, and only low-density development is possible, which is not in line with Manor city's urban planning. In this situation, I hope that we can create a dense commercial and residential community to meet the idea of Manor city planning, through this zoning change.

As a large multi-family and mixed-use development project such as Manor Crossing Project is planned, the owner seeks an opportunity to respond to the population growth. Rezoning this tract will allow providing opportunities for cultural diversity and commercial growth. The property currently sits along West Boyce Street as a cross lot being DB-zoned parcel. I believe that rezoning the subject tract as proposed will not alter or impair the adjacent uses/properties.

I appreciate your consideration of the proposed rezoning application for approval and will be available to answer questions you might have regarding this matter. Please do not hesitate to email with your questions and comments.

Sincerely,

Jiwon Jung
CEO of Build Block Inc.
2700 E 2nd St
Los Angeles, CA 90033



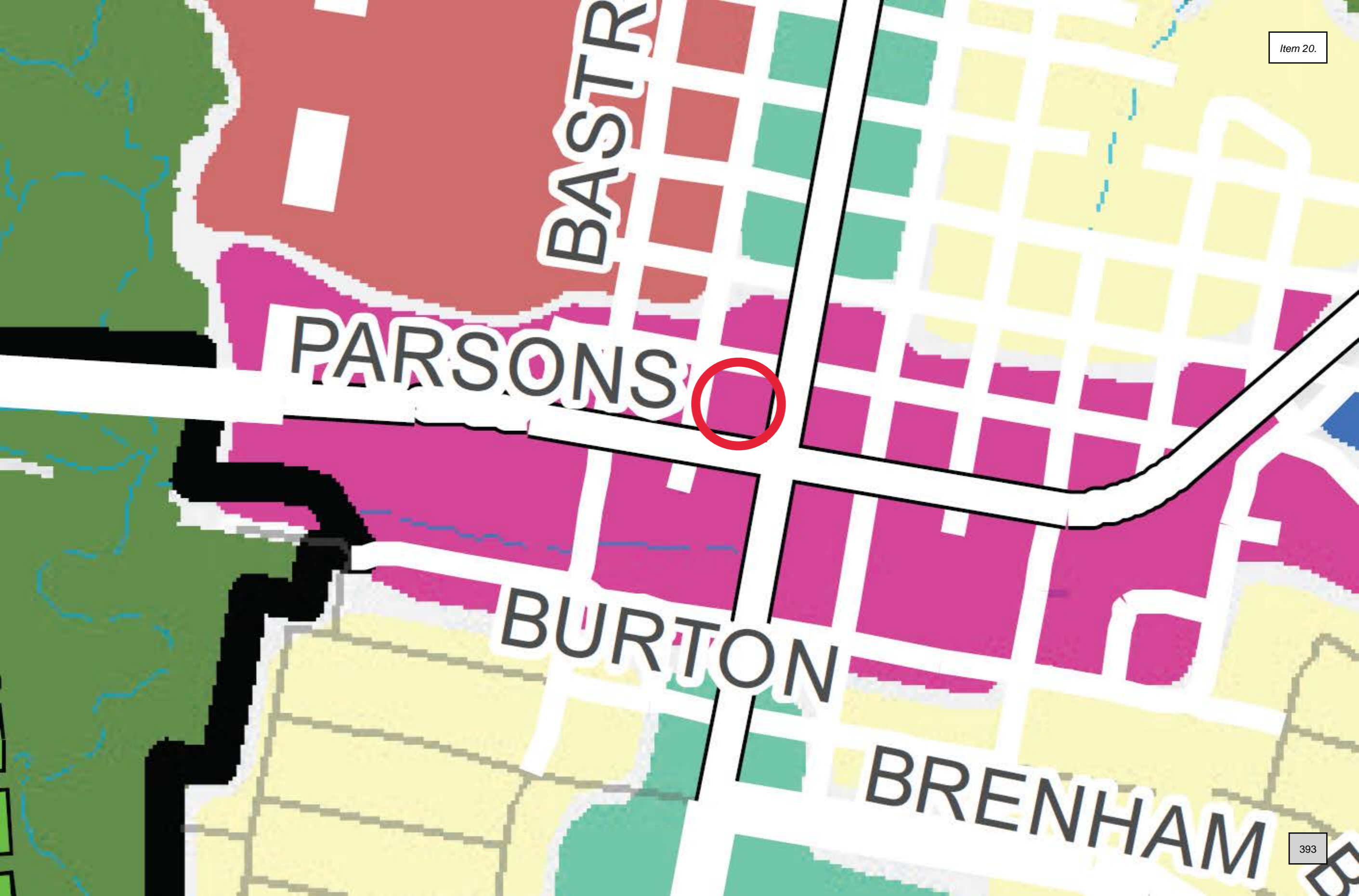
Subject Property:
104-108 W. Boyce St.

Current:
Single Family Suburban (SF-1)

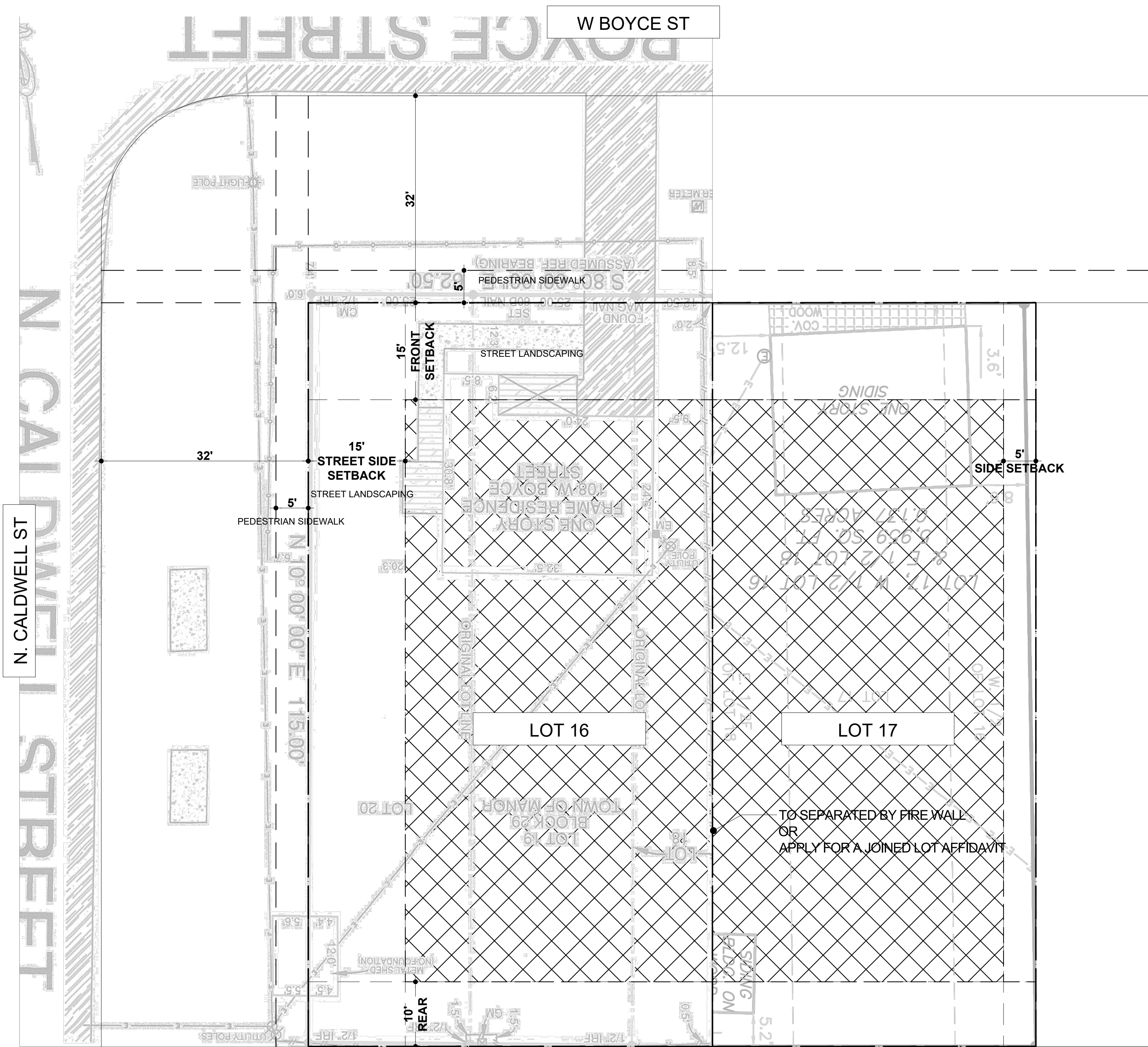
Proposed:
Downtown Business (DB)



| Zone | |
|---|--------------------------------|
| ■ | A - Agricultural |
| ■ | SF-1 - Single Family Suburban |
| ■ | SF-2 - Single Family Standard |
| ■ | TF - Two Family |
| ■ | TH - Townhome |
| ■ | MF-1 - Multi-Family 15 |
| ■ | MF-2 - Multi-Family 25 |
| ■ | MH-1 - Manufactured Home |
| ■ | I-1 - Institutional Small |
| ■ | I-2 - Institutional Large |
| ■ | GO - General Office |
| ■ | C-1 - Light Commercial |
| ■ | C-2 - Medium Commercial |
| ■ | C-3 - Heavy Commercial |
| ■ | NB - Neighborhood Business |
| ■ | DB - Downtown Business |
| ■ | IN-1 - Light Industrial |
| ■ | IN-2 - Heavy Industrial |
| / / | PUD - Planned Unit Development |
| ■ | ETJ |







— — PROPERTY LINE
 [Cross-hatch symbol] BUILDABLE AREA (64% LOTS)

A (N) BUILDABLE AREA
 SCALE = 3/32" = 1'-0"

SITE INFORMATION - 108 BOYCE

Site Address: 108 W Boyce St, Manor, TX 78653
 Block: 29
 Legal Description: W 1/2 of lot 18, 19-20 BLK 29 Town of Manor
 Lot Size: 0.165 acres (7,187.4 SF)

SITE INFORMATION - 104 BOYCE

Site Address: 104 W Boyce St, Manor, TX 78653
 Block: 29
 Legal Description: W 1/2 of lot 16, 17 & E 1/2 of lot 18 BLK 29 Town of Manor
 Lot Size: 0.132 acres (5,749.92 SF)

BUILDING CODE ANALYSIS (DOWNTOWN BUSINESS)

Setbacks
 Front: 15 ft
 Side: 0 ft with Fire-Rated Walls
 Rear: 10 ft
 Street Side: 15 ft
 Max. Building Height: 60 ft
 Max. Building Coverage: 95%
 Minimum Dwelling Size: 500 SF, Historic
 Max. # of Dwelling Units: 25 per Acre

PARKING ANALYSIS

Residential
 1 1/2 Required for 1-Bedroom unit
 2 Required for each 2-Bedroom unit
 2 1/2 Required for 3+ Bedroom unit
 - 10% of total spaces for guests
 Commercial
 1 per 250 square feet

OWNER: BUILD BLOCK
 PROJECT ADDRESS: 108, 104 W BOYCE ST, MANOR, TX 78653
MIXED-USE DEVELOPMENT

REVISION TABLE

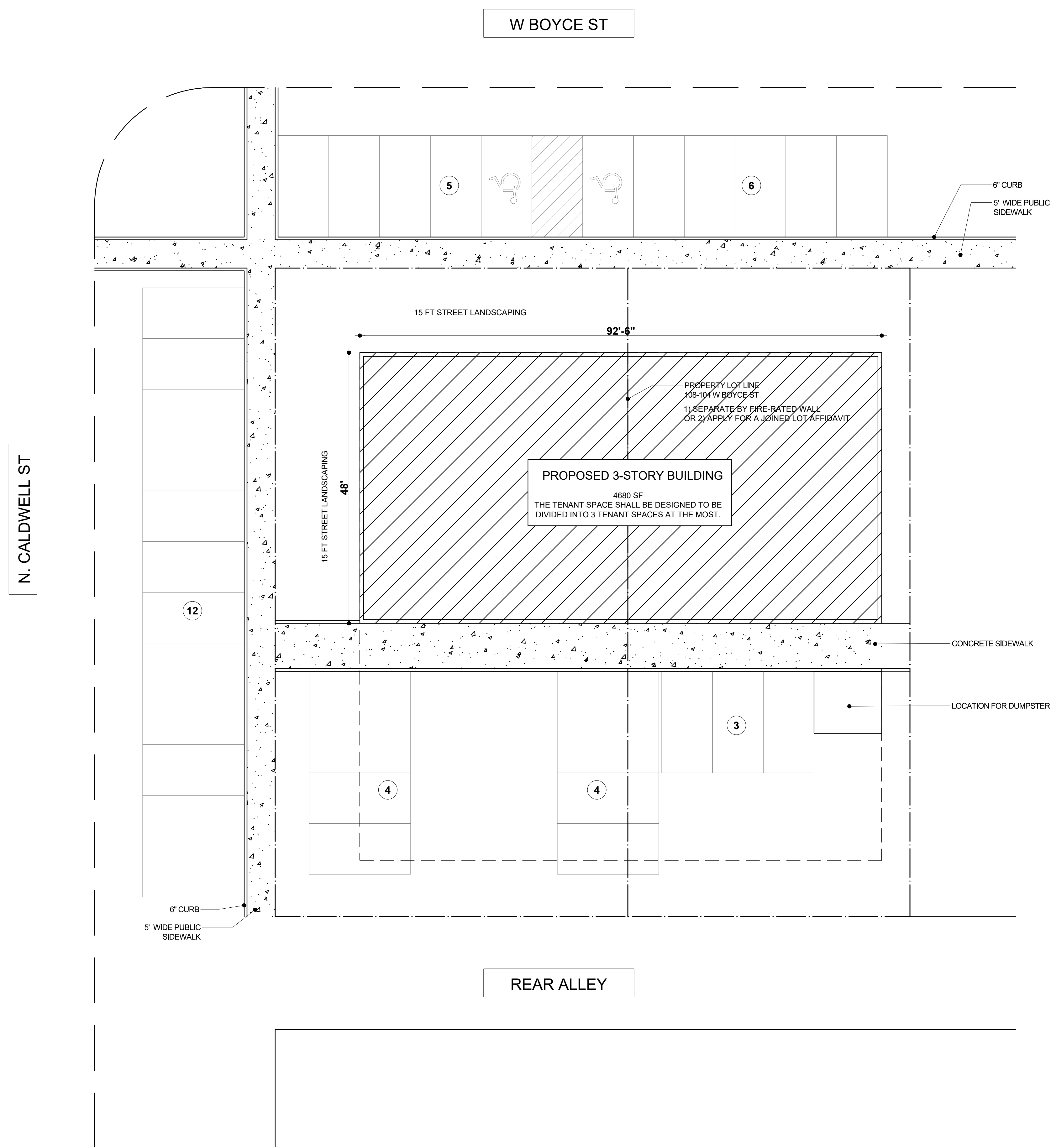
| Number | Date | Description |
|--------|--------------|----------------------|
| 1 | MAY 22, 2023 | REZONING APPLICATION |

PROJECT # : 21036101 - 2
 PLOT DATE : 2023 / 05 / 22
 DRAWN BY : JIWON JUNG
 CHECKED BY : JIWON JUNG

ALL IDEAS, ARRANGEMENTS AND DESIGN CONCEPTS ARE PROPRIETARY TO JIWON JUNG AND SHALL NOT BE USED OR REPRODUCED IN PART OR IN WHOLE WITHOUT THE EXPRESS PERMISSION IN WRITING BY JIWON JUNG.

PROJECT SUMMARY

A-0.0



ARTICLE 15.02 - PARKING STANDARDS

| USE | # OF PARKING SPACES | REQUIRED | PROVIDED |
|-------------------------------|--|-----------|-----------|
| RESIDENTIAL - MULTI-FAMILY | 1 & 1/2 SPACE FOR EACH 1-BEDROOM UNIT | 6 | 15 |
| | 2 SPACES FOR EACH 2-BEDROOM UNIT | 8 | |
| RETAIL SALES | ONE SPACE FOR EACH 250 SF OF RETAIL FLOOR AREA | 19 | 19 |
| TOTAL | | 34 | 35 |

A GROUND FLOOR PLAN (COMMERCIAL)
SCALE = 3/32" = 1'-0"

OWNER: BUILD BLOCK
PROJECT ADDRESS: 108, 104 W BOYCE ST, MANOR, TX 78663
MIXED-USE DEVELOPMENT

| Number | Date | Description |
|--------|--------------|----------------------|
| | MAY 22, 2023 | REZONING APPLICATION |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

PROJECT # : 21036101 - 2
PLOT DATE : 2023 / 05 / 22
DRAWN BY : JIWON JUNG
CHECKED BY : JIWON JUNG

ALL IDEAS, ARRANGEMENTS AND DESIGN CONCEPTS ARE PROPRIETARY TO JIWON JUNG. AND SHALL NOT BE USED OR REPRODUCED IN PART OR IN WHOLE WITHOUT THE EXPRESS PERMISSION IN WRITING BY JIWON JUNG.

PRELIMINARY PLANS

A- 0.1

DOWNTOWN MIXED-USE

Downtown Mixed-Use is intended for the residential, commercial, business, and office uses that line the Old Highway 20 corridor and adjacent streets, including the traditional downtown shopping district of Manor.

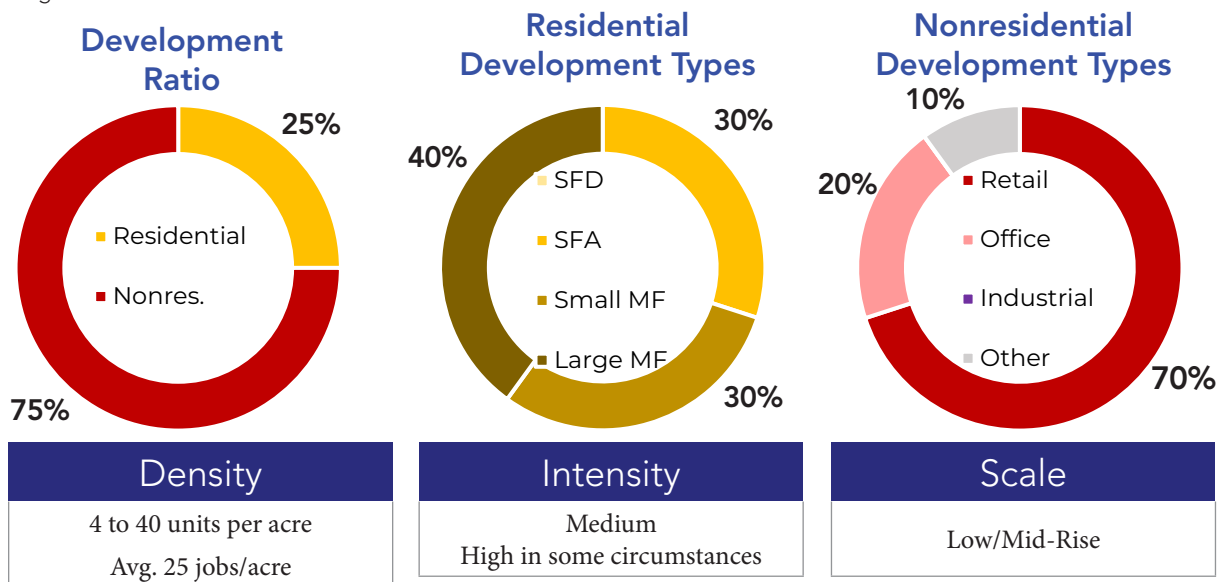
Not only is this area currently a mixed-use environment currently, but it is envisioned to see a strong reinvention via more density and a higher mix of uses in the future. This area should be designed to accommodate transit, should rail services extend to Manor from Austin. However, even if the rail does not come, a downtown that is comprised of high-density mixed-use development will still bring many opportunities and benefits to the community.

Densities range between 4 and 40 units per acre, although individual sites may achieve higher densities if they are coordinated within the rest of the area, provide superior access to services and amenities, and appropriate compatibility to adjacent uses is provided.

Here, infill development especially presents opportunities for small businesses, unique and dense housing options and potentially even small scale/artisan manufacturing.

The pedestrian environment and experience should be top priority in Downtown and feature public gathering places, active streets, engaging storefronts, and sidewalk cafes. This is the best place in Manor to double down on and invest in creating a sense of place and identity for the community.

Figure 3.10. Downtown Mixed-Use Land Use Mix Dashboard



| DEVELOPMENT TYPE | APPROPRIATENESS | CONDITIONS |
|--|-----------------|--|
| Single-Family Detached (SFD) | ● ○ ○ ○ ○ | Not considered compatible since the intent is to provide retail/services, activity centers and diversified housing to support surrounding neighborhoods and drive community identity/gathering |
| SFD + ADU | ● ○ ○ ○ ○ | |
| SFA, Duplex | ● ○ ○ ○ ○ | |
| SFA, Townhomes and Detached Missing Middle | ● ● ● ○ ○ | This can be compatible provided that the overall Downtown Mixed Use area also contains mixed-use urban flex buildings or shopping centers with which this housing product integrates in a manner to promote walkability and transitions; these development types should be located on secondary roads rather than primary thoroughfares within Downtown, as those areas are best reserved for ground-floor retail and services |
| Apartment House (3-4 units) | ● ● ● ○ ○ | |
| Small Multifamily (8-12 units) | ● ● ● ○ ○ | |
| Large Multifamily (12+ units) | ● ● ● ○ ○ | |
| Mixed-Use Urban, Neighborhood Scale | ● ● ● ● ● | This is the ideal form of development within the Downtown Mixed Use category; provides for activity centers, retail, services and diverse housing options at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; design should emphasize the pedestrian experience rather than people driving automobiles |
| Mixed-Use Urban, Community Scale | ● ● ● ○ ○ | Not generally considered compatible due to incompatible scale with neighborhoods, but can be depending on adjacencies to green space or more intensive uses |
| Shopping Center, Neighborhood Scale | ● ● ● ● ○ | While less preferred than a mixed-use urban flex building, the use provides for activity centers, retail and services at a scale compatible with and supportive of surrounding neighborhoods to promote walkability; becomes more compatible if a horizontal approach to mixed-use is deployed, such as inclusion of small apartments nearby or within the same site, or to match the scale of adjacent historic buildings |
| Shopping Center, Community Scale | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be depending on adjacencies to green space or more intensive uses; may function better on the western and eastern edges of the Downtown Mixed Use area |
| Light Industrial Flex Space | ● ● ○ ○ ○ | Not generally considered compatible due to incompatible scale with Downtown, but can be if particularly small-scale and included alongside more appropriate development types, or with integration of a storefront experience. Examples of appropriate uses might include maker spaces, coffee roasting, micro-breweries, and similar businesses |
| Manufacturing | ● ○ ○ ○ ○ | Not considered compatible |
| Civic | ● ● ● ● ● | Considered supportive to the function and livability of this future land use category, government buildings, schools and community facilities can serve as activity hubs. |
| Parks and Open Space | ● ● ● ● ● | Generally considered appropriate or compatible within all Land Use Categories. |



5/31/2023

City of Manor Development Services

Notification for a Rezoning Application

Project Name: 108 W Boyce & 104 W Boyce Rezoning from SF-1 to DB
 Case Number: 2023-P-1541-ZO
 Case Manager: Michael Burrell
 Contact: mburrell@manortx.gov – 512-215-8158

The City of Manor Planning and Zoning Commission and City Council will be conducting a Regularly Scheduled meeting for the purpose of considering and acting upon on a Rezoning Application for 108 W Boyce & 104 W Boyce St., Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for two (2) lots on .297 acres, more or less, at 108 W Boyce & 104 W Boyce St., Manor, TX from Single Family (SF-1) to Downtown Business (DB).

Applicant: Jiwon Jung
Owner: Build Block

The Planning and Zoning Commission will meet at 6:30PM on June 14, 2023 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on June 21, 2023 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 Rezoning Application has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners during the discussion of this item.

105 E. EGGLESTON STREET • P.O. BOX 387 • MANOR, TEXAS 78653
 (T) 512.272.5555 • (F) 512.272.8636 • WWW.CITYOFMANOR.ORG

Behzad Bahrami
PO Box 82653
Austin TX 78708

Ramon E Jr Paiz
PO Box 280
Manor TX 78653

Marcos & Maria Chavez
127 Dry Creek Rd
Unit B Manor TX 78653

Claudie G & Sammie M Young
PO Box 145
Manor TX 78653

Juan Jr & Diana E Gerl Vasquez
PO Box 449
Manor TX 78653

Monica Ann Castillo
PO Box 1097
Manor TX 78653

Veronica Michelle Donley
204 W. Eggleston St
Manor TX 78653

Debbie Ann & Darrell Guajardo
2501 Goforth Rd
Kyle TX 78640

Helen Casas
PO BOX 223
Manor TX 78653

Victor M & Debra B Almaguer
3209 Ray St
Austin TX 78702

Nora L & Jose A Jr Sanchez
PO Box 232
Manor TX 78653

Maria Rocha
207 W Boyce St
Manor TX 78653

Jesse & Julia Rocha
PO Box 1002
Manor TX 78653

Alfredo, Contreras Renteria, Aurelia
PO Box 11
Manor TX 78653

Bradley G & Paula B Bowen
18109 Whitewater CV
Round Rock TX 78681

Jesse & Olivia Sanchez
PO Box 811
Manor TX 78653

Jose Soto & Maribella, Cortez Gonzalez,
Jaimes
14845 Bois Darc LN
Manor TX 78653

Sepeco
PO Box 170309
Austin TX 78717

2017 Manor LLC
203 W Parsons St
Manor TX 78653

Barbarita Samudio Sanchez
PO Box 142
Manor TX 78653

Jorge Moreno
4301 Jan St Unit B
Harlingen TX 78550

Davis Capital Investments LLC
PO Box 268
Manor TX 78653

William C Gault
PO Box 32
Manor TX 78653

Michael E & Tabatha A Darilek
PO Box 976
Manor TX 78653

Virginia Z Cardenas
PO Box 243
Manor TX 78653

Timothy Mack Sherrod
2705 Taft Blvd
Wichita Falls TX 76308

120 East Boyce Street LLC
1004 Meriden Ln
Austin TX 78703

Ernesto Suarez
14121 Bois D Arc Ln
Manor TX 78653

Lundgren Edwin O Estate
507 Arbors CIR
Elgin TX 78621

Lopez Mar Lift Estate
208 West Parsons
Manor TX 78653

Ringo Ming-Ling, Yu Chi Sun, Wu
707 Knollwood Dr
Austin TX 78746

L&L Investment Enterprises LLC
302 E 32nd St
Austin TX 78705

Aurelio Jr Ponce
200 W Parsons St
Manor TX 78653

Billy C Duett
Po Box 562
Manor TX 78653

Maqil Inc
PO Box 399
Manor TX 78653

Moein M Hassan
Po Box 140853
Austin TX 78714



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on declaring one or more vacancies on the Planning and Zoning Commission.

BACKGROUND/SUMMARY:

The Planning and Zoning Commission recently had two consecutive no-quorum meetings due to consistent absences.

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

- P&Z 2023 attendance report

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council declare one or more vacancies on the Planning and Zoning Commission.

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

PLANNING AND ZONING COMMISSION - 2023 YEARLY ATTENDANCE REPORT

Item 21.

BOARD/COMMISSION
PLANNING AND ZONING COMMISSION

REPORTING PERIOD
January 1, 2023 thru December 31, 2023

| MEMBERS | MEETINGS | MEETING | MONTHS | | | | | | | | | | | | TOTALS | | | | |
|--|------------|---------|--------|-----|-----|-------|-----|------|------|------|------|-----|-----|-----|--------|---------|--------|---------|---|
| | | | JAN | FEB | MAR | APRIL | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | NOV | DEC | Present | Absent | Total # | |
| JULIE LEONARD PLACE NO. 1 | 01.11.2023 | REG | P | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | P | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | P | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | P | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | P/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | A/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 6 | 1 | 7 |
| ANTHONY BUTLER PLACE NO. 2 | 01.11.2023 | REG | A | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | A | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | A | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | A | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | A/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | A/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 1 | 6 | 7 |
| CRESANDRA HARDEMAN PLACE NO. 3. | 01.11.2023 | REG | P | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | P | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | A | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | P | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | P/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | A/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | A/NQ | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 5 | 2 | 7 |
| FELIX PAIZ PLACE NO. 4 VICE-CHAIR | 01.11.2023 | REG | P | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | P | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | P | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | A | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | A/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | P/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 5 | 2 | 7 |
| CELESTINE SERMO PLACE NO. 5 | 01.11.2023 | REG | - | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | - | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | - | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | P | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | A/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | P/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 3 | 1 | 4 |
| CECIL MEYER PLACE NO. 6 | 01.11.2023 | REG | P | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | P | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | P | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | P | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | A/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | P/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 6 | 1 | 7 |
| LAKESHA SMALL PLACE NO. 7 CHAIRPERSON | 01.11.2023 | REG | P | | | | | | | | | | | | | | | | |
| | 02.08.2023 | REG | | A | | | | | | | | | | | | | | | |
| | 03.08.2023 | REG | | | P | | | | | | | | | | | | | | |
| | 04.12.2023 | REG | | | | P | | | | | | | | | | | | | |
| | 05.10.2023 | REG | | | | | P | | | | | | | | | | | | |
| | 06.14.2023 | REG | | | | | | P/NQ | | | | | | | | | | | |
| | 07.12.2023 | REG | | | | | | | A/NQ | | | | | | | | | | |
| | 08.09.2023 | REG | | | | | | | | | | | | | | | | | |
| | 09.13.2023 | REG | | | | | | | | | | | | | | | | | |
| | 10.11.2023 | REG | | | | | | | | | | | | | | | | | |
| | 11.08.2023 | REG | | | | | | | | | | | | | | | | | |
| 12.13.2023 | REG | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | 5 | 2 | 7 |

P = PRESENT A = ABSENT NQ = NO QUORUM ZM = MEETING CONDUCTED ONLINE THROUGH ZOOM CSS = CALLED SPECIAL SESSION NM = NO MEETING (CANCELED)
In order to insure that all board/commission members contribute by attending regular scheduled meetings of their respective board/commission, the Council has directed that attendance records be kept by city staff and forwarded to members for their review.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 19, 2023
PREPARED BY: Scott Moore, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on canceling the October 4, 2023, Regular City Council Meeting and setting a Called Special Session.

BACKGROUND/SUMMARY:

Due to the TML 111th Annual Conference in Dallas, Texas on October 4-6, 2023, the majority of the City Council will be attending; therefore, there will be no quorum present for this meeting. City Council can set a Called Special Session if necessary. City staff is recommending setting a Special Meeting on Monday, October 2nd at 7:00 p.m.

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

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council cancel the October 4, 2023, Regular City Council Meeting and set a Called Special Session for Monday, October 2, 2023, at 7:00 p.m.

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