



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

City Council Regular Meeting

Wednesday, June 01, 2022 at 7:00 PM

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

AGENDA

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. Declaring the month of June 2022, as “LGBTQ+ Month”

PUBLIC COMMENTS

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

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.

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

Submitted by: Lluvia T. Almaraz, City Secretary

- **May 18, 2022, City Council Regular Meeting; and**
- **May 23, 2022, City Council Called Special Session**

- 2.** **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).
Applicant: Wenkai Chen
Owner: Wenkai Chen
Submitted by: Scott Dunlop, Development Services Director
- 3.** **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).
Applicant: Duque States, LLC
Owner: Duque States, LLC
Submitted by: Scott Dunlop, Development Services Director
- 4.** **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).
Applicant: BGE, Inc.
Owner: Lane Ave Development, LLC
Submitted by: Scott Dunlop, Development Services Director
- 5.** **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).
Applicant: SEC Planning, LLC
Owner: Manor 290 OZ Real Estate, LP
Submitted by: Scott Dunlop, Development Services Director
- 6.** **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Steet, Manor TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).
Applicant: Metcalfe, Wolff, Stuart & Williams, LLP
Owner: Dwyer Realty Companies
Submitted by: Scott Dunlop, Development Services Director

- 7. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).**

Applicant: Metcalfe, Wolff, Stuart & Williams, LLP
Owner: Edward Butler
Submitted by: Scott Dunlop, Development Services Director
- 8. Second and Final Reading: Consideration, discussion, and possible action on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.**

Submitted by: Scott Dunlop, Development Services Director
- 9. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH).**

Applicant: Lexington Manor LLC
Owner: Lexington Manor LLC
Submitted by: Scott Dunlop, Development Services Director
- 10. Second and Final Reading: Consideration, discussion, and possible action on an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.**

Submitted by: Scott Dunlop, Development Services Director

EXECUTIVE SESSION

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

- *Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding Capital Metropolitan Transportation Authority;*
- *Section 551.072, Texas Government Code to deliberate the value and conveyance of the City's interest in real property; 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.

REGULAR AGENDA

- 11. Consideration, discussion, and possible action on a resolution denying the proposed change in rates Of Oncor Electric Delivery Company LLC.**
Submitted by: Scott Moore, City Manager
- 12. Consideration, discussion, and possible action on a Change Order to the construction contract for the 2020 Wastewater Collection System Improvements, CIP S-32 project.**
Submitted by: Frank T. Phelan, P.E., City Engineer
- 13. Consideration, discussion, and possible action on a Statement of Work No. 13 to the Master Services Agreement dated October 7, 2020, with George Butler Associates, Inc. for Fire Code Compliance Review services and rates.**
Submitted by: Frank T. Phelan, P.E., City Engineer
- 14. Consideration, discussion, and possible action on Amendment One to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas.**
Submitted by: Scott Dunlop, Development Services Director
- 15. Consideration, discussion, and possible action on a tree mitigation fee-in-lieu for Manor Independent School District for 243 caliper inches and located at the Manor ISD Senior High School Athletic Complex at 14832 N. FM 973, Manor, Texas.**
Submitted by: Scott Dunlop, Development Services Director
- 16. Consideration, discussion, and possible action on a Resolution accepting the petition for annexation of 62.8431 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits and setting a date for a public hearing.**
Submitted by: Scott Dunlop, Development Services Director
- 17. Reconsidered - First Reading: Consideration, discussion, and possible action on an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).**
Applicant: BGE, Inc.
Owner: Flintrock Office Suites, LLC
Submitted by: Scott Dunlop, Development Services Director

ADJOURNMENT

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

CONFLICT OF INTEREST

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

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

POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, May 27, 2022, by 5:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

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



PROCLAMATION

WHEREAS, the City of Manor is a welcoming community and an exceptional place to live, learn, work, play, and raise a family; and

WHEREAS, Manor recognizes the importance of equality and freedom; and

WHEREAS, the nation was founded upon and is guided by a set of principles that includes that every person has been created equal, that each has rights to their life, liberty and pursuit of happiness and that each shall be accorded the full recognition and protection of law; and

WHEREAS, the City of Manors' Lesbian, Gay, Bisexual, Transgender, and Queer+ (LGBTQ+) community are a vital part of all fields and professions and contribute to a stronger community; and

WHEREAS, the City of Manor is dedicated to fostering acceptance of all its citizens and preventing discrimination and bullying based on sexual orientation and gender identity; and

WHEREAS, Manor is strengthened by and thrives upon the rich diversity of ethnic, cultural, racial, gender and sexual identities of its residents; all of which contribute to the vibrant character of our City; and

WHEREAS, the Centers for Disease Control (CDC) recognizes that LGBT teens are at higher risk to be the victims of violence and have increased suicide rates; and

WHEREAS, it is imperative that young people in the community, regardless of sexual orientation or gender identity, feel valued, safe, empowered, and supported by their peers, educators, and community leaders.

NOW, THEREFORE, I, Dr. Christopher Harvey, Mayor of the City of Manor, Texas, and on behalf of the Manor City Council, do hereby proclaim the month of June 2022, as:

LGBTQ PRIDE MONTH

in the City of Manor and urge citizens to recognize the contributions made by members of the LGBTQ+ community and to actively promote the principles of equality and liberty; and **BE IT FURTHER RESOLVED** that the downtown Manor water tower shall be lit in rainbow colors for the month of June 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Manor on this 1st day of June 2022.

Dr. Christopher Harvey, Mayor
City of Manor



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

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

- May 18, 2022, City Council Regular Meeting; and
- May 23, 2022, City Council Called Special Session

BACKGROUND/SUMMARY:

LEGAL REVIEW: Not Applicable

FISCAL IMPACT: Not Applicable

PRESENTATION: No

ATTACHMENTS: Yes

- May 18, 2022, City Council Regular Meeting; and
- May 23, 2022, City Council Called Special Session

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve the City Council Minutes of the May 18, 2022, City Council Regular Meeting; and May 23, 2022, City Council Called Special Session.

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



**CITY COUNCIL
REGULAR SESSION MINUTES
MAY 18, 2022**

PRESENT:

Dr. Christopher Harvey, Mayor

COUNCIL MEMBERS:

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

CITY STAFF:

- Scott Moore, City Manager
- Lluvia T. Almaraz, City Secretary
- Scott Dunlop, Development Services Director
- Ryan Phipps, Chief of Police
- Lydia Collins, Director of Finance
- Debbie Charbonneau, Heritage and Tourism Manager
- Tracey Vasquez, HR Manager
- Michael Tuley, Director of Public Works
- Phil Green, IT Director
- Sarah Friberg, Court Administrator
- Veronica Rivera, Assistant City Attorney

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 7:04 p.m. on Wednesday, May 18, 2022, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PUBLIC COMMENTS

Isaiah Adams submitted a speaker card regarding the Federal Electric Vehicle Infrastructure Program. Mr. Adams was offering his services to partner with the city for the project.

Bill Kemp, P.O. Box 20, Manor, Texas spoke regarding the attached plans on Art-lectic renovation project. Mr. Kemp was asking for assistance to move forward with his project due to new city permit code building regulations.

Alana Webre, 1450 Kim Lane, Manor, Texas spoke regarding public murals. Ms. Webre was requesting for the city to consider new art for murals in the downtown project and not copies of murals from other artists. She suggested for the city to promote new artists and original art for the project.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas spoke regarding his frustrations with City Hall. Mr. Battaile was requesting for City Hall to return his emails and calls within three (3) days and stated he would file a civil rights discrimination lawsuit against the city if not complied.

No one else appeared at this time.

PUBLIC HEARINGS

- 1. Conduct a public hearing on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB). Applicant: Wenkai Chen; Owner: Wenkai Chen**

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning application request.

The discussion was held regarding ADA compliance.

The discussion was held regarding the clarification of staff's recommendation to deny.

MOTION: Upon a motion made by Council Member Wallace and seconded by Mayor Pro Tem Hill, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

- 2. Conduct a public hearing on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).**

Applicant: Duque States, LLC; Owner: Duque States, LLC

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning application request.

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

There was no further discussion.

Motion to close carried 6-0

- 3. Conduct a public hearing on an ordinance 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).**

Applicant: BGE, Inc.; Owner: Lane Ave Development, LLC

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning application request.

The discussion was held regarding clarification of proposed development.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

4. **Conduct a public hearing on an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).** *Applicant: SEC Planning, LLC; Owner: Manor 290 OZ Real Estate, LP*

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning application request.

The discussion was held regarding clarification of proposed development and current drainage issues.

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

There was no further discussion.

Motion to close carried 6-0

5. **Conduct a public hearing on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).** *Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Dwyer Realty Companies*

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

Mayor Harvey opened the public hearing.

Katherine Niceta, with Metclafe Wolff, Stuart & Williams, LLP and Sushil Mehta with DD&B Construction Inc. presented the attached PowerPoint Presentation.

The discussion was held regarding the community outreach that was provided by developer.

The discussion was held regarding the proposed amenities for the project.

Talley Williams with Metclafe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

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

There was no further discussion.

Motion to close carried 6-0

- 6. Conduct a public hearing on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2). Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Edward Butler**

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

Mayor Harvey opened the public hearing.

Katherine Niceta, with Metcalfe Wolff, Stuart & Williams, LLP. presented the attached PowerPoint Presentation.

Talley Williams with Metcalfe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Mark Johnson with GenCap Partners, 12750 Merit Dr. #1175, Dallas, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer questions posed by the City Council.

The discussion was held regarding the community outreach that was provided by developer.

The discussion was held regarding the proposed amenities for the project.

The discussion was held regarding traffic control and road renovations.

The discussion was held regarding the type of market price for development.

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

There was no further discussion.

Motion to close carried 6-0

7. Conduct a public hearing on a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use. Applicant: JAB Engineering, LLC; Owner: Platinum 973, LLC

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed application request.

Josh Baran, JAB Engineering, 4500 Williams Dr., Georgetown, Texas, submitted a speaker card in support to this item; however, he did not speak.

Pete Dwyer, Cottonwood Holding, 9900 Highway 290E, Manor, Texas, submitted a speaker card in opposition to this item; however, he did not speak.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

8. Conduct a public hearing on a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: Carlson, Brigrance & Doering, Inc.; Owner: KB Home Lone Star, Inc.

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed concept plan.

Robert Battaile, 502 E. Eggleston St., Unit A, Manor, Texas, submitted a speaker card in opposition to this item. Mr. Battaile expressed his opinion on the project regarding parkland.

The discussion was held regarding the clarification on parkland of the development.

Jeff Guerrero with KB Home Lone Star, Inc. discussed the amenities that would be provided for development.

Mr. Guerrero clarified that park would be open to the community as well as subdivision.

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 6-0

- 9. Conduct a public hearing on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.**

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop highlighted several sections on the attached proposed zoning amendments.

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

There was no further discussion.

Motion to close carried 6-0

- 10. Conduct a public hearing on a Rezoning Application for 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH). Applicant: Lexington Manor LLC; Owner: Lexington Manor LLC**

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning request.

Stacy Rhone, Lexington Manor LLC, 19218 Lockwood, Manor, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

11. Conduct a public hearing on a Rezoning Application for 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH). Applicant: BGE, Inc.; Owner: Flintrock Office Suites, LLC

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning request.

The discussion was held regarding traffic concerns.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

The city staff recommended that the City Council postpone Item No. 12 and Item 28 from the Regular Agenda to the June 15, 2022, Regular Council Meeting per applicant's request.

12. Conduct a public hearing on a Rezoning Application for 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH). Applicant: Kimley-Horn & Associates; Owner: Millcreek Residential

28. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 62.84 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract No. 154, and being located near the intersection of US Hwy 290 E and Old Kimbro Rd., Manor, TX to Townhome (TH) and Medium Commercial (C-2). Applicant: Kimley-Horn & Associates; Owner: Millcreek Residential

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to postpone Item No. 12 and Item No. 28 to the June 15, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 6-0

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

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

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed annexation request.

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

There was no further discussion.

Motion to close carried 6-0

CONSENT AGENDA

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

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

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

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

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace to approve the consent agenda.

There was no further discussion.

Motion to approve carried 6-0

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 8:24 p.m. on Wednesday, May 18, 2022, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in - *Sections 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Butler FM 973/Hwy 290 mixed use development; Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding the Agreement Regarding Wastewater Easement; Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding the Interlocal Agreement for Fire Code Enforcement Services between the City of Manor and Travis County Emergency Services District No. 12; Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with legal counsel regarding a Notice of Claim regarding an incident dated November 5, 2021; and Section 551.074 (Personnel Matters) to discuss duties of the City Manager* at 8:24 p.m. on Wednesday, May 18, 2022.

The Executive Session was adjourned at 10:11 p.m. on Wednesday, May 18, 2022

Mayor Pro Tem Hill left meeting at 10:11 p.m. and did not return.

OPEN SESSION

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during Closed Executive Session at 10:11 p.m. on Wednesday, May 18, 2022.

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

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to direct staff as discussed in Executive Session regarding - *Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding the Interlocal Agreement for Fire Code Enforcement Services between the City of Manor and Travis County Emergency Services District No. 12.*

There was no further discussion.

Motion to approve carried 5-0

REGULAR AGENDA

16. Consideration, discussion, and possible action on the Agreement Regarding Wastewater Easement for Lot 4, Block 55, Town of Manor located in Travis County, Texas.

The city staff recommended that the City Council approve the agreement regarding Wastewater Easement for Lot 4, Block 55, Town of Manor located in Travis County, Texas.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to approve the agreement regarding Wastewater Easement for Lot 4, Block 55, Town of Manor located in Travis County, Texas.

There was no further discussion.

Motion to approve carried 5-0

17. Consideration, discussion, and possible action on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB). Applicant: Wenkai Chen; Owner: Wenkai Chen

The city staff recommended that the City Council deny an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

Development Services Director Dunlop discussed the reason for recommendation to deny zoning request. He stated that the P&Z Commission had recommended approval.

Ordinance: 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.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Weir, to approve the first reading of ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

There was no further discussion.

Motion to approve carried 4-1 (Mayor Harvey voted against)

18. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2). Applicant: Duque States, LLC; Owner: Duque States, LLC

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

Ordinance: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Agricultural (A) To Medium Commercial (C-2); Making Findings of Fact; and Providing For Related Matters.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua , to approve the first reading of an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

There was no further discussion.

Motion to approve carried 5-0

19. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH). Applicant: BGE, Inc.; Owner: Lane Ave Development, LLC

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).

Ordinance: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua, to approve the first reading of an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).

There was no further discussion.

Motion to approve carried 5-0

20. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).

Applicant: SEC Planning, LLC; Owner: Manor 290 OZ Real Estate, LP

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).

Ordinance: 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 Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to approve the first reading of an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).

There was no further discussion.

Motion to approve carried 5-0

21. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Steet, Manor TX from Light Commercial (C-1) to Multi-Family 25 (MF-2). *Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Dwyer Realty Companies*

The city staff recommended that the City Council approve the first reading of ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Steet, Manor TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).

Katherine Niceta with Metclafe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Sushil Mehta with DD&B Construction Inc., submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer questions posed by the City Council.

Talley Williams with Metclafe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Ordinance: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Light Commercial (C-1) to Multi-Family 25 (MF-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the first reading of ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Steet, Manor TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).

There was no further discussion.

Motion to approve carried 5-0

22. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Edward Butler

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

Katherine Niceta with Metclafe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Mark Johnson with GenCap, 12750 Merit Dr., #1175, Dallas, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer questions posed by the City Council.

Talley Williams with Metcalfe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Ordinance: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Medium Commercial (C-2) To Multi-Family 25 (MF-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Moreno, to approve the first reading of an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

The discussion was held regarding the clarification of proposed units.

Talley Williams with Metcalfe, Wolff, Stuart & Williams, LLP, clarified that there would be a cap of 600 units for the development.

There was no further discussion.

Motion to approve carried 5-0

23. Consideration, discussion, and possible action a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use. Applicant: JAB Engineering, LLC; Owner: Platinum 973, LLC

The city staff recommended that the City Council approve a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use.

Pete Dwyer, Cottonwood Holdings, 9900 Highway 290E., Manor, Texas, submitted a speaker card in opposition to this item. Mr. Dwyer expressed his concerns regarding the multi-driveway proposal. He voiced his concerns regarding traffic safety for the proposed development with the additional driveway entries. He requested for council to consider and request a traffic study before approving permit from developer.

Josh Baran, JAB Engineering, 4500 Williams Dr., Georgetown, Texas, submitted a speaker card in support of this item. Mr. Baran discussed the proposed Special Use Permit request. He stated they would consider the condition of limiting the driveway to one and request a TXDOT Traffic Study prior to development.

Development Services Director Dunlop discussed the regulations for the rezoning process.

The discussion was held on how the process would eliminate the safety concerns.

The discussion was held on how the developers would work together and find a solution on the driveway concerns.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to approve a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use.

The discussion was held regarding safety concerns.

Mayor Harvey stated that the P&Z Commission and staff was recommending approval.

The discussion was held regarding having another gas station development within the city.

The discussion was held regarding the safety concerns on turning lanes.

The discussion was held regarding TXDOT Traffic Study process.

The discussion was held on how gas stations on opposite sides of FM 973 could alleviate safety concerns.

The discussion was held regarding the layout of gas station pumps of the development.

The discussion was held regarding the proposed electric car stations.

The discussion was held regarding the intention for development in the area was a fuel station.

There was no further discussion.

Motion to approve failed 3-2 (Council Member Amezcua and Council Member Weir voted against)

24. Consideration, discussion, and possible action on a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.

Applicant: Carlson, Brigrance & Doering, Inc.; Owner: KB Home Lone Star, Inc.

The city staff recommended that the City Council approve Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Wallace, to approve a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.

There was no further discussion.

Motion to approve carried 5-0

25. First Reading: Consideration, discussion, and possible action on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

The city staff recommended that the City Council approve the first reading of an ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

Ordinance: An Ordinance of The City of Manor, Amending Chapter 14, Zoning, of The Code of Ordinances of The City of Manor, Texas, by Providing for the Amendment of Definitions and Residential Land Use Conditions; Modifying General Development Regulations for Multi-Family Districts; Amending Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts; Amending Non-Residential and Mixed-Use Land Use Conditions; Amending Non-Residential and Mixed-Use Development Standards; Amending Single Family Attached and Multi-Family and Mixed-Use Architectural Standards; and Amending Nonconforming Structures; Providing for a Severability Clause, Providing Savings, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to approve the first reading of an ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures with the removal of Section 5.

The discussion was held regarding the proposed setback requirements between 80' and 100'.

Council Member Wallace amended motion to not remove Section 5 on the ordinance.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to approve the first reading of an ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

There was no further discussion.

Motion to approve carried 5-0

26. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH). Applicant: Lexington Manor LLC; Owner: Lexington Manor LLC

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH).

Development Services Director Dunlop discussed the proposed rezoning request.

Stacy Rhone, Lexington Manor LLC, 19218 Lockwood, Manor, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by the City Council.

Ordinance: 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) and Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to approve the first reading of an ordinance rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH).

There was no further discussion.

Motion to approve carried 6-0

Mayor Harvey advised he would be abstaining from discussion and consideration of the following item, as his home was within the radius of the development and received mailing notice. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary.

At the direction of Mayor Harvey, Council Member Amezcua continued meeting.

Mayor Harvey removed himself from the dais.

27. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH). Applicant: BGE, Inc.; Owner: Flintrock Office Suites, LLC

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

Development Services Director Dunlop discussed the proposed rezoning request.

Ordinance: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land to Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the first reading of an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

There was no further discussion.

Motion to approve failed 3-1 (Council Member Weir voted against)

Mayor Harvey returned to the dais.

29. First Reading: Consideration, discussion, and possible action on an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.

The city staff recommended that the City Council approve the first reading of an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the

Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.

Development Services Director Dunlop discussed the proposed annexation.

Ordinance: An Ordinance of The City of Manor, Texas Annexing 14.45 Acres of Land, More or Less Located in Travis County, Including the Abutting Streets, Roadways, and Rights-Of-Way Into the Corporate Limits of The City, at The Request of The Property Owner; Approving an Agreement for the Provision of Services for the Annexed Area; Making Findings of Fact; Providing a Severability Clause and an Effective Date; and Providing for Open Meetings and Other Related Matters.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, approve the first reading of an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.

There was no further discussion.

Motion to approve carried 5-0

At the Direction of Mayor Harvey, Item No. 30 was pulled from the agenda.

30. Consideration, discussion, and possible action on a resolution authorizing the City to apply and/or enter into an agreement with Travis County to participate in the Travis County Urban County CDBG Program for Fiscal Year 2023.

There was no action taken.

31. Consideration, discussion, and possible action of items relating to May 7, 2022, City of Manor Special Election.

- **Canvass of the Election Returns for the City Council Special Election**

The city staff recommended that the City Council conduct the canvass of the May 7, 2022, Election Returns for the City Council Special Election.

Mayor Harvey read the following results:

**SPECIAL ELECTION
MAY 7, 2022
(Results for 7 Precincts 126, 127, 142, 143, 144, 145 and 490)**

TOTAL REGISTERED VOTERS – 6,941+

TOTAL BALLOTS CAST – 249

TOTAL VOTER TURNOUT – 3.59%

SPECIAL ELECTION

	<u>Early</u>	<u>Vote by Mail</u>	<u>Election</u>	<u>Vote %</u>	<u>Total</u>
COUNCIL MEMBER, PLACE 6					
Sheila Strutz	17	2	8	10.84%	27
Neal Edwards	15	2	7	9.64%	24
Anthony Butler Sr.	13	4	11	11.24%	28
Kathy White	30	4	22	22.49%	56
Robert Battaile	14	1	8	9.24%	23
Deja Hill	50	7	34	36.55%	91

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to accept and approve the canvass for the May 7, 2022, City of Manor Special Election.

There was no further discussion.

Motion to approve carried 5-0

32. Consideration, discussion, and possible action on an ordinance declaring the results of May 7, 2022, City of Manor Special Election.

The city staff recommended that the City Council approve Ordinance No. 649 declaring the results of May 7, 2022, City of Manor Special Election.

Ordinance No. 649: An Ordinance of The City Council of The City of Manor, Texas, Canvassing the Election Returns and Declaring the Results of the Special Election of the City of Manor Held on Saturday, May 7, 2022, for the City of Manor’s Council Member Place No. 6 Vacancy; and Declaring the Effective Date of This Ordinance.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Moreno, to approve Ordinance No. 649 declaring the results of May 7, 2022, City of Manor Special Election.

There was no further discussion.

Motion to approve carried 5-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 11:40 p.m. on Wednesday, May 18, 2022.

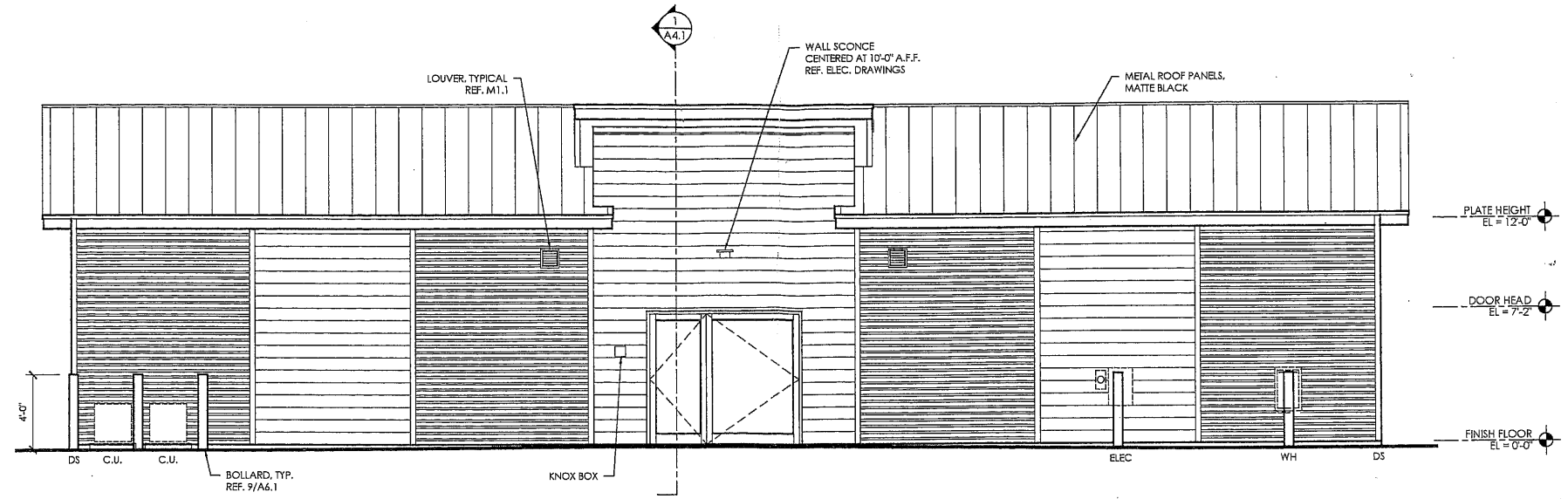
These minutes approved by the Manor City Council on the 1st day of June 2022. *(Audio recording archived)*

APPROVED:

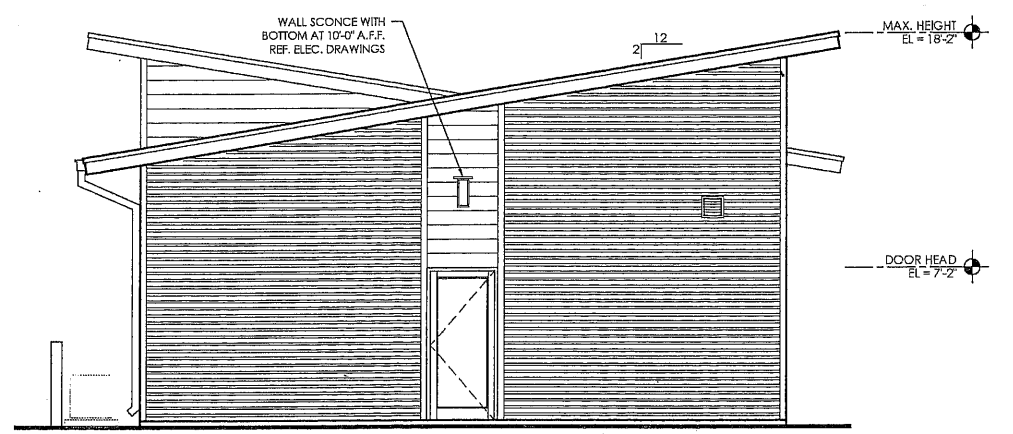
Dr. Christopher Harvey
Mayor

ATTEST:

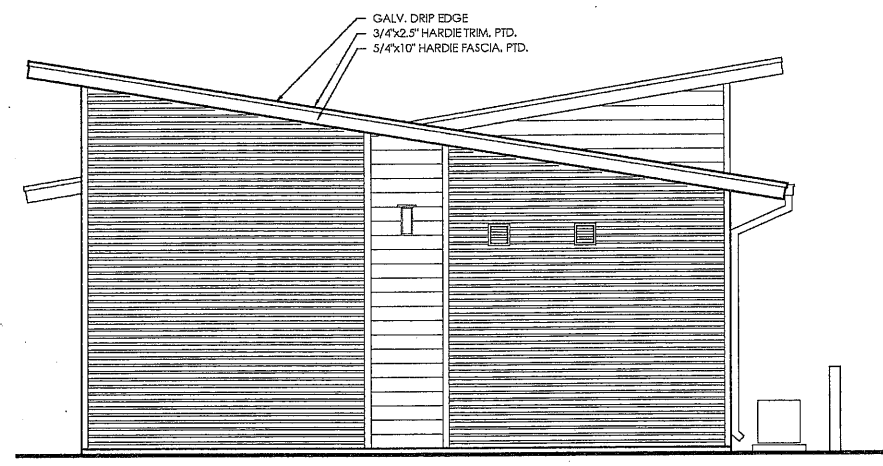
Lluvia T. Almaraz, TRMC
City Secretary



WEST ELEVATION
 1/4" = 1'-0" 4



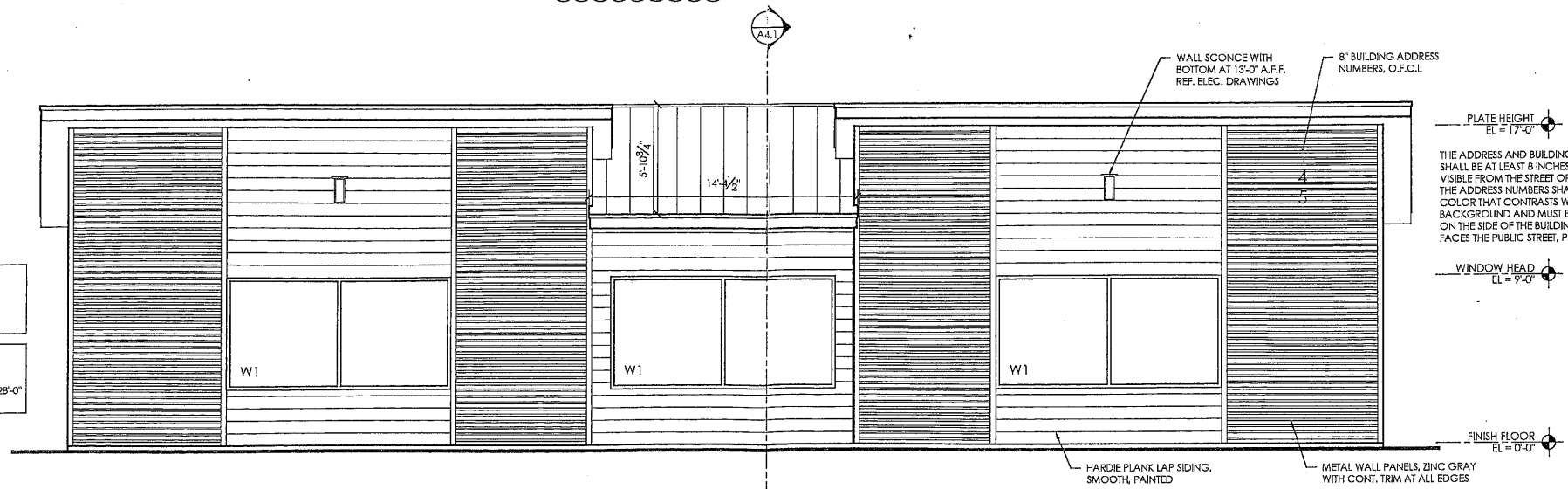
SOUTH ELEVATION
 1/4" = 1'-0" 3



NORTH ELEVATION
 1/4" = 1'-0" 2

HORIZONTAL ARTICULATION
 17'-0" HEIGHT x 10% = 1'-9" MIN. OFFSET
 ACTUAL OFFSET IS 1'-9"

VERTICAL ARTICULATION
 17'-0" HEIGHT x 15% = 2'-6" MIN. OFFSET
 ACTUAL OFFSET IS 5'-10"
 EXTENTS: MIN: 20% = 14'-0", MAX: 40% = 28'-0"
 ACTUAL LENGTH IS 14'-4 1/2"



EAST ELEVATION
 1/4" = 1'-0" 1





13.95 acres - Las Entradas South Project
located along the future Gregg Manor
Extension and North of Old Highway 20

Rezoning Request

Background

Privately owned General Contractor/Developer with 40+ years of experience developing and holding properties in Texas, Virginia and Maryland



Founded by Dolat Mehta an immigrant from India. Successful business operations since 1981. Incorporated in Maryland



Value relationships with our team partners and communities. Most of our properties we develop are held as investment assets. We are involved in all phases of development: Design/permitting/construction and through final asset management



Current Ownership solely under Sushil Mehta President lives in San Antonio Texas. Grew up in Maryland and has Masters degree from John Hopkins University and undergrad from UMD



Selective about our projects. Only developers projects where we can be involved in the entire process. Able to handle projects ranging from \$25k to \$50M in project size

Geographic Region and Project Types

- Licensed in over 25 states as a General Contractor
- Development projects center around Texas, Virginia and Maryland regions
- Partial list of Texas Development Projects:
 - Homewood Suites Austin Downtown
 - Hampton Inn Cedar Park (Just opened May 5, 2022)
 - Austin Downtown Single Family Homes
 - Reserve at Babcock in San Antonio Texas



Who we are....

- Twenty-six employees
- Project manager and superintendent focused
 - 6 Project Managers, 5 Superintendents, 7 Project engineers
 - Most employees have degrees in construction management and civil engineering
 - Longevity
 - More than 50% of employees have been with the organization for 9+ years

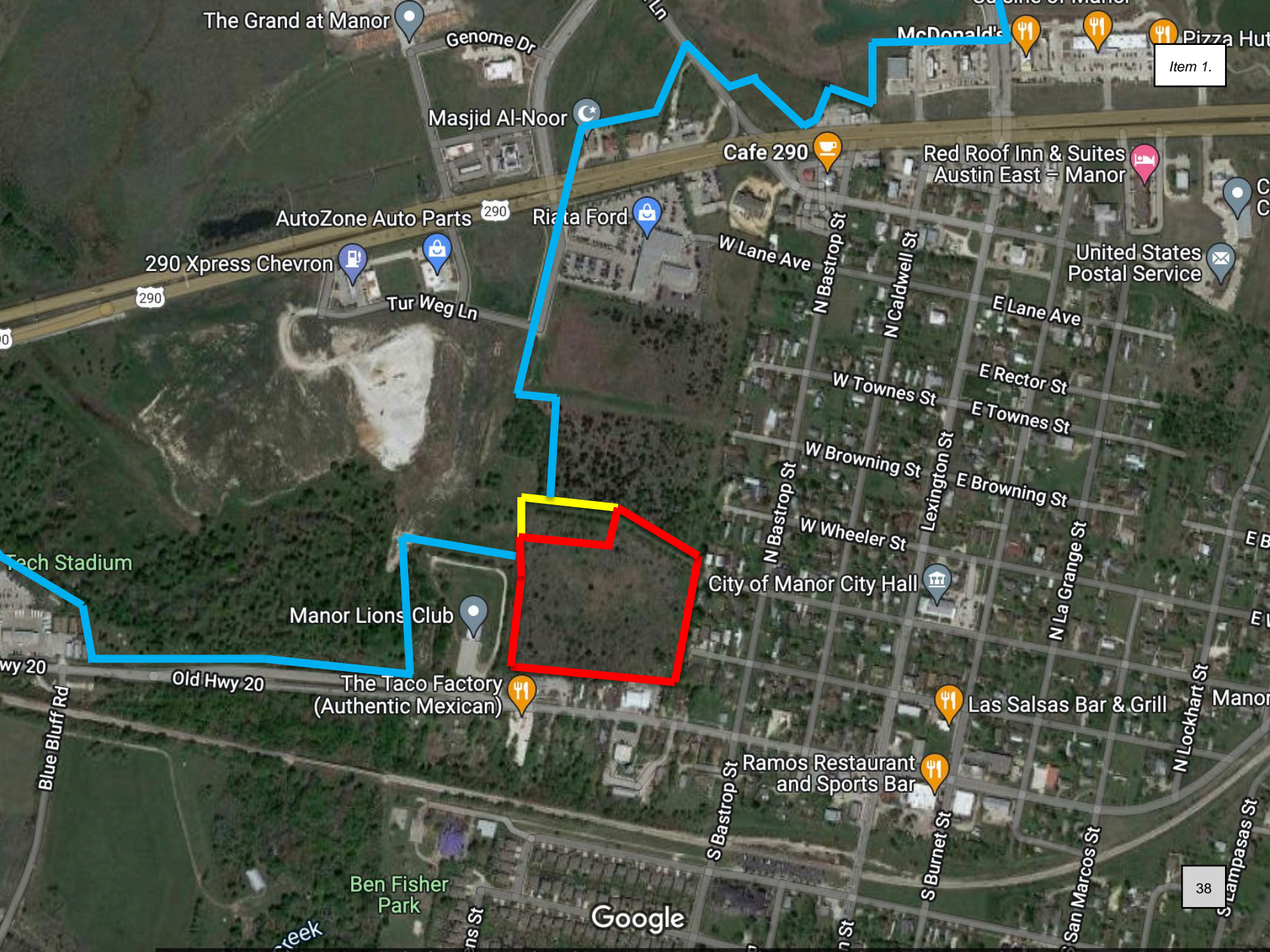


Our qualifications

- Why choose DD&B as a developer
 - Proven track record: Have completed over 150 ground up construction and development projects
 - Financial stability
 - Track record of on time completion with high quality
 - Longevity of our staffing and project partners
 - Hands on development approach. Involved through development lifecycle

“Because of their overall integrity and positive attitude towards each project, I have and will continue to recommend DD&B Construction for any future development work.”
Pete Rudewicz VP Hilton Hotels





The Grand at Manor

Genome Dr

McDonald's

Pizza Hut

Item 1.

Masjid Al-Noor

Cafe 290

Red Roof Inn & Suites
Austin East - Manor

AutoZone Auto Parts

Riata Ford

290 Xpress Chevron

Tur Weg Ln

W Lane Ave

N Bastrop St

N Caldwell St

United States
Postal Service

E Lane Ave

290

290

W Townes St

E Rector St

E Townes St

W Browning St

Lexington St

E Browning St

W Wheeler St

N Bastrop St

N Bastrop St

N Bastrop St

N La Grange St

Tech Stadium

Manor Lions Club

City of Manor City Hall

Hwy 20

Old Hwy 20

The Taco Factory
(Authentic Mexican)

Las Salsas Bar & Grill

Blue Bluff Rd

S Bastrop St

Ramos Restaurant
and Sports Bar

S Burnet St

S San Marcos St

N Lockhart St

Manor

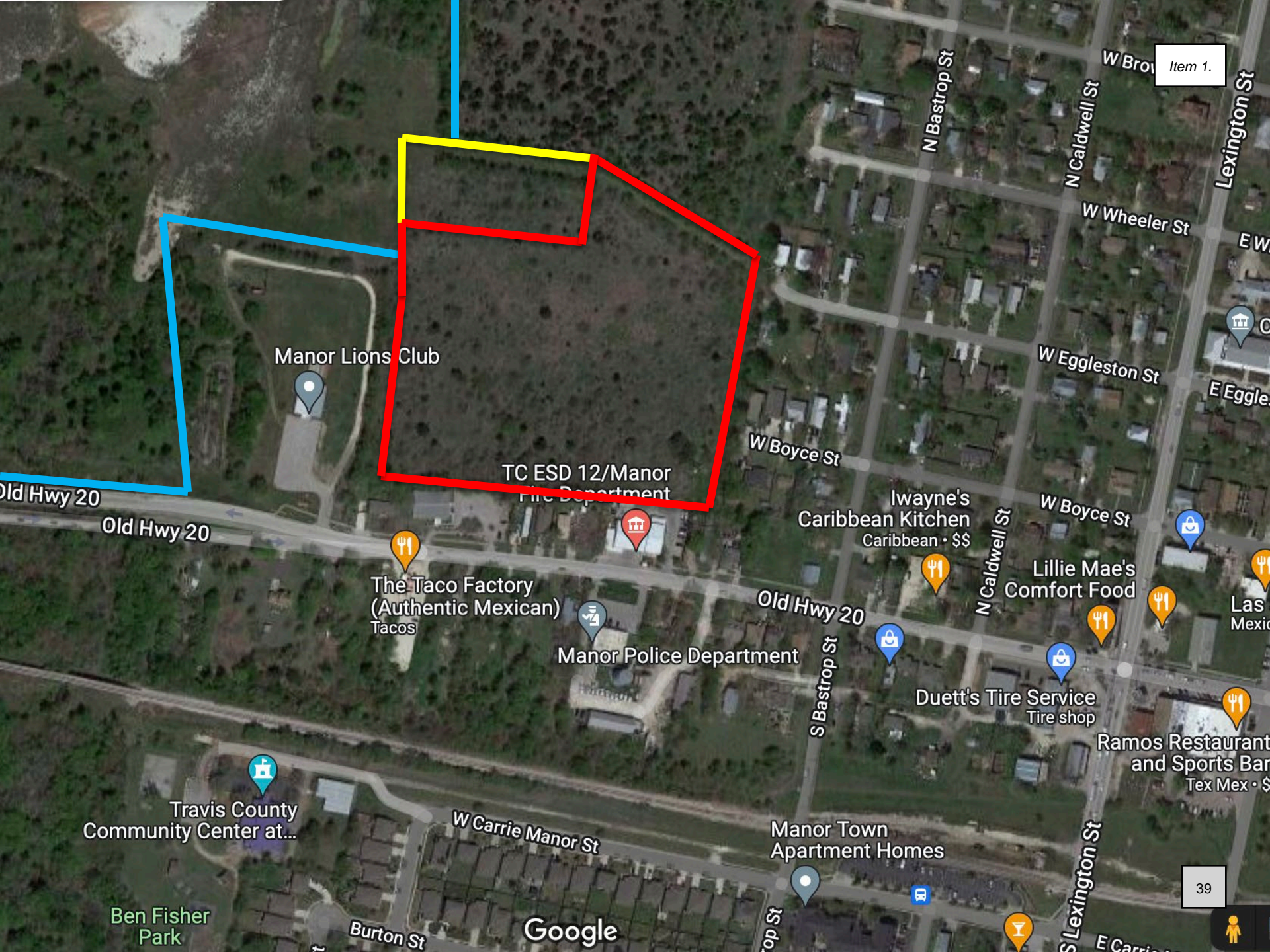
38

Ben Fisher
Park

Google

S Lampasas St

Item 1.



Manor Lions Club

TC ESD 12/Manor Fire Department

The Taco Factory (Authentic Mexican) Tacos

Manor Police Department

Iwayne's Caribbean Kitchen Caribbean • \$\$

Lillie Mae's Comfort Food

Duett's Tire Service Tire shop

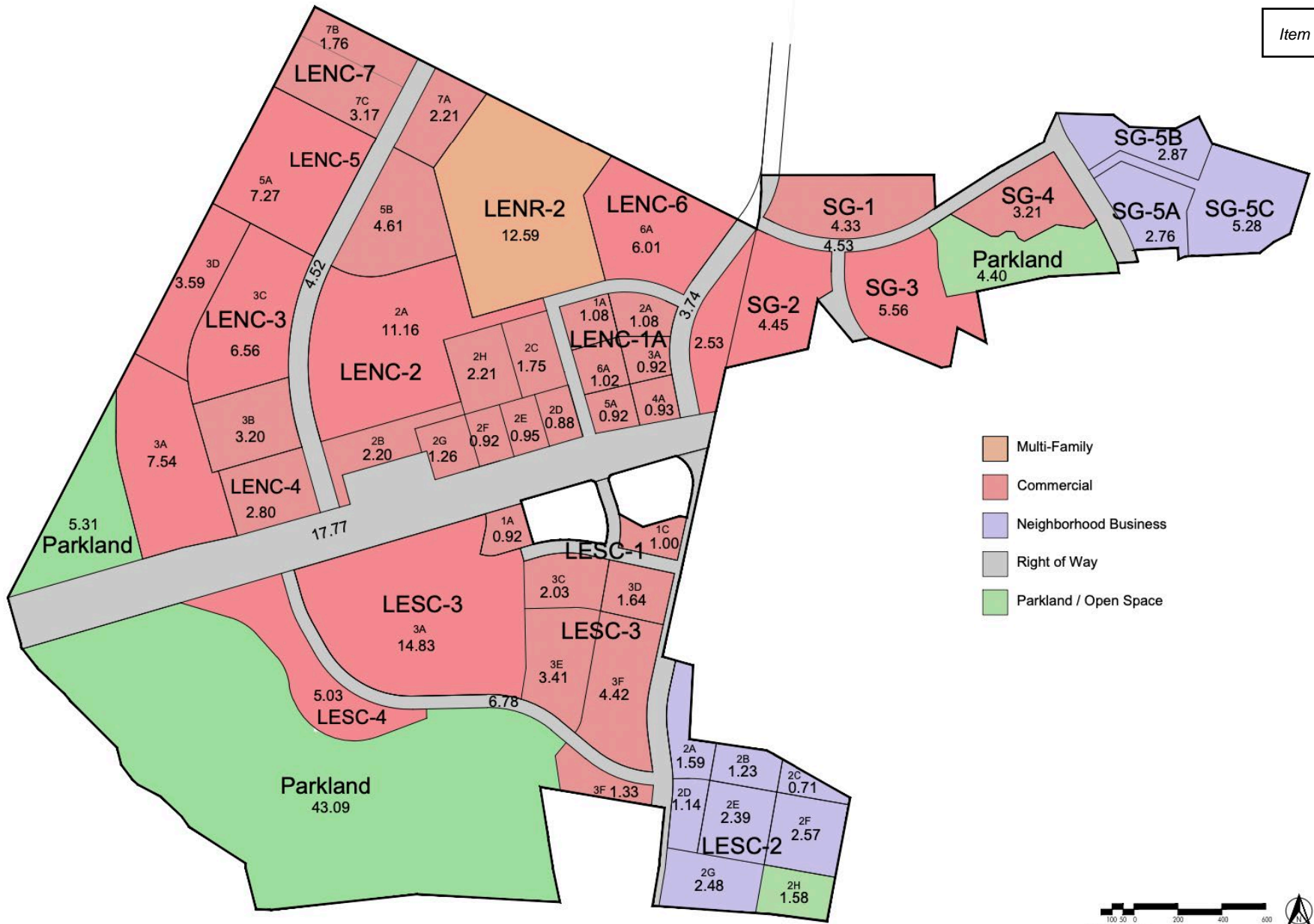
Ramos Restaurant and Sports Bar Tex Mex • \$

Manor Town Apartment Homes

Travis County Community Center at...

Ben Fisher Park

Google



- Multi-Family
- Commercial
- Neighborhood Business
- Right of Way
- Parkland / Open Space



Entrada Glen Regional Park

Item 1.



The Entrada Glen Regional Park will provide a connection between the Future Travis County Gilleland Creek Greenway Trail and the future City of Austin, to Manor Trail while creating a space for the Manor community to come together in either active or passive recreation. Various spaces across the park are linked by trails of varying width and material. The main circulation route through the park (approximately 0.75 miles), in red, will serve as the extension of the Future Travis County Gilleland Creek Greenway and is proposed to be 10 to 15 feet in width and made of concrete. The secondary trails (approximately 1 mile total), in orange, represent pedestrian access and natural trails constructed of stabilized materials that will incorporate a multitude of BMPs to assure proper placement, longevity, and enjoyment (See New Hampshire Bureau of Trails or state or locally acceptable trail specifications for more information on acceptable practices). The trails will vary from 4 to 8 feet in width in various locations throughout the park network. This secondary trail network accounts for the ability to expand the trail system as its popularity and use increases over time. There are approximately 6 types of amenities/facilities envisioned throughout the park along with the required ADA access points. They are comprised of open recreation spaces, an amphitheater, overlooks, an observation deck, potential off-leash dog areas, and shared parking areas. These parking areas will coordinate with the Entrada Glen PID to provide space for park users to easily enter the park. Access to the trail system can also be found at 5 different trailhead locations at strategic points around the Entrada Glen development and the areas beyond. Overall, this park will serve to connect people and spark interactions between its users that will bring the outlying community together as an extension of the proposed Entrada Glen PID project.

- FUTURE TRAVIS COUNTY GILLELAND CREEK GREENWAY TRAIL
- POTENTIAL FUTURE GILLELAND CREEK GREENWAY TRAIL EXTENSION (10 TO 15 FOOT)
- POTENTIAL FUTURE SEMI-STABILIZED TRAIL (4 TO 8 FOOT)
- - - POTENTIAL FUTURE SEMI-STABILIZED TRAIL (4 FOOT)
- OPEN RECREATION SPACE
- ★ TRAILHEAD
- ↗ OVERLOOK LOCATION
- CREEK CROSSING
- PARK AMENITY/FACILITY

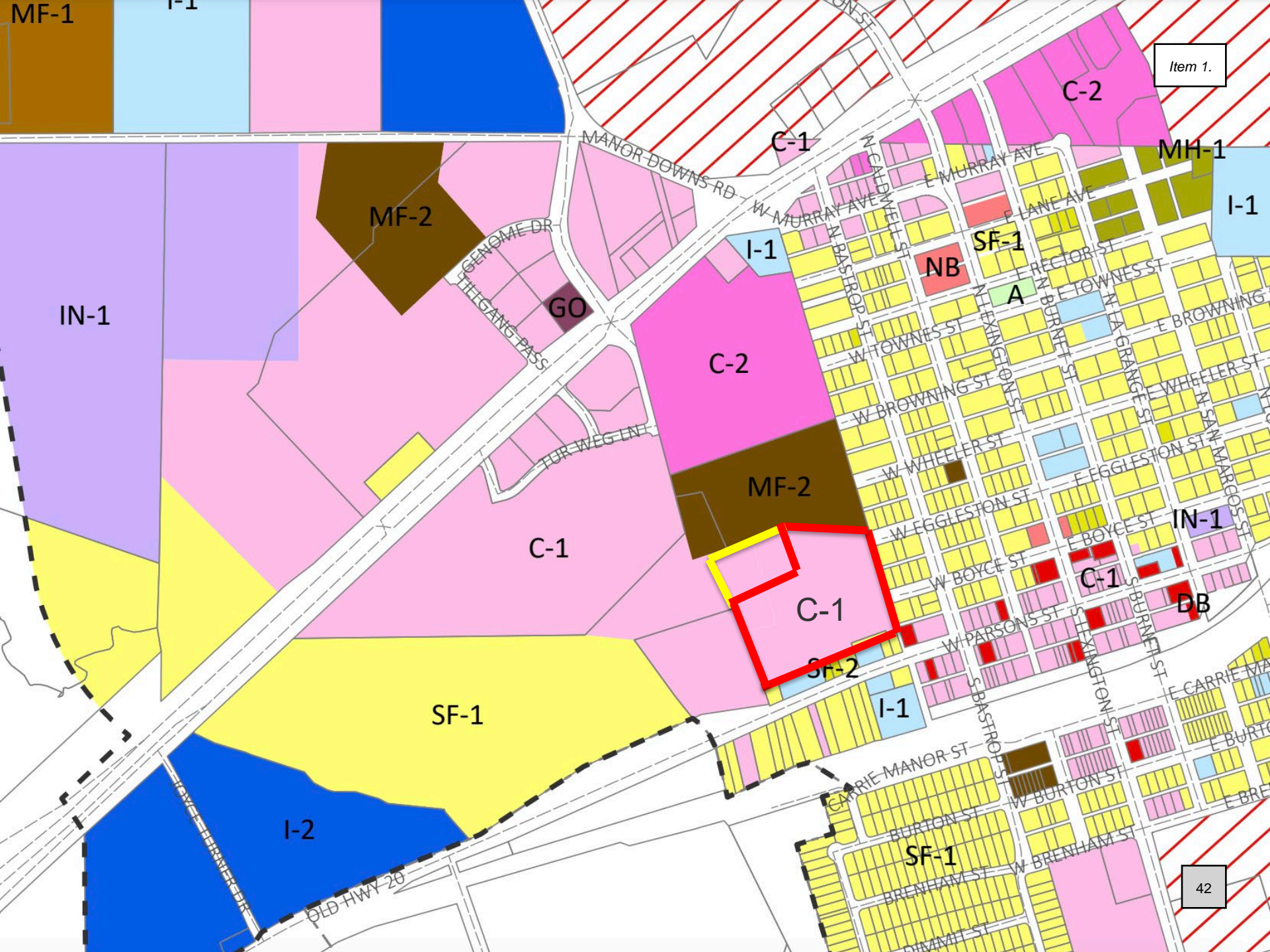
- PARK AMENITY/FACILITY LIST:**
- ① OPEN RECREATION SPACE
 - ② AMPHITHEATER/OVERLOOK
 - ③ ADA ACCESS
 - ④ OVERLOOK
 - ⑤ OBSERVATION DECK
 - ⑥ POTENTIAL OFF-LEASH DOG AREA
 - ⑦ SHARED PARKING AREA



SCALE: 1" = 200'
06.04.2021



DWYER REALTY COMPANIES



Item 1.

42

MF-1

I-1

MH-1

C-2

C-1

MF-2

GO

IN-1

MF-2

C-2

C-1

SF-1

I-2

SF-1

NB

A

IN-1

DB

C-1

SF-2

I-1

SF-1

MANOR DOWNS RD

E MURRAY AVE

GENOME DR
HELGANG PASS
EURE WEG LN

N CARMEL ST
N BASTROP ST
N TOWNES ST
N BURNETT ST
N LA GRANGE ST
N SAUNDERS ST
N KINGSTON ST

W MURRAY AVE

W TOWNES ST

W BROWNING ST

W WHEELER ST

W EGGLESTON ST

W BOYCE ST

W PARSONS ST

W BURTON ST

W BRENHAM ST

W BURNETT ST

W SAUNDERS ST

W KINGSTON ST

W LA GRANGE ST

W TOWNES ST

W MURRAY AVE

W CARMEL ST

E PLANE AVE

E RECTOR ST

E TOWNES ST

E BROWNING ST

E WHEELER ST

E EGGLESTON ST

E BOYCE ST

E PARSONS ST

E BURTON ST

E BRENHAM ST

E BURNETT ST

E SAUNDERS ST

E KINGSTON ST

E LA GRANGE ST

E TOWNES ST

E MURRAY AVE

OLD HWY 20

42

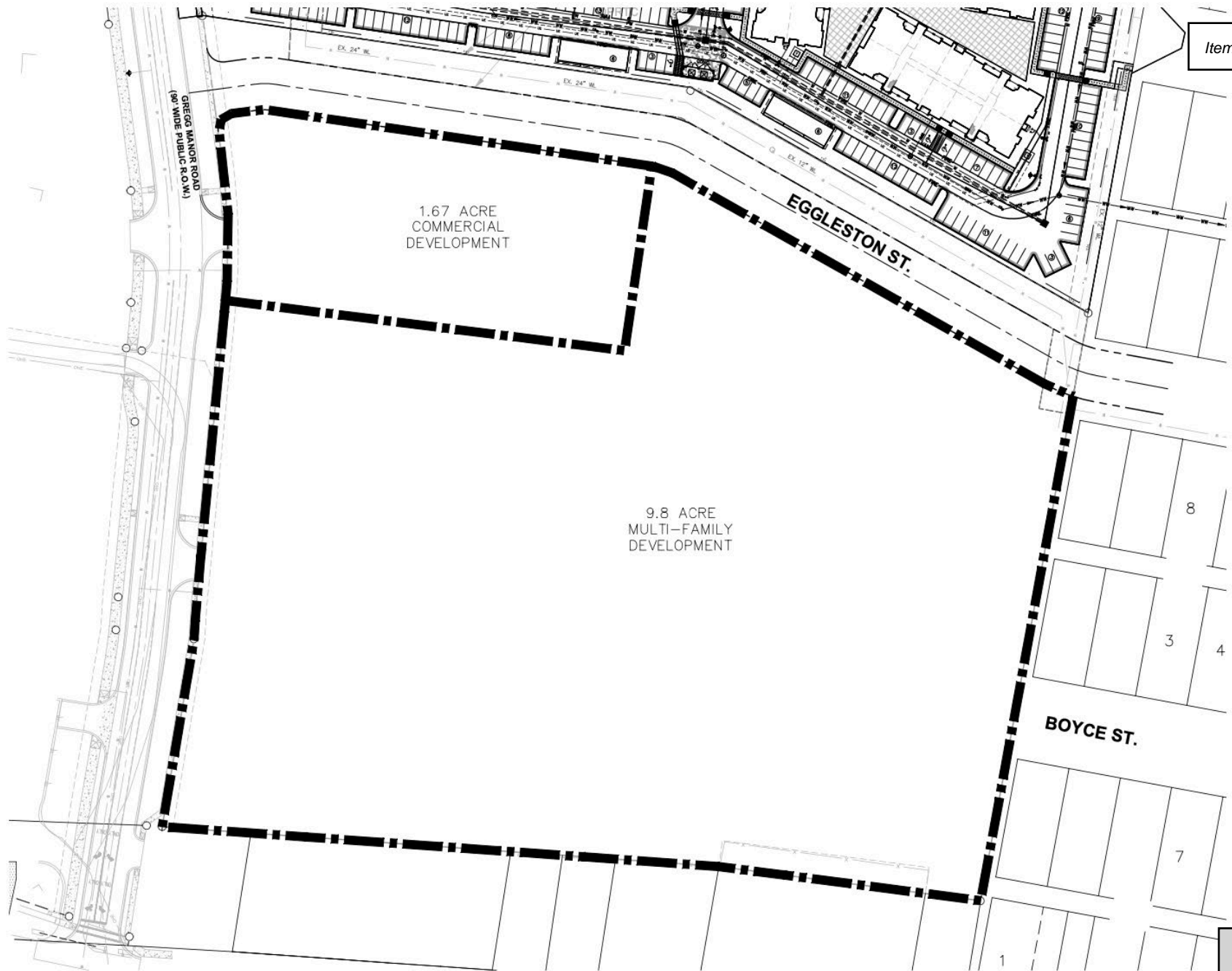
Site Summary

Rezoning Area

- +/- 9.8 acres
- C-1 Zoning  MF-2

Overall Project Area

- +/- 13.224 total acreage of site
- +/- 1.67 acres left C-1
- +/- 1.754 acres dedicated ROW
(developer will built)



[Proposed Project]

- 204 apartment units
 - 3 story building
- Parking required: 397
 - Parking provided in MF-2: 375 (including 62 in garages)
 - Shared parking with C-1: 36

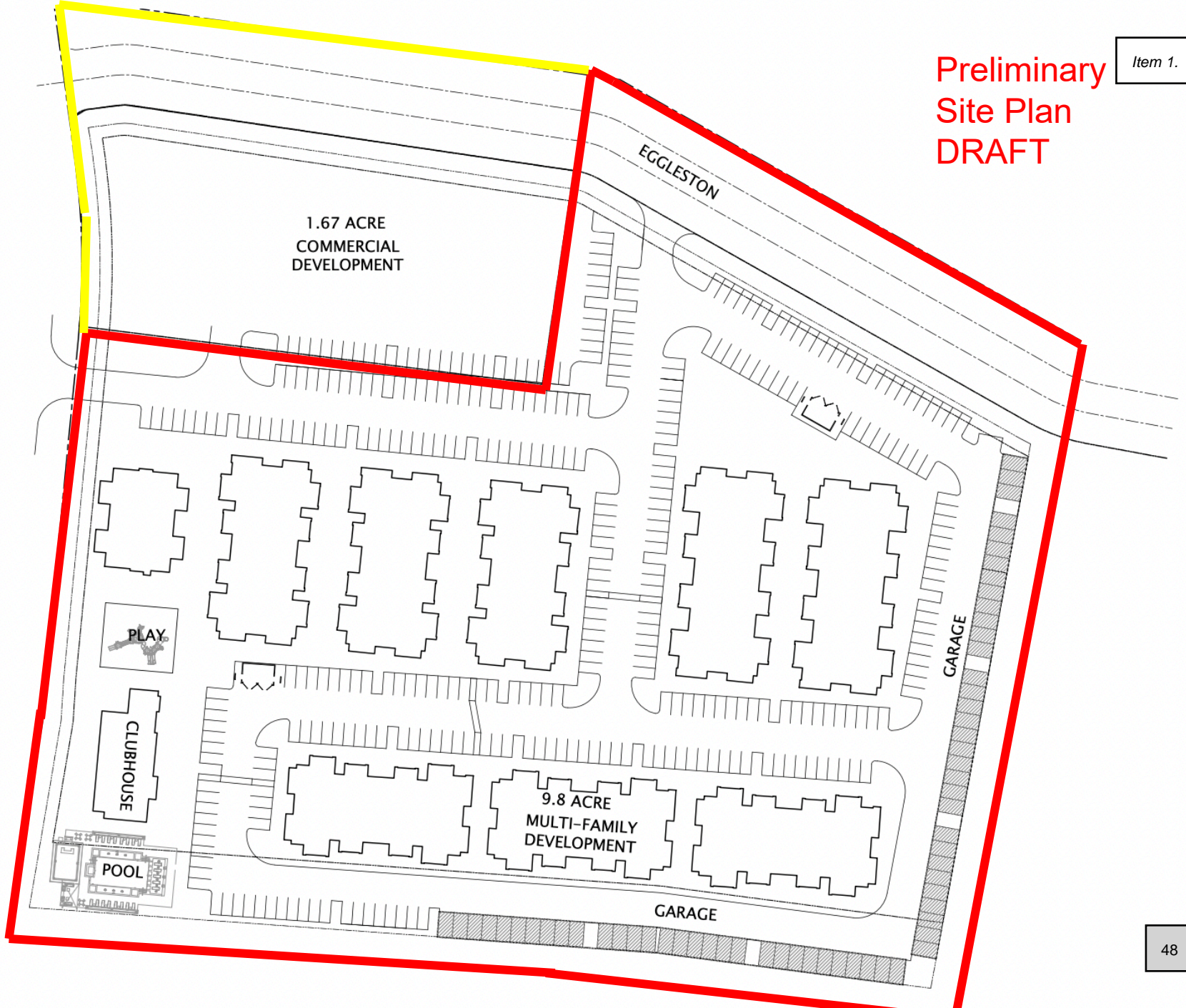
Amenities

- Clubhouse that will provide areas for family and community gathering:
 - Pool Table, Theater Room, Shuffle Board
 - Business Center i.e 3/4 computers with a printer
 - Resident lounge with Televisions

- Fitness Center and Pool with area for BBQ and an outdoor firepit area to gather with family and friends

- Children Playground as well as a pet park area

Preliminary
Site Plan
DRAFT

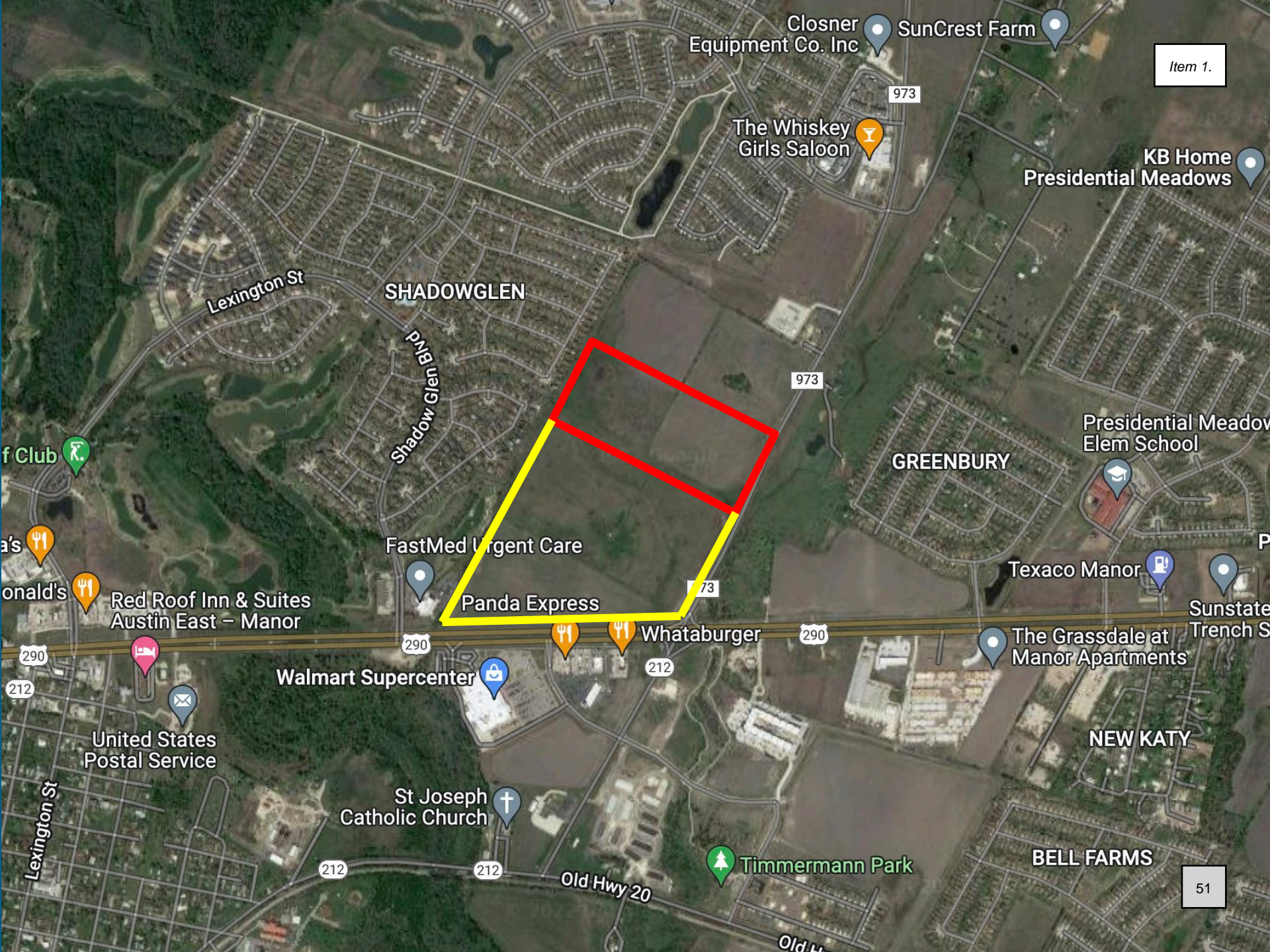


[Summary

- Existing C-1 zoning
 - Requesting +/- 9.8 acres rezoned to MF-2
- +/- 1.67 acres commercial area
- +/- 1.754 acres dedicated for Eggleston St. R.O.W.
- 204 apartment units proposed
- Total parking: 411 spaces (total required: 397)
- Amenities:
 - Clubhouse
 - Pool area
 - Play area

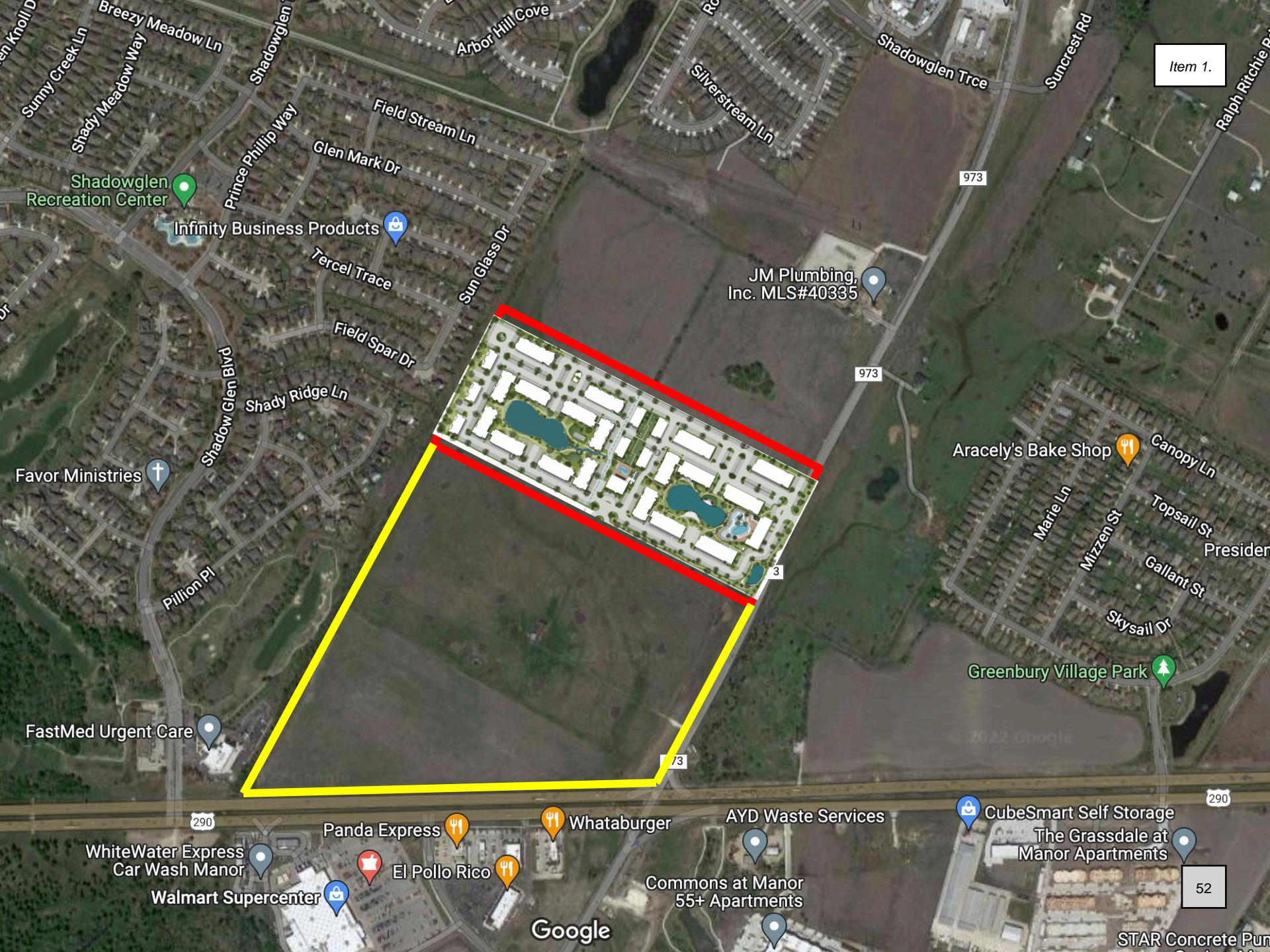
26.30 acres within the Butler-Manor Project
located at E. US 290 and 13100 N. FM 973

Rezoning Request



Item 1.

51



Item 1.

Shadowglen Recreation Center

Infinity Business Products

JM Plumbing, Inc. MLS#40335

Favor Ministries

FastMed Urgent Care

Aracely's Bake Shop

Greenbury Village Park

WhiteWater Express Car Wash Manor

Walmart Supercenter

Panda Express

El Pollo Rico

Whataburger

Commons at Manor 55+ Apartments

AYD Waste Services

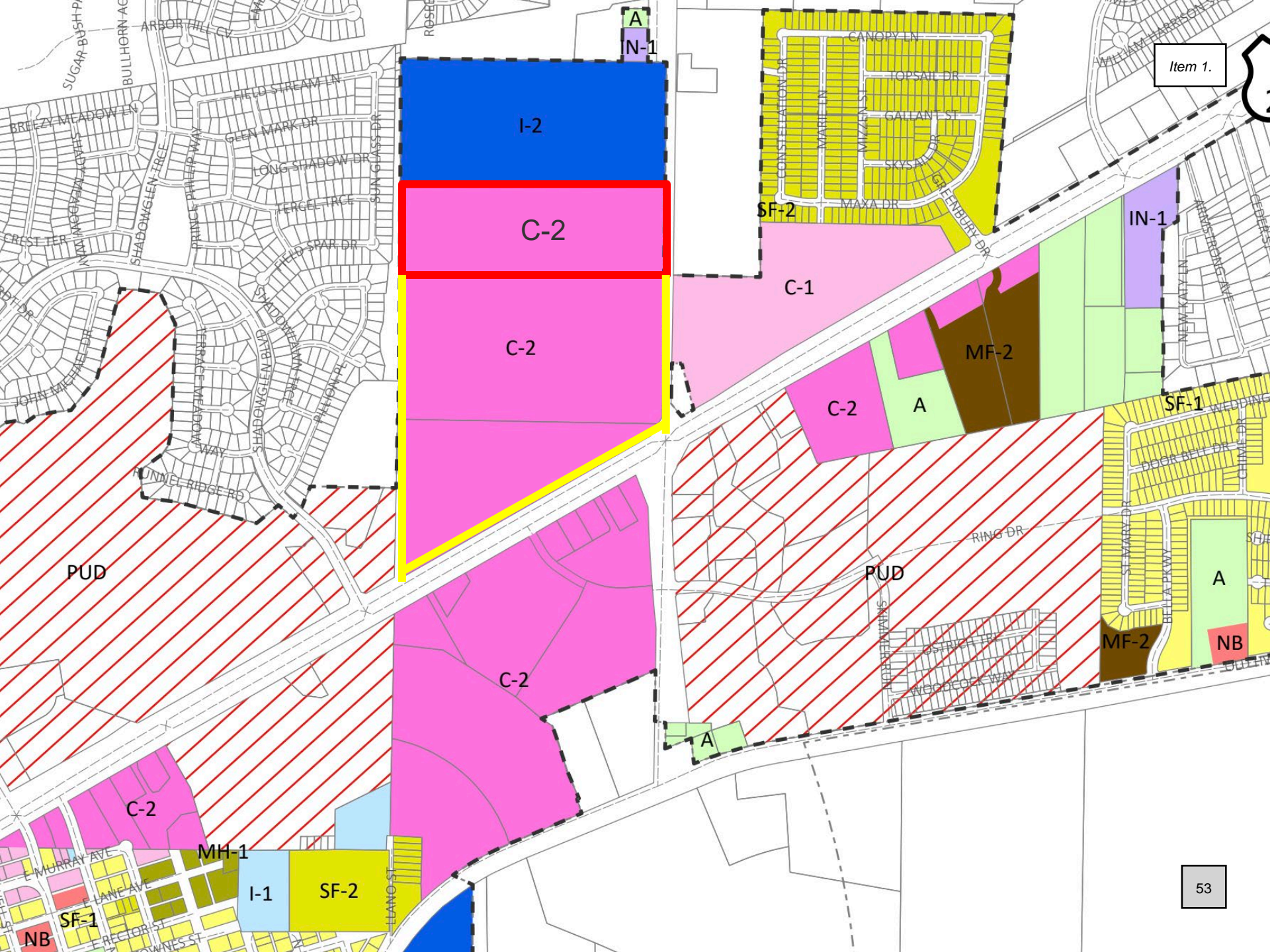
CubeSmart Self Storage

The Grassdale at Manor Apartments

Google

52

STAR Concrete Pun



Item 1.

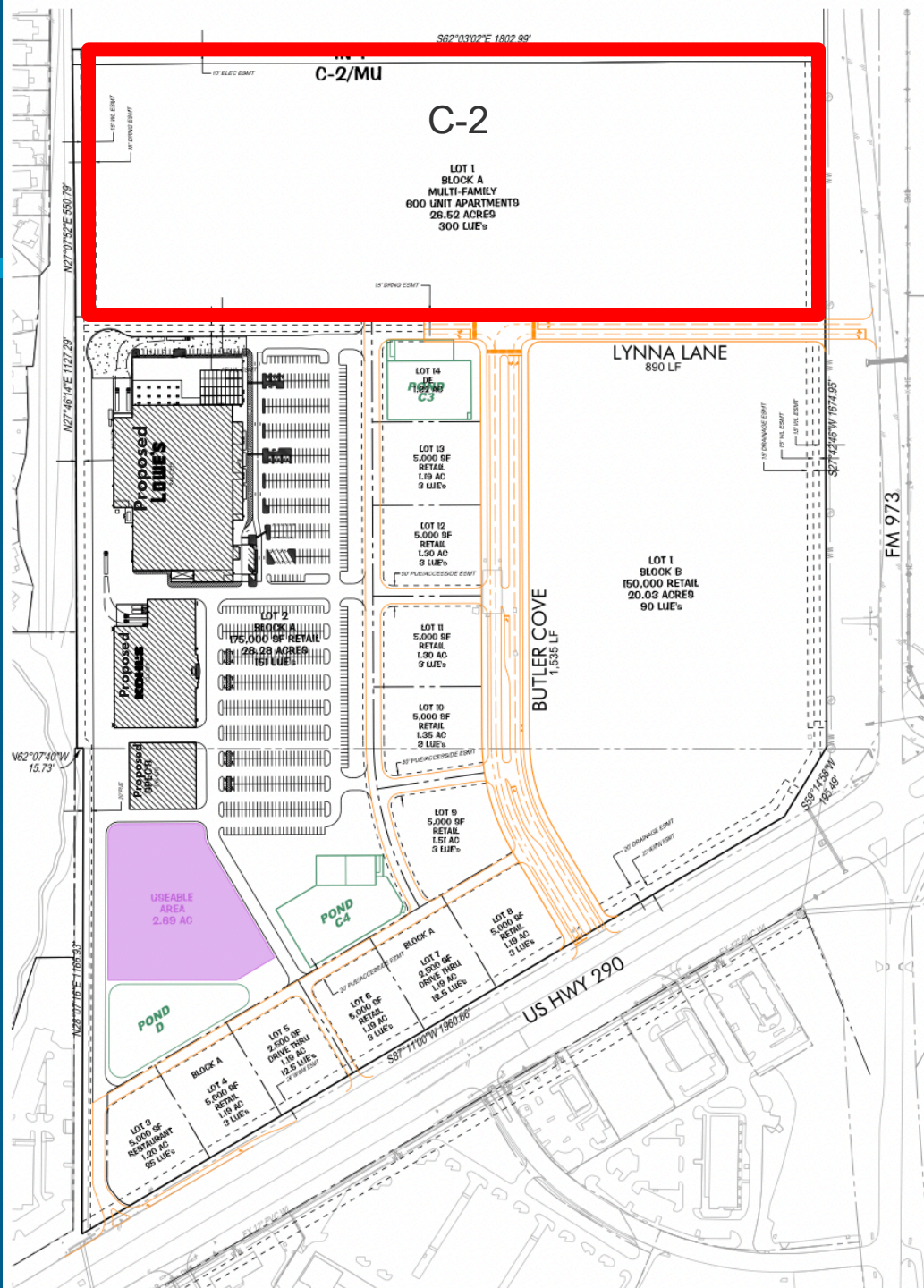
Site Summary

Rezoning Area

- 26.30 acres
- C-2 Zoning  MF-2

Overall Project Area

- ±135 total acreage of site
- ± 40 acres Manor ISD
- ± 69 acres total commercial
- ± 26.30 acres residential



Item 1.

[Proposed Project

- 586 apartment units
 - 3-story buildings
- Parking required: 1155 spaces
- Open space including ponds: 6.8 ac.

LANDSCAPE PLAN

Item 1.



DRAFT

Amenity Preliminary Design

PHASE 1 CLUBHOUSE - POOL AMENITY & BIER GARTEN - "REFINED HILLCOUNTRY"



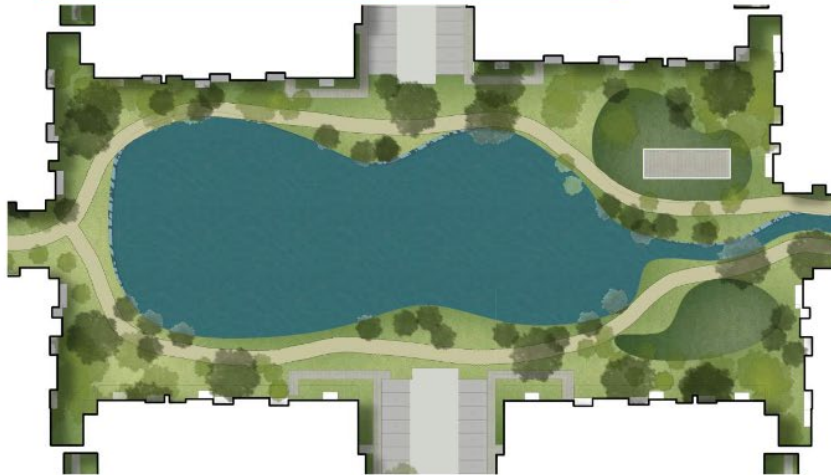
PROGRAM/ OBJECTIVES

- 1 GATHERING SPACE
- 2 COMMUNITY GARDEN
- 3 FLEX LAWN/DECK
- 4 SHADE STRUCTURE
- 5 WARM / INVITING
- 6 WOW VIEWS!



Pond and Activity Coordination

ACTIVATED DETENTION/RETENTION



PROGRAM/ OBJECTIVES

- 1 WALKING TRAILS
- 2 SAFE ACCESSIBLE
- 3 WAYFINDING
- 4 TOPOGRAPHY OPPORTUNITIES
- 5 PHOTO MOMENTS
- 6 NATURAL REPREIVE



[Summary

- Existing C-2 zoning
 - Requesting 26.30 acres rezoned to MF-2
- 586 apartment units proposed
- Total parking: 1155 spaces
- Amenities:
 - Bier Garden
 - Water feature
 - Dog park/wet dog park at the pond
 - Walking trails
 - Wet ponds w/ fountains
 - Professionally designed fitness
 - Golf simulator
 - Business center
 - Private office spaces
 - Outdoor cooking and gathering spaces
 - 2 resort-style pools w/ cabanas
 - Attached garage parking
 - Outdoor games

Zoning Code Amendments

Section 3

- Clarified that the definition for “Church or rectory” is the same as “Religious Assembly”
- Added in “Construction and Equipment Sales, minor” that electrical, plumbing, and HVAC sales are included
- Added definitions for Drive Aisle and Drive Aisle, Major
- Clarified that the definition for “Dwelling (single-family attached) is the same as Townhouse
- Added in “Religious Assembly” definition that education facilities, community recreation, daycare facilities, and park facilities are excluded as principle uses.

Section 4

- Removed from the Single Family Attached conditions the standard that Townhome areas within MF-1 or MF-2 zoned area be at the TH density of 12 units acre.
 - If a property is provided MF-1 (15 units/acre) or MF-2 (25 units/acre) then Townhomes built in those zoning districts could also be at that density rather than 12 units/acre

Section 5

- Increased MF-2 to 4-stories
- Increased maximum height to 55’
 - Was 3-stories and 45’

Section 6

- Added “Offices, Showroom” as a permitted use in C-2
 - It’s primarily a retail, sales tax generating use so would appropriate in C-2. It had just been in C-3 and IN-1

Section 7

- Specified the residential districts that “Office, Warehouses” must be located 600’ or further away from.
 - Had been all residential districts. Now MF-1 and MF-2 are excluded and can be within 600’ of an Office, Warehouse

Section 8

- Increased C-1 Light Commercial to 60’ to match C-2 and C-3
 - Had been 45’

Section 9

- Pulled IN-1 and IN-2 out of the section with other non-residential uses that provided for masonry and created a separate section to provide masonry standards that are specific for IN-1 and IN-2 uses. This was set at 40% of the front façade, when we can enforce it.
 - It had been 60% and 50% overall, which on large 100,000 sf or larger industrial buildings is not necessary

- Added a new section that allows for NB and C-1 lots that are 5,750 sf (standard lot size in the older part of the city) to reduce their setbacks via Planning Commission approval.
 - This is already allowed for in residential districts but allowing it for NB and C-1 will help make development in the older part of the city easier for commercial projects

Section 10

- Updated the garage standards for Single Family attached (Townhomes)
 - The front façade garage percentage had been capped at 40%, but it was changed to mirror what is permitted for Single Family detached homes that allows them to go up to 65% with additional architectural detailing

Section 11

- Updated garage standards for Multi-Family (MF-1 and MF-2) to not make a certain percentage of the parking mandatory garage spaces.
 - The update provides mitigations IF garages are required, like bufferyards if they face a public right of way, minimum dimensions, and that single story detached garage structures can be an additional buffer to other residential uses
 - Prior code had 50% of the number of units had to be garage spaces and 50% of those had to be incorporated into the principle structure(s). For example, a 300 unit project would need 150 garage spaces and of that 75 had to be within the multi-family buildings themselves.

Section 12

- Updated the Nonconforming Structures sections to better clarify that modifying facades beyond normal maintenance requires the façade to meet our masonry standards, when we can enforce them.

City of Manor Cumulative Report
Travis County Joint General and Special Elections
May 7, 2022

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	863,952			
Ballots Cast - Total	97,529	37,619	48,722	11,188
Voter Turnout - Total	11.29%			

City of Manor Cumulative Report
Travis County Joint General and Special Elections
May 7, 2022

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	Election Day	Early Voting	By Mail
Sheila Strutz	27	8	17	2
Neal Edwards	24	7	15	2
Anthony Butler Sr.	28	11	13	4
Kathy White	56	22	30	4
Robert Battaile	23	8	14	1
Deja Hill	91	34	50	7
Total Votes Cast	249	90	139	20

City of Manor Canvass
Travis County Joint General and Special Elections
May 7, 2022

126

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	4,084			
Ballots Cast - Total	247	109	112	26
Voter Turnout - Total	6.05%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	2	4.26%	2	0	0
Neal Edwards	4	8.51%	1	3	0
Anthony Butler Sr.	4	8.51%	1	2	1
Kathy White	6	12.77%	3	3	0
Robert Battaile	6	12.77%	1	5	0
Deja Hill	20	42.55%	8	9	3
Total Votes Cast	42	89.36%	16	22	4
Overvotes	0	0.00%	0	0	0
Undervotes	5	10.64%	0	5	0

127

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	3,837			
Ballots Cast - Total	208	76	110	22
Voter Turnout - Total	5.42%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	14	12.39%	1	12	1
Neal Edwards	9	7.96%	2	6	1
Anthony Butler Sr.	5	4.42%	3	1	1
Kathy White	19	16.81%	9	8	2
Robert Battaile	10	8.85%	5	4	1
Deja Hill	39	34.51%	11	25	3
Total Votes Cast	96	84.96%	31	56	9
Overvotes	0	0.00%	0	0	0
Undervotes	17	15.04%	5	11	1

142

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	3,163			
Ballots Cast - Total	218	88	111	19
Voter Turnout - Total	6.89%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	0		0	0	0
Neal Edwards	0		0	0	0
Anthony Butler Sr.	0		0	0	0
Kathy White	0		0	0	0
Robert Battaile	0		0	0	0
Deja Hill	0		0	0	0
Total Votes Cast	0		0	0	0
Overvotes	0		0	0	0
Undervotes	0		0	0	0

143

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	3,851			
Ballots Cast - Total	116	44	61	11
Voter Turnout - Total	3.01%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	3	6.00%	1	1	1
Neal Edwards	8	16.00%	3	4	1
Anthony Butler Sr.	11	22.00%	4	5	2
Kathy White	12	24.00%	5	7	0
Robert Battaile	3	6.00%	2	1	0
Deja Hill	9	18.00%	3	5	1
Total Votes Cast	46	92.00%	18	23	5
Overvotes	0	0.00%	0	0	0
Undervotes	4	8.00%	3	0	1

144

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	2,242			
Ballots Cast - Total	77	30	45	2
Voter Turnout - Total	3.43%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	7	9.86%	4	3	0
Neal Edwards	3	4.23%	1	2	0
Anthony Butler Sr.	8	11.27%	3	5	0
Kathy White	18	25.35%	5	11	2
Robert Battaile	4	5.63%	0	4	0
Deja Hill	23	32.39%	12	11	0
Total Votes Cast	63	88.73%	25	36	2
Overvotes	0	0.00%	0	0	0
Undervotes	8	11.27%	3	5	0

145

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	1,780			
Ballots Cast - Total	145	69	68	8
Voter Turnout - Total	8.15%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	1	20.00%	0	1	0
Neal Edwards	0	0.00%	0	0	0
Anthony Butler Sr.	0	0.00%	0	0	0
Kathy White	1	20.00%	0	1	0
Robert Battaile	0	0.00%	0	0	0
Deja Hill	0	0.00%	0	0	0
Total Votes Cast	2	40.00%	0	2	0
Overvotes	0	0.00%	0	0	0
Undervotes	3	60.00%	1	2	0

490

STATISTICS

	TOTAL	Election Day	Early Voting	By Mail
Registered Voters - Total	3,414			
Ballots Cast - Total	176	64	73	39
Voter Turnout - Total	5.16%			

City of Manor City Council Place 6 Unexpired Term

Vote For 1

	TOTAL	VOTE %	Election Day	Early Voting	By Mail
Sheila Strutz	0		0	0	0
Neal Edwards	0		0	0	0
Anthony Butler Sr.	0		0	0	0
Kathy White	0		0	0	0
Robert Battaile	0		0	0	0
Deja Hill	0		0	0	0
Total Votes Cast	0		0	0	0
Overvotes	0		0	0	0
Undervotes	0		0	0	0



**CITY COUNCIL
CALLED SPECIAL SESSION
MINUTES
MAY 23, 2022**

PRESENT:

Dr. Christopher Harvey, Mayor (Absent)

COUNCIL MEMBERS:

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

CITY STAFF:

Lluvia T. Almaraz, City Secretary

SPECIAL SESSION – 5:00 P.M.

With a quorum of the Council Members present, the special session of the Manor City Council was called to order by Mayor Pro Tem Hill at 5:00 p.m. on Monday, May 23, 2022, in the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hill let the Pledge of Allegiance.

PUBLIC COMMENTS

No one appeared to speak at this time.

REGULAR AGENDA

1. Consideration, discussion, and possible action on an ordinance ordering a Runoff Election to be held on June 11, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; and Authorization for the Mayor to execute the Notice of Runoff Election.

The city staff recommended that the City Council approve Ordinance No. 650 ordering a Runoff Election to be held on June 11, 2022, for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; and Authorization for the Mayor to execute the Notice of Runoff Election.

Ordinance No. 650: An Ordinance of the City of Manor, Texas, Ordering, Establishing Procedures, and Setting the Date for a Runoff Election for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; Making Provisions for the Conduct of the Election; Providing for Other Matters Relating to the Election; and Providing an Effective Date.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Wallace, to approve Ordinance No. 650 ordering a Runoff Election to be held on June 11, 2022, for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; and Authorization for the Mayor to execute the Notice of Runoff Election.

There was no further discussion.

Motion to approve carried 4-0

ADJOURNMENT

The Special Session of the Manor City Council Adjourned at 5:02 p.m. on Monday, May 23, 2022.

These minutes approved by the Manor City Council on the 1st day of June 2022. *(Audio recording archived)*

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

Applicant: Wenkai Chen
Owner: Wenkai Chen

BACKGROUND/SUMMARY:

This property is located at the intersection of N. Caldwell St and W. Lane Ave, and it takes access from those two streets. It is located behind the Chamber of Commerce and other business on W. Murry Ave that are zoned C-1 and across W. Lane Ave from 709 N. Lexington (Bloor House) which is zoned NB. The properties to the east and west are zoned SF-1 Single Family. Typically, commercial zoning, C-1 or NB, is promoted along properties that directly access from Murray or Lexington as those are main roads and TxDOT ROW. This request would bring commercial zoning more into the residential neighborhood that directly abuts those commercial rights-of-way. Non-residential zoning requests not along Murray, Lexington, or in the downtown area have typically not been supported.

The P&Z Commission voted 4-2 to recommend approval of this item.

First Reading was approved at the May 18, 2022, Regular Council Meeting.

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

- Ordinance No. 651
- Letter of Intent
- Map
- Survey
- Notice
- Labels

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve Ordinance No. 651 rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		

Letter of Intent

Item 2.

February 14, 2022

City of Manor
Development Services Department
Attn: Mr. Scott Dunlop, Director
105 E. Eggleston Street
Manor, Texas 78653

Re: **109 W Lane, Manor TX 78653 - Rezoning**

Dear Mr. Dunlop,

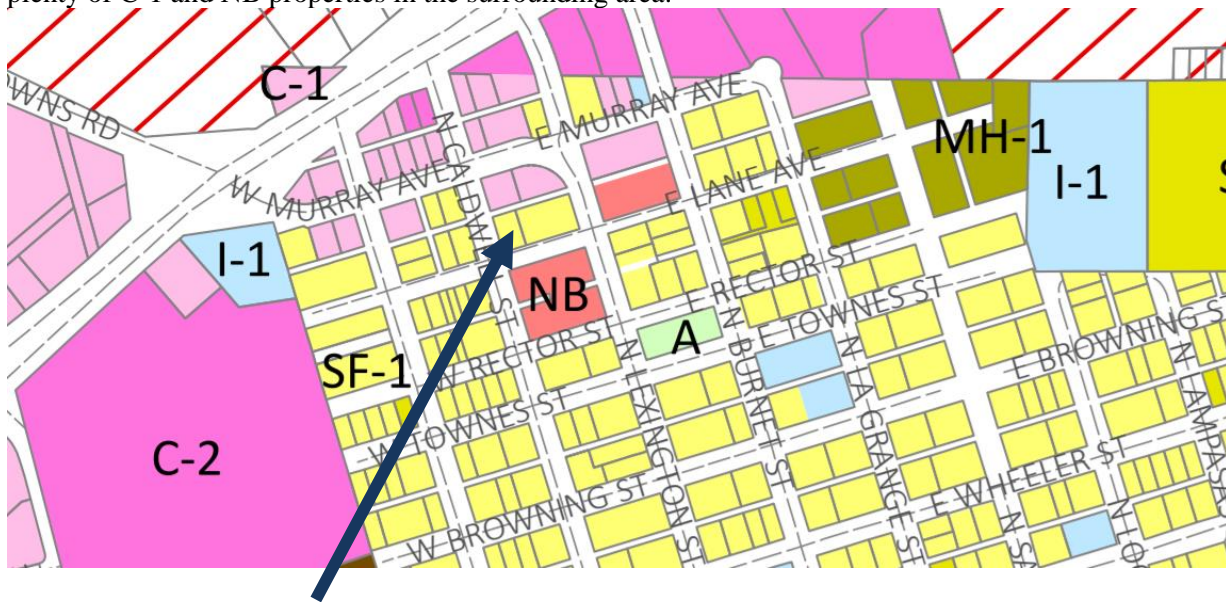
The subject property 109 W Lane, Manor TX 78653 is currently zoned as Single Family Residential (R-1). Requesting rezone the property to Neighborhood Business (NB).

Physical and Natural Features:

The subject property is currently under remodel and expected to be completed in March 2022 as R-1. The property is a one story 1525 sqft single family residential with 3 bedrooms, 1 ADA accessible bathroom and three car parking spaces facing W Lane Ave. The lot size is 8625 sqft and locates at the intersection of W Lane Ave and N Caldwell St.

Surrounding Properties:

The property is immediately adjacent with a C-1 property on north and a NB property on south. There are plenty of C-1 and NB properties in the surrounding area.



Subject Property: 109 W Lane, Manor TX 78653

Proposed zoning:

We are requesting rezone the property to NB in support the growth of Manor TX.

Respectfully,

Wenkai Chen
Owner of the property

ORDINANCE NO. 651**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 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. 651

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

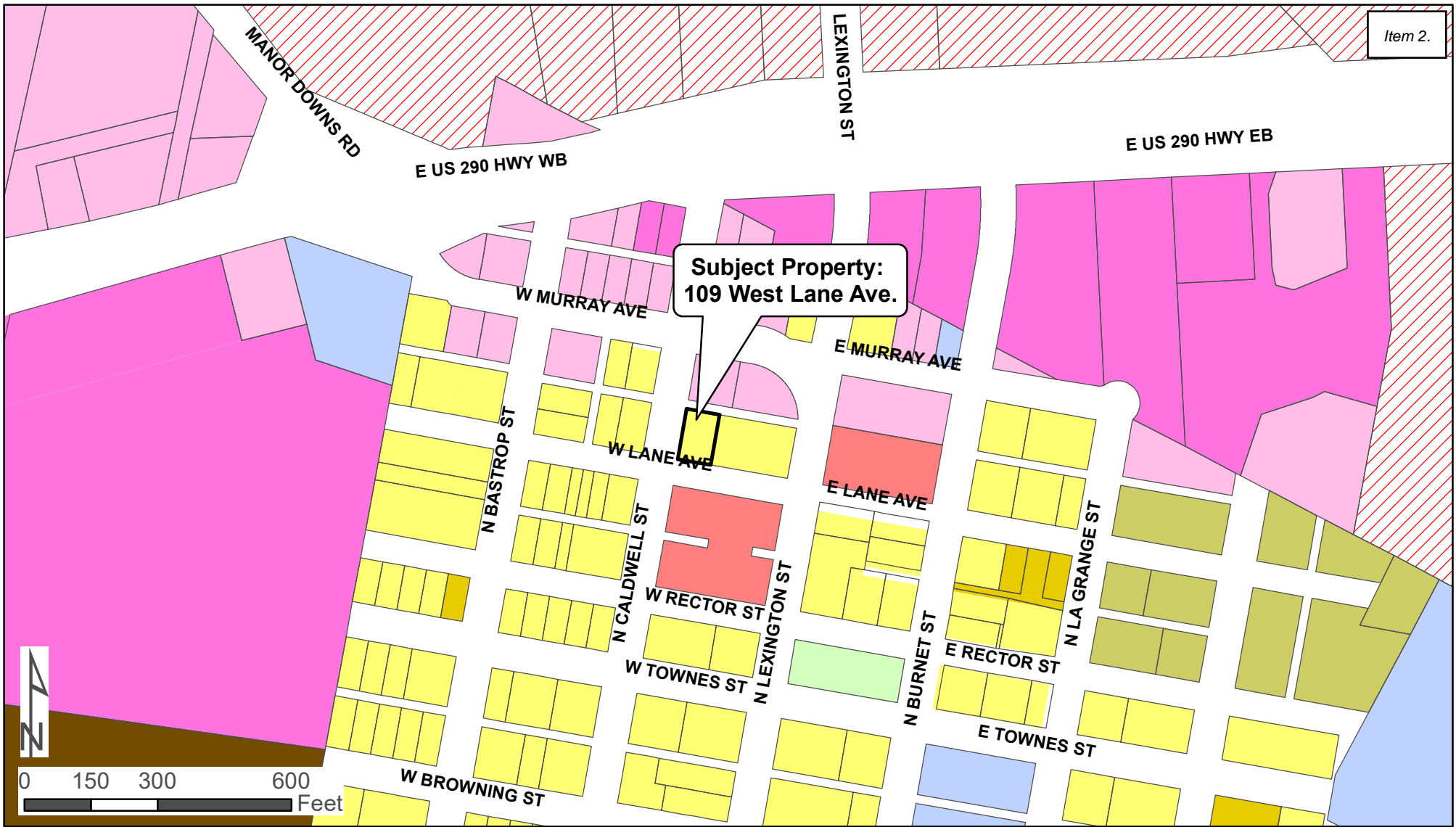
ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

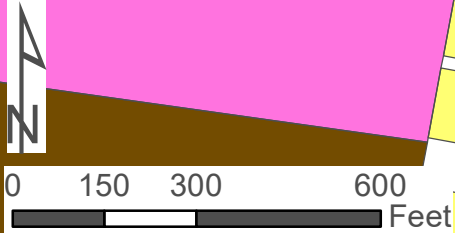
EXHIBIT "A"

Property Address:
109 West Lane Avenue, Manor, TX 78653

Property Legal Description:
Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition























**Subject Property:
109 West Lane Ave.**

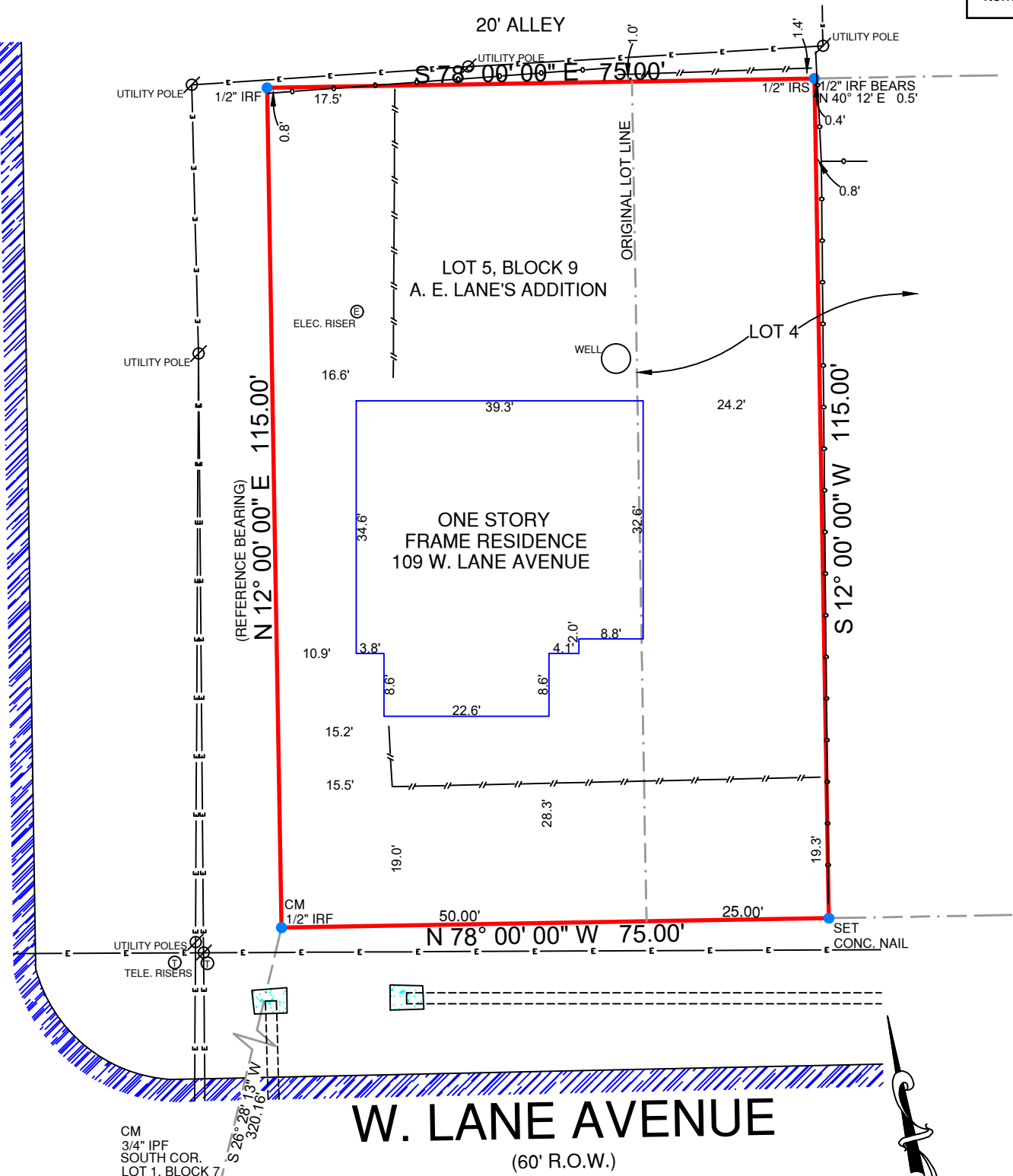


**Current:
Single Family Suburban (SF-1)**

**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

N. CALDWELL STREET
(80' R.O.W.)



LEGEND:

—x—x—	BARBWIRE FENCE	ASPHALT	
—o—o—	CHAINLINK FENCE	CONCRETE	
—□—□—	WROUGHT IRON FENCE	GRAVEL	
—//—//—	WOOD FENCE	TILE	
—v—v—	VINYL FENCE	WOOD	
—E—E—	ELECTRIC LINE	BRICK	
—G—G—	GAS METER	STONE	
—EM—EM—	ELECTRIC METER	(WOOD) RAILROAD TIE	
—IPF—IPF—	IRON PIPE FOUND		
—IRS—IRS—	IRON ROD SET WITH "PREMIER" CAP		
—IRF—IRF—	IRON ROD FOUND		
—CM—CM—	CONTROLLING MONUMENT		

NOTES:
BEARINGS ARE BASED ON THE RECORDED PLAT.



LEGAL DESCRIPTION:
BEING LOT 5 AND THE WEST 1/2 OF LOT 4, BLOCK 9, A.E. LANE'S ADDITION, AN ADDITION TO THE TOWN OF MANOR, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 2, PAGE 223, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY A TITLE COMPANY. THERE MAY BE EASEMENTS AND OTHER MATTERS OF RECORD AFFECTING THE PROPERTY SHOWN HEREON THAT ONLY A PROPER TITLE SEARCH WOULD REVEAL. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48453C0485 J, DATED AUGUST 18, 2014.

DATE: 12/21/20 JOB NO.: 20-09856
FIELD: 12/16/20

109 W. LANE AVENUE, MANOR, TX 78653



Robert T. Paul, Jr.
Registered Professional Land Surveyor

Premier Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-612-3601 (O) | 855-892-0468 (F)
www.premiersurveying.com
premierorders@premiersurveying.com

DATE: _____
ACCEPTED BY: _____

Premier Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200



March 31, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1414-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 0.198 acres, more or less, and being located at 109 West Lane Avenue, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).

***Applicant:* Wenkai Chen**

***Owner:* Wenkai Chen**

The Planning and Zoning Commission will meet at 6:30PM on April 13, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on April 20, 2022 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 also 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.

ELIZONDO ROLANDO
54 REGINA DR
TAYLOR , TX 76574-5222

NASH HIAWATH JR & RUBY M
900 CALDWELL ST
MANOR , TX 78653-3317

JONSE JOHN A & MAR
DBA JONSE INSURANCE AGENCY
14311 BOIS D ARC LN
MANOR , TX 78653-3811

SALMELA PATRICIA
101 W MURRAY ST
MANOR , TX 78653-4141

JUAREZ MARIO
3401 BRATTON RIDGE CROSSING
AUSTIN, TX 78728-3677

BRYANT-WILLIAMS EVELYN MARIE &
JAMES W WILLIAMS
PO BOX 12
MANOR , TX 78653-0012

WILLIAMS EARLENE
809 CALDWELL ST
MANOR , TX 78653-3318

GARCIA EDWARD
PO BOX 452
MANOR , TX 78653-0452

GOSEY BOBBY AND SHELDON LIVING
TRUST
7300 GILBERT RD
MANOR, TX 78653-5083

LUNA BENITA GONZALEZ
802 N BASTROP ST
MANOR , TX 78653-5430

SEPECO
PO BOX 170309
AUSTIN , TX 78717-0019

TREJO GERARDO &
JENNIFER I BARAHONA DE TREJO
801 CALDWELL ST
MANOR, TX 78653-3318

709 LEXINGTON LLC
3571 FAR WEST BLVD #244
AUSTIN, TX 78731-3064

LANE & RECTOR STREET
PARTNERSHIP
PO BOX 170309
AUSTIN , TX 78717-0019

JACKSON BONNIE & VSYNTHIA
%LENA MCCOY
PO BOX 985
MANOR , TX 78653-0985

SHAW HUGHIE L & RUBY L
703 CALDWELL ST
MANOR , TX 78653-3356



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

Applicant: Duque States, LLC

Owner: Duque States, LLC

BACKGROUND/SUMMARY:

This property was annexed in 2017 and received the default zoning of Agricultural (A) when the annexation was approved. The owner is requesting C-2 Medium Commercial which most of the commercial property along US 290 are zoned.

The P&Z Commission voted 6-0 to recommend approval of this item.

First Reading was approved at the May 18, 2022, Regular Council Meeting.

LEGAL REVIEW: Not Applicable

FISCAL IMPACT: No

PRESENTATION: No

ATTACHMENTS: Yes

- Ordinance No. 652
- Map
- Notice
- Label

STAFF RECOMMENDATION:

It is city staff's recommendation that the City Council approve the second and final reading of Ordinance No. 652 rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		

ORDINANCE NO. 652**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM AGRICULTURAL (A) TO MEDIUM COMMERCIAL (C-2); 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 Agricultural (A) to zoning district Medium Commercial (C-2). The Property is accordingly hereby rezoned to Medium Commercial (C-2).

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. 652

Page 2

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A"

Property Address:
15001 US Hwy 290 East, Manor, TX 78653

Property Legal Description:

10.945 ACRES

These notes describe that certain tract of land located in the **A. C. CALDWELL SURVEY, ABSTRACT NO. 154** situated in Travis County, Texas; said tract being a part of and out of a called "31.08 Acres" conveyed in a Warranty Deed from James V. Webb, et al to Eugene Juby, et ux dated 02-22-1982 and recorded in Volume 7689, Page 811 of the Deed Records of Travis County (DRTC) (title appears to now be vested in Shaunesse Louann Clark, independent executor of the estate of Frederick Eugene Juby, aka Gene Juby, deceased as trustee of the real estate testamentary trust created in the Last Will and Testament as recorded in Cause No. C-1-PB-19-000934, Probate Court No. 1, Travis County, Texas); subject tract being surveyed on the ground under the direct supervision of Bruce Lane Bryan. Registered Professional Land Surveyor No. 4249, on August 27, 2019 and being more fully described as follows:

COMMENCING at a found broken Texas Department of Transportation concrete monument being in the South right of way line of US Hwy 290 at station 382+05.28 (North = 10,102,877.330 feet, East = 3,196,156.152 feet) from which a found 3/4" iron pipe at the apparent Northeast corner of said "31.08 Acres" bears North 86° 50' 03" East a distance of 427.16 feet, same being the Northeast corner of a called "15.234 Acre" (Exhibit B) described in a Revocation of Special Warranty Deed from AAA Storage Hwy 290, LLC to JM Assets, LP dated 02-09-2017 and recorded in Document No. 2017023375, Official Public Records of Travis County (OPRTC); **THENCE South 86° 43' 52" West** along said right of way of US Hwy 290, also being the North line of said "15.234 Acres", passing a point for the Northeast corner of a called "5.091 Acres" (Exhibit A) described in a Revocation of Special Warranty Deed from AAA Storage Hwy 290, LLC to JM Assets, LP dated 02-09-2017 and recorded in Document No. 2017023375, at 299.13 feet (from which a found "Mag" Nail lies 0.58 feet left as measured in a perpendicular fashion) and continuing a total distance of **753.59 feet** to a found "Mag" Nail in concrete at the Northwest corner of a called "5.0 Acres" conveyed in a General warranty Deed from Eugene Juby, et ux to Centex Materials, LLC dated 10-06-2005 and recorded in Document No. 2005187180, OPRTC, same being the **PLACE OF BEGINNING** of this description;

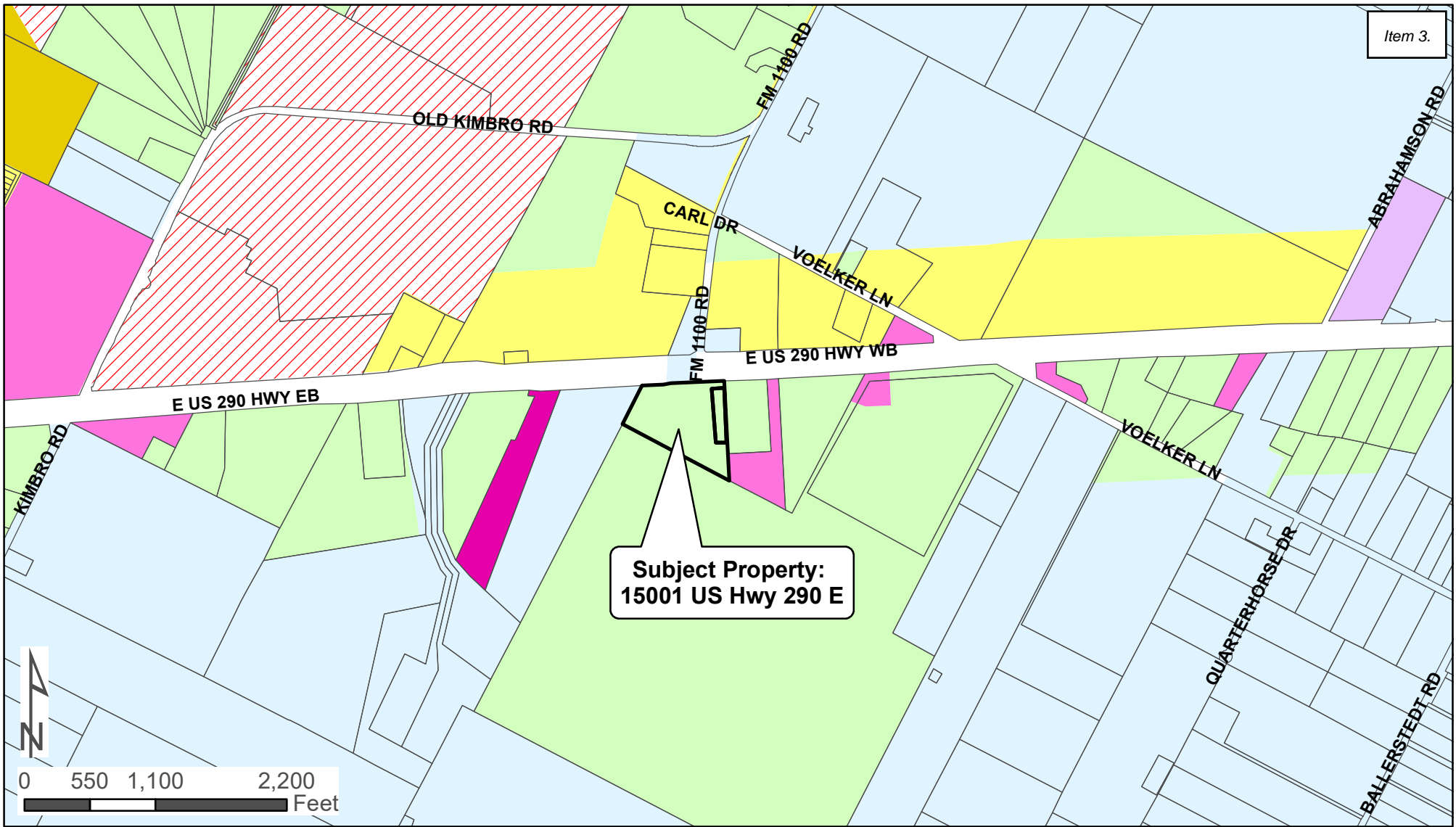
THENCE South 03° 20' 05" East with the West line of said "5.0 Acres", generally along a chain link fence, passing a point at the said "5.0 Acres" approximate Southwest corner (not found) at 605.8', same being an exterior corner of aforementioned "5.091 Acres" and "15.234 Acres", and continuing with the lower West line of said "5.091 Acres" and "15.234 Acres" for a total distance of **833.24 feet** to a found iron rod (aluminum cap) at the Southwest corner of both "5.091 Acres" and "15.234 Acres" in the North line of a called "242.07 Acres" conveyed in a Warranty Deed from Don A. Stewart, et ux to Capital Area Youth soccer Association dated 01-27-2000 and recorded in Document no. 2000012678, OPRTC, same being the South line of aforementioned "31.08 Acres";

THENCE North 63° 22' 19" West with the common line of said "31.08 Acres" and "242.07 Acres", generally along a barbed wire fence (mostly lying on ground) a distance of **1015.48 feet** to a found ½" iron rod (capped) at an exterior corner of said "242.07 Acres", same being the Westernmost corner of said "31.08 Acres" in the East line of a called "22.78 Acres" conveyed in a General Warranty Deed from Mahnaz Bahrami to Krantz Properties, LLC dated 09-16-2008 of record in Document no. 2008155343, OPRTC;

THENCE North 26° 47' 08" East with the common line of said "31.08 Acres" and "22.78 Acres", a distance of **362.68 feet** to a set ½" iron rod (capped Bryan Tech Services) in the aforementioned South right of way line of U. S. Highway 290 at the Northeast corner of said "22.78 Acres" and the Northwest corner of said "31.08 acres"; found a "Mag" Nail in a creosote fence post for reference bearing South 26° 47' 08" West a distance of 3.23 feet; also, a found ½" iron rod (capped) in said South right of way line of U. S. Highway 290 (TXDOT Station 359+06.12) bears South 86° 46' 31" West a distance of 847.46 feet;

THENCE with said South right of way line of U. S. Highway 290, same being the North line of said "31.08 Acres" the following calls:

- **North 86° 46' 31" East 152.32 feet** to a found broken Texas Department of Transportation concrete monument (TXDOT Station 369+05.51),
- **North 79° 06' 42" East 100.17 feet** to a found broken Texas Department of Transportation concrete monument (TXDOT Station 370+06.50) and
- **North 86° 43' 52" East 446.13 feet** to the PLACE OF BEGINNING, containing according to the dimensions herein stated, an area of 10.945 Acres.



**Subject Property:
15001 US Hwy 290 E**



**Current:
Agricultural (A)**

**Proposed:
Medium Commercial (C-2)**

Zone

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



March 31, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1415-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 10.945 acres, more or less, and being located at 15001 US Hwy 290 E, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

***Applicant:* Duque States, LLC**

***Owner:* Duque States, LLC**

The Planning and Zoning Commission will meet at 6:30PM on April 13, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on April 20, 2022 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 also 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.

MB & MS Enterprises Inc
PO Box 82653
Austin TX 78708-2653

Krantz Properties LLC
% Krantz Enterprises
14807 US Highway 290 E
Manor TX 78653-4513

Centex Materials LLC
3019 Alvin Devane Blvd Ste 100
Austin TX 78741-7419

JKR Realty Partners LLC
11215 S IH 35 Ste 120
Austin TX 78747-1864

DINH Chau & ANH Kim Pham
1201 Porterfield Dr
Austin TX 78753-1617

Ynacio & Rosa Tabarez
1221 Meadgreen Dr
Austin TX 78758-4712

Herbert Guy Purtle
13105 FM 1100
Manor TX 78653-4528

Terry Lee Schultz
15201 Voelker Ln
Manor TX 78653-4521



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).

Applicant: BGE, Inc.

Owner: Lane Ave Development, LLC

BACKGROUND/SUMMARY:

These lots total up to about 6.5 acres and are mostly zoned MH-1 Manufactured Home with 1 block of C-1 Light Commercial and 1 block of SF-1 Single Family. Half the area does not have streets constructed within the ROW areas so those lots never had developed properties. The N. San Marcos ROW extends N-S through the property but there is no roadway constructed there currently, so the access to these lots would be from East Lane Ave and East Rector Street. There is a request before the City Council to purchase the ROW within the development area to make 1 contiguous tract to develop. Presently they are proposing 70 – 80 townhome units.

The P&Z Commission voted 5-1 to recommend approval of this item.

First Reading was approved at the May 18, 2022, Regular Council Meeting.

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

- Letter of Intent
- Ordinance No. 653
- Map
- Survey
- Future Site Layout
- Notice
- Labels

STAFF RECOMMENDATION:

It is city staff’s recommendation that the City Council approve the second and final reading of Ordinance No. 653 rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		



February 24, 2022

City of Manor – Development Services
Rezoning
105 E. Eggleston Street
Manor, Texas 78653

Re: Rezoning Letter of Intent
6.533 ac Manor Townhome Tracts
East of the intersection of North La Grange and E. Lane Avenue, Manor, Texas

This letter of intent has been prepared on behalf of Mr. David Pikoff as a part of the Rezoning efforts for the Manor Townhome Tracts in Manor, Texas. The properties are comprised of total three tracts, totaling 6.533 acres and are currently zoned:

Single Family Suburban (SF-1),
Light commercial (C-1), and
Manufactured Home (MH-1)

Please see attached exhibits for current zoning designations and Boundary survey.

As a part of the proposed development, the Tracts will need to be rezoned to Townhome (TH) with maximum allowed 12 units/acre. This development is located within “Old Manor” and would promote the growth of Manor and revitalization of a currently under-utilized section of an existing neighborhood. The project will provide a desirable location due to its proximity to the Manor Senior High School north of US Hwy 290, the Manor Excel High School south of the development and ease of access onto US Hwy 290. The proposed development will include the completion of roadway infrastructure within existing street right-of-way. The project will be developed in accordance with the City of Manor Code of Ordinances such that there are minimal impacts to the surrounding tracts.

Should you have any further inquiries about the intent of the development or impacts on the surrounding community, please feel free to contact me at (210)-581-3600 and mjphillips@bgeinc.com.

Sincerely,

Mary Jane Phillips, P.E.
Director
BGE, Inc.
TBPE Firm #F-1046

Legend

Zoning Class

	A	Agricultural
	SF-E	Single Family Estate
	SF-1	Single Family Suburban
	SF-2	Single Family Standard
	TF	Two-Family Residential
	TH	Townhome
	MF-1	Multi-Family 15
	MF-2	Multi-Family 25
	MH-1	Manufactured Home
	MH-2	Manufactured Home Park
	OS	Open Space
	I-1	Institutional-Small
	I-2	Institutional-Large
	GO	General Office
	C-1	Light Commercial
	C-2	Medium Commercial
	C-3	Heavy Commercial
	IN-1	Light Industrial
	IN-2	Heavy Industrial
	NB	Neighborhood Business
	DB	Downtown Business
	PUD	Planned Unit Development
		City Limits
		E.T.J.
		Future Annexation Per Development Agreement



Downtown Area

ORDINANCE NO. 653

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM MANUFACTURED HOME (MH-1), LIGHT COMMERCIAL (C-1), AND SINGLE FAMILY SUBURBAN (SF-1) TO TOWNHOME (TH); 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 Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to zoning district Townhome (TH). The Property is accordingly hereby rezoned to Townhome (TH).

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. 653

Page 2

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A"

Property Legal Description:

Lots 6 – 10, Block 15, Town of Manor
 Lots 1 – 10, Block 17, Town of Manor
 Lots 1 – 10, Block 18, Town of Manor
 Lots 1 – 10, Block 19, Town of Manor
 Lots 1 – 5, Block 20, Town of Manor
 Lots 1 – 5, Block 74, Town of Manor

And

0.397 ACRES**JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546
 TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.397 ACRES (APPROXIMATELY 17,274 SQ. FT.) OUT OF THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 0.40 ACRE TRACT OF LAND CONVEYED TO LANE AVE DEVELOPMENT, LLC BY SPECIAL WARRANTY DEED, DATED NOVEMBER 12, 2021, RECORDED IN DOCUMENT NO. 2021250846 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND DESCRIBED IN VOLUME 8702, PAGE 813 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.397 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with "Chaparral" cap set in the northwest right-of-way line of a 17' wide alley, a public right-of-way dedicated to the City of Manor by plat recorded for A.E. Lane's Addition, a subdivision of record in Volume 2, Page 223 of the Plat Records of Travis County, Texas, for the northeast corner of said 0.40 acre tract and hereof, same being a point in the southwest line of the remainder of a called 58.134 acre tract of land conveyed to Austin Manor Investments in Volume 8623, Page 931 of the Real Property Records of Travis County, Texas, from which a 1/2" rebar found for the northwest corner of the Manor City Cemetery bears South 62°18'16" East a distance of 17.00 feet;

THENCE South 27°12'37" West, with the northwest right-of-way line of the alley, a distance of **139.00 feet** to a 1/2" rebar with "Chaparral" cap set for the southeast corner hereof, same being a northeast corner of Lot 7, Block 19, said A.E. Lane's Addition, from which a 1/2" rebar with "Chaparral" cap set for the southeast corner of Lot 10, said Block 19, bears South 27°12'37" West a distance of 208.91 feet;

THENCE North 80°18'03" West, with the northeast line of said Lot 7, a distance of **115.64 feet** to a cedar fence post found for the southwest corner hereof, same being an interior corner of Lot 7;

THENCE North 27°18'09" East, with the southeast lines of Lot 7 and Lot 6, Block 19, passing at a distance of 53.72 feet, the northeast corner of said Lot 6 and the southeast terminus of E. Lane Avenue, a 60' wide public right-of-way dedicated to the City of Manor by plat recorded for the Town of Manor, a subdivision of record in Book V, Page 796 of the Deed Records of Travis County, Texas, and continuing 62.36 feet, passing the northeast terminus of said E. Lane Avenue, same being the southeast corner of Lot 4, Block 20, A.E. Lane's Addition, and continuing 58.65 feet, for a total distance of **174.73 feet** to the northwest corner hereof, same being the northeast corner of Lot 5, said Block 20, from which a 1/2" rebar with "Waterloo" cap found for the southwest corner of said remainder tract of a called 58.134 acres and the southeast corner of Lot 7C2, Block A, Resubdivision of Lot 7B1, Amended Plat of Lots 7A and 7B, Resubdivision of Lot 7, Cottonwood Commercial South Section One and Lot 6B, Resubdivision of Lot 6, Cottonwood Commercial South Section One, a subdivision of record in Document No. 200900096 of the Official Public Records of Travis County, Texas, bears North 62°18'16" West a distance of 116.88 feet;

THENCE South 62°18'16" East, with the southwest line of the remainder tract of a called 58.134 acres, a distance of **110.00 feet** to the **POINT OF BEGINNING**, containing **0.397 acres** of land, more or less.

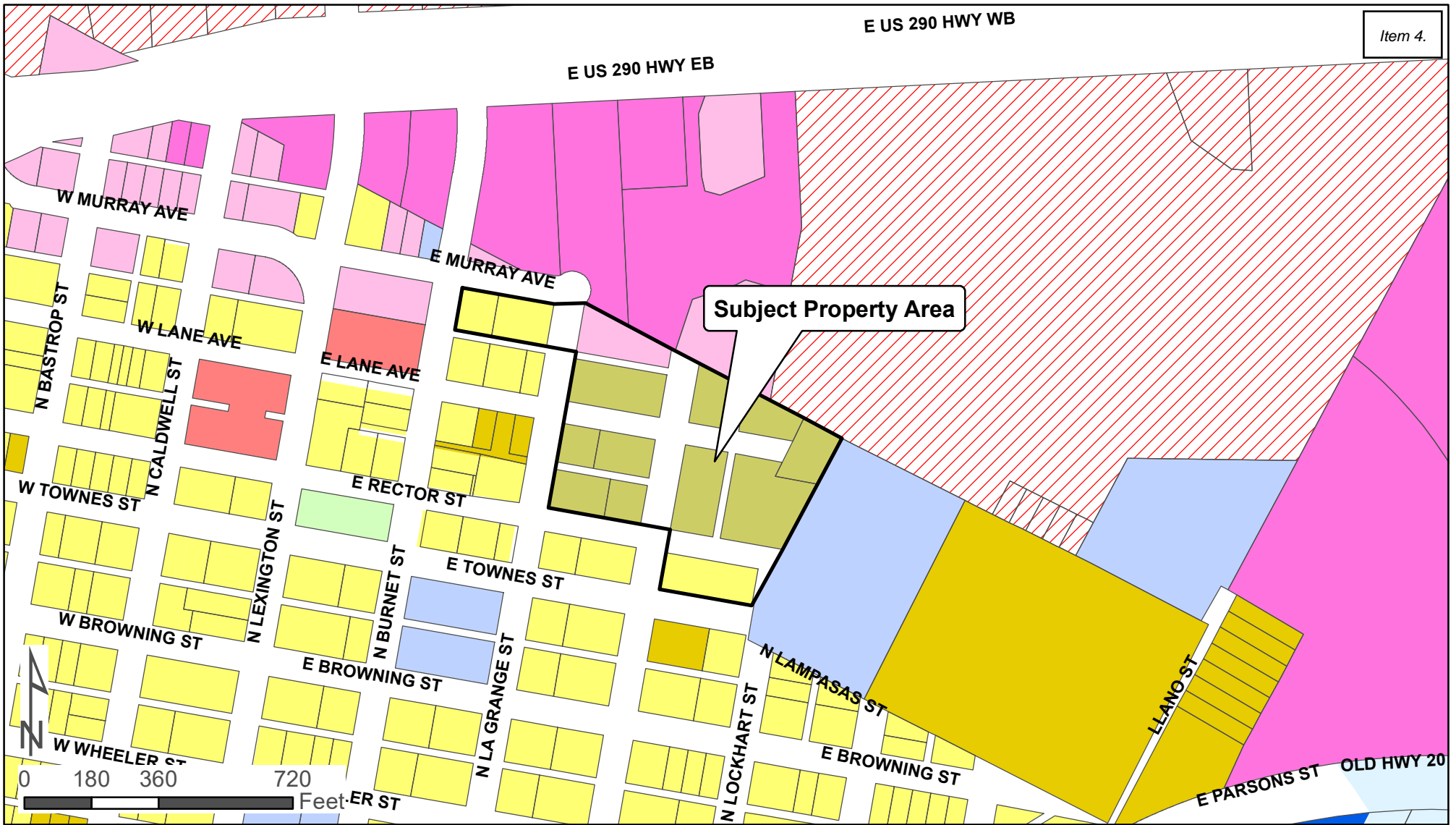
Surveyed on the ground February 8, 2022. Bearing basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User System (OPUS).

Attachments: 1890-001-BASE

Paul J. Flugel 2-14-2022

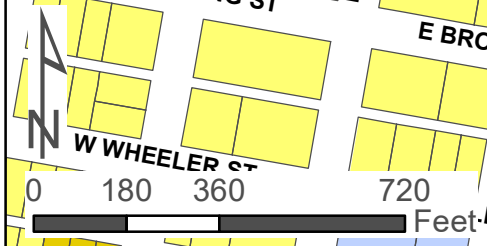
Paul J. Flugel
 Registered Professional Land Surveyor
 State of Texas No. 5096
 T.B.P.L.S. Firm No. 10124500





Item 4.

Subject Property Area



Current:
 Single Family Suburban (SF-1)
 Light Commercial (C-1)
 Manufactured Home (MH-1)

Proposed:
 Townhome (TH)

Zone

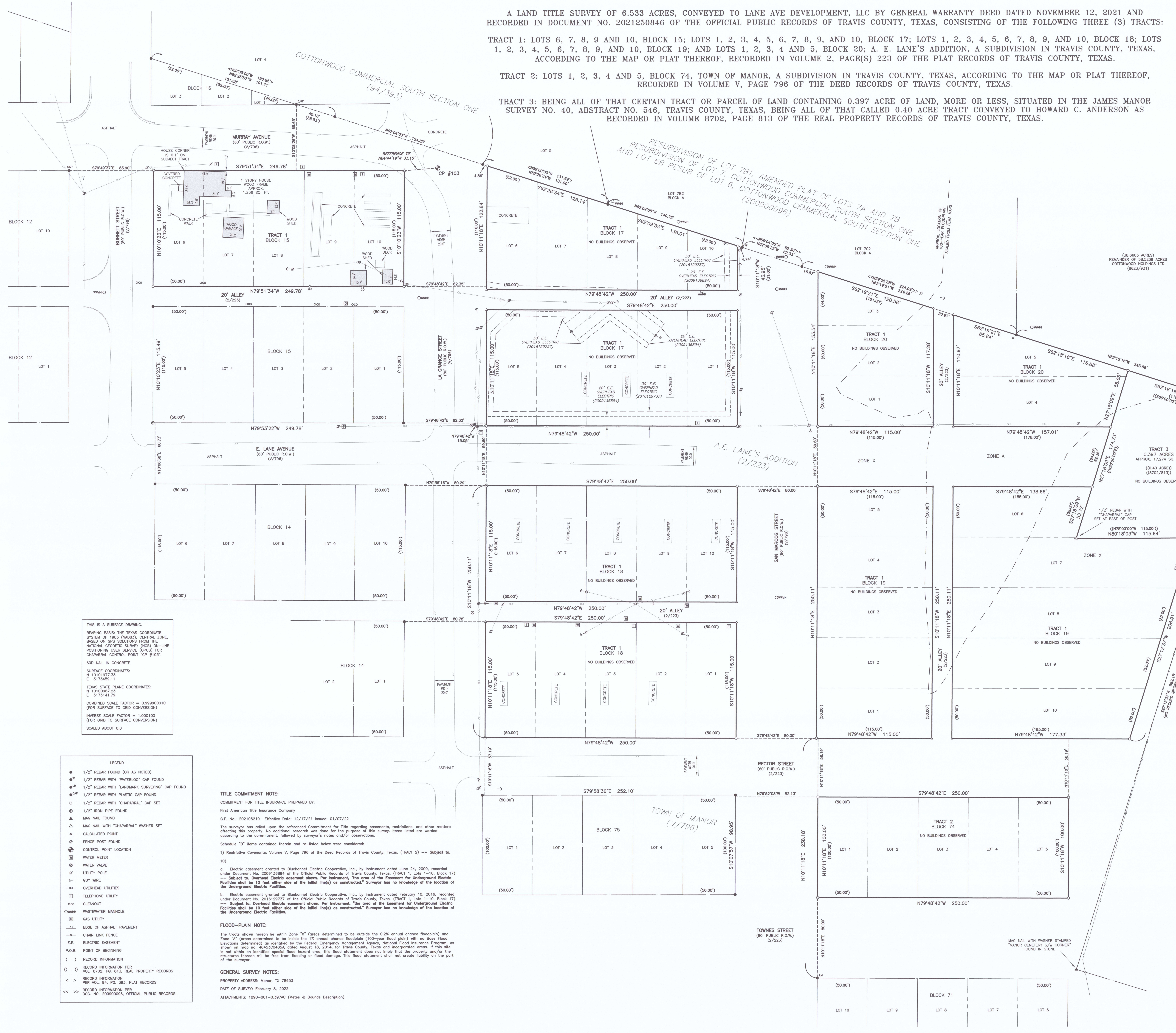
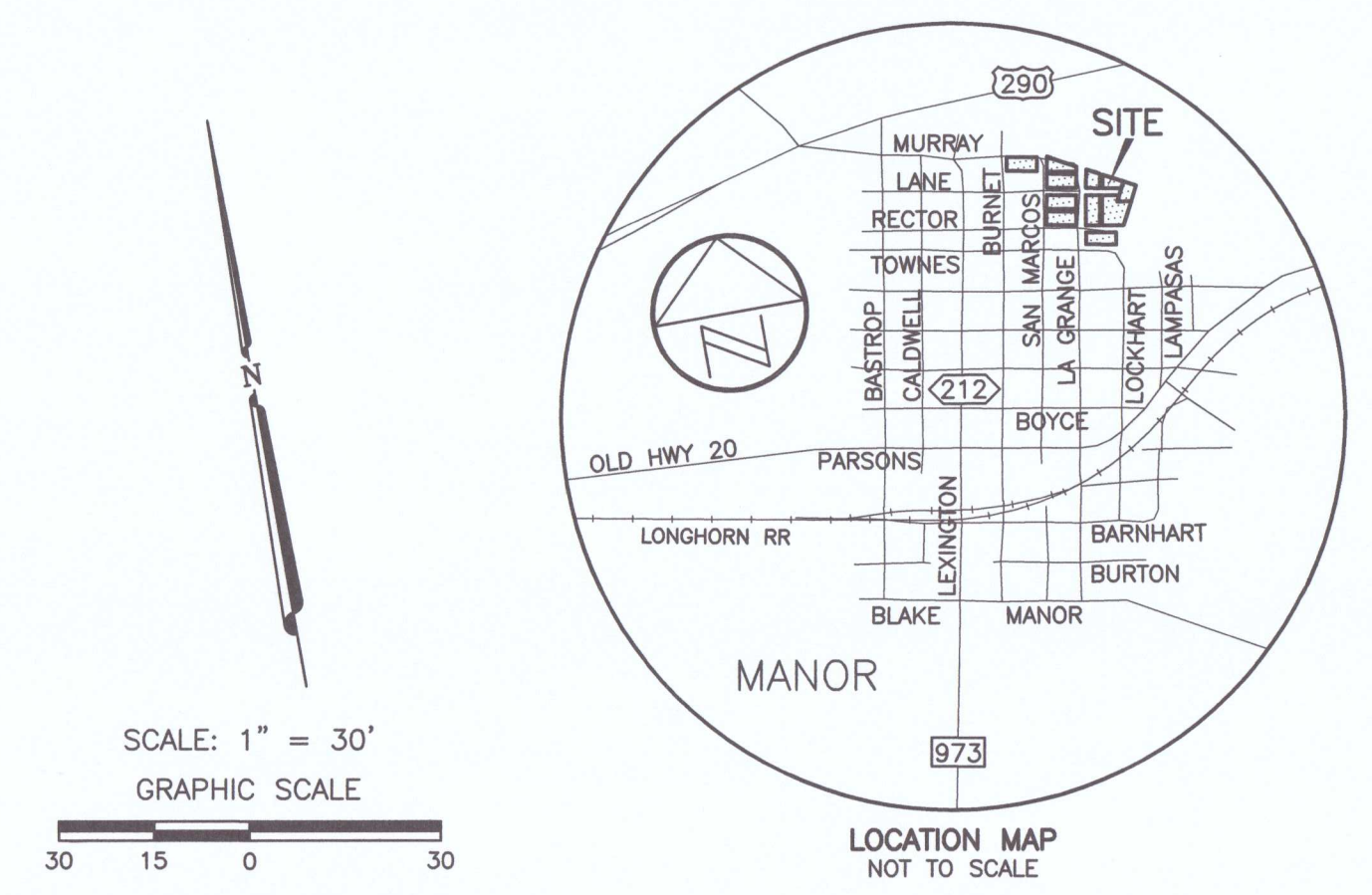
- | | | |
|-------------------------------|---------------------------|--------------------------------|
| A - Agricultural | I-1 - Institutional Small | NB - Neighborhood Business |
| SF-1 - Single Family Suburban | I-2 - Institutional Large | DB - Downtown Business |
| SF-2 - Single Family Standard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

A LAND TITLE SURVEY OF 6.533 ACRES, CONVEYED TO LANE AVE DEVELOPMENT, LLC BY GENERAL WARRANTY DEED DATED NOVEMBER 12, 2021 AND RECORDED IN DOCUMENT NO. 2021250846 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, CONSISTING OF THE FOLLOWING THREE (3) TRACTS:

TRACT 1: LOTS 6, 7, 8, 9 AND 10, BLOCK 15; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 17; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 18; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 19; AND LOTS 1, 2, 3, 4 AND 5, BLOCK 20; A. E. LANE'S ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE(S) 223 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2: LOTS 1, 2, 3, 4 AND 5, BLOCK 74, TOWN OF MANOR, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME V, PAGE 796 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 3: BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.397 ACRE OF LAND, MORE OR LESS, SITUATED IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CALLED 0.40 ACRE TRACT CONVEYED TO HOWARD C. ANDERSON AS RECORDED IN VOLUME 8702, PAGE 813 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.



THIS IS A SURFACE DRAWING. 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) FOR CHAPARRAL CONTROL POINT "CP #103". SURFACE COORDINATES: N 1010297.23 E 3173459.11 TEXAS STATE PLANE COORDINATES: N 1010297.23 E 317341.79 COMBINED SCALE FACTOR = 0.99990010 (FOR SURFACE TO GRID CONVERSION) INVERSE SCALE FACTOR = 1.000100 (FOR GRID TO SURFACE CONVERSION) SCALED ABOUT 0.0

TITLE COMMITMENT NOTE: COMMITMENT FOR TITLE INSURANCE PREPARED BY: First American Title Insurance Company. G.F. No.: 202105219 Effective Date: 12/17/21 Issued: 01/07/22. The surveyor has relied upon the referenced Commitment for Title regarding assessments, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are warranted according to the commitment, followed by surveyor's notes and/or observations. Schedule "B" items contained therein and re-listed below were considered: 1) Restrictive Covenants: Volume V, Page 796 of the Deed Records of Travis County, Texas. (TRACT 2) - Subject to 10) a. Electric easement granted to Bluebonnet Electric Cooperative, Inc., by instrument dated June 24, 2009, recorded under Document No. 2009138989 of the Official Public Records of Travis County, Texas. (TRACT 1, Lots 1-10, Block 17) - Subject to: Overhead Electric easement shown. Per instrument, "the area of the Easement for Underground Electric Facilities shall be 10 feet either side of the initial line(s) as constructed." Surveyor has no knowledge of the location of the Underground Electric Facilities. b. Electric easement granted to Bluebonnet Electric Cooperative, Inc., by instrument dated February 10, 2016, recorded under Document No. 2016129737 of the Official Public Records of Travis County, Texas. (TRACT 1, Lots 1-10, Block 17) - Subject to: Overhead Electric easement shown. Per instrument, "the area of the Easement for Underground Electric Facilities shall be 10 feet either side of the initial line(s) as constructed." Surveyor has no knowledge of the location of the Underground Electric Facilities.

FLOOD-PLAIN NOTE: The tracts shown herein lie within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) and Zone "A" (areas determined to be inside the 1% annual chance floodplain (100-year flood plain) with no Base Flood Elevations determined) as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 4845300485A, dated August 18, 2014, for Travis County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

GENERAL SURVEY NOTES: PROPERTY ADDRESS: Manor, TX 78653 DATE OF SURVEY: February 8, 2022 ATTACHMENTS: 1890-001-0397AC (Metes & Bounds Description)

- LEGEND: 1/2" REBAR FOUND (OR AS NOTED), 1/2" REBAR WITH "WATERLOO" CAP FOUND, 1/2" REBAR WITH "LANDMARK SURVEYING" CAP FOUND, 1/2" REBAR WITH PLASTIC CAP FOUND, 1/2" REBAR WITH "CHAPARRAL" CAP SET, 1/2" IRON PIPE FOUND, MAG NAIL FOUND, MAG NAIL WITH "CHAPARRAL" WASHER SET, CALCULATED POINT, FENCE POST FOUND, CONTROL POINT LOCATION, WATER METER, WATER VALVE, GUY WIRE, OVERHEAD UTILITY, TELEPHONE UTILITY, CLEANOUT, WASTEWATER MANHOLE, GAS UTILITY, EDGE OF ASPHALT PAVEMENT, CHAIN LINK FENCE, E.E. ELECTRIC EASEMENT, P.O.B. POINT OF BEGINNING, RECORD INFORMATION, RECORD INFORMATION PER VOL. 8702, PG. 813, REAL PROPERTY RECORDS, RECORD INFORMATION PER VOL. 84, PG. 393, PLAT RECORDS, RECORD INFORMATION PER DOC. NO. 200900096, OFFICIAL PUBLIC RECORDS

SURVEYOR'S CERTIFICATE: CERTIFIED TO: Lane Ave Development, LLC, a Texas limited liability company Texas Community Bank First American Title Insurance Company Heritage Title Company of Austin, Inc. I hereby certify that a survey of the property shown herein was actually made upon the ground under my direction and supervision on the date shown, and that to the best of my professional knowledge and belief, there are no apparent encroachments, overlapping of improvements, discrepancies, deed line conflicts, visible utility lines or roads in place, except as shown hereon, and that this property does not adjoin a dedicated road right-of-way or access easement, unless noted hereon. This survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 2, DPSS Land Title Survey, based on the Manual of Practice for Land Surveys in the State of Texas, Thirteenth Edition, effective September 01, 2019, prepared by the Texas Society of Professional Surveyors. Paul J. Flugel 2-11-2022 Registered Professional Land Surveyor State of Texas No. 5096

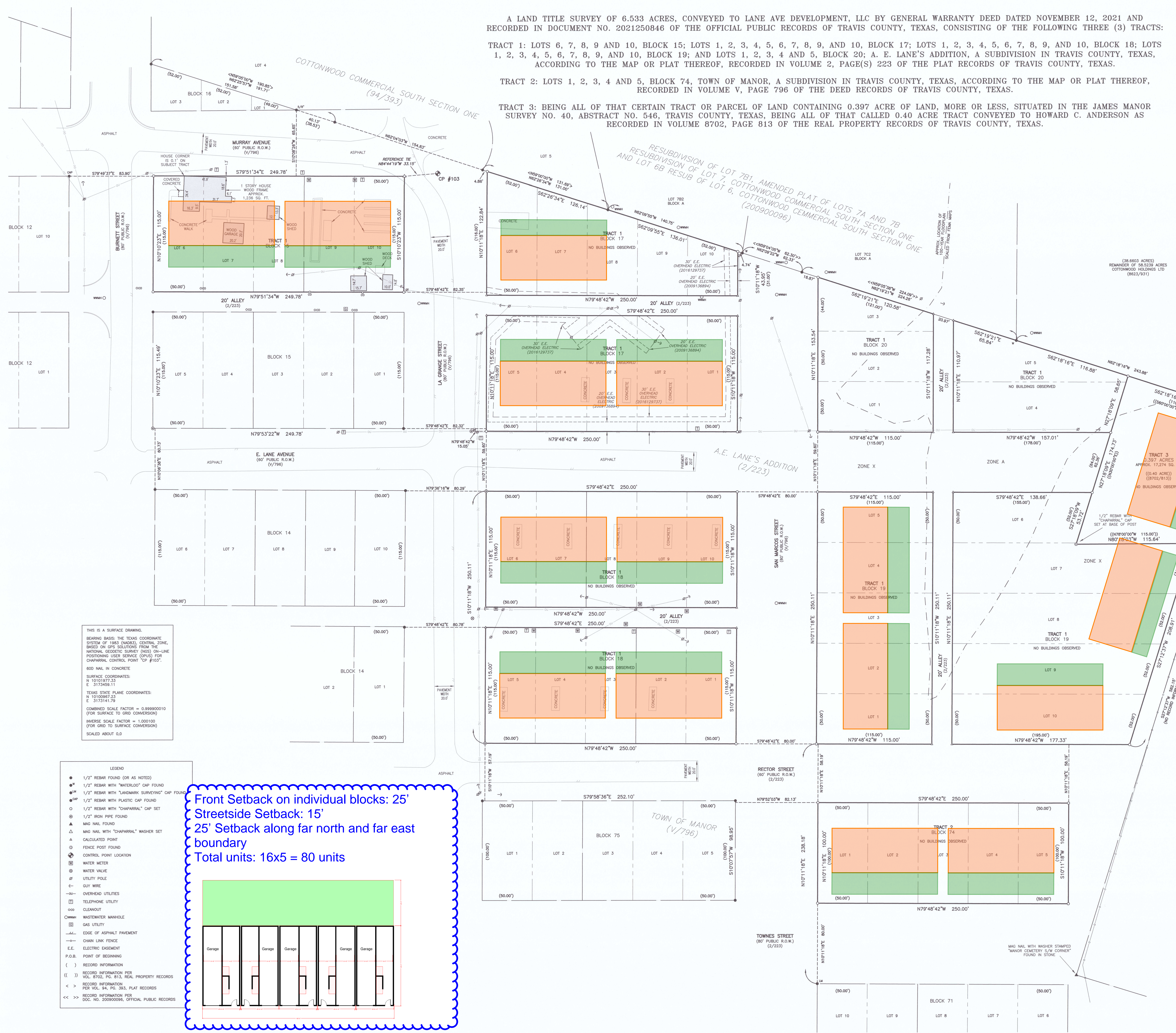
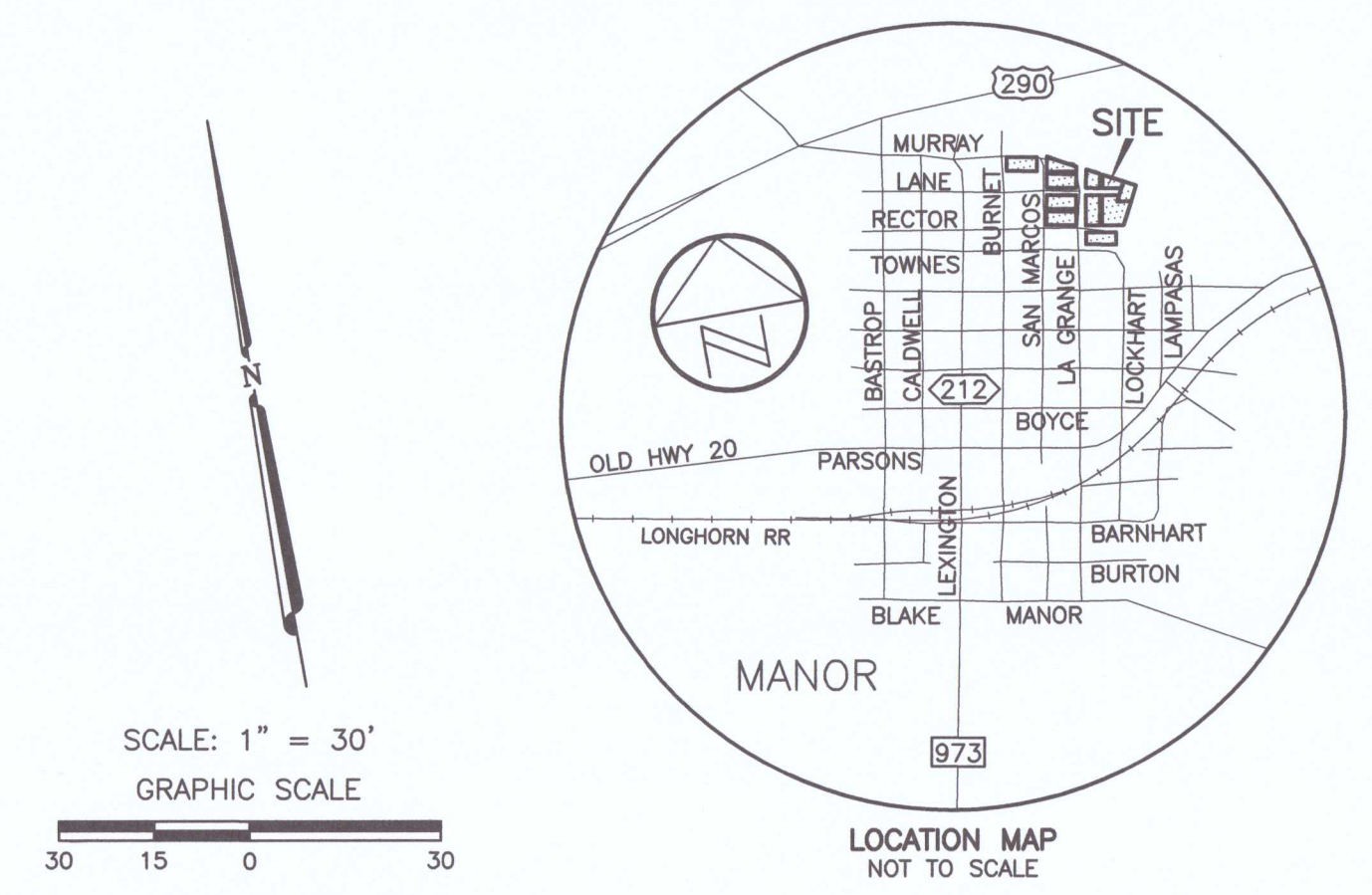
Professional Land Surveying, Inc. Surveying and Mapping. 3500 McCall Lane Austin, Texas 78744 512-443-1724 T.B.P.E.L.S. Firm No. 10124500. PROJECT NO.: 1890-001 DRAWING NO.: 1890-001-BASE WORK ORDER: 21049 PLOT DATE: 02/11/2022 PLOT SCALE: 1" = 30' DRAWN BY: PAJ SHEET 01 OF 01

A LAND TITLE SURVEY OF 6.533 ACRES, CONVEYED TO LANE AVE DEVELOPMENT, LLC BY GENERAL WARRANTY DEED DATED NOVEMBER 12, 2021 AND RECORDED IN DOCUMENT NO. 2021250846 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, CONSISTING OF THE FOLLOWING THREE (3) TRACTS:

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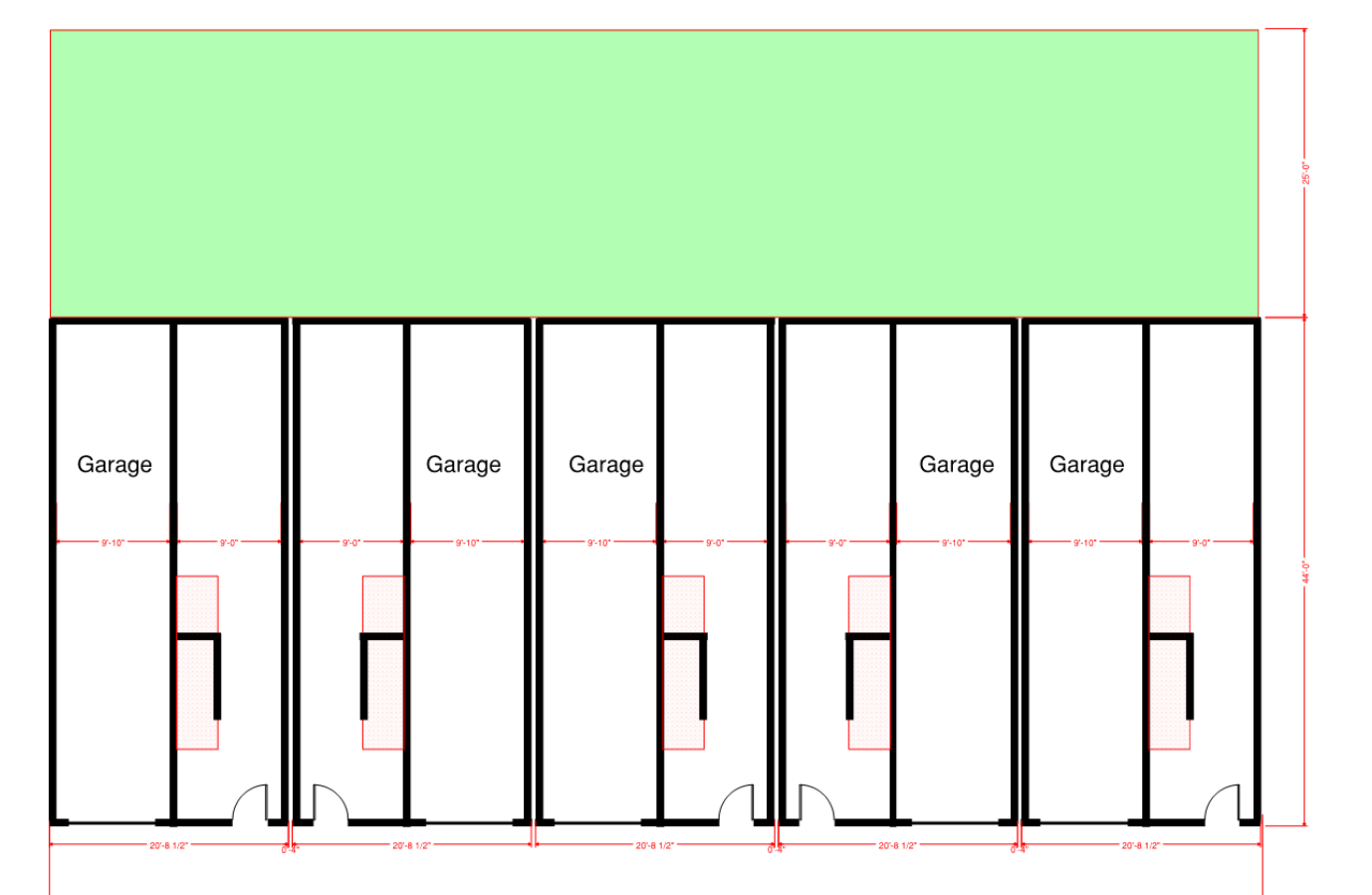
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THIS IS A SURFACE DRAWING.
 BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "CP #103".
 600 NAIL IN CONCRETE
 SURFACE COORDINATES:
 N 10101972.33
 E 3173459.11
 TEXAS STATE PLANE COORDINATES:
 N 10100957.23
 E 3173141.79
 COMBINED SCALE FACTOR = 0.99990010
 (FOR SURFACE TO GRID CONVERSION)
 INVERSE SCALE FACTOR = 1.000100
 (FOR GRID TO SURFACE CONVERSION)
 SCALED ABOUT 0.0

Front Setback on individual blocks: 25'
 Streetside Setback: 15'
 25' Setback along far north and far east boundary
 Total units: 16x5 = 80 units



- LEGEND
- 1/2" REBAR FOUND (OR AS NOTED)
 - 1/2" REBAR WITH "WATERLOO" CAP FOUND
 - 1/2" REBAR WITH "LANDMARK SURVEYING" CAP FOUND
 - 1/2" REBAR WITH PLASTIC CAP FOUND
 - 1/2" REBAR WITH "CHAPARRAL" CAP SET
 - 1/2" IRON PIPE FOUND
 - ▲ MAG NAIL FOUND
 - ▲ MAG NAIL WITH "CHAPARRAL" WASHER SET
 - ▲ CALCULATED POINT
 - ▲ FENCE POST FOUND
 - ⊕ CONTROL POINT LOCATION
 - ⊕ WATER METER
 - ⊕ WATER VALVE
 - ⊕ UTILITY POLE
 - ⊕ GUY WIRE
 - ⊕ OVERHEAD UTILITY
 - ⊕ TELEPHONE UTILITY
 - ⊕ CLEANOUT
 - ⊕ WASTEWATER MANHOLE
 - ⊕ GAS UTILITY
 - ⊕ EDGE OF ASPHALT PAVEMENT
 - ⊕ CHAIN LINK FENCE
 - ⊕ E.E. ELECTRIC EASEMENT
 - P.O.B. POINT OF BEGINNING
 - () RECORD INFORMATION
 - () RECORD INFORMATION PER VOL. 8702, PG. 813, REAL PROPERTY RECORDS
 - () RECORD INFORMATION PER VOL. 84, PG. 393, PLAT RECORDS
 - () RECORD INFORMATION PER DOC. NO. 20090096, OFFICIAL PUBLIC RECORDS

SURVEYOR'S CERTIFICATE:
 CERTIFIED TO: Lane Ave Development, LLC, a Texas limited liability company
 Texas Community Bank
 First American Title Insurance Company
 Heritage Title Company of Austin, Inc.

I hereby certify that a survey of the property shown herein was actually made upon the ground under my direction and supervision on the date shown, and that to the best of my professional knowledge and belief, there are no apparent encroachments, overlapping of improvements, discrepancies, deed line conflicts, visible utility lines or roads in place, except as shown herein, and that this property does not adjoin a dedicated road right-of-way or access easement, unless noted herein.

This survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 2, DPSS Land Title Survey, based on the Manual of Practice for Land Surveys in the State of Texas, Thirteenth Edition, effective September 01, 2019, prepared by the Texas Society of Professional Surveyors.

Paul J. Flugel
 2-11-2022
 Registered Professional Land Surveyor
 State of Texas No. 5096

Professional Land Surveying, Inc.
 Surveying and Mapping
 3500 McCall Lane
 Austin, Texas 78744
 512-443-1724
 T.B.P.E.L.S. Firm No. 10124500

PROJECT NO.: 1890-001
 DRAWING NO.: 1890-001-BASE
 WORK ORDER: 21049
 PLOT DATE: 02/11/2022
 PLOT SCALE: 1" = 30'
 DRAWN BY: PAJ
 SHEET 01 OF 01



March 31, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1416-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 6.533 acres, more or less, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).

***Applicant:* BGE, Inc.**

***Owner:* Lane Ave Development, LLC**

The Planning and Zoning Commission will meet at 6:30PM on April 13, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on April 20, 2022 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 also 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.

PORRAS SIMON U JR & LILLIE
PO BOX 406
MANOR, TX 78653

PORRAS MARY HELEN &
IRENE P BELLMAN & BILL BELLMAN
PO BOX 807
MANOR, TX 78653

SUAREZ JOSE JR
501 N LOCKHART ST
MANOR, TX 78653

ARELLANO LORENZO
21007 VERNA ST
MANOR, TX 78653

MONTES LUIS CARLOS PONCE &
XOCHITL AIDHE REYES-PONCE
305 E BROWNING ST
MANOR, TX 78653

LEAVITT LUMBER COMPANY INC
395 SOUTH 300 EAST
PO BOX 96
KAMAS, UT 84036

KREUZER CHANEL J &
JOEL ANDREW KREUZER
301 BROWNING ST
MANOR, TX 78653

BENITES MELITON LOPEZ
509 N LOCKHART
MANOR, TX 78653

SUAREZ LUIS & YOLANDA M
8604 SHOWERS DR
ELGIN, TX 78621

BAKER RICHARD & HOLLY M
PO BOX 1246
MANOR, TX 78653

CASTILLO GEORGE A & ROSALIE
PO BOX 733
MANOR, TX 78653

MANOR UNITED METHODIST CHURCH
MARY NELL CARLSON
PO BOX J
MANOR, TX 78653

DYE VALERIE ANN
PO BOX 410
MANOR, TX 78653

DYE MICHAEL E
1318 SHOTGUN CT
PFLUGERVILLE, TX 78660

PENA ARACELI U & JUANA D JARAMILLO
7702 MULLEN DR
AUSTIN, TX 78757

PENA ARACELI U & SAMUEL R DIAZ &
JUANA D JARAMILLO
7702 MULLEN DR
AUSTIN, TX 78757

FLORES FRANCISCO JR &
MARILU CALDERON URESTI
9705 DALLUM DR
AUSTIN, TX 78753

RANDIG WALTER D & LOIS K
PO BOX 276
MANOR, TX 78653

RANDIG WALTER
21154 MELBER LN #1
MANOR, TX 78653

DIAZ JUAN J
7017 ALBACETE LN
ROUND ROCK, TX 78681

GONZALEZ LEOPOLDO
107 RECTOR ST
MANOR, TX 78653

MORENO DANIEL & RUPERTA &
MIGUEL SAVALZA SOLANO
505 NORTH BURNET ST
MANOR, TX 78653

DOVER OLIVER H JR & DORIS
101 E RECTOR ST
MANOR, TX 78653

MONDRAGON LIZETH
PO BOX 1185
MANOR, TX 78653

FONSECA JOSE LUIS
PO BOX 1081
MANOR, TX 78653

BURSE NICHOLE ELIZABETH
6431 BRIDGEWATER DR
AUSTIN, TX 78723

PORTALES MARIA E
710 BURNETT DR
MANOR, TX 78653

MALDONADO ALICIA & VALDMAR
707 BURNET ST
MANOR, TX 78653

JONES ROBERT A & BRENDA F
PO BOX 943
MANOR, TX 78653

FORSYTHE WILLIAM & CAROLYN
PO BOX 139
MANOR, TX 78653

MEJIA MARTINIANO P & BLANCA E
BLANCA E MEJIA
PO BOX 1082
MANOR, TX 78653

TUMLINSON RANDALL C &
FRANCES ANN TUMLINSON
PO BOX 414
MANOR, TX 78653

WILLIAMS GARY M
P O BOX 480
MANOR, TX 78653

GOSEY BOBBY AND SHELDON LIVING
TRUST
7300 GILBERT RD
MANOR, TX 78653

BLUEBONNET ELECTRIC COPERATIVE
P O BOX 729
BASTROP, TX 78602

COTTONWOOD HOLDINGS LTD
DWYER REALTY COMPANIES
9900 US HIGHWAY 290 E
MANOR, TX 78653

KUSUM HOSPITALITY LLC
11301 US HWY 290 E
MANOR, TX 78653

COUPLAND STATE BANK
PO BOX 616
MCKINNEY, TX 75070

THOMASON ERIC & REBEKAH
109 E MURRAY AVE
MANOR, TX 78653

GLASS RETHANN
17500B GLASS RD
MANOR, TX 78653

SONIC DEVELOPMENT OF CENTRAL TEXAS
AUSTIN SONIC
PO BOX 17788
AUSTIN, TX 78760

MKR PROPERTIES LLC SERIES 11211 US
HWY 290
5905 YORK BRIDGE CIR
AUSTIN, TX 78749

MANOR VILLAGE CONDOMINIUMS LTD
7500 W SLAUGHTER LN APT 8207
AUSTIN, TX 78749



December 15, 2021

City of Manor Planning Department
105 E. Eggleston Street
Manor, TX 78653

Re: Ginsel Tract Letter of Intent

The Ginsel tract is a 82.5 acre tract of land located within the City of Manor at the Southeast corner of the intersection of US 290 and Bois-D-Arc Rd. It is the Applicant's intent and request to rezone the entire 82.5 acres with a mix of commercial and residential offerings. Please see the included Requested Zoning Exhibit for an illustrative depiction of the requested zoning districts.

This tract is conveniently located in the eastern portion of the City with convenient access fronting U.S. Highway 290. Along with strong access from this major roadway, the property is in close proximity to planned future commercial/mixed use development to the west, while creating a transitional development to the Existing Single Family to the south. The requested rezoning request will provide employment, retail and service opportunities of a destination variety along with various housing options all with strong vehicular accessibility from U.S. 290.

Current site conditions are also favorable for the vision of a higher intensity development. The property consists of gently sloping farm lands with pockets of tree coverage and existing drainage corridors which the applicant intends to preserve to the best of their ability.

Thank you for your consideration of this zoning change request. The Applicant believes this location has the potential to help meet the housing, service, and employment goals for Manor.

Sincerely,

Gary Jueneman
Sr. Project Manager

ORDINANCE NO. 654

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 MEDIUM COMMERCIAL (C-2), MULTI-FAMILY 25 (MF-2), AND TOWNHOME (TH); 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 Exhibits "A-1", "A-2", and "A-3" (the "Property"), from the Single Family Suburban (SF-1) to zoning district Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH). The Property is accordingly hereby rezoned to Medium Commercial (C-2), Multi-Family 25 (MF-2), Townhome (TH).

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. 654

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A-1"

Property Legal Description Medium Commercial (C-2) Tract:

**ZONING EXHIBIT C-2
32.6872 ACRES (1,423,853 SQ FT)
SITUATED IN THE
A.C. CALDWELL SURVEY, A-154
TRAVIS COUNTY, TEXAS**

BEING 32.6872 acres (1,423,853 square feet) of land out of the remainder of a called 84.2717 acre tract conveyed to Manor 290 OZ Real Estate LP, by Warranty Deed recorded under Clerk's File No. 2021172435 of the Official Public Records of Travis County, Texas (O.P.R. T.C.T.), said 32.6872 acre tract lying within the A.C. Caldwell Survey, A-154, and is more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found in the west line of Lot 5 of Manor Commercial Park, according to the plat of same, recorded under Volume 87, Page 168A, of the Plat Records of Travis County, Texas (P.R. T.C.T.), for the northeast corner of Lot 68, Block D, of Carriage Hills, Section Three, according to the plat of same, recorded under Clerk's File No. 201000127 P.R. T.C.T., for the southeast corner of said 84.2717 acre tract;

THENCE North 72°55'20" West, with the common line between said Carriage Hills, Section Three and said 84.2717 acre tract, a distance of 1482.50 feet to a 5/8 inch iron rod found in the east line of Lot 20, of Block I, of Bell Farms Phase Two-A, according to the plat of same, recorded under Clerk's File No. 200700061 P.R. T.C.T., for the northwest corner of said Carriage Hills, and the southwest corner of said 84.2717 acre tract;

THENCE North 27°58'35" East, with the west line of said 84.2717 acre tract, at 165.99 feet, passing a 5/8 inch iron rod found for the northeast corner of said Bell Farms Phase Two-A, and the southeast corner of the called 30.8643 acre tract conveyed to Manor RV Park, LLC by Warranty Deed recorded under Clerk's File No. 2019179486 of the Official Public Records of Travis County, Texas, and continuing for a total distance of 1575.30 feet to a point for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE North 27°58'35" East, with the west line of said 84.2717 acre tract, a distance of 837.17 feet to a concrete monument found in the south right of way (R.O.W.) line of Highway 290 East (R.O.W. varies) for an angle point;

THENCE North 56°26'17" East, with said south right of way line, a distance of 175.36 feet to a 5/8" iron rod with cap marked "CORE 6657" set for the northwest corner of the herein described tract;

THENCE North 85°55'19" East, continuing with said south right of way line, a distance of 1287.41 feet to a point for the northeast corner of the herein described tract, from which a found 5/8 inch iron rod bears North 80°47'35" East, a distance of 0.47 feet, and a found 5/8 inch iron rod bears North 84°12'31" East, a distance of 4.77 feet;

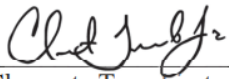
THENCE South 27°46'46" West, with the east line of said 84.2717 acre tract, a distance of 1483.40 feet to a point for the southeast corner of the herein described tract;

THENCE North 62°44'27" West, a distance of 630.82 feet to a point for a corner at the beginning of a curve;

THENCE in a southerly direction, 193.29 feet along a curve to the RIGHT, having a radius of 500.00 feet, a delta angle of 22°08'57", and whose long chord bears South 13°14'41" West, a distance of 192.09 feet to a point for corner of the herein described tract;

ORDINANCE NO. 654

THENCE North 61°47'14" West, a distance of 597.90 feet to the POINT OF BEGINNING and containing a computed 32.6872 acres (1,423,853 square feet) of land.



Clemente Turrubiarres Jr.
RPLS No. 6657
Job No. U21-00100
Issue Date: March 28, 2022
Revised:



EXHIBIT "A-2"**Property Legal Description Multi-Family 25 (MF-2) Tract:**

**ZONING EXHIBIT MF-2
20.8636 ACRES (908,817 SQ FT)
SITUATED IN THE
A.C. CALDWELL SURVEY, A-154
TRAVIS COUNTY, TEXAS**

BEING 20.8636 acres (908,817 square feet) of land out of the remainder of a called 84.2717 acre tract conveyed to Manor 290 OZ Real Estate LP, by Warranty Deed recorded under Clerk's File No. 2021172435 of the Official Public Records of Travis County, Texas (O.P.R. T.C.T.), said 20.8636 acre tract lying within the A.C. Caldwell Survey, A-154, and is more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found in the west line of Lot 5 of Manor Commercial Park, according to the plat of same, recorded under Volume 87, Page 168A, of the Plat Records of Travis County, Texas (P.R. T.C.T.), for the northeast corner of Lot 68, Block D, of Carriage Hills, Section Three, according to the plat of same, recorded under Clerk's File No. 201000127 P.R. T.C.T., for the southeast corner of said 84.2717 acre tract;

THENCE North 72°55'20" West, with the common line between said Carriage Hills, Section Three and said 84.2717 acre tract, a distance of 835.67 feet to a point for the southeast corner and POINT OF BEGINNING of the herein described tract;

THENCE North 72°55'20" West, a distance of 646.83 feet to a 5/8 inch iron rod found in the east line of Lot 20, of Block I, of Bell Farms Phase Two-A, according to the plat of same, recorded under Clerk's File No. 200700061 P.R. T.C.T., for the northwest corner of said Carriage Hills, and the southwest corner of said 84.2717 acre tract and the herein described tract;

THENCE North 27°58'35" East, with the west line of said 84.2717 acre tract, at 165.99 feet, passing a 5/8 inch iron rod found for the northeast corner of said Bell Farms Phase Two-A, and the southeast corner of the called 30.8643 acre tract conveyed to Manor RV Park, LLC by Warranty Deed recorded under Clerk's File No. 2019179486 of the Official Public Records of Travis County, Texas, and continuing for a total distance of 1575.30 feet to a point for the northwest corner of the herein described tract;

THENCE South 61°47'14" East, a distance of 597.90 feet to a point at the beginning of a curve, for the northeast corner of the herein described tract;

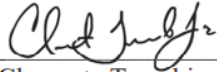
THENCE in a southerly direction, 33.98 feet along a curve to the RIGHT, having a radius of 500.00 feet, a delta angle of 03° 53' 37", and whose long chord bears South 26°15'58" West, a distance of 33.97 feet to a point;

THENCE South 28°12'46" West, a distance of 1126.05 feet to a point at the beginning of a curve;

THENCE in a southerly direction, 157.18 feet along a curve to the LEFT, having a radius of 800.00 feet, a delta angle of 11° 15' 26", and whose long chord bears South 22°35'04" West, a distance of 156.93 feet to a point;

ORDINANCE NO. 654

THENCE South 16°57'21" West, a distance of 136.83 feet to the POINT OF BEGINNING and containing a computed 20.8636 acres (908,817 square feet) of land.



Clemente Turrubiarres Jr.
RPLS No. 6657
Job No. U21-00401
Issue Date: March 28, 2022
Revised:



EXHIBIT "A-3"

Property Legal Description Townhome (TH) Tract:

**ZONING EXHIBIT TH
30.7419 ACRES (1,339,118 SQ FT)
SITUATED IN THE
A.C. CALDWELL SURVEY, A-154
TRAVIS COUNTY, TEXAS**

BEING 30.7419 acres (1,339,118 square feet) of land out of the remainder of a called 84.2717 acre tract conveyed to Manor 290 OZ Real Estate LP, by Warranty Deed recorded under Clerk's File No. 2021172435 of the Official Public Records of Travis County, Texas (O.P.R. T.C.T.), said 30.7419 acre tract lying within the A.C. Caldwell Survey, A-154, and is more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in the west line of Lot 5 of Manor Commercial Park, according to the plat of same, recorded under Volume 87, Page 168A, of the Plat Records of Travis County, Texas (P.R. T.C.T.), for the northeast corner of Lot 68, Block D, of Carriage Hills, Section Three, according to the plat of same, recorded under Clerk's File No. 201000127 P.R. T.C.T., for the southeast corner of said 84.2717 acre tract;

THENCE North 72°55'20" West, a distance of 835.67 feet to a point for the southwest corner of the herein described tract;

THENCE North 16°57'21" East, a distance of 136.83 feet to a point at the beginning of a curve;

THENCE in a northerly direction, 157.18 feet along a curve to the RIGHT, having a radius of 800.00 feet, a delta angle of 11°15'26", and whose long chord bears North 22°35'04" East, a distance of 156.93 feet to a point;

THENCE North 28°12'46" East, a distance of 1126.05 feet to a point at the beginning of a curve;

THENCE in a northerly direction, 227.27 feet along a curve to the LEFT, having a radius of 500.00 feet, a delta angle of 26°02'34", and whose long chord bears North 15°11'29" East, a distance of 225.32 feet to a point for the northwest corner of the herein described tract;

THENCE South 62°44'27" East, a distance of 630.82 feet to a point for a northeast corner;

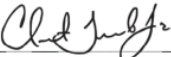
THENCE South 27°46'46" West, a distance of 16.80 feet to a point for an interior corner;

THENCE South 62°07'08" East, a distance of 273.68 feet to a point in the west line of said Manor Commercial Park for the northeast corner of the herein described tract;

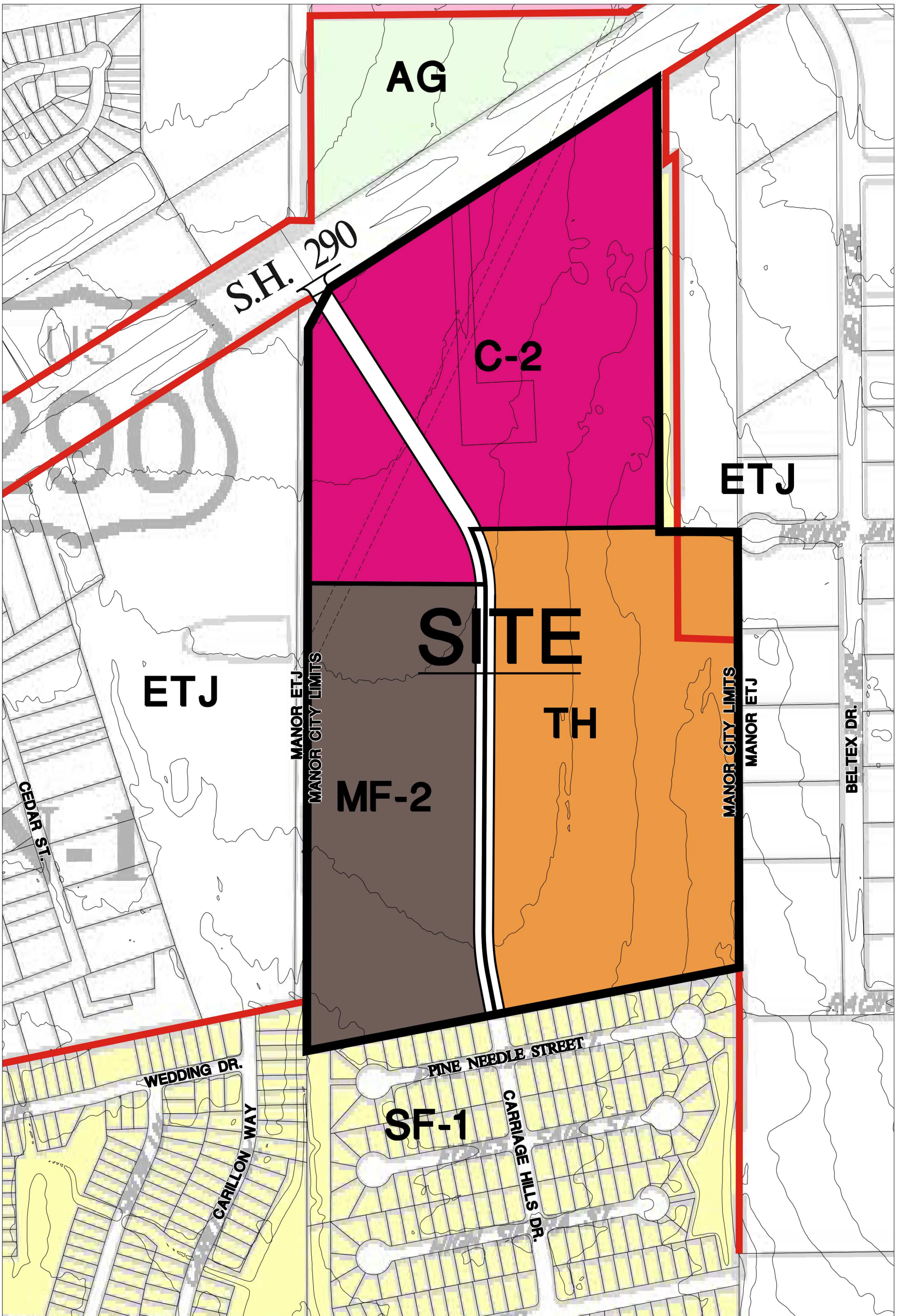
ORDINANCE NO. 654

THENCE South 27°48'42" West, west line of Manor Commercial Park Plat, recorded under Volume 87, Page 168A P.R. T.C.T., a distance of 366.88 feet to a point for corner being in the west line of Lot 2 of said Manor Commercial Park, being an angle point of the herein described tract, from which a found 5/8 inch iron rod, bears North 26°59'33" West, a distance of 0.58 feet;

THENCE South 27°54'59" West, along said west line of said Manor Commercial Park, passing at a distance of 216.65 feet a found 5/8 inch iron rod, marking the common corner of Lots 2 and 3, passing at a distance of 736.79 feet a found 5/8 inch iron rod, marking the common corner of Lots 4 and 5, passing at a distance of 996.37 feet a found 5/8 inch iron rod and continuing for a total distance of 1102.98 feet to the POINT OF BEGINNING and containing a computed 30.7419 acres (1,339,118 square feet) of land.


Clemente Turrubiarres Jr.
RPLS No. 6657
Job No. U21-00401
Issue Date: March 28, 2022
Revised:





ZONING OPTION 3
GINSEL TRACT



0 150' 300' 600'

Scale: 1" = 300'

North

Date: September 16, 2021



SEC Planning, LLC

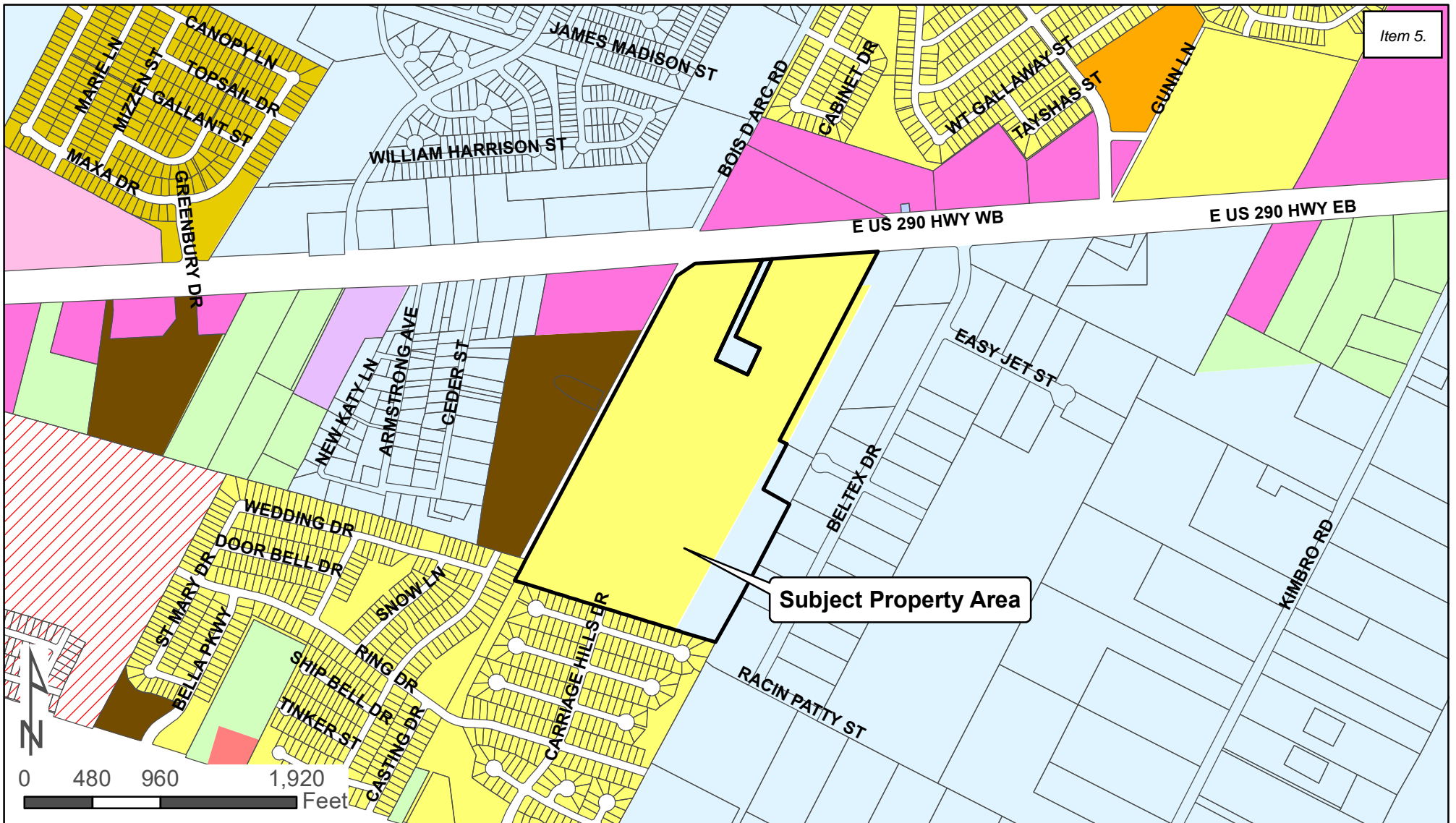
Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS
1.512.246.7003
www.secplanning.com + info@secplanning.com

**MANOR OPPORTUNITY
FUND LLC**
MANOR, TEXAS

SHEET FILE: I:\210105-MAOF\Cadfiles\PLANNING\Submittals\Zoning Exhibits\Zoning Option 3.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



Current:
Single Family Suburban (SF-1)

Proposed:
Medium Commercial (C-2)
Multi-Family 25 (MF-2)
Townhome (TH)

Zone

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



March 31, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1404-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 86.05 acres, more or less, and being located at 13301 US Hwy 290 E, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).

***Applicant:* SEC Planning, LLC**

***Owner:* Manor 290 OZ Real Estate, LP**

The Planning and Zoning Commission will meet at 6:30PM on April 13, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on April 20, 2022 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 also 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.

MONTES PABLO & ANDREA MONTES
12921 CARILLON WAY
MANOR, TX 78653-5194

CASTRO JOHNNY C JR &
MARIBEL CASTRO
12925 CARILLON WAY
MANOR, TX 78653-5194

PARRY BRANDON
12929 CARILLON WAY
MANOR, TX 78653-5194

AROS JOE & SUSIE
12933 CARILLON WAY
MANOR , TX 78653-5194

POWELL JUSTIN LEE
12937 CARILLON WAY
MANOR , TX 78653-5194

BAKER KELLY ANNE
PO BOX 10933
AUSTIN , TX 78766-1933

GONZALES-VALENCIA DAVID
13005 CARILLON WAY
MANOR , TX 78653-5195

VU IVY & PHINGA TA
7906 ISAAC PRYOR DR
AUSTIN, TX 78749-1753

ALBARRACIN STEVEN M & ZHANNA A
13016 WEDDING DR
MANOR, TX 78653-5189

UPSHUR DIONNE I & RALEIGH C
13020 WEDDING
MANOR , TX 78653-5189

MANOR RV PARK LLC
460 N MAIN ST STE 304
GLEN ELLYN, IL 60137-5176



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).

Applicant: Metcalfe, Wolff, Stuart & Williams, LLP

Owner: Dwyer Realty Companies

BACKGROUND/SUMMARY:

This property is along the currently under construction Gregg Manor and will be across that road from the Lion’s Club. They are leaving a 1.6-acre tract as C-1 light commercial as well as extending Eggleston Street to connect to the new Gregg Manor Road. The property directly north is zoned MF-2, the properties west are zoned C-1 Light Commercial, and the properties along Parsons are zoned C-1 Light Commercial, Institutional, or SF-1 Single Family. Parson is considered a commercial corridor. West of the property is zoned SF-1 Single Family. The building setback for MF-2 to SF-1 is 80’ and of that 25’ is a bufferyard that only permits a solid wall and landscaping to provide a physical and visual buffer between the MF and SF. 9.8 acres of MF-2 can be up to 245 units.

The P&Z Commission voted 5-1 to recommend approval of this item

First reading was approved at the May 18, 2022, Regular Council Meeting.

LEGAL REVIEW: Not Applicable

FISCAL IMPACT: No

PRESENTATION: No

ATTACHMENTS: Yes

- Letter of Intent
- Ordinance No. 655
- Boundary Map
- Map
- Notice
- Labels

STAFF RECOMMENDATION:

It is City staff’s recommendation that the City Council approve the second and final reading of Ordinance No. 655 rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		



METCALFE WOLFF
STUART & WILLIAMS, LLP

TALLEY WILLIAMS
Partner

twilliams@mwswtexas.com
512-404-2234

March 11, 2022

Mr. Scott Dunlop
Interim City Manager
105 E Eggleston St.,
Manor, Texas 78653

Via Online Submittal

Re: Application for Rezoning; Approximately 13.95 acres within the Las Entradas South Project located along the future Gregg Manor Extension and North of Old Highway 20 in Manor, Texas (the "Property").

Dear Mr. Dunlop:

As representatives of the owner of the above stated Property we respectfully submit the attached Zoning Application to request a change from Light Commercial (C-1) to Multi-family 25 (MF-2). The Property is located within the Las Entradas South Project located along the future Gregg Manor Extension and North of Old Highway 20 in Manor, Texas (see attached Location Map).

The Property is part of the Las Entradas South Project which is a mixed-use development that also includes commercial and residential uses as well as publicly accessible open space. The Property will provide a unique multifamily development in this high quality, pedestrian oriented development of horizontal mixed use, which is desired by the City of Manor.

Attached to this application is a Microsoft Word document with the names and addresses of property owners within 300 feet of the Property, tax certificates and metes and bounds for the Property.

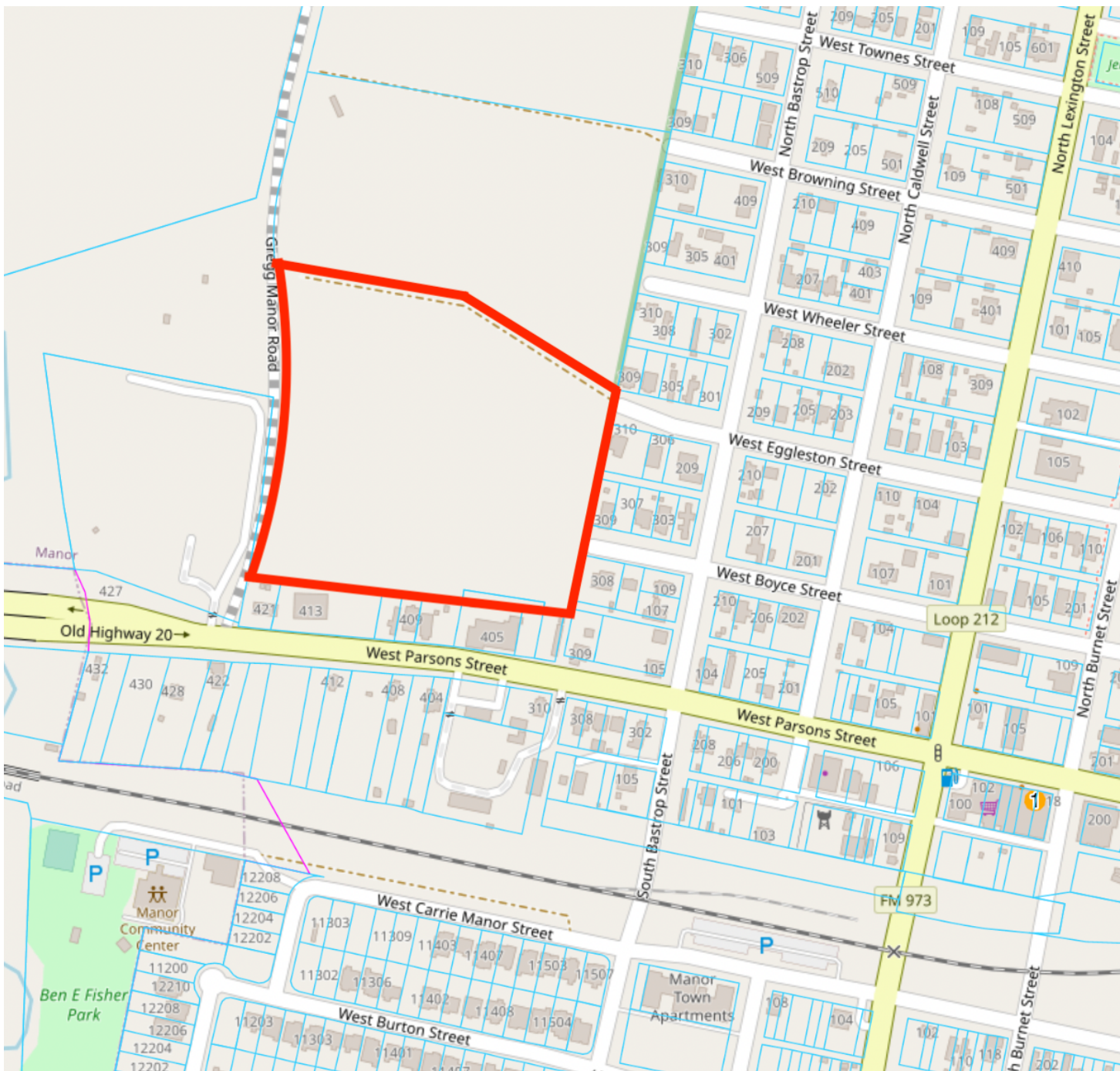
If you have any questions about the proposed Zoning Application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Sincerely,

A handwritten signature in blue ink that reads "Talley Williams".

Talley Williams

ZONING EXHIBIT



ORDINANCE NO. 655

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM LIGHT COMMERCIAL (C-1) TO MULTI-FAMILY 25 (MF-2); 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 Light Commercial (C-1) to zoning district Multi-Family 25 (MF-2). The Property is accordingly hereby rezoned to Multi-Family 25 (MF-2).

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. 655

Page 2

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

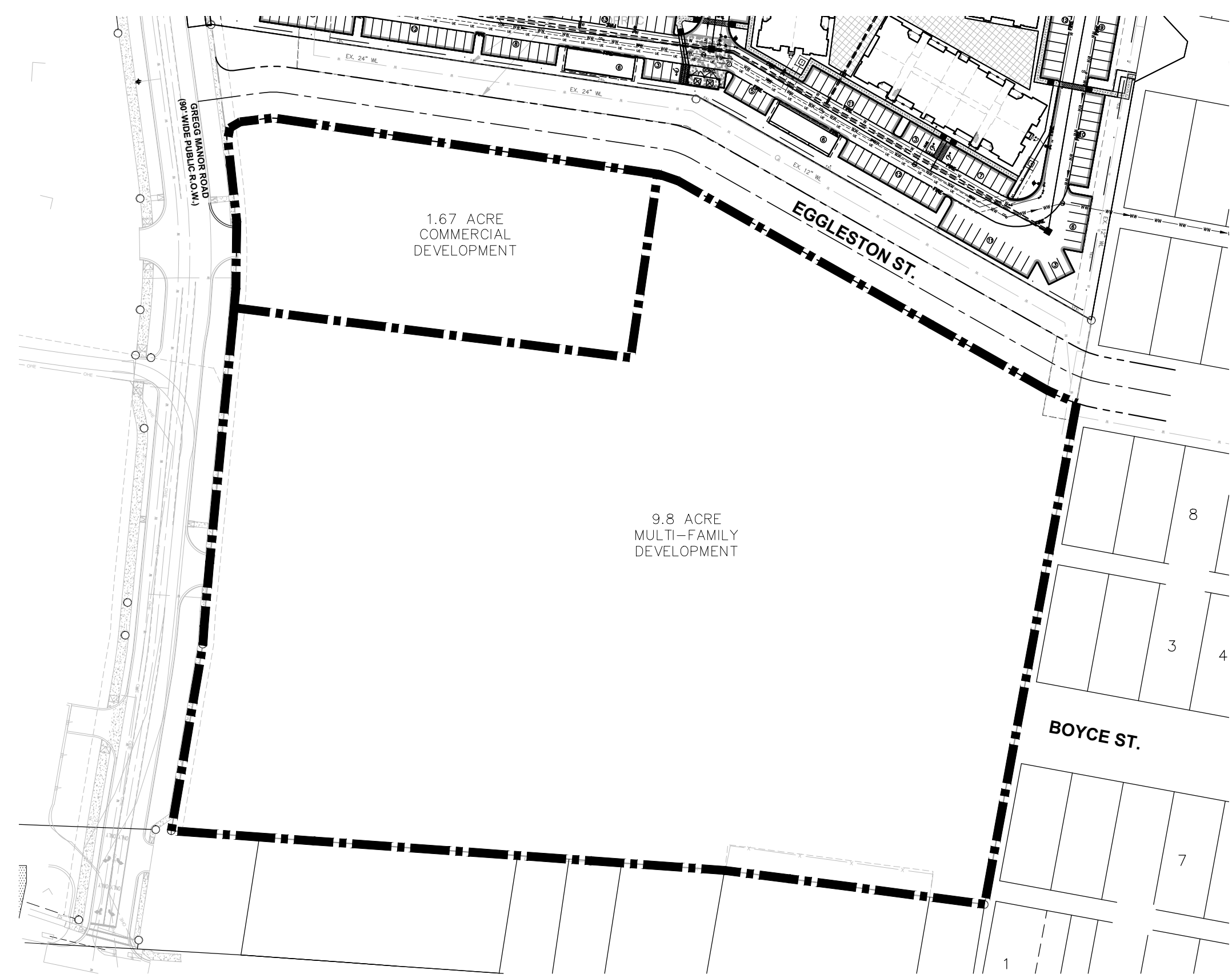
Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT “A”

Property Legal Description:

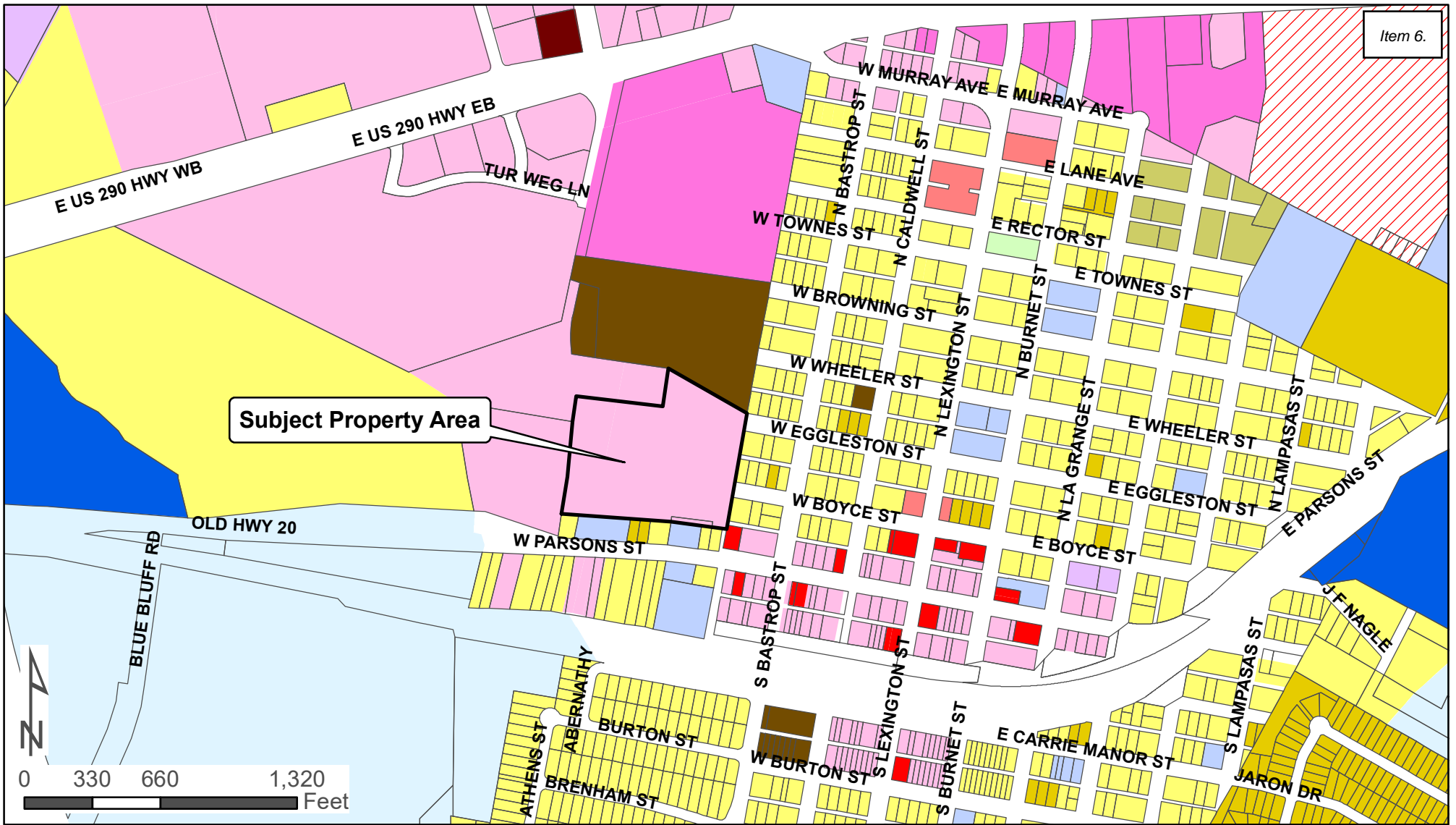


"EXHIBIT A"

MULTI-FAMILY DEVELOPEMENT
MANOR, TX

DEVELOPER:
DD&B
CONSTRUCTION
17B FIRSTFIELD RD.
GAITHERSBURG,
MD 20878

SITE PLAN



Subject Property Area



Current:
Light Commercial (C-1)

Proposed:
Multi-Family 25 (MF-2)

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



March 31, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1425-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 13.224 acres, more or less, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).

***Applicant:* Metcalfe, Wolff, Stuart & Williams, LLP**

***Owner:* Dwyer Realty Companies**

The Planning and Zoning Commission will meet at 6:30PM on April 13, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on April 20, 2022 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 also 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.

Newsome Florence Et Al.
P.O. BOX 133
Manor, TX 78653

Field Mary R Et. Al.
P.O. BOX 184
Manor, TX 78653

Duvall Novella P
P.O. BOX 654
Manor, TX 78653

Newsome Florence Et Al.
P.O. BOX 133
Manor, TX 78653

Taylor Floyd Roy Et. Al.
7010 Blessing
Austin, TX 78752

Herrera Juan Carlos & Maria D
107 N Bastrop St.
Manor, TX 78653

Garcia Epifanio Delgado
5503 Hibiscus
Austin, TX 78724

Cabello Pedro & Erica Cabello
209 N Bastrop St.
Manor, TX 78653

Desh Jr. LLC
4419 Ramsey Ave.
Austin, TX 78756

Wheeler Street Partnership
P.O. BOX 170309
Austin, TX 78717

Easley Lenora
P.O. BOX 734
Manor, TX 78653

Riojas Santiago & Irasema
P.O. BOX 885
Manor, TX 78653

Loggins Raydell
P.O. BOX 47
Manor, TX 78653

Easley Lenora
307 W Boyce St.
Manor, TX 78653

Crumbley Gilbert & Essie
P.O. BOX 170309
Austin, TX 78717

Bowen Bradley & Paula
18109 Whitewater Cv.
Round Rock, TX 78681

Bush Kaitanya L
P.O. BOX 218
Manor, TX 78653

Travis County Emergency
P.O. BOX 846
Manor, TX 78653

Bowen Bradley & Paula
18109 Whitewater Cv.
Round Rock, TX 78681

Guerrero Julio & Cynthia
P.O. BOX 142265
Austin, TX 78714

Travis County Emergency
P.O. BOX 846
Manor, TX 78653

Sepco
P.O. BOX 170309
Austin, TX 78717

Bowen Bradley & Paula
18109 Whitewater Cv.
Round Rock, TX 78681

Milligan Finish
3811 Liberty Square Trail
Fresno, TX 77545

Sepco
P.O. BOX 170309
Austin, TX 78717

Mims Michael L & Beverly R
P.O. BOX 447
Manor, TX 78653

Chavez Marcos A
12555 Kimbro Rd
Manor, TX 78653

AAA Fire & Safety Equipment Co. Inc.
P.O. BOX 16401
Austin, TX 78761

Davis Hattie Mae
P.O. BOX 229
Manor, TX 78653

Wilson Joetta
411 W Parsons St.
Manor, TX 78653

Burns Memorial Temple
P.O. BOX 1061
Manor, TX 78653

City of Manor
105 E. Eggleston St.
Manor, TX 78653

Al Noor Muslim Community Center of
Manor
900 Low Brim Cv
Pflugerville, TX 78660

Li Julie
P.O. BOX 203731
Austin, TX 78720

City of Manor
105 E. Eggleston St.
Manor, TX 78653

Carbajol Felipe H & Isabel Ortuno
P.O. BOX 214
Manor, TX 78653

Lions Club of Manor Inc.
P.O. BOX 68
Manor, TX 78653

Burns Elbert R Et. Al.
P.O. BOX 413
Manor, TX 78653

Jones Samuel Dell Jr & Rachel
P.O. BOX 416
Manor, TX 78653

Manor Apartments LLC
4600 Triangle Ave. #6102
Austin, TX 78751

Smith Audrey B
10304 Ivy Jade
Schertz, TX 78154

Miramontes Manuel Torres & J
19337 W T Gallaway St.
Manor, TX 78653

Samudio Faustino
P.O. BOX 28
Manor, TX 78653

Okoro Chiamo
3101 E. 12th St. Unit D-4
Austin, TX 78702

Esparza Antonio
16709 Hamilton Point Cir
Manor, TX 78653

Salazar Jose Cipriano & Uganda
P.O. BOX 164
Manor, TX 78653

Okoro Chiamo
3101 E. 12th St. Unit C4
Austin, TX 78702

Habbit Ambus & Purinea
432 W Parsons St.
Manor, TX 78653

De Leon Carmen P
P.O. BOX 81
Manor, TX 78653

Casimiro Mildred
412 W. Parsons St.
Manor, TX 78653

Manor ISD
P.O. BOX 359
Manor, TX 78653

Reyes Mary A & Robert H
P.O. BOX 344
Manor, TX 78653

Montero Roberto
709 Busleigh Cattle Way
Pflugerville, TX 78660

Riojas Oralia Garza
P.O. BOX 89
Manor, TX 78653

City of Manor
105 E. Eggleston St.
Manor, TX 78653

Al Noor Muslim Community Center of
Manor
900 Low Brim Cv
Pflugerville, TX 78660



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

Applicant: Metcalfe, Wolff, Stuart & Williams, LLP
Owner: Edward Butler

BACKGROUND/SUMMARY:

This 26 acres is directly south of the 40 acres that MISD is constructing their K-8 School. South of this property remains C-2 Medium Commercial. There is a planned roadway through the commercial tract that would provide this MF-2 tract with access to US 290 as well as FM 973. 26 acres of MF-2 could be up to 650 units, but they have proposed 600 units.

The P&Z Commission voted 4-1 to recommend approval of this item.

First reading was approved at the May 18, 2022, Regular Council Meeting.

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

- Letter of Intent
- Ordinance No. 656
- Map
- Survey
- Notices
- Labels

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve the second and final reading of Ordinance No. 656 rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		



METCALFE WOLFF
STUART & WILLIAMS, LLP

TALLEY WILLIAMS
Partner

twilliams@mwswtexas.com
512-404-2234

March 11, 2022

Mr. Scott Dunlop
Interim City Manager
105 E Eggleston St.,
Manor, Texas 78653

Via Online Submittal

Re: Application for Rezoning; Approximately 26.30 acres (designated as Lot 1, Block A) within the Butler-Manor Project located at E. US 290 and 13100 N. FM 973 (the "Property").

Dear Mr. Dunlop:

As representatives of the owner of the above stated Property we respectfully submit the attached Zoning Application to request a change from Medium Commercial (C-2) to Multi-family 25 (MF-2). The Property is located within the Butler-Manor Project located at E. US 290 and 13100 N. FM 973 and is currently undeveloped (see attached Location Map).

The Property is part of the Butler-Manor Project which is a mixed-use development that also includes commercial and residential uses as well as publicly accessible open space. The Property will provide a unique and highly amenitized multifamily development in this high quality, pedestrian oriented development of horizontal mixed use, which is desired by the City of Manor.

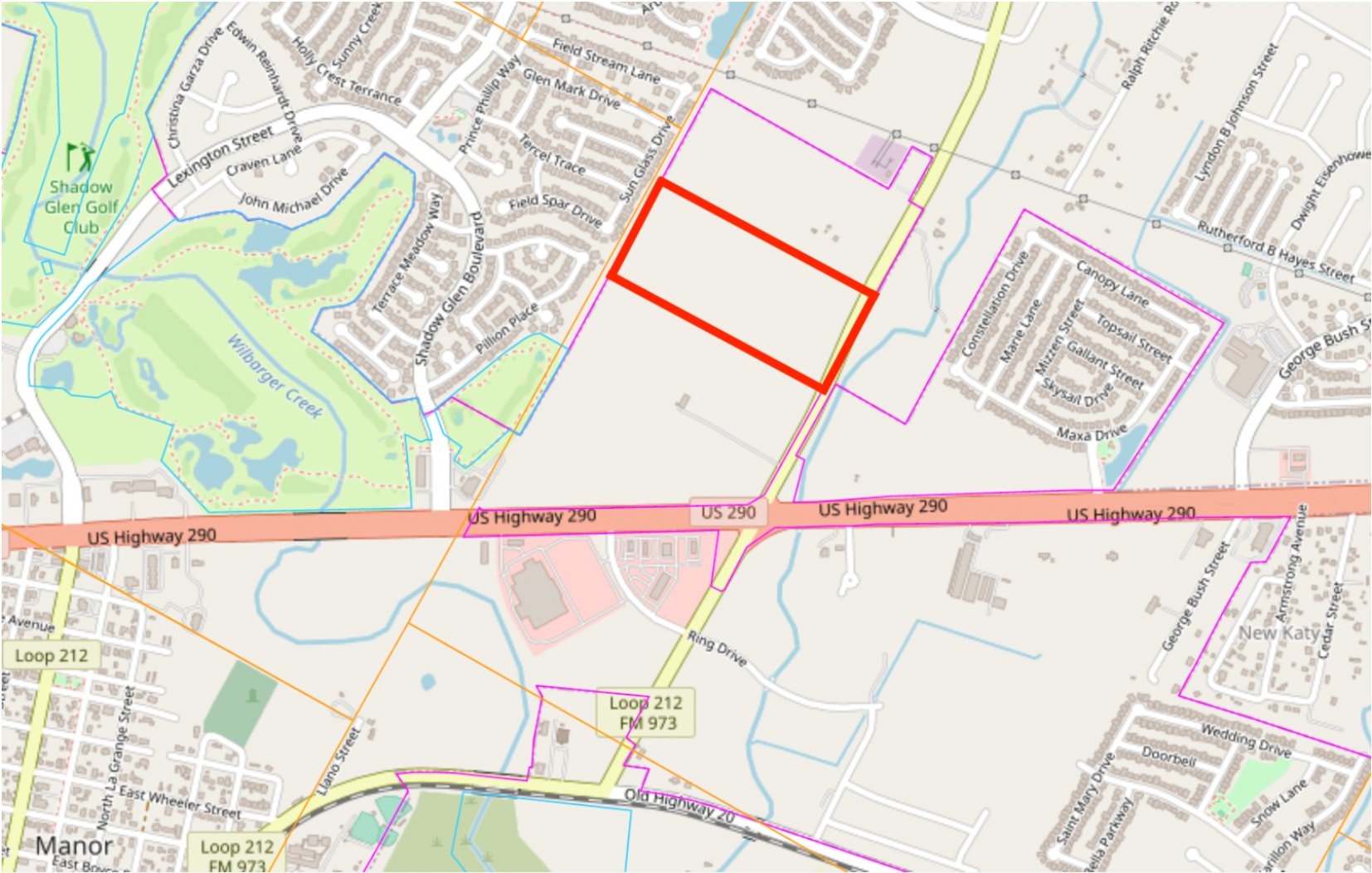
Attached to this application is a Microsoft Word document with the names and addresses of property owners within 300 feet of the Property, tax certificates and metes and bounds for the Property.

If you have any questions about the proposed Zoning Application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

Talley Williams

ZONING EXHIBIT



ORDINANCE NO. 656**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM MEDIUM COMMERCIAL (C-2) TO MULTI-FAMILY 25 (MF-2); 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 Medium Commercial (C-2) to zoning district Multi-Family 25 (MF-2). The Property is accordingly hereby rezoned to Multi-Family 25 (MF-2).

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. 656

Page 2

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

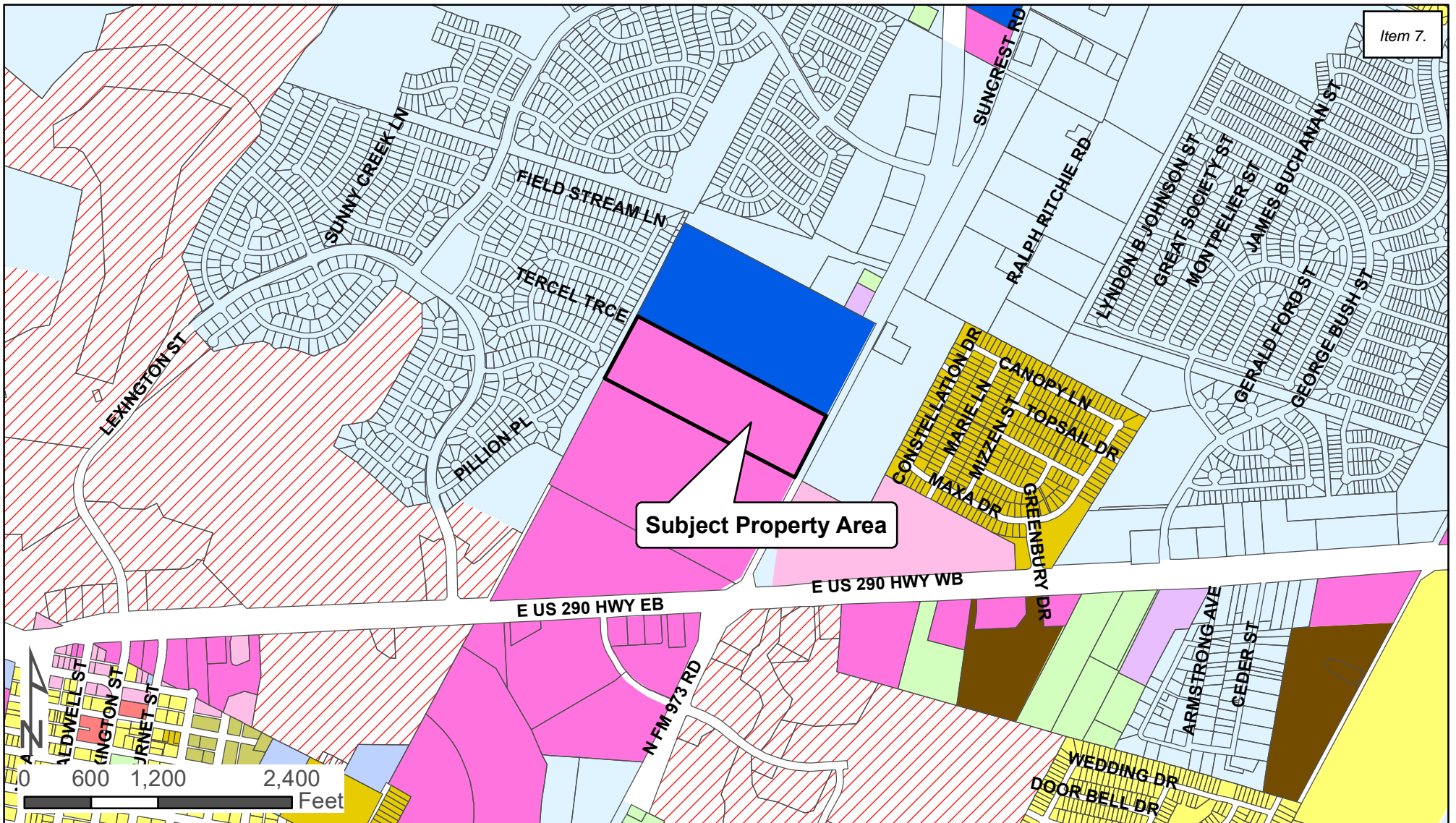
Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT “A”

Property Legal Description:



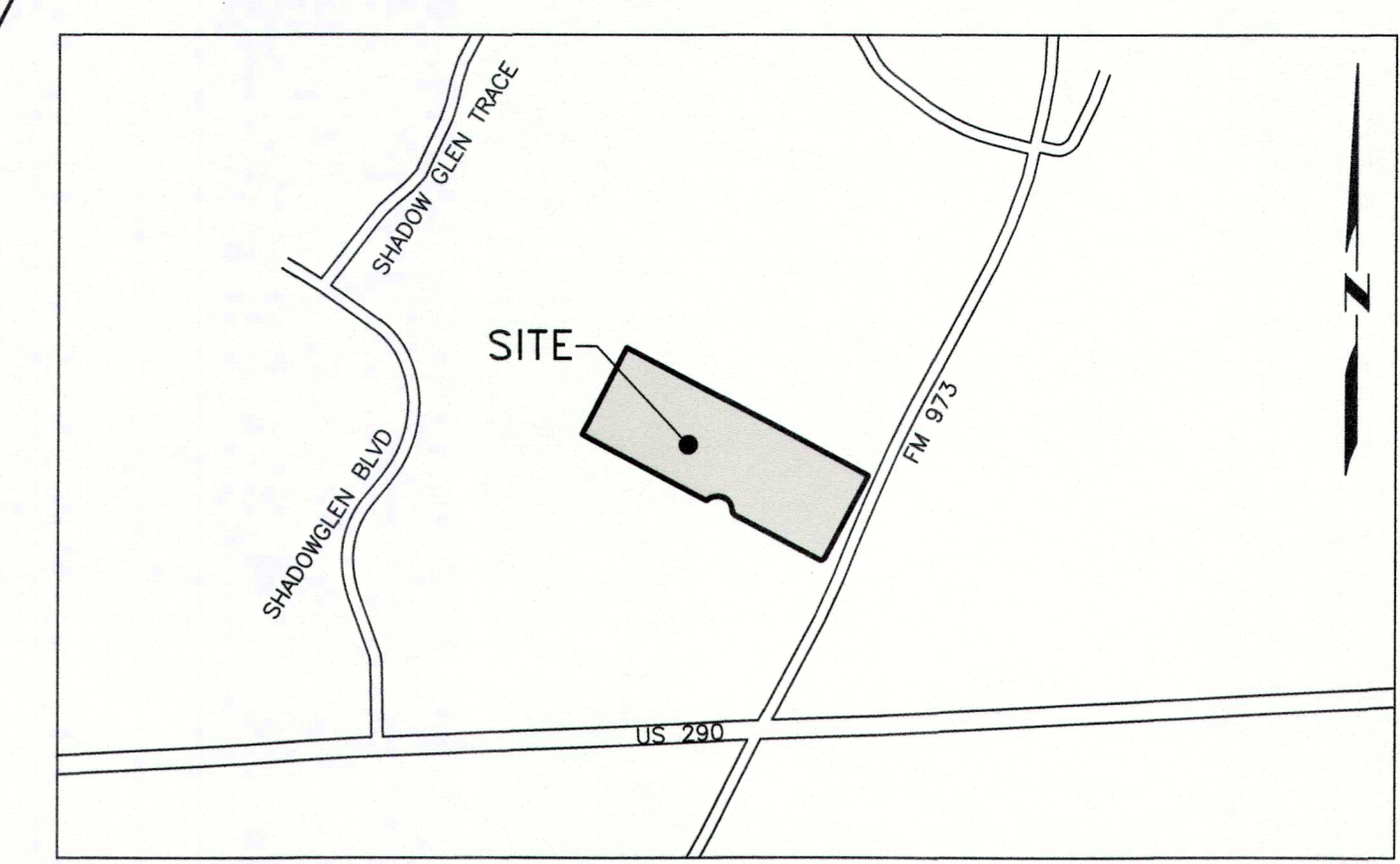
Current:
Medium Commercial (C-2)

Proposed:
Multi-Family 25 (MF-2)

Zone

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

Table with columns: REVISIONS, DESCRIPTION, DATE. Includes project name, date, and drawing file path.



COMMITMENT FOR TITLE INSURANCE PROVIDED BY: TITLE RESOURCES GUARANTY COMPANY OF NO. 2153735-00M EFFECTIVE DATE: OCTOBER 14, 2021 ISSUE DATE: OCTOBER 26, 2021

- SCHEDULE B EXCEPTIONS: 10a EASEMENT: RECORDED: VOLUME 623, PAGE 322, DEED RECORDS, TRAVIS COUNTY, TEXAS. LOWER COLORADO RIVER AUTHORITY PURPOSE: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE (DOES NOT AFFECT) 10b EASEMENT: RECORDED: VOLUME 650, PAGE 212, DEED RECORDS, TRAVIS COUNTY, TEXAS. LOWER COLORADO RIVER AUTHORITY PURPOSE: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE (MAY AFFECT, VAGUE DESCRIPTION) 10c EASEMENT: RECORDED: VOLUME 4822, PAGE 1615, DEED RECORDS, TRAVIS COUNTY, TEXAS. MANVILLE WATER SUPPLY CORP. PURPOSE: PIPELINE (MAY AFFECT, VAGUE DESCRIPTION) 10d ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATION OF COAL, LIGNITE, OIL, GAS AND OTHER MINERAL, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED. (NOT A SURVEY MATTER) 10e RIGHTS OF PARTIES IN POSSESSION. (OWNER POLICY) (NOT A SURVEY MATTER) 10f RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER ANY AND ALL UNRECORDED LEASES OR RENTAL AGREEMENTS. (NOTE: THIS ITEM CAN BE DELETED UPON RECEIPT OF AN AFFIDAVIT EXECUTED BY THE SELLER EVIDENCING THERE ARE NO ANY OUTSTANDING LEASES OR RENTAL AGREEMENTS. IF THE AFFIDAVIT REVEALS UNRECORDED OUTSTANDING LEASES OR RENTAL AGREEMENTS THE EXCEPTION MAY BE MODIFIED TO MAKE SPECIFIC EXCEPTION TO THOSE MATTERS.) (NOT A SURVEY MATTER) 10g ANY VISIBLE AND APPARENT EASEMENT, EITHER PUBLIC OR PRIVATE, LOCATED ON OR ACROSS THE LAND, THE EXISTENCE OF WHICH IS NOT DISCLOSED BY THE PUBLIC RECORDS AS HEREIN DEFINED. (NOTED HEREON) 10h ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. (NOTED HEREON) 10i ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A DEDICATED OR UNDEDICATED PUBLIC OR PRIVATE ROADWAY. (NOTED HEREON)

GENERAL NOTES: THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203). DISTANCES AND AREAS SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.0000755219 SOME FEATURES SHOWN HEREON MAY BE OUT OF SCALE FOR CLARITY. UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND AND VISIBLE EVIDENCE. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. SURVEYOR DOES NOT CERTIFY TO THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN HEREON. CONTRACTORS SHALL CONTACT APPROPRIATE UTILITY COMPANIES AND TEXAS 811 PRIOR TO EXCAVATION.

FLOOD NOTE: THE TRACT SHOWN HEREON DOES NOT APPEAR TO LIE WITHIN A DESIGNATED FLOODPLAIN AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, IN A LETTER OF MAP CHANGE (LOMC) ACTION DATED JANUARY 15, 2020, WITH AN EFFECTIVE DATE OF JANUARY 23, 2020. CASE NUMBER 13-06-0041V FOR TRAVIS COUNTY, TEXAS, COMMUNITY NO. 481026. THIS FLOOD PLAIN NOTE DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

ALTA/NSPS TABLE A NOTES: TABLE A ITEM 2, ADDRESS(ES) OF THE SURVEYED PROPERTY IF DISCLOSED IN DOCUMENTS TO OR OBTAINED BY THE SURVEYOR, OR OBSERVED WHILE CONDUCTING THE FIELDWORK. ADDRESS UNKNOWN

TABLE A ITEM 6(a), IF SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, LIST THE CURRENT ZONING CLASSIFICATION, SETBACK REQUIREMENTS, THE HEIGHT AND FLOOR SPACE AREA RESTRICTIONS, AND PARKING REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER. A ZONING REPORT WAS NOT PROVIDED TO THE SURVEYOR.

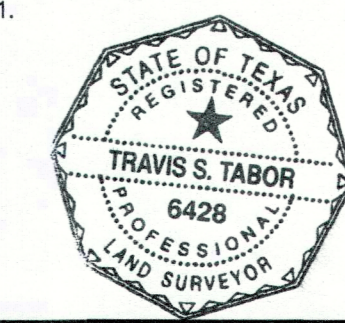
TABLE A ITEM 6(b), IF THE ZONING SETBACK REQUIREMENTS ARE SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, AND IF THOSE REQUIREMENTS DO NOT REQUIRE AN INTERPRETATION BY THE SURVEYOR, GRAPHICALLY DEPICT THE BUILDING SETBACK REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER. A ZONING REPORT WAS NOT PROVIDED TO THE SURVEYOR.

TABLE A ITEM 7(a), EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL. NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY, AT THE TIME OF FIELDWORK.

TABLE A ITEM 9, NUMBER AND TYPE (E.G. HANDICAPPED, MOTORCYCLE, REGULAR, ETC.) OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS, LOTS AND IN PARKING STRUCTURES. NO CLEARLY IDENTIFIABLE PARKING SPACES EXISTING ON THE SITE AT THE TIME OF THE SURVEY.

ALTA/NSPS LAND TITLE SURVEY CERTIFICATION: TO GO MULTI-FAMILY DEVELOPMENT, LLC AND TITLE RESOURCES GUARANTY COMPANY: THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, 11, & 13 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON SEPTEMBER 23, 2021.

DATE OF PLAT OR MAP: NOVEMBER 29, 2021.



11/29/2021 Travis S. Tabor REGISTERED PROFESSIONAL LAND SURVEYOR STATE OF TEXAS NO. 6426

BLUEBONNET FINAL PLAT DOC. NO. 200800197 O.P.R.T.C.T. LOT 1, BLOCK 1 MICHAEL J. PAOLIK AND MICHAEL JAMES PAOLIK, JR. (1.062 ACRES) DOC. NO. 200596042 O.P.R.T.C.T.

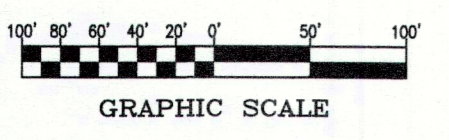
GREENBURY GATES SURVEY ABSTRACT NO. 315

BUTLER FAMILY PARTNERSHIP, LTD. TRACT 1 (116.45 ACRES) VOL. 12271, PG. 872 R.P.R.T.C.T.

26.30 ACRES NO IMPROVEMENTS OBSERVED AT THE TIME OF THE SURVEY

BUTLER FAMILY PARTNERSHIP, LTD. TRACT 1 (116.45 ACRES) VOL. 12271, PG. 872 R.P.R.T.C.T.

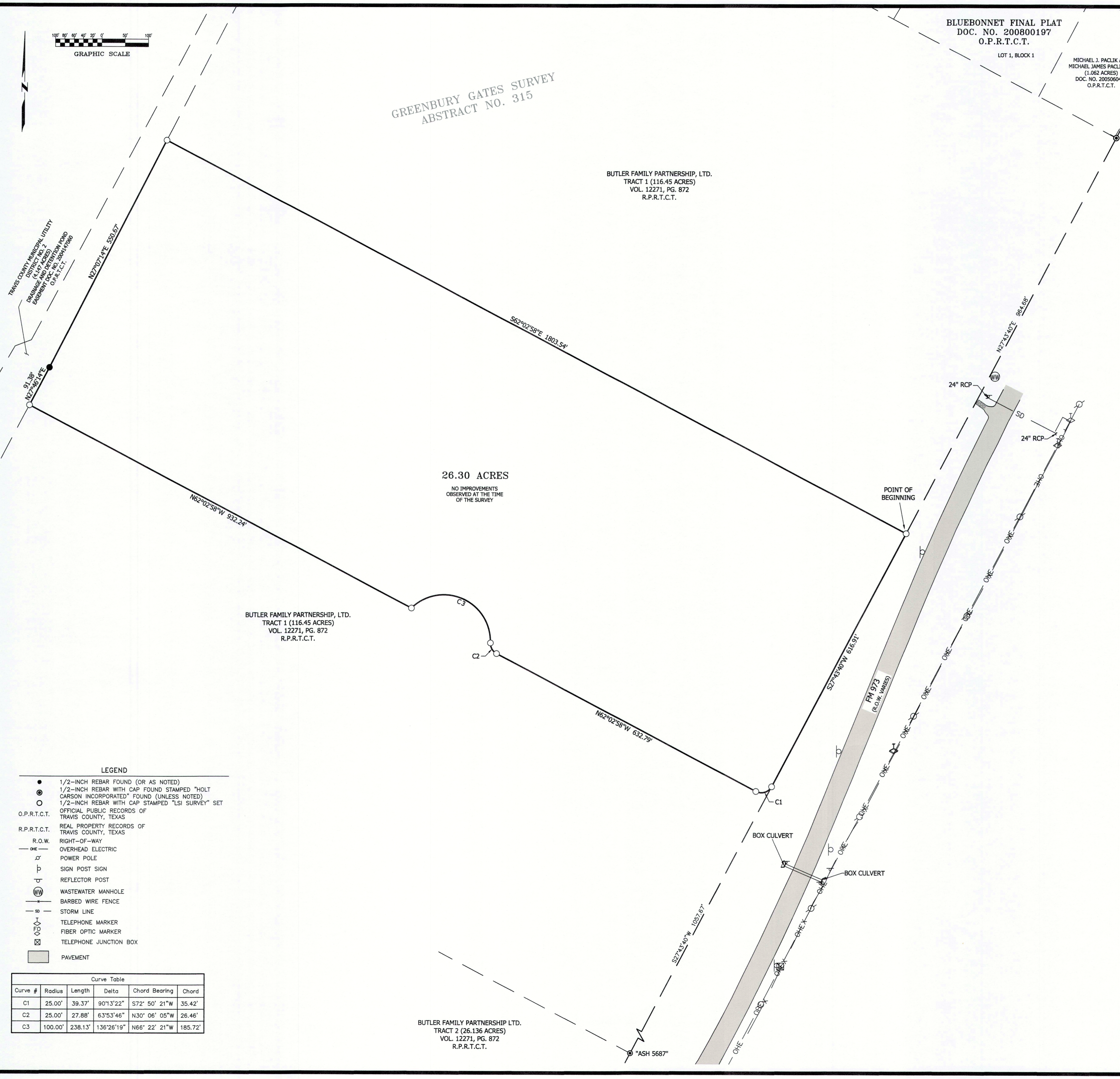
BUTLER FAMILY PARTNERSHIP LTD. TRACT 2 (26.136 ACRES) VOL. 12271, PG. 872 R.P.R.T.C.T.



TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT (MUD) (4.17 ACRES) DRAINAGE AND WASTEWATER SYSTEM EXEMPT DOC. NO. 200445788 O.P.R.T.C.T.

- LEGEND: 1/2-INCH REBAR FOUND (OR AS NOTED) 1/2-INCH REBAR WITH CAP FOUND STAMPED "HOLT CARSON INCORPORATED" FOUND (UNLESS NOTED) 1/2-INCH REBAR WITH CAP STAMPED "LSI SURVEY" SET OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS R.O.W. RIGHT-OF-WAY OVERHEAD ELECTRIC POWER POLE SIGN POST SIGN REFLECTOR POST WASTEWATER MANHOLE BARBED WIRE FENCE STORM LINE TELEPHONE MARKER FIBER OPTIC MARKER TELEPHONE JUNCTION BOX PAVEMENT

Curve Table with columns: Curve #, Radius, Length, Delta, Chord Bearing, Chord. Includes curves C1, C2, and C3.





March 31, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1426-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 26.30 acres, more or less, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).

***Applicant:* Metcalfe, Wolff, Stuart & Williams, LLP**

***Owner:* Edward Butler**

The Planning and Zoning Commission will meet at 6:30PM on April 13, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on April 20, 2022 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 also 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.

Wilken Walter William
11625 Sun Glass Dr.
Manor, TX 78653-3885

Ajai Akinyemi P
11505 Sun Glass Dr.
Manor, TX 78653

Gruza Agata & Eric Michael Daley
13824 Long Shadow Dr.
Manor, TX 78653

Waldon Charles L & Aursha R
11621 Sun Glass Dr.
Manor, TX 78653-3885

Phillips Todd Curtis
11501 Sun Glass Dr.
Manor, TX 78653

Gigl Michael William
20417 Crooked Stick Dr.
Pflugerville, TX 78660-8196

Itnyre Stephen C & Sandra L
11617 Sun Glass Dr.
Manor, TX 78653-3885

Bitra Aspazia
13832 Field Spar Dr.
Manor, TX 78653

Haney David L & Josie U
13825 Tercel Trce.
Manor, TX 78653

Spead Brent William & Shyla Anahita
11613 Sun Glass Dr.
Manor, TX 78653-3885

Prieto Daisy & Salvador U Flores
13828 Field Spar Dr.
Manor, TX 78653

Kendrick Willie & Carmen Maria
13824 Tercel Trce.
Manor, TX 78653

Holmes Charlie
P.O. Box 27626
Macon, GA 31221-7626

Benedetti Brett R
13824 Field Spar Dr.
Manor, TX 78653

Forsythe Stacia Kaye
13816 Tercel Trce.
Manor, TX 78653

Vandenberg Kristin L & Scott P
11605 Sun Glass Dr.
Manor, TX 78653-3883

Acosta Carmen & Rodolfo
13820 Field Spar Dr.
Manor, TX 78653

Jones Michael & Lindsay
13821 Field Spar Dr.
Manor, TX 78653

Bell-Sexton Coretta
11601 Sun Glass Dr.
Manor, TX 78653-3883

Curtis Sean & Summer
913 N. Inyo St.
Ridgecrest, CA 93555-3000

Kim Chae Kyung
13817 Field Spar Dr.
Manor, TX 78653

Lewis Gladys & Jeffrey
11517 Sun Glass Dr.
Manor, TX 78653-3883

Emamian Seyed-Amir & Priscilla
13812 Field Spar Dr.
Manor, TX 78653

Taylor Williams Wesley Jr.
11733 Pillion Pl.
Manor, TX 78653

Hernandez Mayra
11513 Sun Glass Dr.
Manor, TX 78653

Wood Terrence
25551 SE 41st Ct
Sammamish, WA 98029-7769

White Jennifer & Michael
11509 Sun Glass Dr.
Manor, TX 78653

Hernandez Alejandra & Carlos
13825 Long Shadow Dr.
Manor, TX 78653

Hayes Maura & Terrence III
11737 Pillion Pl.
Manor, TX 78653

Del La Garza Benjamin & Marisa
11708 Pillion Pl.
Manor, TX 78653

Suarez Humberto
11717 Pillion Pl.
Manor, TX 78653

Henry Daffney A
13745 Shady Ridge Ln.
Manor, TX 78653

Timmerman Commercial Investments LP
501 Vale St.
Austin, TX 78746-5732

Mullen Thomas & Amanda
11713 Pillion Pl.
Manor, TX 78653

Stiggers Gary L
11729 Pillion Pl.
Manor, TX 78653

Monroe Ozie SR Family Trust
P.O. BOX 254
Manor, TX 78653-0254

Hunt Anthony & Victoria
11720 Pillion Pl.
Manor, TX 78653

Mcarthur Marilyn D
11725 Pillion Pl.
Manor, TX 78653

Board of Trustees of the Manor
Independent
P.O. BOX 9190
% Butler Family Partnership
Austin, TX 78766-9190

Brown George Jr
P.O. Box 1158
Manor, TX 78653

Manker Michael & Lauren
11721 Pillion Pl.
Manor, TX 78653

Ambuhl Allen C & Debra K Young
11712 Pillion Pl.
Manor, TX 78653



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

BACKGROUND/SUMMARY:

See attached explanations page
Planning and Zoning Commission recommended approval 4-1 with the removal of Section 5.
First reading approved at the May 18, 2022, Regular Council Meeting.

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

- Ordinance No. 657
- Explanations page

STAFF RECOMMENDATION:

It is City staff’s recommendation that the City Council approve the second and final reading of Ordinance No. 657 Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**
X -REMOVE SECTION 5

ORDINANCE 657

AN ORDINANCE OF THE CITY OF MANOR, AMENDING CHAPTER 14, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF MANOR, TEXAS, BY PROVIDING FOR THE AMENDMENT OF DEFINITIONS AND RESIDENTIAL LAND USE CONDITIONS; MODIFYING GENERAL DEVELOPMENT REGULATIONS FOR MULTI-FAMILY DISTRICTS; AMENDING NON-RESIDENTIAL USES IN NON-RESIDENTIAL AND MIXED-USE ZONING DISTRICTS; AMENDING NON-RESIDENTIAL AND MIXED-USE LAND USE CONDITIONS; AMENDING NON-RESIDENTIAL AND MIXED-USE DEVELOPMENT STANDARDS; AMENDING SINGLE FAMILY ATTACHED AND MULTI-FAMILY AND MIXED-USE ARCHITECTURAL STANDARDS; AND AMENDING NONCONFORMING STRUCTURES; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING SAVINGS, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Manor, Texas (the “City”) is a home-rule City authorized to regulate zoning within its city limits; and

WHEREAS, the City Council of the City of Manor, Texas (the “City Council”) reviews the City’s zoning regulations from time to time to consider amendments to Chapter 14, Zoning of the City’s Code of Ordinances (the “Zoning Ordinance”); and

WHEREAS, the City finds it necessary to amend the Zoning Ordinance and adopt the amendments set forth in this ordinance; and

WHEREAS, the City finds that the Zoning Ordinance should be amended to better provide an attractive living environment and to protect health, safety, morals and welfare of the present and future residents of the City; and

WHEREAS, the City Council has determined that the proposed amendments are reasonable and necessary to more effectively guide and manage the development and use of land.

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 Code of Ordinances. The City Council hereby amends Chapter 14, Zoning of the Manor Code of Ordinances (the “Zoning Ordinance”) to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single

Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures; as provided for in Sections 3 through 12 of this Ordinance.

SECTION 3. Amendment of Section 14.01.008 Definitions. Section 14.01.008 of the Zoning Ordinance is hereby amended as follows:

- (a) The definition for “Church or rectory” is hereby amended in its entirety to read as follows:

“Church or rectory See: Religious assembly.”

- (b) The definition for “Construction and equipment sales, minor” is hereby amended in its entirety to read as follows:

“Construction and equipment sales, minor means a building of structure used for the inside display, sale, rental, or storage of light machinery, including, but not limited to lawn mowers, tools, and other small machinery. This use also includes the sale of electrical, plumbing, and mechanical (HVAC) supplies and equipment.”

- (c) The definition for “Drive Aisle” is hereby added in alphabetical order to read as follows:

“Drive aisle means a circulation route for vehicular traffic through a parking lot, site or property, and may connect to a driveway.”

- (d) The definition for “Drive Aisle, Major” is hereby added in alphabetical order to read as follow:

“Drive aisle, major means a primary circulation route for vehicular traffic through a development which provides access to two (2) or more lots. Major drive aisles typically intersect with a public right-of-way or other major drive aisles.”

- (e) The definition for “Dwelling (single-family attached)” is hereby amended in its entirety to read as follows:

“Dwelling (single-family attached) See: Townhouse.”

- (f) The definition for “Religious Assembly” is hereby amended in its entirety to read as follows:

“Religious assembly means regular organized religious worship or religious education in a permanent or temporary building, as permitted in this Chapter. The use excludes private primary and secondary educational facilities, community recreational facilities, day care facilities, and park facilities as principle uses. A property tax exemption is prima facie evidence of religious assembly use.”

SECTION 4. Amendment of Section 14.02.006 Residential Land Use Conditions Table. Section 14.02.006 of the Zoning Ordinance is hereby amended as follows:

(a) The Residential Land Use and Conditions for “Single Family Attached (3 or more units) is hereby amended in its entirety to read as follows:

<p>Single Family Attached (3 or more units)</p>	<ul style="list-style-type: none"> • When located in a MF-1 or MF-2 district, the following development standards of the Townhome district apply to each Single Family Attached structure: <ul style="list-style-type: none"> ○ Maximum height, Minimum dwelling unit size, and Maximum units per structure. • When constructed in a common development (same property) with Multi-Family structures, all setback types for the entire property follow the more restrictive standard. • Architectural, parking and landscaping standards for the Single Family Attached (Townhome) district apply to Single Family Attached structures and areas.
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SECTION 5. Amendment of Section 14.02.007(b) General Development Regulations for MF-2 Section 14.02.007(b) of the Zoning Ordinance is hereby amended to revise the following:

(a) Multi-Family 25 (MF-2) District “Exterior Side Setback to Residential” is revised to read as follows:

Exterior Side Setback to Residential (4)	1-story: 25’
	2-story: 50’
	3-story: 80’
	4-story: 80’

(b) Multi-Family 25 (MF-2) District “Rear Setback to Residential” is revised to read as follows:

Rear Setback to Residential (4)	1-story: 25’
	2-story: 50’
	3-story: 80’
	4-story: 80’

(c) Multi-Family 25 (MF-2) District “Maximum Height” is revised to read as follows:

Maximum Height	55'
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SECTION 6. Amendment of Section 14.02.017(c) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(c) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Offices, Showroom” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Offices, Showroom								P	P	P	

SECTION 7. Amendment of Section 14.02.019 Non-Residential and Mixed-Use Land Use Conditions. Section 14.02.019 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use Land Use Condition for “Offices, Warehouse” to read as follows:

Offices, Warehouse	<ul style="list-style-type: none"> • It is not located within 600 feet from the lot line of a SF-E, SF-1, SF-2, TF, or TH residential district measured along a straight line between the closest district boundary lines. • Truck bays and loading docks are located perpendicular to the public right-of-way and on an interior side or rear elevation of the building, provided they do not abut a street or highway or a SF-E, SF-1, SF-2, TF, or TH residential district. • Access is taken from a collector or higher classification roadway.
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SECTION 8. Amendment of Section 14.02.020(a) General Development Regulations for C-1. Section 14.02.020(a) of the Zoning Ordinance is hereby amended to revise the Light Commercial (C-1) District “Maximum Height” is to read as follows:

Maximum Height	60'
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SECTION 9. Amendment of Section 14.02.020(c) Non-Residential and Mixed-Use District Development Standards Table Notes. Section 14.02.020(c) of the Zoning Ordinance is hereby amended to revise and add the following subsections:

(a) Subsection (2) is hereby amended and revised in its entirety to read as follows:

“(2) Institutional small (I-1), institutional large (I-2), general office (GO), light commercial (C-1), medium commercial (C-2), and heavy commercial (C-3) non-residential properties located within the historic district as defined in [section 14.02.031](#) shall have a minimum of sixty (60) percent front facade masonry and fifty (50) percent overall facade masonry. Percent calculations are based on total exterior facades excluding window and door

openings. Masonry is considered stone, brick, or cement stucco and excludes cementitious planking.”

(b) Subsections (3) and (4) are hereby added to read as follows:

“(3) Light Industrial (IN-1) and Heavy Industrial (IN-2) non-residential properties located within the historic district as defined in [section 14.02.031](#) shall have a minimum of forty (40) percent front facade masonry. Percent calculations are based on total exterior facades excluding window and door openings. Masonry is considered stone, brick, or cement stucco and excludes cementitious planking.

(4) On approval by the commission, NB and DB lots having approximately 5,750 square feet of lot area or less may request approval of reduced setbacks from one or more of the setback requirements for the zoning district. The commission shall consider the lot uses to determine whether reduction of the setback requirements is appropriate. Upon approval of building plans, the setbacks may be not less than five-foot side yard, ten-foot rear yard, fifteen-foot street side yard setback and fifteen-foot front yard setback. Lots owned by the same person may be combined into one building site.”

SECTION 10. Amendment of Section 14.02.062(b)(13)(B) Single Family Attached Garage Standards. Section 14.02.062(b)(13)(B) of the Zoning Ordinance is hereby amended in its entirety to read as follows:

“(B) Dwelling units may have a garage face a public right-of-way (front-loaded) provided the garage does not face a collector or arterial road, the garage does not extend past the front facade of the dwelling unit, and the garage door(s) maintains an architectural theme of the unit. A dwelling unit within the same development, located across a local street, and facing an aforementioned front loaded dwelling unit, may also be front loaded.

(i) A front-loading garage, or the area including the garage door and four (4) feet around the garage door, whichever is wider, may occupy no more than sixty-five (65) percent of the unit’s linear frontage. Garage door areas that occupy fifty (50) percent or less shall include one element from the following list. Garage door areas that occupy between fifty-one (51) percent and sixty-five (65) percent shall contain at least three (3) elements from the following list:

- a. Integrated trim or banding around the garage door.
- b. Garage door relief detailing, including windows.
- c. Decorative hardware including hinges and handles.
- d. Single garage doors with a minimum ten-inch separation.
- e. Architectural roof above the garage.
- f. Other elements as approved by the building official.”

SECTION 11. Amendment of Section 14.02.064(b)(16) Multi-Family Garage Standards. Section 14.02.064(b)(16) of the Zoning Ordinance is hereby amended in its entirety to read as follows:

“(16) Garage standards.

(A) When visible from street rights-of-way, garages shall be located on the side or behind the rear facades of the multi-family buildings.

(i) Alternatively, if visible from street rights-of-way, landscaping and walls shall be provided between the garages and the street right-of-way that at minimum meets the Bufferyard Standards of Section 15.03.023.

(B) When provided, the minimum garage dimensions are 12-foot by 20-foot (inside dimensions) per parking space.

(C) Garage structures shall have the same materials and mix as facades of the primary residential structure.

(D) Surface parking lots located within a setback adjacent to a residential use, excluding Multi-Family 15 (MF-1) and Multi-Family 25 (MF-2), shall not be permitted.

(i) Alternatively, single story structures containing garage spaces may be permitted between a multi-family structure and a residential use to buffer the multi-family parking area from the residential use.”

SECTION 12. Amendment of Section 14.04.002(a) Nonconforming Structures. Section 14.04.002(a) of the Zoning Ordinance is hereby amended in its entirety to read as follows:

“(a) Normal repairs and maintenance may be made to a nonconforming building or structure; provided that no structure alterations shall be made except those required by law or ordinance or those necessary for installing or enclosing required sanitary facilities, such as toilets and bathrooms. Structure alterations include, but are not limited to, façade modifications beyond normal repairs and maintenance. Façade modifications beyond normal repairs and maintenance shall conform to all regulations of the district in which the structure is located.”

SECTION 13. Construction

The terms and provisions of this Ordinance shall not be construed in a manner to conflict with Chapter 211 of the Texas Local Government Code and if any term or provision of this Ordinance shall appear to conflict with any term, provision or condition of Chapter 211, such Ordinance term or provision shall be read, interpreted and construed in a manner consistent with and not in conflict with such Chapter, and, if possible, in a manner to give effect to both. The standard and accepted rules of statutory construction shall govern in construing the terms and provisions of this Ordinance.

SECTION 14. Repealing all Conflicting Ordinances

All ordinances or parts of ordinances governing zoning in force when the provisions of this Ordinance become effective which are inconsistent with or in conflict with the terms and provisions contained herein are amended only to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

SECTION 15. Savings Clause

This City Council of the City of Manor, Texas hereby declares if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

SECTION 16. Severability

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 17. Open Meetings

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, Chapter 551 of the Texas Government Code.

SECTION 18. Effective Date

This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Zoning Code Amendments

Section 3

- Clarified that the definition for “Church or rectory” is the same as “Religious Assembly”
- Added in “Construction and Equipment Sales, minor” that electrical, plumbing, and HVAC sales are included
- Added definitions for Drive Aisle and Drive Aisle, Major
- Clarified that the definition for “Dwelling (single-family attached) is the same as Townhouse
- Added in “Religious Assembly” definition that education facilities, community recreation, daycare facilities, and park facilities are excluded as principle uses.

Section 4

- Removed from the Single Family Attached conditions the standard that Townhome areas within MF-1 or MF-2 zoned area be at the TH density of 12 units acre.
 - If a property is provided MF-1 (15 units/acre) or MF-2 (25 units/acre) then Townhomes built in those zoning districts could also be at that density rather than 12 units/acre

Section 5

- Increased MF-2 to 4-stories
- Increased maximum height to 55’
 - Was 3-stories and 45’

Section 6

- Added “Offices, Showroom” as a permitted use in C-2
 - It’s primarily a retail, sales tax generating use so would appropriate in C-2. It had just been in C-3 and IN-1

Section 7

- Specified the residential districts that “Office, Warehouses” must be located 600’ or further away from.
 - Had been all residential districts. Now MF-1 and MF-2 are excluded and can be within 600’ of an Office, Warehouse

Section 8

- Increased C-1 Light Commercial to 60’ to match C-2 and C-3
 - Had been 45’

Section 9

- Pulled IN-1 and IN-2 out of the section with other non-residential uses that provided for masonry and created a separate section to provide masonry standards that are specific for IN-1 and IN-2 uses. This was set at 40% of the front façade, when we can enforce it.
 - It had been 60% and 50% overall, which on large 100,000 sf or larger industrial buildings is not necessary

- Added a new section that allows for NB and C-1 lots that are 5,750 sf (standard lot size in the older part of the city) to reduce their setbacks via Planning Commission approval.
 - This is already allowed for in residential districts but allowing it for NB and C-1 will help make development in the older part of the city easier for commercial projects

Section 10

- Updated the garage standards for Single Family attached (Townhomes)
 - The front façade garage percentage had been capped at 40%, but it was changed to mirror what is permitted for Single Family detached homes that allows them to go up to 65% with additional architectural detailing

Section 11

- Updated garage standards for Multi-Family (MF-1 and MF-2) to not make a certain percentage of the parking mandatory garage spaces.
 - The update provides mitigations IF garages are required, like bufferyards if they face a public right of way, minimum dimensions, and that single story detached garage structures can be an additional buffer to other residential uses
 - Prior code had 50% of the number of units had to be garage spaces and 50% of those had to be incorporated into the principle structure(s). For example, a 300 unit project would need 150 garage spaces and of that 75 had to be within the multi-family buildings themselves.

Section 12

- Updated the Nonconforming Structures sections to better clarify that modifying facades beyond normal maintenance requires the façade to meet our masonry standards, when we can enforce them.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH).

Applicant: Lexington Manor LLC

Owner: Lexington Manor LLC

BACKGROUND/SUMMARY:

This property is a half block at N. Lexington and W. Browning. There is large vacant home on the property with the back area of the property being undeveloped. The applicant is requesting to rezone the lots the home is on plus 1 other to Neighborhood Business and the 2 other lots furthest from Lexington to Townhome. This would permit the existing home to be used for a commercial use like retail, restaurant, or office. NB also permits residential when it's in the same structure as a commercial use. The TH area would permit 3 units of housing.

The P&Z Commission voted 3-2 to recommend denial of this item.

First reading was approved at the May 18, 2022, Regular Council Meeting.

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

- Letter of Intent
- Ordinance No. 658
- Zoning Map
- Area Map
- Notice
- Labels

STAFF RECOMMENDATION:

It is the city staff's recommendation that the City Council approve the second and final reading of Ordinance no. 658 rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
		X	

LEXINGTON MANOR

Stacy Rhone
Partner

P.O. Box 2192
Pflugerville, Texas 78691
Direct: 512.826.0083
Stacy@metrohilletp.com

April 11, 2022

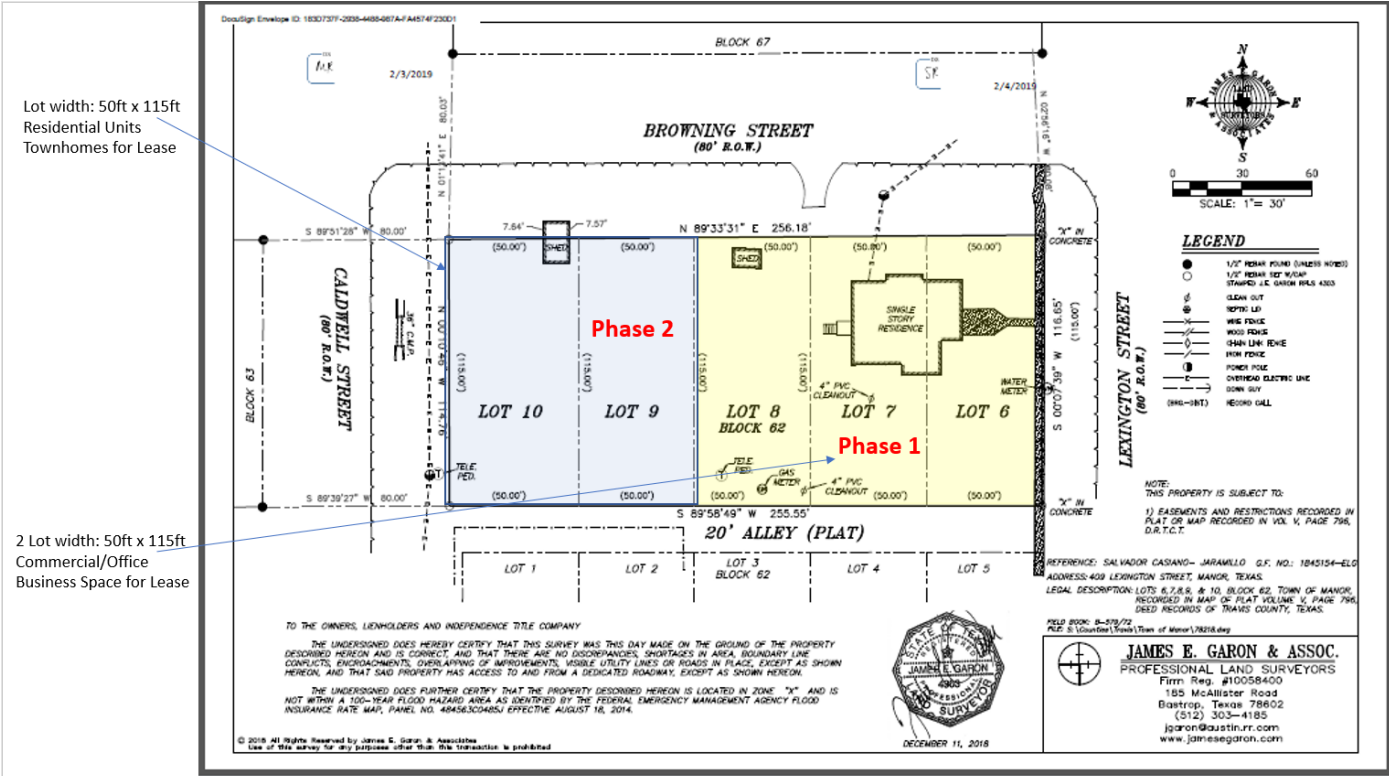
City of Manor, Texas
Attn: Mr. Scott Dunlop, Director of Development Services
P.O. Box 387, Manor, Texas 78653

RE: Updated Zoning Change Request for 409 N. Lexington; 104, 106 & 108 W. Browning Street, and 408 N. Caldwell Street in Manor, Texas.

Dear Mr. Dunlop,

This letter is to request rezoning of Manor Texas Parcel ID 238747 consisting of 5 lots, from R1- Residential to NB-Neighborhood Business for lots 6-8 and Townhome designation for Lots 9-10.

The whole of the parcel is intended for multiple uses under the requested NB and Townhome designation. The tracts fronting N. Lexington (2 lots with structure – lots 6,7 & 8) will be refurbished and designated as multi-story (2-3) mixed use including retail/commercial/restaurant uses. The remaining lots (2 lots – 9 & 10) will be dedicated to two-story multi-family as illustrated below.



Respectfully requested,
Stacy Rhone
Partner

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) AND TOWNHOME (TH); 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"), to zoning district Neighborhood Business (NB) and Townhome (TH). The Property is accordingly hereby rezoned to Neighborhood Business (NB) and Townhome (TH).

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 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the ___ day of ___ 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

ORDINANCE NO.

Page 3

EXHIBIT “A”

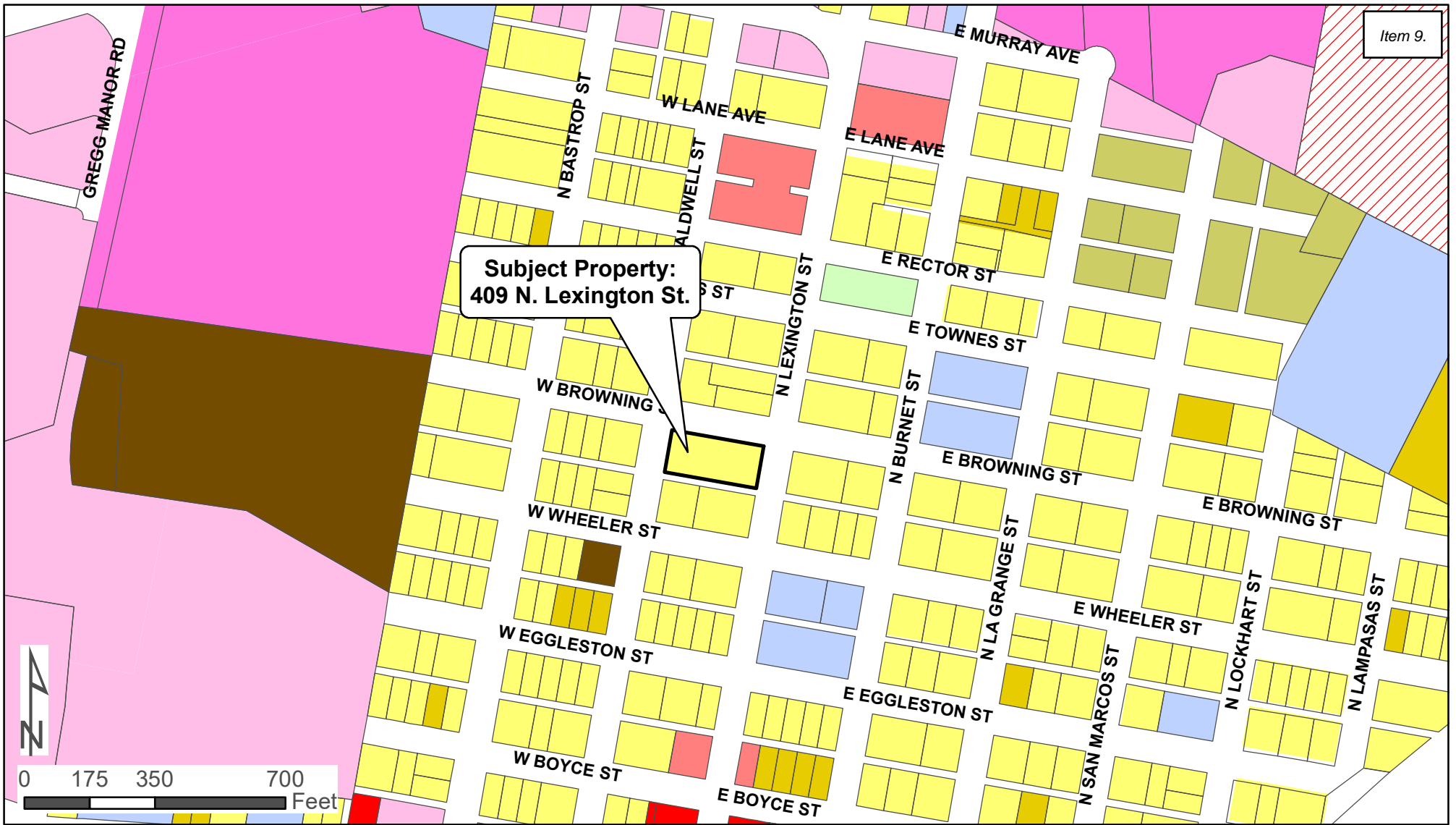
Property Address:
409 North Lexington Street, Manor, TX 78653

Property Legal Description Neighborhood Business:

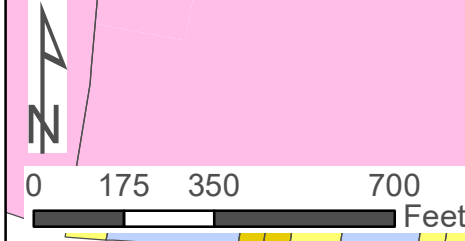
Lots 6 ,7, and 8, Block 62, Town of Manor

Property Legal Description Townhome:

Lots 9 and 10, Block 62, Town of Manor



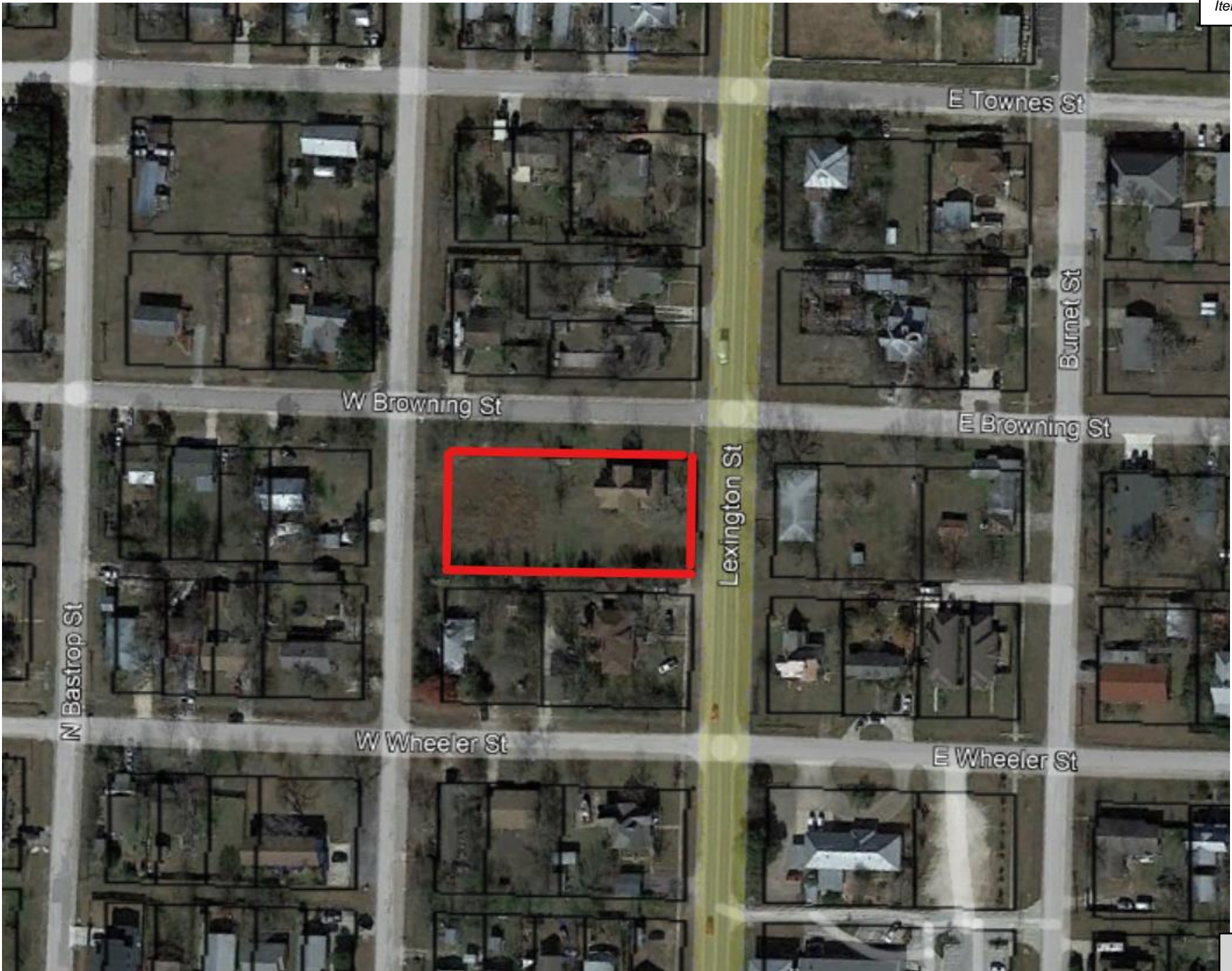
**Subject Property:
409 N. Lexington St.**



*Current Zoning:
Single Family Suburban (SF-1)*

**Proposed Zoning:
Neighborhood Business (NB)
Townhome (TH)**

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





April 27, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1417-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 0.66 acres, more or less, and being located at 409 North Lexington Street, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH).

Applicant: Lexington Manor LLC

Owner: Lexington Manor LLC

The Planning and Zoning Commission will meet at 6:30PM on May 11, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on May 18, 2022 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 also 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.

RODRIGUEZ JUAN T ANGUIANO & ISELA
CASTORENA RUIZ
197 OAK ARBOR TRL
DALE TX 78616-2305

MCCORKLE EMILY K MINSTER
509 CALDWELL ST
MANOR TX 78653-3368

GUERRERO RUDY & ALICE R
121 E. KILLEN LN
TEMPLE TX 76501-1420

NORWOOD JOHN S
PO BOX 140
MANOR TX 78653-0140

TANCOR LLC
9009 FAIRWAY HILL DR
AUSTIN TX 78750-3023

CULWELL MILTON RAY
PO BOX 303
MANOR TX 78653-0303

REYNOLDS STACIE & MARGARET SALEEM
505 N LEXINGTON ST
MANOR TX 78653-3341

RICH RICHARD
PO BOX 374
MANOR TX 78653-0374

SOSA BENTURA & PATRICIA ANN
PO BOX 26
MANOR TX 78653-0026

SAMARIPA LALA F
209 W BROWNING ST
MANOR TX 78653-5417

CRUZ PEREZ BEATRIZ
17817 GOLDEN VALLEY DR
MANOR TX 78653-5345

HUX TIANA LYNNE
1194 3/4 INNES AVE
LOS ANGELES CA 90026-6799

DE LA LUZ FILIBERTO
204 RED OAK CR
AUSTIN TX 78753-6020

JUAREZ MARIO
3401 BRATTON RIDGE CROSSING
AUSTIN TX 78728-3677

SPRINKLE JED
409 N CALDWELL ST
MANOR TX 78653-3367

WINKLER MARIE A
1807 LEXINGTON ST
TAYLOR TX 76574-1564

NINH JAMIE D
409 BURNETT ST
MANOR TX 78653-3422

JONSE RITA GUAJARDO
PO BOX 21
MANOR TX 78653-0021

ESTRADA JERRY SR
207 W WHEELER ST
MANOR TX 78653-0383

REAL 14 HOLDINGS LLC
3523 GONZALES ST
AUSTIN TX 78702-4074

MORENO MARISOL
403 N CALDWELL ST
MANOR TX 78653-3367

GONZALEZ FERNANDA G
1018 HILLSIDE OAKS DR
AUSTIN TX 78745-5570

BURRELL JOHN & JOYCE BURRELL
PO BOX 507
MANOR TX 78653-0507

CANO JUAN & ANABELL LARA PADRON
401 LEXINGTON ST
MANOR TX 78653-3362

SWENSON GERMAINE
20826 BLAKE MANOR RD
MANOR TX 78653-4976

GONZALEZ GERMAN J & JORGE M
11803 ROTHERHAM DR
AUSTIN TX 78753-6821

SANDERS JERRY P
2108 VILLAGE VIEW LOOP
PFLUGERVILLE TX 78660-3054

SANDERS JERRY P
2108 VILLAGE VIEW LOOP
PFLUGERVILLE TX 78660-3054

BANDA JOSEPH & LARRY SUE
PO BOX 336
MANOR TX 78653-0336

SECOND GO ROUND LLC
7033 EAST HWY 290 APT 120
AUSTIN TX 78723-1441

CHITWOOD TRACYE CURRY
106 W WHEELER ST
MANOR TX 78653-3395

HABIT RAY E
PO BOX 118
MANOR TX 78653-0118

TURNER DALE W
PO BOX 474
MANOR TX 78653-0474

LIONS EYE BANK OF DIST 2-S3&S5
PO BOX 347
MANOR TX 78653-0347



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.

BACKGROUND/SUMMARY:

This is a voluntary annexation initiated by the property owner.

LEGAL REVIEW: Yes
FISCAL IMPACT:
PRESENTATION:
ATTACHMENTS: Yes

- Ordinance No. 659

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve the second and final reading of Ordinance No. 659 of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.

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

ORDINANCE NO. 659

AN ORDINANCE OF THE CITY OF MANOR, TEXAS ANNEXING 14.45 ACRES OF LAND, MORE OR LESS LOCATED IN TRAVIS COUNTY, INCLUDING THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY INTO THE CORPORATE LIMITS OF THE CITY, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING AN AGREEMENT FOR THE PROVISION OF SERVICES FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the City of Manor, Texas is a home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

WHEREAS, the owner of the property, as hereinafter described, made written request for the City to annex such property in compliance with *Tex. Loc. Gov't Code*;

WHEREAS, the property is adjacent and contiguous to the present city limits;

WHEREAS, the City Council heard and has decided to grant the owners' request that the City annex said property;

WHEREAS, a public hearing was conducted prior to consideration of this Ordinance in accordance with §43.0673 of the *Tex. Loc. Gov't Code*;

WHEREAS, notice of the public hearing was published not more than twenty (20) nor less than ten (10) days prior to the public hearing;

WHEREAS, the City intends to provide services to the property to be annexed according to the agreement for the provision of services attached hereto as Exhibit "B".

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS:

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are hereby incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. All portions of the following described properties (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, including abutting streets, roadways, and rights-of-way, are hereby annexed into the corporate limits of the City of Manor:

Being 14.55 acres of land and being that Lot 1, MANOR VILLA ESTATES, a subdivision in Travis County, Texas according to the map or plat thereof, recorded in Volume 83, Page 155C, of the Plat Records of Travis County, Texas said 14.55 acre tract of land being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes.

SECTION 3. That the provision of services agreement submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit “B”.

SECTION 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the provisions of services agreement attached hereto as Exhibit “B”, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Manor.

SECTION 6. That the Annexed Property shall be temporarily zoned Agricultural District “A” as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

SECTION 7. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov’t Code*.

SECTION 9. 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 the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex Gov’t Code*.

PASSED AND APPROVED FIRST READING on this the 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

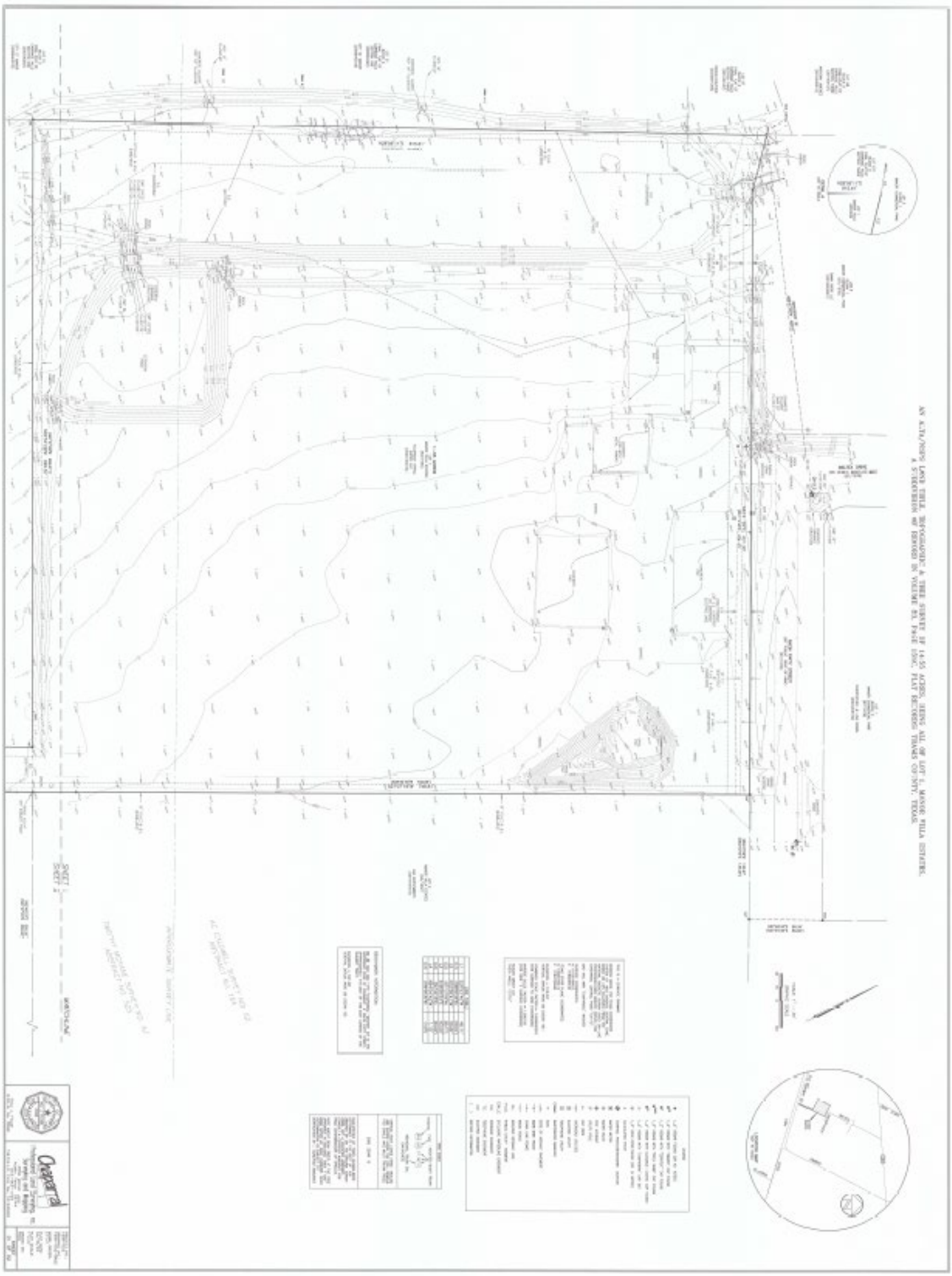
THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Exhibit "A"
Subject Property Description
+/- 14.55 Acres



AN EXHIBIT TO THE SUBDIVISION MAP SHOWING THE LOTS AND STREETS OF THE SITE, WITH THE STREETS AND STREETS TO BE CONVEYED TO THE CITY OF DENVER.

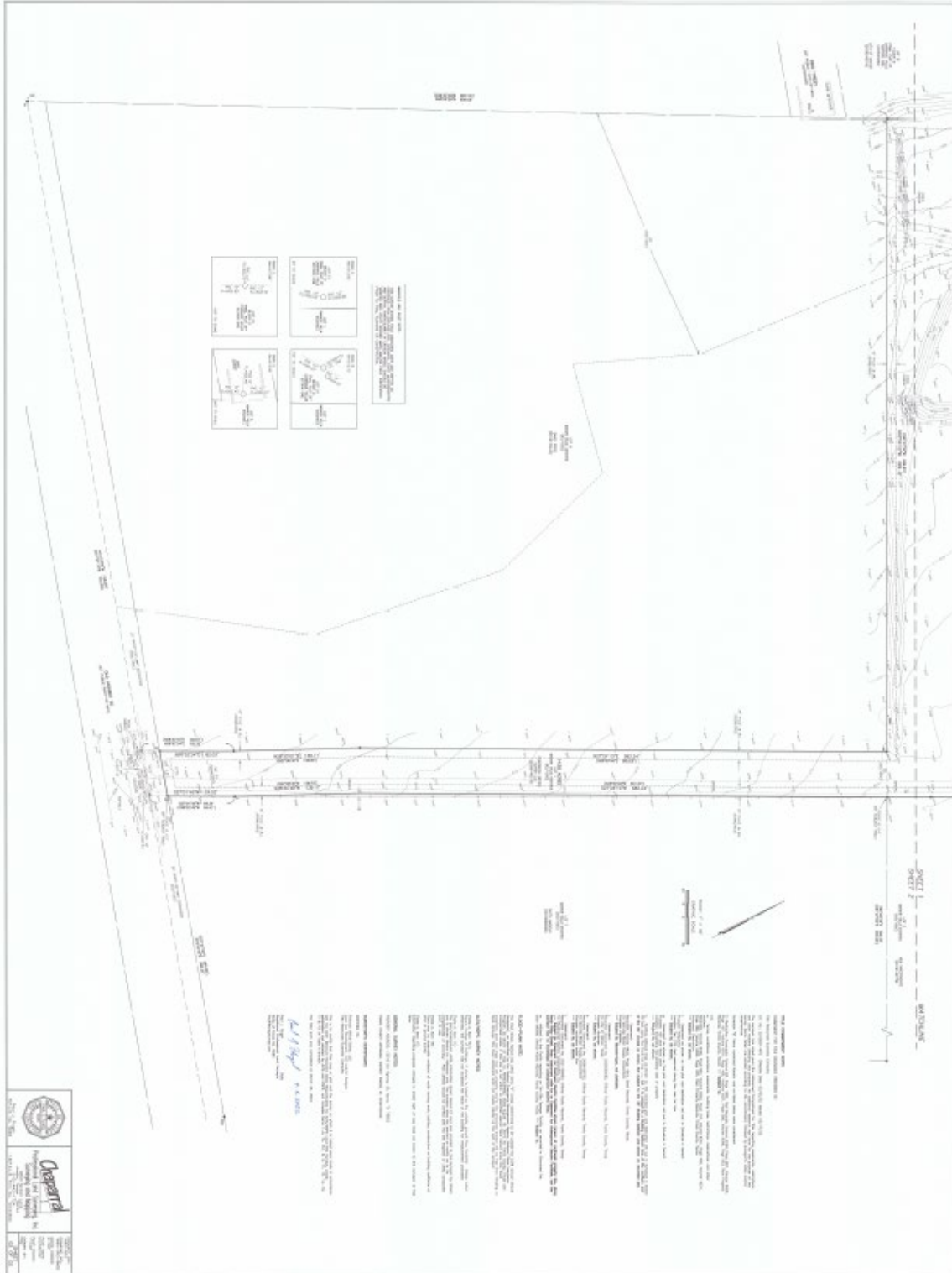


Exhibit "B"
AGREEMENT REGARDING POST-ANNEXATION
PROVISION OF SERVICES
FOR PROPERTY TO BE ANNEXED INTO THE CITY OF MANOR

**AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES
FOR PROPERTY TO BE ANNEXED INTO THE CITY OF MANOR**

This Agreement Regarding Post-Annexation Provision of Services for Property to be Annexed into the City of Manor (the “Agreement”) is entered into by and between the City of Manor, Texas, a municipal corporation (“City”), and Flintrock Office Suites, LLC (“Landowner”), both of which may be referred to herein singularly as “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, upon the request of the Landowner, the City intends to institute annexation proceedings for an area of land described more fully hereinafter and attached hereto (the “subject property”);

WHEREAS, Section 43.0672, Loc. Gov't. Code, requires the Parties to enter into a written agreement identifying a list of public services to be provided to the subject property and a schedule for the provision of those services that are not otherwise provided on the effective date of the annexation;

WHEREAS, this Agreement is being entered into by and between the Parties to comply with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Section 43.0672, prior to the City’s consideration of an ordinance annexing the subject property, it being understood, acknowledged and agreed by the Parties that annexation of the subject property is a condition precedent to this Agreement becoming effective;

WHEREAS, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the subject property (the “Effective Date”).

WHEREAS, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapter 43, Loc. Gov't. Code*, to annex the subject property into the City;

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

The following services and schedule represent the provision of services agreed to between the Landowner of the subject property and the City establishing a program under which the City will provide municipal services to the subject property, as required by section 43.0672 of the Texas Local

Government Code. The services detailed herein will be provided at a level consistent with service levels provided to other similarly situated areas within the City.

The following services will be provided for the subject property on the Effective Date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the landowner and this Agreement, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City. Upon annexation, police protection will be provided to the subject property at a level consistent with the service to other areas of the City with similar population density and characteristics. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by agreement between the City and the ESD's present personnel and equipment of the ESD fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present contract personnel and equipment of the ESD.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City. The City provides residential solid waste collection services within the City limits for a fee under a contract between the City and private refuse collection operator. The residential solid waste collection services include garbage collection, recycling, bulky item collection and yard waste collection. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the subject property requesting the service after the Effective Date of annexation, provided that a privately owned solid waste management service provider is unavailable. If the subject property is already receiving service, the City may not prohibit solid waste collection by the privately owned solid waste management service provider, nor may the City offer solid waste collection services for a period of two (2) years following the Effective Date of the annexation unless a privately owned solid waste management service provider is or becomes unavailable, as established by Texas Local Government Code section 43.0661. If a landowner uses the services of a privately owned solid waste management service provider or services are available from a privately owned solid waste management service provider during the two (2) years following annexation, the City will not provide solid waste collection services to that landowner.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of City-owned parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities. Municipal Court and General Administration services will also be available to property owners and residents in the subject property on the same basis those facilities are available to current City property owners and residents.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "Agricultural District "A"" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff. The City will impose and enforce its adopted ordinances, including but not limited to, zoning, subdivision development, site development and building code regulations within the subject property upon the Effective Date of the annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the subject property will be reviewed for compliance with City standards.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided herein:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject properties, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject properties' owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject properties as required in City ordinances. Upon acceptance of the water lines within the subject properties and any off-site improvements, water service will be provided by the City

utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject properties' owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a wastewater CCN for the subject properties, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject properties' owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject properties as required in City ordinances. Upon acceptance of the wastewater lines within the subject properties and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The Landowner agrees that no improvements are required on such roadways to service the subject property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties. When deemed necessary, capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as applicable and amended, which are incorporated herein by reference.

(4) **Term.** If not previously expired, this agreement expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Agreement is attached.

(6) **Binding Effect/Authority.** This Agreement binds and inures to the benefit of the Parties and

their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.

(7) **Choice of Law.** This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Travis County, Texas.

(8) **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

(9) **Legal Construction.** If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the Parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

(10) **Entire Agreement.** This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

[signature pages follow]

EXECUTED and AGREED to by the Parties this the ___ day of _____, 20__.

ATTEST:

THE CITY OF MANOR, TEXAS

Lluvia T. Almaraz, City Secretary

Dr. Christopher Harvey, Mayor

LANDOWNER:

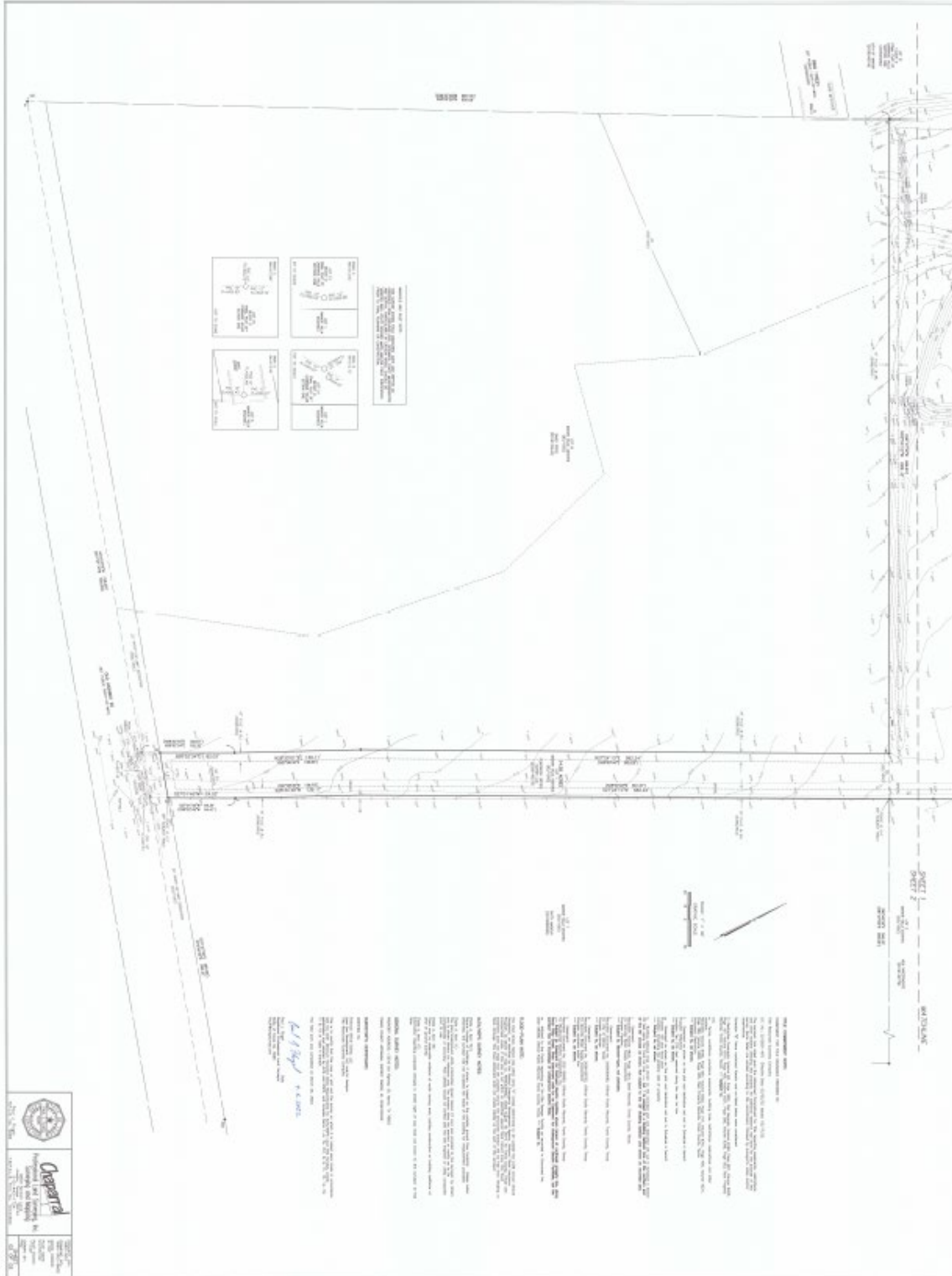
By: _____

Name (print): _____

Title: _____

Date: _____

Subject Property Description





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Moore, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a resolution denying the proposed change in rates Of Oncor Electric Delivery Company LLC.

BACKGROUND/SUMMARY:

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

- Resolution No. 2022-10
- petition

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Resolution No. 2022-10 to deny the Oncor Electric Delivery Company LLC’s application for approval of a distribution cost recovery factor pursuant to Texas Administrative Code 23.243 to increase distribution rates within the city.

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

RESOLUTION NO. 2022-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS DENYING THE PROPOSED CHANGE IN RATES OF ONCOR ELECTRIC DELIVERY COMPANY LLC, FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW, AND DECLARING AN EMERGENCY.

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

SECTION 1. That the proposed changed rate schedules and service regulations filed with the Governing Body of this municipality by Oncor Electric Delivery Company LLC on May 13, 2022, are hereby denied and disapproved, and Oncor Electric Delivery Company LLC shall continue to provide electric delivery service within this municipality in accordance with its rate schedules and service regulations in effect within this municipality on May 13, 2022.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and as required by law, and public notice of the time, place and purpose of said meeting was given as required.

SECTION 3. That an emergency exists necessitating the suspension of any rule requiring multiple readings of this Resolution and all multiple readings of this Resolution are hereby waived; this Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED at a regular meeting of the City Council of Manor, Texas, on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz,
City Secretary

**APPLICATION OF ONCOR ELECTRIC
DELIVERY COMPANY LLC FOR
AUTHORITY TO CHANGE RATES** §
§
§

**BEFORE THE
GOVERNING BODY OF THE
CITY OF MANOR**

**PETITION AND STATEMENT OF INTENT OF
ONCOR ELECTRIC DELIVERY COMPANY LLC
FOR AUTHORITY TO CHANGE RATES**

TO THE HONORABLE GOVERNING BODY OF THE CITY OF MANOR:

Oncor Electric Delivery Company LLC (“Oncor” or “Company”), an investor-owned electric utility within the terms of the Public Utility Regulatory Act, Texas Utilities Code Title 2 (“PURA”),¹ hereby submits this Petition and Statement of Intent (“Petition”), respectfully showing the following:

I. INTRODUCTION AND REQUESTED ACTION

In accordance with PURA §§ 36.102, 36.157, 16 Tex. Administrative Code §§ 22.243, 25.231, 25.247, and the Commission’s order in Docket No. 52100,² Oncor files this Petition and related materials demonstrating that Oncor’s existing rates do not permit the Company to recover its reasonable cost of service and earn a reasonable return.

The Company has prepared its filing on a system-wide basis and reflects Oncor’s and Oncor Electric Delivery Company NTU LLC’s (“Oncor NTU”) cost of service on a consolidated basis. Oncor has prepared its filing using actual January 1, 2021 through December 31, 2021 test year books and records, adjusted for known and measurable changes, and using traditional and widely accepted ratemaking principles. The proposed revenue requirement and rate design are factually supported, and the Company strongly believes that an increase is appropriate and justified. Therefore, Oncor is hereby requesting that the Honorable Governing Body approve the changes in the Company’s rates proposed in this proceeding. A detailed Summary of Electric Delivery Revenues by Rate Class is included as Exhibit 1 to this Petition. Simultaneous with this filing, Oncor is filing a system-wide rate case and related Rate Filing Package

¹ TEX. UTIL. CODE §§ 11.001-66.016.

² *Application of Oncor Electric Delivery Company LLC for Good-Cause Exception to Extend Rate Filing Deadline Under 16 TAC § 25.247, Docket No. 52100, Order (Jul. 30, 2021).*

with the Public Utility Commission of Texas ("Commission"), *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates* ("Commission Petition").

II. CONTACT INFORMATION AND AUTHORIZED REPRESENTATIVES

Oncor's business address and telephone numbers are:

Oncor Electric Delivery Company LLC
1616 Woodall Rodgers Freeway
Dallas, Texas 75202-1234
(888) 313-6862

Oncor's designated legal and business representatives for purposes of this proceeding are:

Tab R. Urbantke
State Bar No. 24034717
Myles F. Reynolds
State Bar No. 24033002
Lauren Freeland
State Bar No. 24083023
Hunton Andrews Kurth LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
214.979.3095
214.880.0011 (fax)

Matthew C. Henry
Senior Vice President, General Counsel
and Secretary
Howard V. Fisher
Senior Counsel
Oncor Electric Delivery Company LLC
1616 Woodall Rodgers Freeway
Dallas, Texas 75202
214.486.2000

Jo Ann Biggs
State Bar No. 02312400
Jaren A. Taylor
State Bar No. 24059069
Vinson & Elkins LLP
2001 Ross Avenue, Suite 3900
Dallas, Texas 75201
214.220.7735
214.999.7735 (fax)

General inquiries concerning this RFP should be directed to Mr. J. Michael Sherburne at the above-stated Oncor address or at 214.486.4981. All pleadings, motions, orders, and other documents filed in this proceeding should be served upon Mr. Urbantke at the above-stated address and sent to regulatory@oncor.com.

III. JURISDICTION

Each municipality in Oncor's service area that has not ceded jurisdiction to the Commission has exclusive original jurisdiction over the rates, operations, and services of Oncor in such municipality pursuant to PURA § 33.001. Oncor is filing this Petition with all of its original jurisdiction cities, a list of which is included as Exhibit 3 to the Commission Petition included in this package. The Commission has exclusive jurisdiction over the rates, operations, and services of Oncor in areas outside municipalities pursuant to PURA § 32.001(a)(1) and for those municipalities that have ceded jurisdiction to the Commission pursuant to PURA § 33.002(b). A list of such municipalities is included as Exhibit 2 to the attached Commission Petition.

Oncor anticipates that it will appeal the actions of its original jurisdiction cities to the Commission and that it will seek consolidation of those appeals with the pending Commission Petition. It is Oncor's intention to seek one set of system-wide rates for all customer classes served on the Oncor and Oncor NTU system.

IV. EFFECTIVE DATE

The proposed effective date of the requested rate change is June 17, 2022, which is 35 days after the filing of this Petition as allowed under PURA § 36.102.

V. TEST YEAR

The test year upon which this filing is based is the year ending December 31, 2021.

VI. FILING OVERVIEW

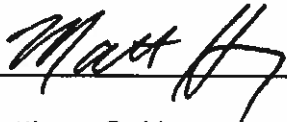
This filing consists of a cover letter, this Petition (including Exhibit 1 - Summary of Electric Delivery Revenues by Rate Class), table of contents, the Petition filed with the Commission and the Exhibits thereto, proposed tariffs, and direct testimony summaries.

VII. CONCLUSION

Oncor respectfully prays that this Honorable Governing Body approve and authorize the changes in the Company's rates proposed herein and grant Oncor such other and further relief to which it may be justly entitled.

Respectfully submitted,

Oncor Electric Delivery Company LLC

By:  _____

Matthew C. Henry
Senior Vice President, General Counsel
and Secretary
Oncor Electric Delivery Company LLC
1616 Woodall Rodgers Freeway
Dallas, Texas 75202
214.486.2000

Tab R. Urbantke
State Bar No. 24034717
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State Bar No. 24033002
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2001 Ross Avenue, Suite 3900
Dallas, Texas 75201
214.220.7735
214.999.7735 (fax)

**ATTORNEYS FOR ONCOR ELECTRIC
DELIVERY COMPANY LLC**

**2022 RATE CASE
ONCOR ELECTRIC DELIVERY COMPANY LLC
SUMMARY OF ELECTRIC DELIVERY REVENUES BY RATE CLASS**

Line	Rate Class Description	Number of Customers	Present Revenues ¹ (a)	Change (b)	Proposed Revenues ² (c)	Change Pct (d)
1	Residential	3,258,283	\$1,921,088,302	\$214,360,982	\$2,135,449,284	11.2%
2	Secondary <= 10 kW	304,430	\$95,557,181	-\$7,553,653	\$88,003,528	-7.9%
3	Secondary > 10 kW	203,588	\$1,486,593,538	-\$35,693,126	\$1,450,900,412	-2.4%
4	Primary DL <= 10 kW	3,101	\$1,232,285	\$386,576	\$1,618,861	31.4%
5	Primary > 10 kW Dist. Line	7,158	\$268,296,647	\$27,510,277	\$295,806,924	10.3%
6	Primary > 10 kW Substation	130	\$31,504,042	\$28,145,677	\$59,649,719	89.3%
7	Transmission	283	\$114,261,671	\$50,114,790	\$164,376,461	43.9%
8	Lighting	55,208	\$60,374,542	\$936,098	\$61,310,640	1.6%
9	Retail Electric Delivery Revenues	3,832,181	\$3,978,908,208	\$278,265,621	\$4,257,173,829	7.0%
10	Wholesale Substation	15	\$608,356	\$965,098	\$1,573,454	158.6%
11	Wholesale DLS	48	\$2,160,192	\$4,607,541	\$6,767,733	213.3%
12	Other Revenue	-	\$53,729,847	\$3,327,781	\$57,057,628	6.2%
13	Grand Total	3,832,244	\$4,035,406,603	\$287,166,041	\$4,322,572,644	7.1%
14						
15	Network Transmission Revenue		\$1,481,651,280	-\$36,474,927	\$1,445,176,353	-2.5%
16	Transmission Related Other Revenues		\$43,023,335	\$0	\$43,023,335	0.0%
17	Total Cost of Service		\$5,560,081,218	\$250,691,114	\$5,810,772,332	4.5%

**EXHIBIT 1
PAGE 1 OF 1**

¹ Test-Year revenues have been adjusted to normalize billing units, to remove the revenues associated with Energy Efficiency Cost Recovery Factor and to increase test-year revenues to reflect TCOS, DCRF, and TCRF adjustments.

² TCRF proposed revenue from Oncor Electric Delivery - Transmission Revenue Requirement for Retail Delivery Service, found on Iteration workbook, Wholesale_NTS_RO tab, Excel Row 59 Column H. Proposed rates include proposed Rate Case Expense Amortization of \$8,233,128 which may be severed into a separate Rate Case Expense proceeding.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Frank T. Phelan, P.E.
DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Change Order to the construction contract for the 2020 Wastewater Collection System Improvements, CIP S-32 project.

BACKGROUND/SUMMARY:

The project improvements consist of upsizing approximately 1,500 linear feet of 8" wastewater line and lowering approximately 660 linear feet of 8" wastewater line along Bastrop Street and Parsons Street.

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

- Change Order No. 2

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve Change Order No. 2 to the construction contract for the 2020 Wastewater Collection System Improvements, CIP S-32 project. project with Guerra Underground, LLC in the amount of \$57,190.67.

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

CHANGE ORDER

ORDER NO.: 2

DATE: May 24, 2022

AGREEMENT DATE: February 18, 2021

NAME OF PROJECT: 2020 Wastewater Collection System Improvements, CIP S-32

OWNER: City of Manor

CONTRACTOR: Guerra Underground, LLC

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Justification:

Item No. 1 - Bid Item #3 (Asphalt Repair) – add 198 LF @ \$58/LF = \$11,484

Item No. 2 - Change Order Item C.O.2 - 1 – Raising existing manhole 2E including concrete diamond to avoid ponding after pavement repairs – Lump Sum - \$3,975

Item No. 3 - Change Order Item C.O.2 - 2 – Abandon 330 linear feet of 6" wastewater line running parallel to the new line, remove 5 services from 6" line, and install 5 new services off new line – Lump Sum - \$28,927.47

Item No. 4 - Change Order Item C.O.2 - 5 – Cut & plug existing 6" gravity line – Lump Sum - \$702

Item No. 5 - Change Order Item C.O.2 - 3 – Trench safety for 5 new services – add 5 EA @ \$975/EA = \$4,875

Item No. 6 - Change Order Item C.O.2 - 4 – Pavement restoration for 5 new services – add 5 EA @ \$1,445.44/EA = \$7,227.20

2. Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$418,097.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDERS \$423,292

The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$57,190.67

New CONTRACT PRICE including this CHANGE ORDER will be: \$480,482.67

Approvals Required:

To be effective, this order must be signed by all parties to the Agreement if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS.

Recommended by: Pauline M. Gray, P.E. Signed: *Pauline M. Gray*
Engineer

Ordered by: _____ Signed: _____
Owner

Accepted by: _____ Signed _____
Contractor



Date: 5-1-22

9810 FM 969
 Austin, Tx 78724
 OFFICE : (512)-454-4450
 FAX : (512)-825-9580

PROJECT NAME	Manor WW Services Changeorder Detail
OWNER	City of Manor
ADDRESS	420 Parsons St.
DESCRIPTION	Abandon old existing 6" Wastewater Line parallel to new Wastewater Line and Remove and Replace 6 Deep Sewer S

GULLC Equipment					Labor					
Description	Qty.	Hrs - Day	Rate	Amount		Hours		Rate		Amount
						Reg.	O.T.	Reg.	O.T.	
2500 Dodge Truck (Diesel Distribution)	1	9.00	\$12.52	\$ 112.68	Foreman	8.00	1.00	\$ 45.00	\$ 67.50	\$ 427.50
Cat 320 Excavator	1	9.00	\$93.00	\$ 837.00	Operator- Lead	8.00	1.00	\$ 32.00	\$ 48.00	\$ 304.00
Front End Loader	1	9.00	\$55.00	\$ 495.00	Operator- Secondary	8.00	1.00	\$ 28.00	\$ 42.00	\$ 266.00
				\$ -	Pipelayer Labor	8.00	1.00	\$ 23.00	\$ 34.50	\$ 218.50
				\$ -	Pipelayer Labor	8.00	1.00	\$ 20.00	\$ 30.00	\$ 190.00
				\$ -					\$ -	\$ -

Sub-Total				\$ 1,444.68	Sub-Total				\$ 1,406.00
Contractors Mark Up 5%				\$ 72.23	Labor Burden 55%				\$ 773.30
					Contractors Mark Up 25%				\$ 544.83
Total Equipment:				\$ 1,516.91	Total Labor:				\$ 2,724.13

Equipment Fuel					Subcontract / Equipment Rentals				
Description	Quantity (Gal)	Unit	Unit Price	Extended Price	Description	Quantity	Unit	Unit Price	Extended Price
					Sunbelt Rentals (Equipment Rentals)				
					36KW Diesel Generator	1.00	Day	\$ 75.00	\$ 75.00
					Equipment Aluminum Trench Safety Shield	1.00	Day	\$ 500.00	\$ 500.00
					Water Pump	1.00	Day	\$ 50.00	\$ 50.00
Sub-Total					Sub-Total				
				\$ -					\$ 625.00
Contractors Mark Up 0%				\$ -	Contractors Mark Up 5%				\$ 31.25
Total Material:				\$ -	Total Subcontract:				\$ 656.25

Summary	
Equipment	\$ 1,444.68
Labor	\$ 1,406.00
Equipment Fuel	\$ -
Subcontract & Equipment Rentals	\$ 625.00
Labor Burden	\$ 773.30
Contractors Mark Up	\$ 648.31
Total	\$ 4,897.29



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Frank T. Phelan, P.E.
DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Statement of Work No. 13 to the Master Services Agreement dated October 7, 2020, with George Butler Associates, Inc. for Fire Code Compliance Review services and rates.

BACKGROUND/SUMMARY:

The City of Manor desires to conduct Fire Code Compliance Reviews for development projects within the City’s Full-Purpose Corporate Boundary. George Butler Associates, Inc. has been a long-standing Fire Code Compliance Review service provider for multiple municipalities and has experienced staff with (1) ICC Master Code Professional (MCP), (2) ICC Certified Building Officials, (8) ICC Certified Plans Examiners, and (29) Licensed TX Engineers. This Statement of Work defines the scope of Fire Code Compliance Reviews and rates for review work by classification.

LEGAL REVIEW: Yes, Completed
FISCAL IMPACT: No, Costs are to be covered by the developer-paid review fees
PRESENTATION: No
ATTACHMENTS: Yes

- Statement of Work No. 13
- Standard Rates

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Statement of Work No. 13 under the existing Master Services Agreement with George Butler Associates, Inc.

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

EXHIBIT A

Statement of Work (SOW) No. 13

TO MASTER SERVICES AGREEMENT

Statement of Work No. 13 to the Master Services Agreement between the City of Manor, Texas, as CITY, and George Butler Associates, Inc., as ENGINEER, dated October 7, 2020.

Through this SOW, CITY 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.

ASSIGNMENT: Fire Code Plan Review for Permitting (for various building projects, as requested)

SCOPE OF SERVICES:

TASK 1: PLAN REVIEW FOR PERMITTING

ENGINEER will review construction plans for fire code compliance including all deferred submittals (if present) as requested by the CITY. Plans and Construction Documents will be reviewed for fire code compliance in accordance with the 2015 Model Codes (including IBC and IFC), their referenced codes and standards (including NFPA 13 and NFPA 72), and local amendments. Review of projects will be billed time-and-expense on a project/permit basis.

GBA's receipt of an email notification via the City's MyPermitNow system is considered authorization to commence a review.

ADDITIONAL SERVICES:

Services specifically excluded under this Agreement include:

1. Review of plans for compliance with Water Department, Utility, Food Services/Health Department, Elevator(s) (if present), or Boiler/Pressure Vessels (if present) codes and standards.
2. Retention of permit records.
3. Permit issuance.
4. TCO/FCO issuance.
5. Stamping of approved plans.
6. Determination of any subjective code requirements as referenced in the 2015 IFC to be determined by the Fire Code Official. (ENGINEER will indicate relevant situations to the CITY where applicable via plan review comments).
7. Issuance of code variances, equivalencies, or deviations. GBA will provide a recommendation only.
8. Design or engineering services or contract documents. An approved plan review is not a substitution for the professional responsibilities of the project Architect and Engineers of record, as required by the professional licensing board of the state of Texas.
9. Inspection or testing services.
10. Any other service not specifically listed.

CLARIFICATIONS OF SERVICES/TERMS AND CONDITIONS:

The following are clarifications of Services related to the executed *Master Services Agreement between City of Manor, Texas and George Butler Associates, Inc. dated October 7, 2020 (MSA)*:

- General The term “ENGINEER” is defined in the MSA as the entity George Butler Associates, Inc (GBA). This SOW does not include the services of a Professional Engineer as defined by the professional licensing board of the state of Texas. The term ENGINEER shall only refer to the entity of GBA and not infer any professional engineering requirements as may be required by general definitions for engineer or definitions as for engineer as required by any state statues, laws or requirements of the professional licensing board of the state of Texas. To clarify: In providing services under this SOW, in accordance with MSA section 3.2, GBA shall perform plan review for permitting services in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing a similar role under similar circumstances.
- 1.5 Contract Documents definition for this SOW does not apply as this SOW does not include preparation of design, drawings, specifications, calculations, etc. for construction:
 “Contract Documents” for this SOW means those documents prepared by another entity (Licensed Architect or Licensed Engineer) that are submitted to the CITY for permitting, that are intended to be incorporated as part of a construction project within the CITY jurisdiction (e.g. drawings, specifications, calculations, etc.)
 - 4.4 Timely Reviews: To clarify, the CITY representative shall render decisions in a timely manner pertaining to the determination of any subjective code requirements or issuance of code variances, equivalencies, or deviations related to Additional Services items 6 and 7 above.
 - 9.4 Betterment/Added Value – This clause shall not be applicable to this SOW.
 - 14.11 Delays. In addition to the language in the MSA: The Consultant shall reject any work identified that does not meet code. Such rejection of work shall not subject the Consultant to any liability or cause of action to or from the construction team, including but not limited to a claim for delay.

COMPENSATION:

FEE: The scope of services indicated above will be compensated at a Time and Expense rate in accordance with the attached *EXHIBIT B-1 – Consultant’s Hourly Rates*.

SCHEDULE:

REVIEW DURATION: GBA will be provided 14 calendar days from the date of receiving plans to conduct a review and provide comments.
 SOW DURATION: This SOW will expire (1) year following the date of execution, unless otherwise amended with a written agreement.

CITY OF MANOR, TEXAS

GEORGE BUTLER ASSOCIATES, INC.

By: _____

Frank T. Phelon
 By: _____

Date: _____

Date: 5/24/2022

EXHIBIT B-1 – Consultant’s Hourly Rates

DATE: May 23, 2022
PROJECT: Building and Fire Plan Review Services
CONSULTANT: George Butler Associates, Inc.

Hourly Rates

Title	Hourly Rate (\$)
Associate/Principal	
Lead Plan Reviewer/Inspector 1	212
Senior Lead Architect/Engineer (AES)	
Senior Specialist	
Lead Plan Reviewer/Inspector 2	
Project Leader	184
Lead Architect/Engineer (AES)	
Senior Plan Reviewer/Inspector 1	172
Senior Architect/Engineer (AES)	
Senior Plan Review/Inspector 2	
Specialist	154
Senior Plan Reviewer/Inspector 3	
Project Architect/Engineer (AES)	150
Plan Reviewer/Inspector 1	
Senior Technician	148
Plan Reviewer/Inspector 2	
Design Architect/Engineer (AES)	132
Plan Reviewer/Inspector 3	
Staff Architect/Engineer (AES)	122
Permit Technician	
Project Technician	114
Design Technician	98
Staff Technician	88
Senior Administrative Assistant	98
Administrative Assistant	85



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Director of Development Services
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on Amendment One to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas.

BACKGROUND/SUMMARY:

Capital Metro is requesting an amendment to the interlocal agreement with the City for Build Central Texas.

LEGAL REVIEW: Yes
FISCAL IMPACT:
PRESENTATION:
ATTACHMENTS: Yes

- Amendment One to the Interlocal Agreement

STAFF RECOMMENDATION:

City staff recommends approval as to form of Amendment One to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas and direct the Mayor to execute the agreement once finalized.

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

**AMENDMENT ONE
 TO THE
 INTERLOCAL AGREEMENT
 BY AND BETWEEN
 CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
 AND**

FOR BUILD CENTRAL TEXAS

This Amendment One to the Interlocal Agreement for Build Central Texas (“**Amendment One**”) is made by and between Capital Metropolitan Transportation Authority, a transportation authority organized under Chapter 451 of the Texas Transportation Code (“**Capital Metro**”) and _____, a _____ (the “**Suburban Community**”). Capital Metro and _____ are referred to in this Amendment One individually as a “Party” and collectively as the “Parties”.

RECITALS

1. Capital Metro and Suburban Community are parties to that certain Interlocal Agreement for Build Central Texas, dated effective _____ (the “**Agreement**”), under which the parties set forth the terms and conditions for Suburban Community’s participation in the Build Central Texas Program – Suburban Communities Program (“**BCT Program**”).
2. The Parties wish to revise and expand on the process for administering and participating in the BCT Program each fiscal year (September 30 through October 1) (a “**Fiscal Year**”).
3. In addition, the Parties wish to set forth the process, guidelines and responsibilities for each Party related to a transit supportive infrastructure fund created by Capital Metro to fund certain transit supportive infrastructure projects proposed by the Suburban Community.

AGREEMENT

1. **BCT Program Funding, Guidelines and Procedures.** Article II of the Agreement is deleted and replaced in its entirety with the following:

“II. BCT Program Funding, Guidelines and Procedures

- A. Funding for Suburban Community in the BCT Program will be allocated annually in an amount equal to the difference between the sales tax contributions attributed to Suburban Community and the Total Cost of Service attributed to Suburban Community for the prior fiscal year (the “**BCT Allocation**”). For the purposes of this Agreement, Total Cost of Service shall be defined as operations and maintenance costs for transit service provided to Suburban Community plus capital depreciation (the “**Total Cost of Service**”).
- B. For Fiscal Year 2022, the BCT Allocation is shown on the attached Appendix A. The Parties agree that \$800,000 of the Fiscal Year 2022 BCT Allocation will be set aside for future expenses related to the Project Connect Green Line project, as shown on the attached

Appendix A.

- C. For future fiscal years, Capital Metro staff will notify Suburban Community of the BCT Allocation for Suburban Community by March 31 of the applicable fiscal year, and the terms and conditions of this Agreement will apply (the “**BCT Allocation Notification**”). The City may elect to allocate portions of the BCT Allocation towards the Project Connect Green Line project in future fiscal years. A report showing a detailed calculation of the Total Cost of Service in a form substantially similar to that set forth in Exhibit will accompany the BCT Allocation reported to Suburban City each year.
- D. Capital Metro shall provide audited annual financial statements to Suburban Community upon request. All cost information and service metrics are available monthly on the Capital Metro website dashboard. Any additional data valuable to Suburban Community will be reasonably provided upon request. Suburban Community may audit documentation related to the Total Cost of Service and the BCT Allocation to ensure compliance with the terms of this Agreement. Capital Metro shall make available to Suburban Community’s designated auditor during regular business hours and upon reasonable notice, applicable records related to the calculation of the Total Cost of Service and the BCT Allocation. If the event that such audit demonstrates that the Total Cost of Service or BCT Allocation was calculated incorrectly and resulted in an underpayment of the BCT Allocation, the correct amount shall be paid by Capital Metro within thirty (30) days of notification by Suburban Community. In the event that such audit demonstrates that the Total Cost of Service or BCT Allocation was calculated incorrectly and resulted in an overpayment of the BCT Allocation, the overpayment amount will be refunded to Capital Metro within thirty (30) days of the determination. Suburban Community must exercise its right to audit a particular Total Cost of Service and/or BCT Allocation within twelve (12) months of their corresponding BCT Allocation Notification.
- E. Once Capital Metro staff notifies Suburban Community of a BCT Allocation under this Agreement, Suburban Community shall submit to Capital Metro a proposed project list for the applicable fiscal year in accordance with the Suburban Communities Program Procedures and Guidelines attached to this Agreement as **Appendix B** (the “**BCT Guidelines and Procedures**”). The project list may include a proposal to rollover a BCT Allocation for use in a later fiscal year. If a project list for any fiscal year is not submitted to Capital Metro by the end of the fiscal year in which funds are allocated, then such fiscal year funds are forfeited. Suburban Community may, during the applicable fiscal year, submit for Capital Metro’s approval, a revised project list to allocate unattached funds to prior-approved projects.
- F. For projects approved for Fiscal Year 2022, Capital Metro shall make payments to Suburban Community as follows:
- a. a check for fifty percent (50%) of the BCT Allocation will be available by June 1, 2022.
 - b. For projects funded with less than Five Hundred Thousand Dollars (\$500,000) of the applicable BCT Allocation, payment for outstanding project costs will be made out of the remaining fifty percent (50%) of the BCT Allocation by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory

Commented [PS1]: My understanding is that this is something the City can choose not to allocate, so this sentence is subject to Council approval.

documentation for payment, and otherwise in accordance with the BCT Guidelines and Procedures.

- c. For projects funded with Five Hundred Thousand Dollars (\$500,000) or more of the applicable BCT Allocation, payment for outstanding project costs will be made out of the remaining fifty percent (50%) of the BCT Allocation by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, in accordance with an established project milestone schedule agreed upon by the Parties prior to commencement of the project and otherwise in accordance with the BCT Guidelines and Procedures.
- G. For projects approved for Fiscal Year 2023 and subsequent fiscal years, Capital Metro shall make payments to Suburban Community as follows:
- a. For projects funded with less than Five Hundred Thousand Dollars (\$500,000) of the applicable BCT Allocation, fifty percent (50%) of the budgeted costs for each such project shall be mailed to Suburban Community upon submittal of an invoice on Suburban Community letterhead. Payment for the remaining project costs will be made to Suburban Community by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, and otherwise in accordance with the BCT Guidelines and Procedures.
 - b. For projects funded with Five Hundred Thousand Dollars (\$500,000) or more of the applicable BCT Allocation, twenty percent (20%) of the budgeted costs for each such project shall be mailed to Suburban Community upon submittal of an invoice on Suburban Community letterhead, provided that such payment will not exceed One Million Dollars (\$1,000,000). Payment for the remaining project costs will be paid by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, in accordance with an established project milestone schedule agreed upon by the Parties prior to commencement of the project and otherwise in accordance with the BCT Guidelines and Procedures.
- H. Capital Metro shall provide Suburban Community requested technical or project assistance in pursuing federal grant funds to complement the funding available under the Program that supports transit supportive infrastructure and joint Suburban Community and Capital Metro goals.
2. **BCT Guidelines and Procedures.** The BCT Guidelines and Procedures attached to the Agreement as Exhibit A are deleted and replaced in their entirety by the revised BCT Guidelines and Procedures attached to this Amendment One as **Appendix A**. Suburban Community will comply with the BCT Guidelines and Procedures, which set out the rules and regulations governing participation in the BCT Program and payments to be made to Suburban Community under this Agreement. Capital Metro reserves the right, in its sole discretion to make amendments to the BCT Program Guidelines and Procedures from time to time, provided that such amendments shall not reduce the funding for prior-approved projects, shorten the deadlines for Suburban Community to submit proposed projects to Capital Metro (unless Capital Metro provides the City with sixty days' written notice of the

amendments), change the Total Service Cost, cause the BCT Allocation to become unavailable, or change a material term of this Agreement.

3. Transit Supported Infrastructure Fund

- A. By action of the Capital Metro Board of Directors on March 28, 2022, Capital Metro approved a Transit Supportive Infrastructure Fund to fund transit supportive infrastructure projects for Suburban Communities with the amount shown on the attached Appendix A being apportioned for use by Suburban Community (“**Transit Infrastructure Fund Allocation**”). Unless otherwise provided in this Section 3, the projects funded with Transit Infrastructure Fund Allocation (the “**Suburban Community Infrastructure Projects**”) will be subject to the BCT Guidelines and Procedures, with references to the BCT Program and BCT projects deemed to mean the Transit Supportive Infrastructure Fund and the Transit Infrastructure Fund Allocation.
- B. Suburban Community will submit to Capital Metro for approval a list of proposed Suburban Community Infrastructure Projects by ~~May 31~~June 30, 2022. The project list may include a proposal to use Transit Infrastructure Funds beyond Fiscal Year 2022. If the project list is not submitted to Capital Metro by September 30, 2022 then the Transit Infrastructure Funds are forfeited. Suburban Community may submit for Capital Metro’s approval, a revised project list to allocate unattached funds to prior-approved projects. Capital Metro will review and approve Suburban Community Infrastructure Projects in accordance with the BCT Guidelines and Procedures.
- C. Capital Metro shall make payments to Suburban Community for approved Suburban Community Infrastructure Projects as follows:
- a. For Suburban Community Infrastructure Projects funded with less than Five Hundred Thousand Dollars (\$500,000) of the Suburban Community Transit Infrastructure Funds, fifty percent (50%) of the budgeted costs for the Suburban Community Infrastructure Funds shall be mailed to Suburban Community on or after June 1, 2022, upon submittal of an invoice on Suburban Community letterhead. Payment for the remaining costs for such Suburban Community Infrastructure Projects will be made to Suburban Community by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, and otherwise in accordance with the BCT Guidelines and Procedures.
 - b. For Suburban Community Infrastructure Projects funded with Five Hundred Thousand Dollars (\$500,000) or more of the Suburban Community Transit Infrastructure Funds, twenty percent (20%) of the budgeted costs for each such project shall be mailed to Suburban Community on or after June 1, 2022, upon submittal of an invoice on Suburban Community letterhead, provided that such payment will not exceed One Million Dollars (\$1,000,000). Payment for the remaining costs will be made to Suburban Community by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the applicable Suburban Community Infrastructure Project, together with satisfactory documentation for payment, in accordance with an established project milestone schedule agreed upon by the Parties prior to commencement of the applicable Suburban Community Infrastructure Project and otherwise in accordance with the BCT Guidelines and Procedures.
- D. Capital Metro shall pay all invoices in accordance with the Texas Prompt Payment Act,

Chapter 2251, Texas Government Code. Capital Metro shall have the right to audit project documentation to ensure compliance with the terms of this Agreement and the BCT Guidelines and Procedures.

4. **Invoicing and Payment.** Capital Metro shall pay all invoices in accordance with the Texas Prompt Payment Act, Chapter 2251, Texas Government Code. Capital Metro shall have the right to audit project documentation to ensure compliance with the terms of this Agreement and the BCT Guidelines and Procedures.
5. **Term and Termination.** Article III of the Agreement is deleted and replaced in its entirety with the following:

“III. Term and Termination

- A. The initial term of this Agreement is from the date of the last Party to sign (“**Effective Date**”) through September 30, 2032, unless terminated earlier in accordance with this Agreement. After the initial term, the Agreement will automatically renew annually on the anniversary of the Effective Date unless either Party provides written notice ninety (90) days in advance of the end date of its intent not to renew. Notwithstanding anything to the contrary, the Parties may mutually agree to terminate this Agreement at any time.
- B. If, at any time during the term of the Agreement, Suburban Community is no longer included in Capital Metro’s service area, this Agreement will automatically terminate and be null and void as of the date on which Suburban Community is removed from Capital Metro’s service area. As of such date, neither party will have any obligations under this Agreement, including any obligation by Capital Metro to make any payments to Suburban Community under this Agreement.
- C. Notwithstanding anything contained herein to the contrary, in the event of termination of the Agreement, the funding for any projects approved prior to the termination of the Agreement shall remain available and payable to Suburban Community under the terms set forth in this Agreement, and the obligation to pay the BCT Allocation to Suburban Community for such approved projects shall survive termination of this Agreement.
- D. If Capital Metro becomes subject to a legislative change, revocation of statutory authority, or lack of funds which would render Capital Metro’s performance under this Agreement impossible or unnecessary, this Agreement will be terminated or cancelled and be deemed null and void. In the event of such termination or cancellation, Capital Metro will not be liable to Suburban Community for any damages, which are caused or associated with such termination, or cancellation. In such event, Capital Metro shall cooperate with Suburban Community to determine whether there is an alternative source of funding for the BCT Allocation or an alternative structure that can be used to achieve the purposes of this Agreement.”

6. **Entire Agreement.** The terms of this Amendment One are in addition to, and construed together with, the terms of the Agreement. In the event of conflict in any language in the Agreement and this Amendment One, the language in this Amendment One will control.

7. **Capitalized Terms.** Capitalized items used in this Amendment One and not otherwise defined have the meanings assigned to them in the Agreement.

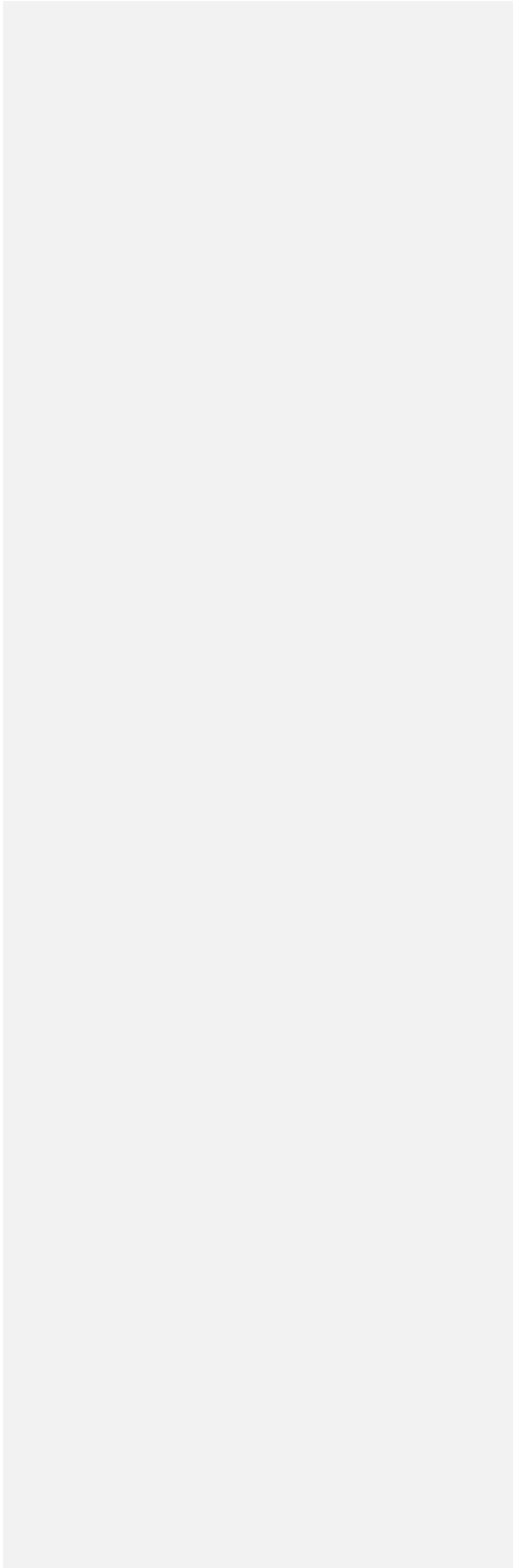
IN WITNESS WHEREOF, this Amendment One has been signed by an authorized representative of each Party, to be effective as of the last signature date below.

**CAPITAL METROPOLITAN
TRANSPORTATION AUTHORITY**

Name: _____
Title: _____
Signature Date _____

Name: _____
Title: _____
Signature Date _____

APPENDIX A
BCT ALLOCATION AMOUNT
AND
TRANSIT INFRASTRUCTURE FUND ALLOCATION



APPENDIX B

THE BUILD CENTRAL TEXAS - SUBURBAN COMMUNITIES PROGRAM PROCEDURES AND GUIDELINES

The Build Central Texas – Suburban Communities Program was established by Capital Metro to finance transportation projects that are of mutual benefit to Capital Metro and the respective communities in the Capital Metro service area. The Capital Metro Board of Directors created the Suburban Communities Program to ensure that the suburban cities and portions of counties in the Capital Metro service area (collectively, the “**Suburban Communities**”) benefit from the Build Central Texas Program.

The following procedures and guidelines are provided to assist the Suburban Communities in Capital Metro's service area with developing and administering their annual Build Central Texas Program - Suburban Communities Program project proposals. Capital Metro staff will be available to assist with any questions that may arise regarding the program.

Project Criteria

1. The purpose of a project must be for transit related capital improvements and generally will fall into one of the following categories, unless otherwise agreed to by Capital Metro:
 - a. Transit Capital Improvements:
 - i. Includes sidewalks, sidewalk curb ramps, safety signage, electronic pedestrian signals, walkway lighting and hike and bike facilities, passenger amenities such as shelters, benches, landscaping, bus stop lighting, concrete bus pads, and roadway improvements that improve traffic safety or traffic flows.
 - ii. Must be along a transit route or directly leading to a transit route or transit facility, unless otherwise approved by Capital Metro. A statement from the Suburban Community that the project is along or directly leading to a transit route must be included in the proposed project list when submitted to Capital Metro.
 - b. Street Resurfacing and Improvements:
 - i. Includes asphalt and concrete resurfacing of streets, street reconstruction, and construction of new streets which will serve as transit corridors. Street repair and maintenance should focus on current and future transit routes. Street projects may only include non-transit related roadways when all transit roadways are in an improved condition.
 - ii. Transit street projects are given priority for resurfacing over non-transit streets. Funding may be applied to the repair of non-transit streets provided all of a Suburban Community's transit streets have been resurfaced in the last five years and are in good condition, as determined by Capital Metro staff. Written verification of such resurfacing must be submitted.

c. Mobility Improvements:

- i. Includes planning, review, and implementation of programs and projects which have a benefit to transit service and include the planning for, review of, and implementation of intersection improvements, signal timing changes, widening of roadways, signage, lighting, transit-related bicycle and pedestrian improvements, and other mobility enhancement projects and programs. Transit-related bicycle and pedestrian improvements are defined as those projects which use various transportation methods to providing multi-modal access to homes, business, public facilities and which provide improved access to transit facilities or service.

2. Strong preference is given to projects that are directly on a transit route.
3. Strong preference is given to projects that directly improve transit service, traffic safety, or passenger convenience.
4. Joint funding of projects between Capital Metro, the Suburban Community, and other financing sources is encouraged.

Project Submittal

1. When Capital Metro staff notifies the Suburban Community of a fiscal year allocation, the Suburban Community shall submit to Capital Metro a proposed project list for that fiscal year (October 1-September 30). The proposed project list must be submitted on or before May 31 of each fiscal year that funds are allocated provided the project list does not exceed the fiscal year allocation. The project list shall define the scope of work for the services to be provided by Suburban Community.
2. Upon request, Suburban Community may be required to submit to Capital Metro additional project details and timelines. Capital Metro has the right to reject any submitted project that does not meet the established Project Criteria. Any project not rejected by Capital Metro shall be deemed approved.
3. The Suburban Community's projects list must include all new projects as well as any previously approved unfinished projects and their status. Capital Metro will review the proposed projects and provide guidance to the respective Suburban Communities as applicable. Proposed projects will be reviewed by Capital Metro Planning and Development Department and Capital Projects staff to ensure that projects do not conflict with other regional projects. When the projects are approved, the Suburban Community will be notified.

Final project proposals should be in letter form and directed to Capital Metro at the following address or via electronic email address:

Capital Metropolitan Transportation Authority
Attn: Finance

Page 9 of 11

2910 East Fifth Street
 Austin, Texas 78702
Melanie.Capesius@capmetro.org

Capital Metro will notify the Suburban Community in writing of any changes to the above address.

4. Projects that are not competitively contracted will only be reimbursed for directly related costs. No indirect costs will be covered. It is a requirement under this Agreement that the Suburban Community will so state in their submitted projects list that all projects will be competitively bid noting any exceptions for emergency projects. Direct costs that are covered include the categories of project development, project design, and project construction. A letter or agreement detailing eligible costs will be required for projects that are not competitively contracted before final payment is released. Notwithstanding the foregoing, emergency projects deemed by the Suburban Community to be of grave public necessity and necessary to meet unusual and unforeseen conditions are exempt from the competitive contracting requirement.
5. In order to advance efforts by Capital Metro and the Suburban Community to increase the participation of small businesses in publicly funded projects, Small Business Enterprise (“SBE”) participation is strongly encouraged. Each Suburban Community may set SBE goals on procurements using its own “Small Business Program” or the Suburban Community may follow Capital Metro’s SBE program.
6. If a project list for any fiscal year that funds are allocated is not submitted to Capital Metro by the end of the fiscal year in which funds are allocated, then such fiscal year funds are forfeited; Suburban Community may, during the applicable fiscal year, submit for Capital Metro’s approval, a revised project list to allocate unattached funds to prior-approved projects.
7. For projects with costs of \$500,000 or more, the Suburban Community and Capital Metro, through its Planning and Development Department staff, will develop milestones specific to the project prior to commencement of the project.
8. Requests for modifications to project lists or any substitution of the projects previously approved must be submitted in writing to Capital Metro. Written approval by Capital Metro of proposed changes is required.

Project Administration

Throughout the term of any project, Suburban Community will:

1. Maintain regular communication with Capital Metro.
2. If requested, provide Capital Metro with all requested documentation needed to conduct a project audit. In the event Capital Metro determines that fiscal year funds were not spent on an approved project, then upon demand, the Suburban Community shall reimburse Capital Metro for any funds identified by in such audit as not spent on an approved project.
3. Ensure all pedestrian projects and policies developed through the BCT Program are developed in accordance with the requirements of the Americans with Disabilities Act.
4. Notify Capital Metro or its representative when the project is complete or substantially

completed.

5. Upon request, arrange a site visit to allow Capital Metro or its representative an opportunity to inspect a project.

Invoicing and Payment

1. The Suburban Community is responsible for invoicing Capital Metro based on milestones, as applicable, and/or completion or substantial completion of the project in accordance with the terms of the Agreement. The invoices should be in letter form to Capital Metro and have attached photocopies of any documentation pertaining to the cost of the project such as construction contracts, supply invoices, timesheets, change orders, contractor pay vouchers, etc.
2. The Suburban Community shall provide Capital Metro with any documentation pertaining to any approved project, including pre-construction or construction meeting minutes, copies of pay applications, change orders, progress reports, photographs, payment vouchers, and project close-out documents if requested by Capital Metro.
3. The Suburban Community is responsible for informing Capital Metro in a timely manner of any substantial delays or alterations in the project scope of work.
4. Capital Metro shall pay all invoices from revenue that is currently available to Capital Metro.
5. Payments to Suburban Community are expressly contingent upon Suburban Community's strict compliance with this Agreement, including the BCT Guidelines and Procedures.
6. All interest that may accrue to program funding held by the Suburban Community must be allocated toward program projects. The local Suburban Community administrator will propose the projects to which the funding will be allocated and submit in writing a project modification request to Capital Metro.

**AMENDMENT ONE
TO THE
INTERLOCAL AGREEMENT
BY AND BETWEEN
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
AND

FOR BUILD CENTRAL TEXAS**

This Amendment One to the Interlocal Agreement for Build Central Texas (“**Amendment One**”) is made by and between Capital Metropolitan Transportation Authority, a transportation authority organized under Chapter 451 of the Texas Transportation Code (“**Capital Metro**”) and _____, a _____ (the “**Suburban Community**”). Capital Metro and _____ are referred to in this Amendment One individually as a “Party” and collectively as the “Parties”.

RECITALS

1. Capital Metro and Suburban Community are parties to that certain Interlocal Agreement for Build Central Texas, dated effective _____ (the “**Agreement**”), under which the parties set forth the terms and conditions for Suburban Community’s participation in the Build Central Texas Program – Suburban Communities Program (“**BCT Program**”).
2. The Parties wish to revise and expand on the process for administering and participating in the BCT Program each fiscal year (September 30 through October 1) (a “**Fiscal Year**”).
3. In addition, the Parties wish to set forth the process, guidelines and responsibilities for each Party related to a transit supportive infrastructure fund created by Capital Metro to fund certain transit supportive infrastructure projects proposed by the Suburban Community.

AGREEMENT

1. **BCT Program Funding, Guidelines and Procedures.** Article II of the Agreement is deleted and replaced in its entirety with the following:

“II. BCT Program Funding, Guidelines and Procedures

- A. Funding for Suburban Community in the BCT Program will be allocated annually in an amount equal to the difference between the sales tax contributions attributed to Suburban Community and the Total Cost of Service attributed to Suburban Community for the prior fiscal year (the “**BCT Allocation**”). For the purposes of this Agreement, Total Cost of Service shall be defined as operations and maintenance costs for transit service provided to Suburban Community plus capital depreciation (the “**Total Cost of Service**”).
- B. For Fiscal Year 2022, the BCT Allocation is shown on the attached Appendix A. The Parties agree that \$800,000 of the Fiscal Year 2022 BCT Allocation will be set aside for future expenses related to the Project Connect Green Line project, as shown on the attached

Appendix A.

- C. For future fiscal years, Capital Metro staff will notify Suburban Community of the BCT Allocation for Suburban Community by March 31 of the applicable fiscal year, and the terms and conditions of this Agreement will apply (the “**BCT Allocation Notification**”). The City may elect to allocate portions of the BCT Allocation towards the Project Connect Green Line project in future fiscal years. A report showing a detailed calculation of the Total Cost of Service in a form substantially similar to that set forth in **Exhibit ___** will accompany the BCT Allocation reported to Suburban City each year.
- D. Capital Metro shall provide audited annual financial statements to Suburban Community upon request. All cost information and service metrics are available monthly on the Capital Metro website dashboard. Any additional data valuable to Suburban Community will be reasonably provided upon request. Suburban Community may audit documentation related to the Total Cost of Service and the BCT Allocation to ensure compliance with the terms of this Agreement. Capital Metro shall make available to Suburban Community’s designated auditor during regular business hours and upon reasonable notice, applicable records related to the calculation of the Total Cost of Service and the BCT Allocation. If the event that such audit demonstrates that the Total Cost of Service or BCT Allocation was calculated incorrectly and resulted in an underpayment of the BCT Allocation, the correct amount shall be paid by Capital Metro within thirty (30) days of notification by Suburban Community. In the event that such audit demonstrates that the Total Cost of Service or BCT Allocation was calculated incorrectly and resulted in an overpayment of the BCT Allocation, the overpayment amount will be refunded to Capital Metro within thirty (30) days of the determination. Suburban Community must exercise its right to audit a particular Total Cost of Service and/or BCT Allocation within twelve (12) months of their corresponding BCT Allocation Notification.
- E. Once Capital Metro staff notifies Suburban Community of a BCT Allocation under this Agreement, Suburban Community shall submit to Capital Metro a proposed project list for the applicable fiscal year in accordance with the Suburban Communities Program Procedures and Guidelines attached to this Agreement as **Appendix B** (the “**BCT Guidelines and Procedures**”). The project list may include a proposal to rollover a BCT Allocation for use in a later fiscal year. If a project list for any fiscal year is not submitted to Capital Metro by the end of the fiscal year in which funds are allocated, then such fiscal year funds are forfeited. Suburban Community may, during the applicable fiscal year, submit for Capital Metro’s approval, a revised project list to allocate unattached funds to prior-approved projects.
- F. For projects approved for Fiscal Year 2022, Capital Metro shall make payments to Suburban Community as follows:
- a. a check for fifty percent (50%) of the BCT Allocation will be available by June 1, 2022.
 - b. For projects funded with less than Five Hundred Thousand Dollars (\$500,000) of the applicable BCT Allocation, payment for outstanding project costs will be made out of the remaining fifty percent (50%) of the BCT Allocation by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory

Commented [PS1]: Council to confirm agreement with this term.

documentation for payment, and otherwise in accordance with the BCT Guidelines and Procedures.

- c. For projects funded with Five Hundred Thousand Dollars (\$500,000) or more of the applicable BCT Allocation, payment for outstanding project costs will be made out of the remaining fifty percent (50%) of the BCT Allocation by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, in accordance with an established project milestone schedule agreed upon by the Parties prior to commencement of the project and otherwise in accordance with the BCT Guidelines and Procedures.
- G. For projects approved for Fiscal Year 2023 and subsequent fiscal years, Capital Metro shall make payments to Suburban Community as follows:
- a. For projects funded with less than Five Hundred Thousand Dollars (\$500,000) of the applicable BCT Allocation, fifty percent (50%) of the budgeted costs for each such project shall be mailed to Suburban Community upon submittal of an invoice on Suburban Community letterhead. Payment for the remaining project costs will be made to Suburban Community by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, and otherwise in accordance with the BCT Guidelines and Procedures.
 - b. For projects funded with Five Hundred Thousand Dollars (\$500,000) or more of the applicable BCT Allocation, twenty percent (20%) of the budgeted costs for each such project shall be mailed to Suburban Community upon submittal of an invoice on Suburban Community letterhead, provided that such payment will not exceed One Million Dollars (\$1,000,000). Payment for the remaining project costs will be paid by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, in accordance with an established project milestone schedule agreed upon by the Parties prior to commencement of the project and otherwise in accordance with the BCT Guidelines and Procedures.
- H. Capital Metro shall provide Suburban Community requested technical or project assistance in pursuing federal grant funds to complement the funding available under the Program that supports transit supportive infrastructure and joint Suburban Community and Capital Metro goals.
2. **BCT Guidelines and Procedures.** The BCT Guidelines and Procedures attached to the Agreement as Exhibit A are deleted and replaced in their entirety by the revised BCT Guidelines and Procedures attached to this Amendment One as **Appendix A**. Suburban Community will comply with the BCT Guidelines and Procedures, which set out the rules and regulations governing participation in the BCT Program and payments to be made to Suburban Community under this Agreement. Capital Metro reserves the right, in its sole discretion to make amendments to the BCT Program Guidelines and Procedures from time to time, provided that such amendments shall not reduce the funding for prior-approved projects, shorten the deadlines for Suburban Community to submit proposed projects to Capital Metro (unless Capital Metro provides the City with sixty days' written notice of the

amendments), change the Total Service Cost, cause the BCT Allocation to become unavailable, or change a material term of this Agreement.

3. Transit Supported Infrastructure Fund

- A. By action of the Capital Metro Board of Directors on March 28, 2022, Capital Metro approved a Transit Supportive Infrastructure Fund to fund transit supportive infrastructure projects for Suburban Communities with the amount shown on the attached Appendix A being apportioned for use by Suburban Community (“**Transit Infrastructure Fund Allocation**”). Unless otherwise provided in this Section 3, the projects funded with Transit Infrastructure Fund Allocation (the “**Suburban Community Infrastructure Projects**”) will be subject to the BCT Guidelines and Procedures, with references to the BCT Program and BCT projects deemed to mean the Transit Supportive Infrastructure Fund and the Transit Infrastructure Fund Allocation.
- B. Suburban Community will submit to Capital Metro for approval a list of proposed Suburban Community Infrastructure Projects by June 30, 2022. The project list may include a proposal to use Transit Infrastructure Funds beyond Fiscal Year 2022. If the project list is not submitted to Capital Metro by September 30, 2022 then the Transit Infrastructure Funds are forfeited. Suburban Community may submit for Capital Metro’s approval, a revised project list to allocate unattached funds to prior-approved projects. Capital Metro will review and approve Suburban Community Infrastructure Projects in accordance with the BCT Guidelines and Procedures.
- C. Capital Metro shall make payments to Suburban Community for approved Suburban Community Infrastructure Projects as follows:
 - a. For Suburban Community Infrastructure Projects funded with less than Five Hundred Thousand Dollars (\$500,000) of the Suburban Community Transit Infrastructure Funds, fifty percent (50%) of the budgeted costs for the Suburban Community Infrastructure Funds shall be mailed to Suburban Community on or after June 1, 2022, upon submittal of an invoice on Suburban Community letterhead. Payment for the remaining costs for such Suburban Community Infrastructure Projects will be made to Suburban Community by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the project, together with satisfactory documentation for payment, and otherwise in accordance with the BCT Guidelines and Procedures.
 - b. For Suburban Community Infrastructure Projects funded with Five Hundred Thousand Dollars (\$500,000) or more of the Suburban Community Transit Infrastructure Funds, twenty percent (20%) of the budgeted costs for each such project shall be mailed to Suburban Community on or after June 1, 2022, upon submittal of an invoice on Suburban Community letterhead, provided that such payment will not exceed One Million Dollars (\$1,000,000). Payment for the remaining costs will be made to Suburban Community by check upon submission of an invoice from Suburban Community evidencing completion or substantial completion of the applicable Suburban Community Infrastructure Project, together with satisfactory documentation for payment, in accordance with an established project milestone schedule agreed upon by the Parties prior to commencement of the applicable Suburban Community Infrastructure Project and otherwise in accordance with the BCT Guidelines and Procedures.
- D. Capital Metro shall pay all invoices in accordance with the Texas Prompt Payment Act, Chapter 2251, Texas Government Code. Capital Metro shall have the right to audit project

documentation to ensure compliance with the terms of this Agreement and the BCT Guidelines and Procedures.

4. **Invoicing and Payment.** Capital Metro shall pay all invoices in accordance with the Texas Prompt Payment Act, Chapter 2251, Texas Government Code. Capital Metro shall have the right to audit project documentation to ensure compliance with the terms of this Agreement and the BCT Guidelines and Procedures.
5. **Term and Termination.** Article III of the Agreement is deleted and replaced in its entirety with the following:

“III. Term and Termination

- A. The initial term of this Agreement is from the date of the last Party to sign (“**Effective Date**”) through September 30, 2032, unless terminated earlier in accordance with this Agreement. After the initial term, the Agreement will automatically renew annually on the anniversary of the Effective Date unless either Party provides written notice ninety (90) days in advance of the end date of its intent not to renew. Notwithstanding anything to the contrary, the Parties may mutually agree to terminate this Agreement at any time.
 - B. If, at any time during the term of the Agreement, Suburban Community is no longer included in Capital Metro’s service area, this Agreement will automatically terminate and be null and void as of the date on which Suburban Community is removed from Capital Metro’s service area. As of such date, neither party will have any obligations under this Agreement, including any obligation by Capital Metro to make any payments to Suburban Community under this Agreement.
 - C. Notwithstanding anything contained herein to the contrary, in the event of termination of the Agreement, the funding for any projects approved prior to the termination of the Agreement shall remain available and payable to Suburban Community under the terms set forth in this Agreement, and the obligation to pay the BCT Allocation to Suburban Community for such approved projects shall survive termination of this Agreement.
 - D. If Capital Metro becomes subject to a legislative change, revocation of statutory authority, or lack of funds which would render Capital Metro’s performance under this Agreement impossible or unnecessary, this Agreement will be terminated or cancelled and be deemed null and void. In the event of such termination or cancellation, Capital Metro will not be liable to Suburban Community for any damages, which are caused or associated with such termination, or cancellation. In such event, Capital Metro shall cooperate with Suburban Community to determine whether there is an alternative source of funding for the BCT Allocation or an alternative structure that can be used to achieve the purposes of this Agreement.”
6. **Entire Agreement.** The terms of this Amendment One are in addition to, and construed together with, the terms of the Agreement. In the event of conflict in any language in the Agreement and this Amendment One, the language in this Amendment One will control.

7. **Capitalized Terms.** Capitalized items used in this Amendment One and not otherwise defined have the meanings assigned to them in the Agreement.

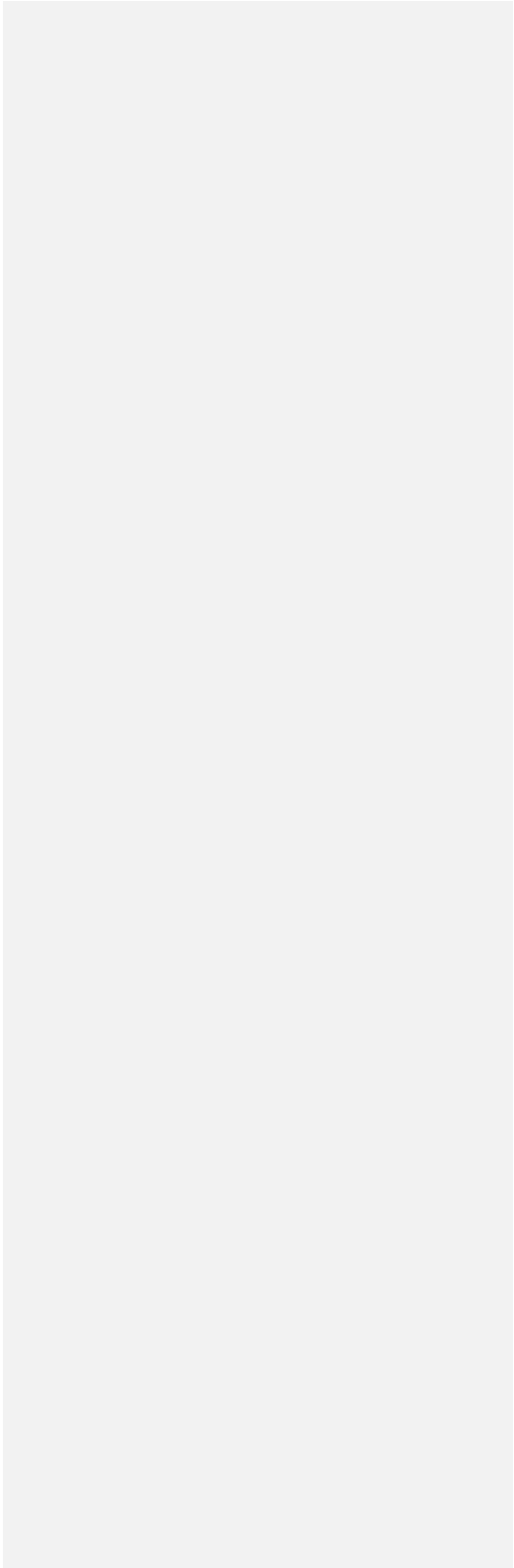
IN WITNESS WHEREOF, this Amendment One has been signed by an authorized representative of each Party, to be effective as of the last signature date below.

**CAPITAL METROPOLITAN
TRANSPORTATION AUTHORITY**

Name: _____
Title: _____
Signature Date _____

Name: _____
Title: _____
Signature Date _____

APPENDIX A
BCT ALLOCATION AMOUNT
AND
TRANSIT INFRASTRUCTURE FUND ALLOCATION



APPENDIX B

THE BUILD CENTRAL TEXAS - SUBURBAN COMMUNITIES PROGRAM PROCEDURES AND GUIDELINES

The Build Central Texas – Suburban Communities Program was established by Capital Metro to finance transportation projects that are of mutual benefit to Capital Metro and the respective communities in the Capital Metro service area. The Capital Metro Board of Directors created the Suburban Communities Program to ensure that the suburban cities and portions of counties in the Capital Metro service area (collectively, the “**Suburban Communities**”) benefit from the Build Central Texas Program.

The following procedures and guidelines are provided to assist the Suburban Communities in Capital Metro's service area with developing and administering their annual Build Central Texas Program - Suburban Communities Program project proposals. Capital Metro staff will be available to assist with any questions that may arise regarding the program.

Project Criteria

1. The purpose of a project must be for transit related capital improvements and generally will fall into one of the following categories, unless otherwise agreed to by Capital Metro:
 - a. Transit Capital Improvements:
 - i. Includes sidewalks, sidewalk curb ramps, safety signage, electronic pedestrian signals, walkway lighting and hike and bike facilities, passenger amenities such as shelters, benches, landscaping, bus stop lighting, concrete bus pads, and roadway improvements that improve traffic safety or traffic flows.
 - ii. Must be along a transit route or directly leading to a transit route or transit facility, unless otherwise approved by Capital Metro. A statement from the Suburban Community that the project is along or directly leading to a transit route must be included in the proposed project list when submitted to Capital Metro.
 - b. Street Resurfacing and Improvements:
 - i. Includes asphalt and concrete resurfacing of streets, street reconstruction, and construction of new streets which will serve as transit corridors. Street repair and maintenance should focus on current and future transit routes. Street projects may only include non-transit related roadways when all transit roadways are in an improved condition.
 - ii. Transit street projects are given priority for resurfacing over non-transit streets. Funding may be applied to the repair of non-transit streets provided all of a Suburban Community's transit streets have been resurfaced in the last five years and are in good condition, as determined by Capital Metro staff. Written verification of such resurfacing must be submitted.

c. Mobility Improvements:

- i. Includes planning, review, and implementation of programs and projects which have a benefit to transit service and include the planning for, review of, and implementation of intersection improvements, signal timing changes, widening of roadways, signage, lighting, transit-related bicycle and pedestrian improvements, and other mobility enhancement projects and programs. Transit-related bicycle and pedestrian improvements are defined as those projects which use various transportation methods to providing multi-modal access to homes, business, public facilities and which provide improved access to transit facilities or service.

2. Strong preference is given to projects that are directly on a transit route.
3. Strong preference is given to projects that directly improve transit service, traffic safety, or passenger convenience.
4. Joint funding of projects between Capital Metro, the Suburban Community, and other financing sources is encouraged.

Project Submittal

1. When Capital Metro staff notifies the Suburban Community of a fiscal year allocation, the Suburban Community shall submit to Capital Metro a proposed project list for that fiscal year (October 1-September 30). The proposed project list must be submitted on or before May 31 of each fiscal year that funds are allocated provided the project list does not exceed the fiscal year allocation. The project list shall define the scope of work for the services to be provided by Suburban Community.
2. Upon request, Suburban Community may be required to submit to Capital Metro additional project details and timelines. Capital Metro has the right to reject any submitted project that does not meet the established Project Criteria. Any project not rejected by Capital Metro shall be deemed approved.
3. The Suburban Community's projects list must include all new projects as well as any previously approved unfinished projects and their status. Capital Metro will review the proposed projects and provide guidance to the respective Suburban Communities as applicable. Proposed projects will be reviewed by Capital Metro Planning and Development Department and Capital Projects staff to ensure that projects do not conflict with other regional projects. When the projects are approved, the Suburban Community will be notified.

Final project proposals should be in letter form and directed to Capital Metro at the following address or via electronic email address:

Capital Metropolitan Transportation Authority
Attn: Finance

Page 9 of 11

2910 East Fifth Street
 Austin, Texas 78702
Melanie.Capesius@capmetro.org

Capital Metro will notify the Suburban Community in writing of any changes to the above address.

4. Projects that are not competitively contracted will only be reimbursed for directly related costs. No indirect costs will be covered. It is a requirement under this Agreement that the Suburban Community will so state in their submitted projects list that all projects will be competitively bid noting any exceptions for emergency projects. Direct costs that are covered include the categories of project development, project design, and project construction. A letter or agreement detailing eligible costs will be required for projects that are not competitively contracted before final payment is released. Notwithstanding the foregoing, emergency projects deemed by the Suburban Community to be of grave public necessity and necessary to meet unusual and unforeseen conditions are exempt from the competitive contracting requirement.
5. In order to advance efforts by Capital Metro and the Suburban Community to increase the participation of small businesses in publicly funded projects, Small Business Enterprise (“SBE”) participation is strongly encouraged. Each Suburban Community may set SBE goals on procurements using its own “Small Business Program” or the Suburban Community may follow Capital Metro’s SBE program.
6. If a project list for any fiscal year that funds are allocated is not submitted to Capital Metro by the end of the fiscal year in which funds are allocated, then such fiscal year funds are forfeited; Suburban Community may, during the applicable fiscal year, submit for Capital Metro’s approval, a revised project list to allocate unattached funds to prior-approved projects.
7. For projects with costs of \$500,000 or more, the Suburban Community and Capital Metro, through its Planning and Development Department staff, will develop milestones specific to the project prior to commencement of the project.
8. Requests for modifications to project lists or any substitution of the projects previously approved must be submitted in writing to Capital Metro. Written approval by Capital Metro of proposed changes is required.

Project Administration

Throughout the term of any project, Suburban Community will:

1. Maintain regular communication with Capital Metro.
2. If requested, provide Capital Metro with all requested documentation needed to conduct a project audit. In the event Capital Metro determines that fiscal year funds were not spent on an approved project, then upon demand, the Suburban Community shall reimburse Capital Metro for any funds identified by in such audit as not spent on an approved project.
3. Ensure all pedestrian projects and policies developed through the BCT Program are developed in accordance with the requirements of the Americans with Disabilities Act.
4. Notify Capital Metro or its representative when the project is complete or substantially

completed.

5. Upon request, arrange a site visit to allow Capital Metro or its representative an opportunity to inspect a project.

Invoicing and Payment

1. The Suburban Community is responsible for invoicing Capital Metro based on milestones, as applicable, and/or completion or substantial completion of the project in accordance with the terms of the Agreement. The invoices should be in letter form to Capital Metro and have attached photocopies of any documentation pertaining to the cost of the project such as construction contracts, supply invoices, timesheets, change orders, contractor pay vouchers, etc.
2. The Suburban Community shall provide Capital Metro with any documentation pertaining to any approved project, including pre-construction or construction meeting minutes, copies of pay applications, change orders, progress reports, photographs, payment vouchers, and project close-out documents if requested by Capital Metro.
3. The Suburban Community is responsible for informing Capital Metro in a timely manner of any substantial delays or alterations in the project scope of work.
4. Capital Metro shall pay all invoices from revenue that is currently available to Capital Metro.
5. Payments to Suburban Community are expressly contingent upon Suburban Community's strict compliance with this Agreement, including the BCT Guidelines and Procedures.
6. All interest that may accrue to program funding held by the Suburban Community must be allocated toward program projects. The local Suburban Community administrator will propose the projects to which the funding will be allocated and submit in writing a project modification request to Capital Metro.

APPENDIX A

Suburban City	Updated BCT	FY2022 Capital Fund	FY2021 Sales Tax	FY2021 Service Cost
Manor	\$1,065,048	\$1,585,190	\$2,051,587	\$986,539



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a tree mitigation fee-in-lieu for Manor Independent School District for 243 caliper inches and located at the Manor ISD Senior High School Athletic Complex at 14832 N. FM 973, Manor, Texas.

BACKGROUND/SUMMARY:

The Athletic Complex development for MISD would require 149 trees under our code on a 10.23 acre site. They are proposing to plant 68 leaving a mitigation requirement for 81 trees (243 caliper inches).

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

- Letter of Intent
- Exhibit

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve a tree mitigation fee-in-lieu of \$75 per caliper inch for Manor Independent School District for 243 caliper inches and located at the Manor ISD Senior High School Athletic Complex at 14832 N. FM 973, Manor, Texas.

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



May 11, 2022

City of Manor
105 E Eggleston St
Manor, TX 78653
512.272.5555

Re: Manor ISD Sr. High Athletic Complex

Dear Mr. Dunlop,

On behalf of Manor Independent School District, we would like to request from the City of Manor the opportunity to provide a fee in lieu of meeting the amount of trees required per Manor Code of Ordinance Sections 15.03.008(2)(C) and 15.03.036(e)(2), in order to meet the deficit of the Landscaping Requirements (Sec. 15.03.004) required for our site.

The current Landscaping Requirements state that our site is required to have 1 Tree per every 600 SF of landscaped area and 4 shrubs per every 600 SF of landscaped area. We are currently meeting our shrub requirement, however, we are short 81, 3" caliper trees that cannot be accommodated.

In addition to the requirements outlined in Sec. 15.03.004, there are additional requirements that are applicable to our site, all of which we are meeting. Below is a list of those sections. In addition, I have provided a plan which outlines all landscape requirements and how we are meeting them on site. (See attached document).

- Sec. 15.03.006 Preferred Planting List and Specifications
- Sec. 15.03.007 Placement of Landscaping

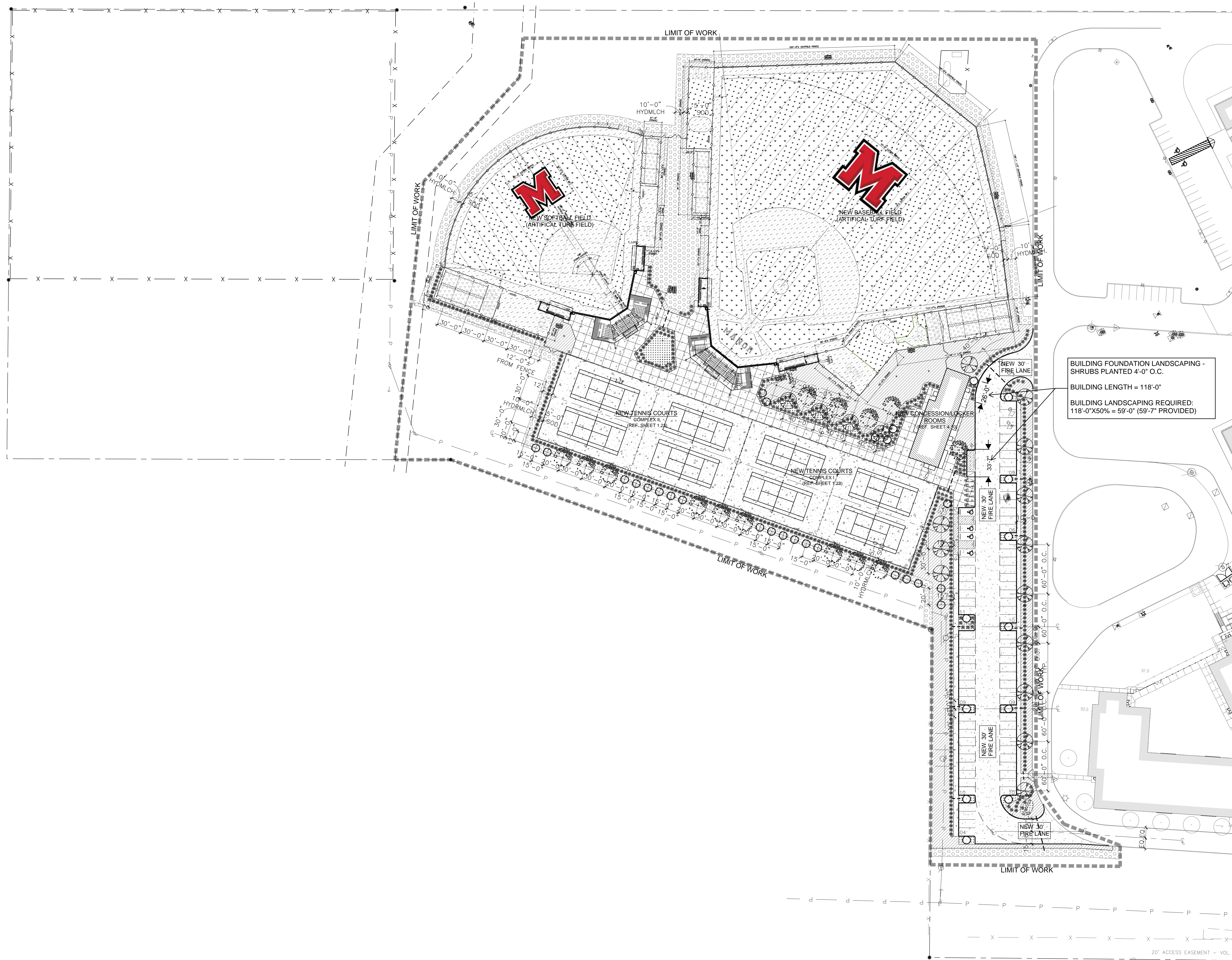
Thank you for your consideration, and please reach out to me with any questions or comments.

Best regards,

A handwritten signature in black ink, appearing to read 'Cody Holt'. The signature is fluid and cursive, with a large 'C' and 'H'.

Cody Holt
Claycomb Associates, Architects, Inc.

CC: Ryan Marcum, Director of Bonds and Construction – MISD



LANDSCAPE PLAN LEGEND

- TEXAS ASH
FRAXENUS TEXENSIS
 BURLAP BAGGED (3'-CALIPER, SHADE TREE)
- TEXAS REDBUD
CERCIS CANADENSIS VAR TEXENSIS
 BURLAP BAGGED (3'-CALIPER, SMALL TREE)
- CRAPE MYRTLE 'DYNAMITE'
LAGERSTROEMIA INDICA
 MULTI-TRUNKED (15 GALLON CONTAINER - HEIGHT: 4'-8)
- DWARF YAUPON HOLLY
ILEX VOMITORIA
 SPACE 5'-0" O.C. (5 GALLON CONTAINER)
- RED YUCCA
HESPERALOE PARVIFLORA
 SPACE 5'-0" O.C. (5 GALLON CONTAINER)
- ASIAN JASMINE
TRACHELOSPERMUM ASIATICUM
 GROUND COVER (1 GALLON CONTAINER - PLANT 18"-24" O.C.)
- SOD-BERMUDA GRASS (ROLLS)
CYNODON DACTYLON
 IRRIGATED AREA (REFER TO SPECIFICATIONS-PROVIDE FREEZE PROTECTION SENSOR/LOW GALLONAGE LOW ANGLE NOZZLES) (REFER TO CIVIL PLANS FOR ADDITIONAL INFORMATION - BACKFLOW PREVENTION/EXISTING EASEMENTS & UTILITIES) THIS AREA IS TO RECEIVE SOLID SOD IN ADDITION TO BEING IRRIGATED.
- HYDROMULCHED AREA (REFER TO SPECIFICATIONS)
- 4' EMPTY PVC SLEEVE UNDER PAVEMENT (EXTEND 18" BEYOND EDGE OF PAVEMENT-FOR IRRIGATION)
- CONCRETE (SIDEWALKS/DRIVES/PARKING)
- TURF (BALL FIELDS)

CITY OF MANOR LANDSCAPE REQUIREMENTS

TOTAL SQUARE FOOTAGE OF LIMITS OF CONSTRUCTION:
445,828 S.F. / 10.23 AC

20% LANDSCAPE REQUIRED OF TOTAL SQUARE FOOTAGE OF CONSTRUCTION

1 TREE PER 600 S.F. OF LANDSCAPED AREA

4 SHRUBS PER 600 S.F. OF LANDSCAPED AREA

TOTAL NUMBER OF REQUIRED TREES:
 (445,828x20%) / 600 = 149 (88 PROVIDED)

TOTAL NUMBER OF REQUIRED SHRUBS:
 (445,828x20%) / 600 = 149x4 = 596 (596 PROVIDED)

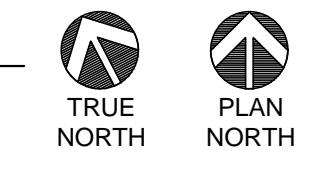
INCLUDED FOLLOWING MAINTENANCE NOTE PER CITY REQUIREMENTS:

THE DEVELOPER AND SUBSEQUENT OWNERS OF THE LANDSCAPED PROPERTY, OR THE MANAGER OR AGENT OF THE OWNER, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPED AREAS. SAID AREAS SHALL BE KEPT FREE OF REFUSE AND DEBRIS. ALL PLANTED AREAS SHALL BE PROVIDED WITH A READILY AVAILABLE WATER SUPPLY AND WATERED AS NECESSARY TO ENSURE CONTINUOUS HEALTHY GROWTH AND DEVELOPMENT. MAINTENANCE SHALL INCLUDE THE REPLACEMENT OF ALL DEAD PLANT MATERIAL IF THAT MATERIAL WAS USED TO MEET THE REQUIREMENTS OF THE ORDINANCE.

TREE COUNTS
 TEXAS ASH - 17
 TEXAS REDBUD - 16
 CRAPE MYRTLE - 35

SHRUB COUNT
 DWARF YAUPON HOLLY - 100
 RED YUCCA - 496

01 SITE PLAN - LANDSCAPE
 SCALE: 1" = 50'-0"





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Director of Development Services
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion and possible action on a Resolution accepting the petition for annexation of 62.8431 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits and setting a date for a public hearing.

BACKGROUND/SUMMARY:

This is a voluntary annexation being initiated by the property owner.

LEGAL REVIEW: Yes
FISCAL IMPACT:
PRESENTATION:
ATTACHMENTS: Yes

- Resolution No. 2022-09

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve Resolution No. 2022-09 accepting the petition for annexation of 62.8431 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits and setting a date for the public hearing.

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

RESOLUTION NO. 2022-09

A RESOLUTION OF THE CITY OF MANOR, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF 62.8431 ACRES OF LAND, MORE OR LESS; BEING LOCATED IN TRAVIS COUNTY, TEXAS AND ADJACENT AND CONTIGUOUS TO THE CITY LIMITS; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the owner(s) of certain property located within Travis County, Texas have petitioned the City of Manor, Texas (herein the “City”) a Texas home-rule city, for annexation of said property, more particularly described herein (the “Subject Property”) into the corporate limits of the City;

WHEREAS, the Subject Property is contiguous and adjacent to the corporate limits of the City, within the extraterritorial jurisdiction of the City and the owner(s) have made application for annexation;

WHEREAS, after review and consideration of such requests and petition for annexation from the owner(s) of the Subject Property, the City Council of the City of Manor, Texas (the “City Council”) finds that the Subject Property may be annexed pursuant to §43.0671 of the Texas Local Government Code;

WHEREAS, pursuant to §43.0672, Texas Local Government Code, the City and the undersigned have negotiated and entered into a written agreement for the provision of services to the Subject Property, said agreement being attached hereto as Exhibit “B” and is incorporated herein for all purposes; and,

WHEREAS, the petitioner has agreed and consented to the annexation of the Subject Property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

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

SECTION ONE: 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 TWO: The petition for annexation of the following described Subject Property, including abutting streets, roadways, and rights of way, not previously annexed into the City and the draft agreement for the provision of services shown in Exhibit “B”, are hereby accepted:

Tract One:

Being 9.38 acres of land out of the A.C. Caldwell Survey No. 52, Abstract No. 154 in Travis County, Texas, and being a portion of a called 62.8431 acre tract of land described in a general warranty deed to Jefferson Triangle Marine, L.P. recorded in Document No. 2008096315 of the Official Public Records, Travis County, Texas, said 9.38 tract of land being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes.

Tract Two:

Being 53.42 acres of land out of the A.C. Caldwell Survey No. 52, Abstract No. 154, in Travis County, Texas, and being a portion of a called 62.8431 acre tract of land described in a general warranty deed to Jefferson Triangle Marine, L.P. recorded in Document No. 2008096315 of the Official Public Records, Travis County, Texas, said 53.42 tract of land being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes.

A public hearing is set for the date of June 15, 2022. Notice of such hearing shall be published and posted in accordance with §43.0673, Texas Local Government Code, and the hearing shall be open to the public to accept public comment on the annexation request. In the event of a conflict between the Subject Property description contained herein, Exhibit “A” shall control.

SECTION THREE: Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared severable.

SECTION FOUR: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED this the 1st day of June 2022.

ATTEST:

CITY OF MANOR, TEXAS:

Lluvia T. Almaraz, City Secretary

Dr. Christopher Harvey, Mayor

Exhibit "A"
Subject Property Description
+/- 62.8431 Acres

Tract One



10090 W Highway 29 | Liberty Hill, Texas 78642
TBPELS Firm No. 10001800 | 512-238-7901 office

EXHIBIT " "

METES AND BOUNDS DESCRIPTION

BEING 9.38 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 62.8431 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO JEFFERSON TRIANGLE MARINE, L.P. IN DOCUMENT NO. 2008096315 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap stamped "4WARD BOUDARY" found for the Northwest corner of said 62.8431 acre tract and a common West corner of a called 4.382 acre tract of land described in a Warranty Deed With Vendor's Lien to Auspro Enterprises, L.P., recorded in Document No. 2019013915 of said O.P.R.T.C.T., also at the intersection of the existing Easterly right-of-way line of Kimbro Road (Old State Hwy 20 - 80' R.O.W.) and the existing Southerly right-of-way line of U.S. 290 (R.O.W. Varies);

THENCE **South 62°55'16" East** with the North line of said 62.8431 acre tract and the common South line of said 4.382 acre tract, a distance of **600.03** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set, from which a 1/2" rebar found for the Southeast corner of a called 1.00 acre tract of land described in a Warranty Deed to Francisco Ruiz and Sindy Silva, recorded in Document No. 2018008520 of said O.P.R.T.C.T. and the common Southwest corner of a called 5.565 acre tract of land described in a General Warranty Deed to Tani Investments, LLC, recorded in Document No. 2021257244 of said O.P.R.T.C.T., also being the common Northwest corner of a called 0.112 acre tract of land described in a Special Warranty Deed to City of Manor, recorded in Document No. 2021052804 of said O.P.R.T.C.T., bears South 62°55'16" East a distance of 280.09 feet;

THENCE over and across said 62.8431 acre tract, the following two (2) courses and distances:

1. **South 27°21'49" West** a distance of **638.36** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and



- 2. **North 72°21'49" West** a distance of **597.01** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set in the West line of said 62.8431 acre tract and the common existing Easterly right-of-way line of said Kimbro Road, from which a 1/2" rebar found for the Southwest corner of said 62.8431 acre tract and a common Northwest corner of a called 56.652 acre tract described in a General Warranty Deed to Horsefeathers Farm, Inc., recorded in Document No. 2002187747 of said O.P.R.T.C.T., also being in the common existing Easterly right-of-way line of said Kimbro Road, bears South 26°27'38" West a distance of 667.27 feet;

THENCE **North 26°27'38" East** with the West line of said 62.8431 acre tract and the common existing Easterly right-of-way line of said Kimbro Road, a distance of **736.34** feet to the **POINT OF BEGINNING** and containing 9.38 acres of land, more or less.

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 – 2011 Adjustment), Central Zone (4203). All distances shown hereon are surface values represented in U.S. Survey Feet based on a grid-to-surface combined adjustment factor of 1.00005359.

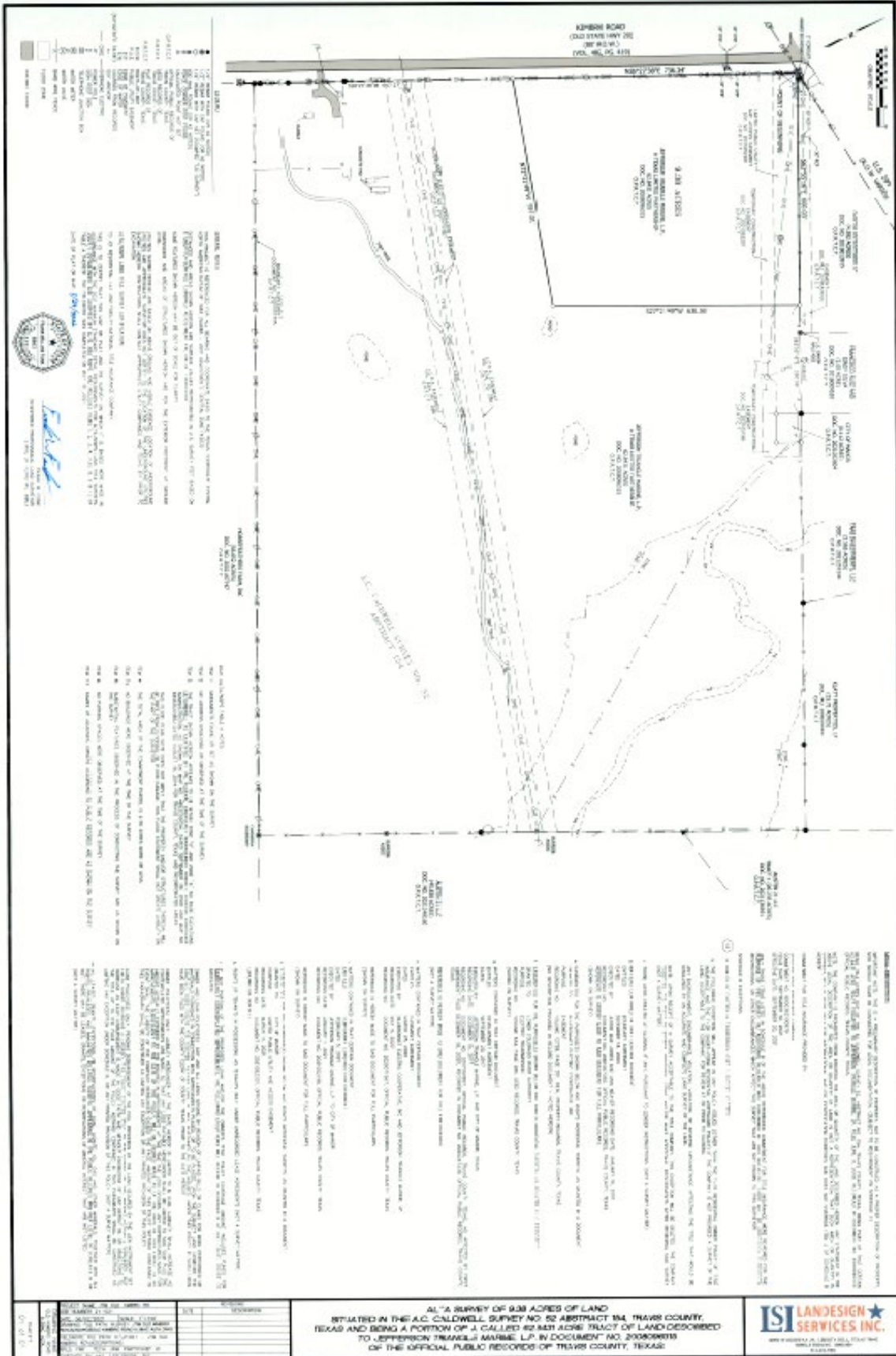
This property description was prepared from an on-the-ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed on May 19, 2021.

 3/29/2022
 Frank. W. Funk
 Registered Professional Land Surveyor
 State of Texas No. 6803



Job Number: 21-021
 Attachments: K:\21021 - JTM Old Kimbro Rd\CAD\DWGs\Old Kimbro Road 9.38ac ALTA.dwg





Tract Two



10090 W Highway 29 | Liberty Hill, Texas 78642
 TBPELS Firm No. 10001800 | 512-238-7901 office

EXHIBIT " "

METES AND BOUNDS DESCRIPTION

BEING 53.42 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 62.8431 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO JEFFERSON TRIANGLE MARINE, L.P. IN DOCUMENT NO. 2008096315 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap stamped "LSI SURVEY" set in the North line of said 62.8431 acre tract and the common South line of a called 4.382 acre tract of land described in a Warranty Deed With Vendor's Lien to Auspro Enterprises, L.P., recorded in Document No. 2019013915 of said O.P.R.T.C.T., from which a 1/2" rebar with cap stamped "4WARD BOUNDARY" found for the Northwest corner of said 62.8431 acre tract and a common West corner of said 4.382 acre tract, also at the intersection of the existing Easterly right-of-way line of Kimbro Road (Old State Hwy 20 - 80' R.O.W.) and the existing Southerly right-of-way line of U.S. 290 (R.O.W. Varies), bears North 62°55'16" West a distance of 600.03 feet;

THENCE **South 62°55'16" East** with the North line of said 62.8431 acre tract and the common South line of said 4.382 acre tract, and continuing with the common South line of a called 1.00 acre tract of land described in a Warranty Deed to Francisco Ruiz and Sindy Silva, recorded in Document No. 2018008520 of said O.P.R.T.C.T., a distance of **280.09** feet to a 1/2" rebar found for the Southeast corner of said 1.00 acre tract and the common Southwest corner of a called 5.565 acre tract of land described in a General Warranty Deed to Tani Investments, LLC, recorded in Document No. 2021257244 of said O.P.R.T.C.T., also being the Northwest corner of a called 0.112 acre tract of land described in a Special Warranty Deed to City of Manor, recorded in Document No. 2021052804 of said O.P.R.T.C.T. and a common corner of said 62.8431 acre tract;

THENCE with a Northerly line of said 62.8431 acre tract and a common line of said 0.112 acre tract, the following three (3) courses and distances:

1. **South 27°04'44" West** a distance of **65.00** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set;



2. **South 62°55'16" East** a distance of **75.00** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and
3. **North 27°04'44" East** a distance of **65.00** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set for the Northeast corner of said 0.112 acre tract and a common corner of said 62.8431 acre tract, also being in the South line of said 5.565 acre tract;

THENCE **South 62°55'16" East** with the North line of said 62.8431 acre tract and the common South line of said 5.565 acre tract, and continuing with the common South line of a called 15.71 acre tract of land described in a Warranty Deed to Klatt Properties, LP, recorded in Document No. 2008204941 of said O.P.R.T.C.T., a distance of **998.89** feet to a 1/2" rebar found for the Northeast corner of said 62.8431 acre tract and the common Southeast corner of said 15.71 acre tract, also being in the West line of a called 20.235 acre tract of land described as Tract 1 in a General Warranty Deed to Austin 21 LLC, recorded in Document No. 2021136691 of said O.P.R.T.C.T.;

THENCE with the East line of said 62.8431 acre tract and the common West line of said 20.235 acre tract, the following two (2) courses and distances:

1. **South 29°25'27" West** a distance of **12.49** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and
2. **South 26°40'55" West** a distance of **304.61** feet to a 60d Nail found in a Mesquite tree for the Southwest corner of said 20.235 acre tract and the Northwest corner of a called 45.838 acre tract of land described in a General Warranty Deed With Vendor's Lien to Austin 21 LLC, recorded in Document No. 2021248160 of said O.P.R.T.C.T.;

THENCE with the East line of said 62.8431 acre tract and the common West line of said 45.838 acre tract, the following four (4) courses and distances:

1. **South 27°38'12" West** a distance of **377.29** feet to a 1/2" rebar with cap stamped "BURRIS&ASSOC" found;
2. **South 26°43'45" West** a distance of **143.94** feet to a 1/2" rebar found;
3. **South 26°58'00" West** a distance of **243.98** feet to a 1/2" rebar with cap stamped "BURRIS&ASSOC" found; and
4. **South 26°59'10" West** a distance of **330.89** feet to a 1/2" rebar with cap stamped "CHAPARRAL BOUNDARY" found for the Southeast corner of said 62.8431 acre tract and the common Southwest corner of said 45.838 acre tract, also being in the North line of a called 56.652 acre tract described in a General Warranty Deed to Horsefeathers Farm, Inc., recorded in Document No. 2002187747 of said O.P.R.T.C.T.;

THENCE **North 62°38'11" West** with the South line of said 62.8431 acre tract and the common North line of said 56.652 acre tract, a distance of **1,938.72** feet to a 1/2" rebar found for the Southwest corner of said 62.8431 acre tract and the common Northwest corner of said 56.652 acre tract, and being in the existing Easterly right-of-way line of said Kimbro Road;



THENCE **North 26°27'38" East** with the West line of said 62.8431 acre tract and the common existing Easterly right-of-way line of said Kimbro Road, a distance of **667.27** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set, from which a 1/2" rebar with cap stamped "4WARD BOUDARY" found for the Northwest corner of said 62.8431 acre tract and a common West corner of said 4.382 acre tract, also at the intersection of the existing Easterly right-of-way line of Kimbro Road (Old State Hwy 20 - 80' R.O.W.) and the existing Southerly right-of-way line of U.S. 290 (R.O.W. Varies), bears North 26°27'38" East a distance of 736.34 feet;

THENCE over and across said 62.8431 acre tract, the following two (2) courses and distances:

1. **South 72°21'49" East** a distance of **597.01** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and
2. **North 27°21'49" East** a distance of **638.36** feet to the **POINT OF BEGINNING** and containing 53.42 acres of land, more or less.

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 – 2011 Adjustment), Central Zone (4203). All distances shown hereon are surface values represented in U.S. Survey Feet based on a grid-to-surface combined adjustment factor of 1.00005359.

This property description was prepared from an on-the-ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed on May 19, 2021.

 3/29/2022
 Frank. W. Funk
 Registered Professional Land Surveyor
 State of Texas No. 6803



Job Number: 21-021
 Attachments: K:\21021 - JTM Old Kimbro Rd\CAD\DWGs\Old Kimbro Road 53.42ac ALTA.dwg



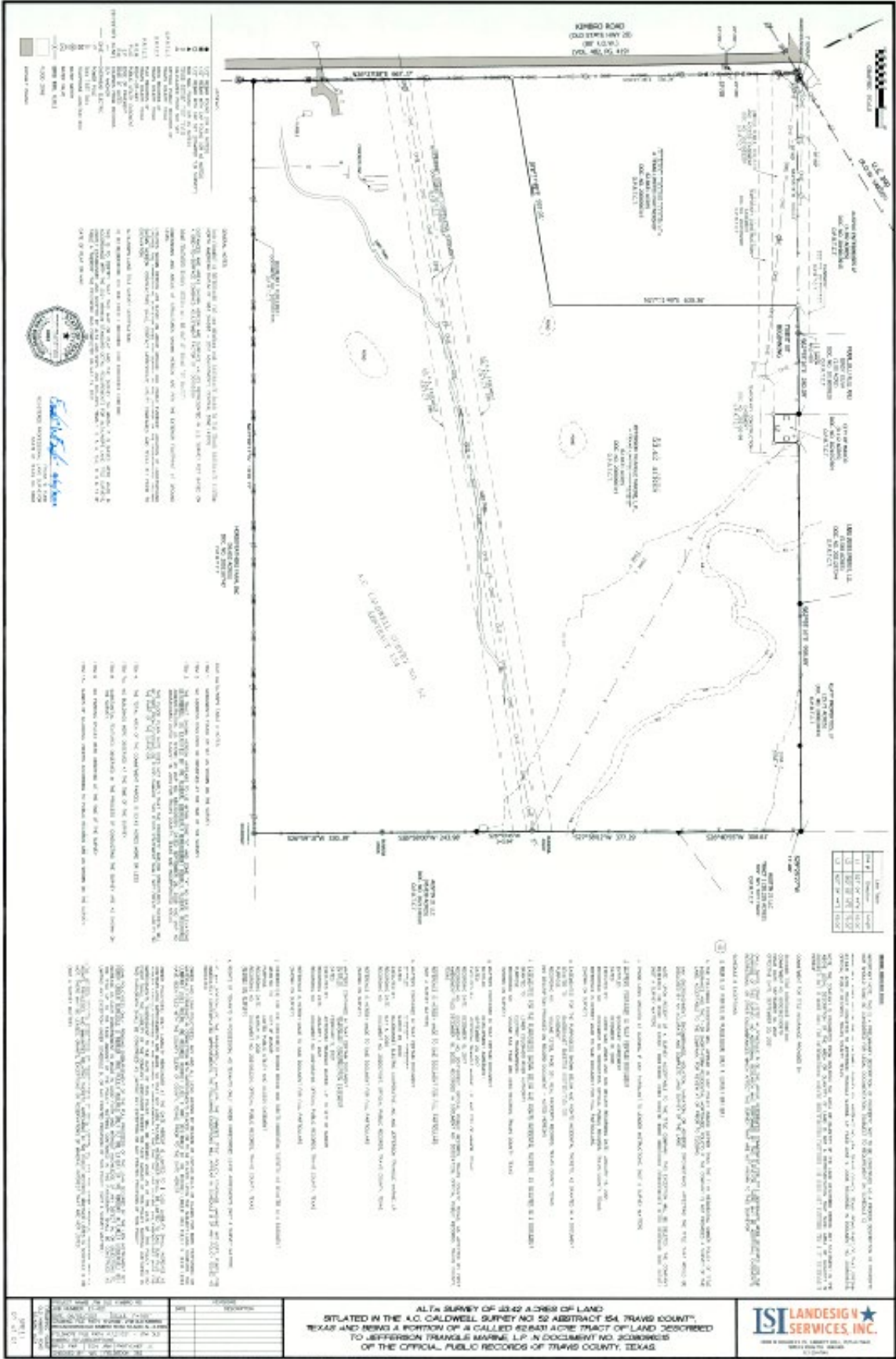


Exhibit "B"
Agreement Regarding Post-Annexation Provision of Services
For Property to be Annexed into the City of Manor

**AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES
FOR PROPERTY TO BE ANNEXED INTO THE CITY OF MANOR**

This Agreement Regarding Post-Annexation Provision of Services for Property to be Annexed into the City of Manor (the “Agreement”) is entered into by and between the City of Manor, Texas, a municipal corporation (“City”), and Jefferson Triangle Marine, L.P. (“Landowner”), both of which may be referred to herein singularly as “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, upon the request of the Landowner, the City intends to institute annexation proceedings for an area of land described more fully hereinafter and attached hereto (the “subject property”);

WHEREAS, Section 43.0672, Loc. Gov't. Code, requires the Parties to enter into a written agreement identifying a list of public services to be provided to the subject property and a schedule for the provision of those services that are not otherwise provided on the effective date of the annexation;

WHEREAS, this Agreement is being entered into by and between the Parties to comply with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Section 43.0672, prior to the City’s consideration of an ordinance annexing the subject property, it being understood, acknowledged and agreed by the Parties that annexation of the subject property is a condition precedent to this Agreement becoming effective;

WHEREAS, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the subject property (the “Effective Date”).

WHEREAS, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapter 43, Loc. Gov't. Code*, to annex the subject property into the City;

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

The following services and schedule represent the provision of services agreed to between the Landowner of the subject property and the City establishing a program under which the City will provide municipal services to the subject property, as required by section 43.0672 of the Texas Local

Government Code. The services detailed herein will be provided at a level consistent with service levels provided to other similarly situated areas within the City.

The following services will be provided for the subject property on the Effective Date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the landowner and this Agreement, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City. Upon annexation, police protection will be provided to the subject property at a level consistent with the service to other areas of the City with similar population density and characteristics. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by agreement between the City and the ESD's present personnel and equipment of the ESD fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present contract personnel and equipment of the ESD.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City. The City provides residential solid waste collection services within the City limits for a fee under a contract between the City and private refuse collection operator. The residential solid waste collection services include garbage collection, recycling, bulky item collection and yard waste collection. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the subject property requesting the service after the Effective Date of annexation, provided that a privately owned solid waste management service provider is unavailable. If the subject property is already receiving service, the City may not prohibit solid waste collection by the privately owned solid waste management service provider, nor may the City offer solid waste collection services for a period of two (2) years following the Effective Date of the annexation unless a privately owned solid waste management service provider is or becomes unavailable, as established by Texas Local Government Code section 43.0661. If a landowner uses the services of a privately owned solid waste management service provider or services are available from a privately owned solid waste management service provider during the two (2) years following annexation, the City will not provide solid waste collection services to that landowner.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of City-owned parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities. Municipal Court and General Administration services will also be available to property owners and residents in the subject property on the same basis those facilities are available to current City property owners and residents.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "Agricultural District "A"" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff. The City will impose and enforce its adopted ordinances, including but not limited to, zoning, subdivision development, site development and building code regulations within the subject property upon the Effective Date of the annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the subject property will be reviewed for compliance with City standards.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided herein:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject properties, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject properties' owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject

properties as required in City ordinances. Upon acceptance of the water lines within the subject properties and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject properties' owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a wastewater CCN for the subject properties, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject properties' owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject properties as required in City ordinances. Upon acceptance of the wastewater lines within the subject properties and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The Landowner agrees that no improvements are required on such roadways to service the subject property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties. When deemed necessary, capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as applicable and amended, which are incorporated herein by reference.

(4) **Term.** If not previously expired, this agreement expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Agreement is attached.

(6) **Binding Effect/Authority.** This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.

(7) **Choice of Law.** This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Travis County, Texas.

(8) **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

(9) **Legal Construction.** If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the Parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

(10) **Entire Agreement.** This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

[signature pages follow]

EXECUTED and AGREED to by the Parties this the ___ day of _____, 20__.

ATTEST:

THE CITY OF MANOR, TEXAS

Lluvia T. Almaraz, City Secretary

Dr. Christopher Harvey, Mayor

LANDOWNER:

By: _____

Name (print): _____

Title: _____

Date: _____

Subject Property Description

Tract One



10090 W Highway 29 | Liberty Hill, Texas 78642
 TBPELS Firm No. 10001800 | 512-238-7901 office

EXHIBIT " "

METES AND BOUNDS DESCRIPTION

BEING 9.38 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 62.8431 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO JEFFERSON TRIANGLE MARINE, L.P. IN DOCUMENT NO. 2008096315 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap stamped "4WARD BOUDARY" found for the Northwest corner of said 62.8431 acre tract and a common West corner of a called 4.382 acre tract of land described in a Warranty Deed With Vendor's Lien to Auspro Enterprises, L.P., recorded in Document No. 2019013915 of said O.P.R.T.C.T., also at the intersection of the existing Easterly right-of-way line of Kimbro Road (Old State Hwy 20 - 80' R.O.W.) and the existing Southerly right-of-way line of U.S. 290 (R.O.W. Varies);

THENCE **South 62°55'16" East** with the North line of said 62.8431 acre tract and the common South line of said 4.382 acre tract, a distance of **600.03** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set, from which a 1/2" rebar found for the Southeast corner of a called 1.00 acre tract of land described in a Warranty Deed to Francisco Ruiz and Sindy Silva, recorded in Document No. 2018008520 of said O.P.R.T.C.T. and the common Southwest corner of a called 5.565 acre tract of land described in a General Warranty Deed to Tani Investments, LLC, recorded in Document No. 2021257244 of said O.P.R.T.C.T., also being the common Northwest corner of a called 0.112 acre tract of land described in a Special Warranty Deed to City of Manor, recorded in Document No. 2021052804 of said O.P.R.T.C.T., bears **South 62°55'16" East** a distance of 280.09 feet;

THENCE over and across said 62.8431 acre tract, the following two (2) courses and distances:

1. **South 27°21'49" West** a distance of **638.36** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and



- 2. **North 72°21'49" West** a distance of **597.01** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set in the West line of said 62.8431 acre tract and the common existing Easterly right-of-way line of said Kimbro Road, from which a 1/2" rebar found for the Southwest corner of said 62.8431 acre tract and a common Northwest corner of a called 56.652 acre tract described in a General Warranty Deed to Horsefeathers Farm, Inc., recorded in Document No. 2002187747 of said O.P.R.T.C.T., also being in the common existing Easterly right-of-way line of said Kimbro Road, bears South 26°27'38" West a distance of 667.27 feet;

THENCE **North 26°27'38" East** with the West line of said 62.8431 acre tract and the common existing Easterly right-of-way line of said Kimbro Road, a distance of **736.34** feet to the **POINT OF BEGINNING** and containing 9.38 acres of land, more or less.

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 – 2011 Adjustment), Central Zone (4203). All distances shown hereon are surface values represented in U.S. Survey Feet based on a grid-to-surface combined adjustment factor of 1.00005359.

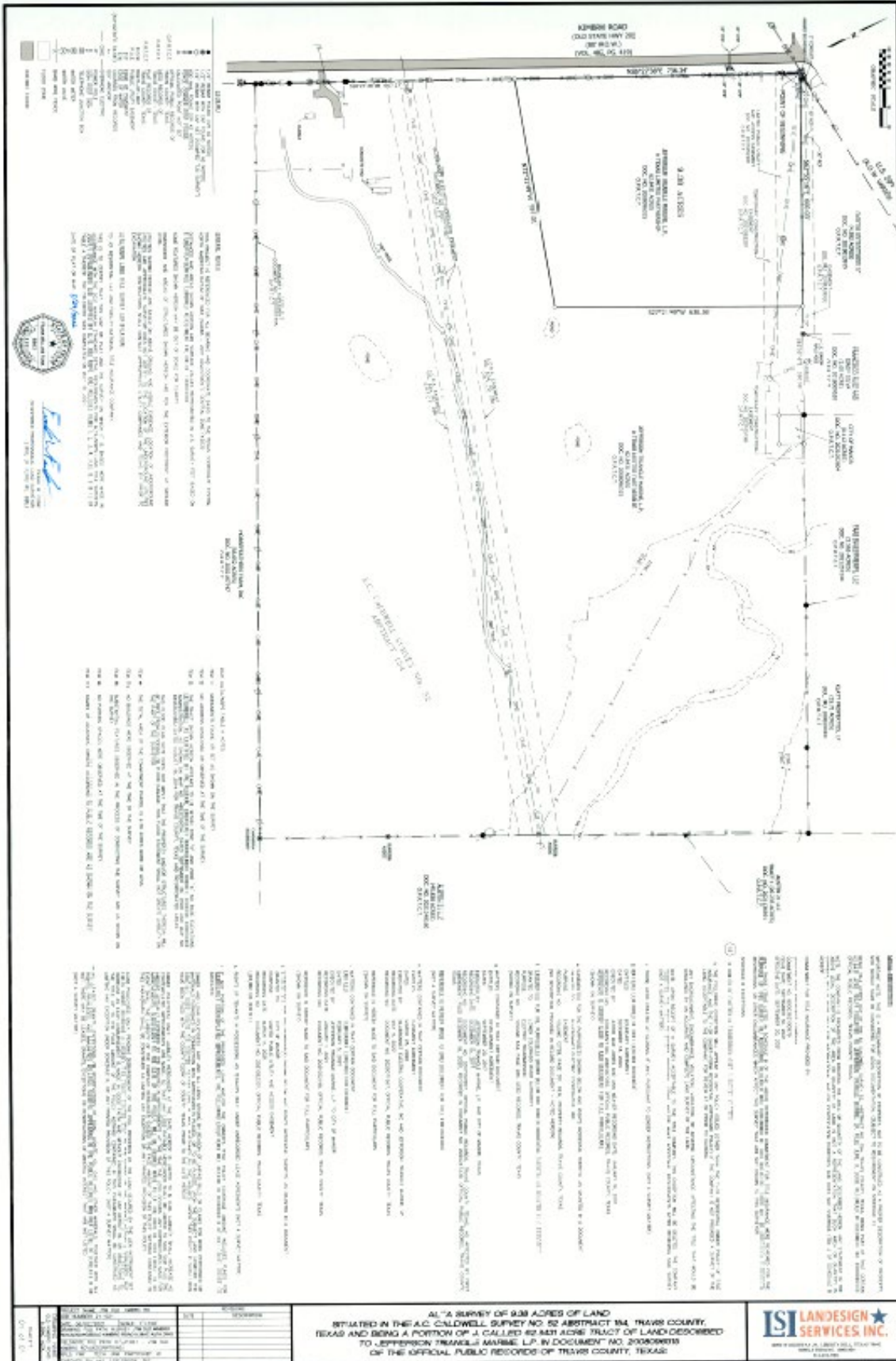
This property description was prepared from an on-the-ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed on May 19, 2021.

Frank W. Funk 3/29/2022
 Frank. W. Funk
 Registered Professional Land Surveyor
 State of Texas No. 6803



Job Number: 21-021
 Attachments: K:\21021 - JTM Old Kimbro Rd\CAD\DWGs\Old Kimbro Road 9.38ac ALTA.dwg





Tract Two



10090 W Highway 29 | Liberty Hill, Texas 78642
 TBPELS Firm No. 10001800 | 512-238-7901 office

EXHIBIT " "

METES AND BOUNDS DESCRIPTION

BEING 53.42 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 62.8431 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO JEFFERSON TRIANGLE MARINE, L.P. IN DOCUMENT NO. 2008096315 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap stamped "LSI SURVEY" set in the North line of said 62.8431 acre tract and the common South line of a called 4.382 acre tract of land described in a Warranty Deed With Vendor's Lien to Auspro Enterprises, L.P., recorded in Document No. 2019013915 of said O.P.R.T.C.T., from which a 1/2" rebar with cap stamped "4WARD BOUNDARY" found for the Northwest corner of said 62.8431 acre tract and a common West corner of said 4.382 acre tract, also at the intersection of the existing Easterly right-of-way line of Kimbro Road (Old State Hwy 20 - 80' R.O.W.) and the existing Southerly right-of-way line of U.S. 290 (R.O.W. Varies), bears North 62°55'16" West a distance of 600.03 feet;

THENCE **South 62°55'16" East** with the North line of said 62.8431 acre tract and the common South line of said 4.382 acre tract, and continuing with the common South line of a called 1.00 acre tract of land described in a Warranty Deed to Francisco Ruiz and Sindy Silva, recorded in Document No. 2018008520 of said O.P.R.T.C.T., a distance of **280.09** feet to a 1/2" rebar found for the Southeast corner of said 1.00 acre tract and the common Southwest corner of a called 5.565 acre tract of land described in a General Warranty Deed to Tani Investments, LLC, recorded in Document No. 2021257244 of said O.P.R.T.C.T., also being the Northwest corner of a called 0.112 acre tract of land described in a Special Warranty Deed to City of Manor, recorded in Document No. 2021052804 of said O.P.R.T.C.T. and a common corner of said 62.8431 acre tract;

THENCE with a Northerly line of said 62.8431 acre tract and a common line of said 0.112 acre tract, the following three (3) courses and distances:

1. **South 27°04'44" West** a distance of **65.00** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set;



2. **South 62°55'16" East** a distance of **75.00** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and
3. **North 27°04'44" East** a distance of **65.00** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set for the Northeast corner of said 0.112 acre tract and a common corner of said 62.8431 acre tract, also being in the South line of said 5.565 acre tract;

THENCE **South 62°55'16" East** with the North line of said 62.8431 acre tract and the common South line of said 5.565 acre tract, and continuing with the common South line of a called 15.71 acre tract of land described in a Warranty Deed to Klatt Properties, LP, recorded in Document No. 2008204941 of said O.P.R.T.C.T., a distance of **998.89** feet to a 1/2" rebar found for the Northeast corner of said 62.8431 acre tract and the common Southeast corner of said 15.71 acre tract, also being in the West line of a called 20.235 acre tract of land described as Tract 1 in a General Warranty Deed to Austin 21 LLC, recorded in Document No. 2021136691 of said O.P.R.T.C.T.;

THENCE with the East line of said 62.8431 acre tract and the common West line of said 20.235 acre tract, the following two (2) courses and distances:

1. **South 29°25'27" West** a distance of **12.49** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and
2. **South 26°40'55" West** a distance of **304.61** feet to a 60d Nail found in a Mesquite tree for the Southwest corner of said 20.235 acre tract and the Northwest corner of a called 45.838 acre tract of land described in a General Warranty Deed With Vendor's Lien to Austin 21 LLC, recorded in Document No. 2021248160 of said O.P.R.T.C.T.;

THENCE with the East line of said 62.8431 acre tract and the common West line of said 45.838 acre tract, the following four (4) courses and distances:

1. **South 27°38'12" West** a distance of **377.29** feet to a 1/2" rebar with cap stamped "BURRIS&ASSOC" found;
2. **South 26°43'45" West** a distance of **143.94** feet to a 1/2" rebar found;
3. **South 26°58'00" West** a distance of **243.98** feet to a 1/2" rebar with cap stamped "BURRIS&ASSOC" found; and
4. **South 26°59'10" West** a distance of **330.89** feet to a 1/2" rebar with cap stamped "CHAPARRAL BOUNDARY" found for the Southeast corner of said 62.8431 acre tract and the common Southwest corner of said 45.838 acre tract, also being in the North line of a called 56.652 acre tract described in a General Warranty Deed to Horsefeathers Farm, Inc., recorded in Document No. 2002187747 of said O.P.R.T.C.T.;

THENCE **North 62°38'11" West** with the South line of said 62.8431 acre tract and the common North line of said 56.652 acre tract, a distance of **1,938.72** feet to a 1/2" rebar found for the Southwest corner of said 62.8431 acre tract and the common Northwest corner of said 56.652 acre tract, and being in the existing Easterly right-of-way line of said Kimbro Road;



THENCE **North 26°27'38" East** with the West line of said 62.8431 acre tract and the common existing Easterly right-of-way line of said Kimbro Road, a distance of **667.27** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set, from which a 1/2" rebar with cap stamped "4WARD BOUDARY" found for the Northwest corner of said 62.8431 acre tract and a common West corner of said 4.382 acre tract, also at the intersection of the existing Easterly right-of-way line of Kimbro Road (Old State Hwy 20 - 80' R.O.W.) and the existing Southerly right-of-way line of U.S. 290 (R.O.W. Varies), bears North 26°27'38" East a distance of 736.34 feet;

THENCE over and across said 62.8431 acre tract, the following two (2) courses and distances:

1. **South 72°21'49" East** a distance of **597.01** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set; and
2. **North 27°21'49" East** a distance of **638.36** feet to the **POINT OF BEGINNING** and containing 53.42 acres of land, more or less.

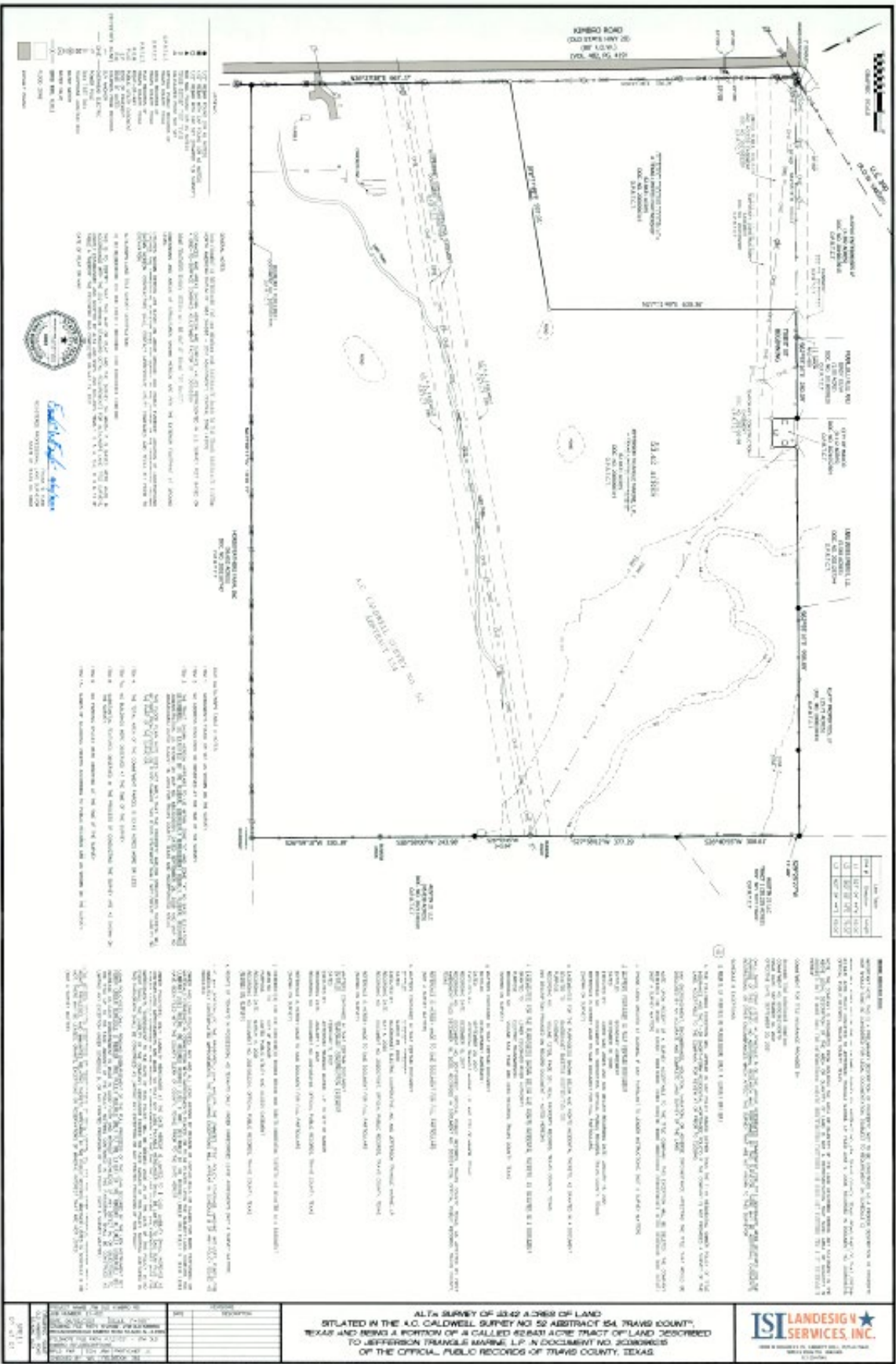
This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 – 2011 Adjustment), Central Zone (4203). All distances shown hereon are surface values represented in U.S. Survey Feet based on a grid-to-surface combined adjustment factor of 1.00005359.

This property description was prepared from an on-the-ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed on May 19, 2021.

 3/29/2022
 Frank. W. Funk
 Registered Professional Land Surveyor
 State of Texas No. 6803



Job Number: 21-021
 Attachments: K:\21021 - JTM Old Kimbro Rd\CAD\DWGs\Old Kimbro Road 53.42ac ALTA.dwg



SECTION FOUR: Acknowledge that the undersigns understand and agree that all City services to the Subject Property will be provided by the City on the same terms and conditions as provided to other similarly situated areas of the City and as provided in the Municipal Service Plan.

SECTION FIVE: Agree that a copy of this Petition and Request may be filed of record in the offices of the City of Manor and in the real property records of Travis County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the Subject Property.

FILED, this 23rd day of March, 2022, with the City Secretary of the City of Manor, Travis County, Texas.

Petitioners: Property Owner(s)

Jefferson Triangle Marine, L.P.

By: Palmera Properties, Inc.
General Partner



Edward P. deZevallos
President

STATE OF TEXAS §
Houston §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Edward P. deZevallos, President of Palmera Properties, Inc., as General Partner of the owner of Subject Property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had authority to bind the entity and that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 23 day of March, 2022.

(SEAL)





Notary Public, State of Texas

EXHIBIT "A"

Survey and Legal Lot Description attached to this coversheet



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 1, 2022
PREPARED BY: Scott Dunlop, Development Services Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Reconsidered - First Reading: Consideration, discussion, and possible action on an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

Applicant: BGE, Inc.

Owner: Flintrock Office Suites, LLC

BACKGROUND/SUMMARY:

This property is currently in the annexation process concurrent with this zoning case. The property has access to Beltex Drive which connects to US 290 as well as a connection to Old Highway 20. 14.55 acres and 12 units/acre for Townhome that could up to 175 units, but there is 2 acres of drainage area, in addition to the required parking and open space areas so the unit yield would likely be lower. It's proposed at 137 units currently.

The P&Z Commission voted 3-2 to recommend approval of this item.

This City Council voted 3-1 at the May 18, 2022, Regular Meeting, item failed, and it is being reconsidered.

LEGAL REVIEW: *Not Applicable*

FISCAL IMPACT:

PRESENTATION:

ATTACHMENTS:

- Ordinance
- Letter of Intent
- Map
- Area Map
- Preliminary Layout
- Notices
- Labels

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve the first reading of an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH)

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		

ORDINANCE NO.**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND TO TOWNHOME (TH); 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"), to zoning district Townhome (TH). The Property is accordingly hereby rezoned to Townhome (TH).

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 ___ 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the ___ day of ___ 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

ORDINANCE NO.

Page 3

EXHIBIT "A"

Property Address:
13518 Old Highway 20, Manor, TX 78653

Property Legal Description:

Being 14.55 acres of land and being that Lot 1, MANOR VILLA ESTATES, a subdivision in Travis County, Texas according to the map or plat thereof, recorded in Volume 83, Page 155C, of the Plat Records of Travis County, Texas said 14.55 acre tract of land being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.



April 8, 2022

City of Manor – Development Services
Rezoning
105 E. Eggleston Street
Manor, Texas 78653

Re: Zoning Letter of Intent
14.579 ac Tract located at 13518 Old Hwy 20, Manor, Texas 78653

This letter of intent has been prepared on behalf of Mr. David Pikoff as part of the Rezoning efforts for a 14.579 ac tract located at 13518 Old Hwy 20, Manor, Texas. The property is currently OCL (Outside City Limits).

This development is located east of “Old Manor” generally between Old Hwy 20 and East Highway 290 and is legally described at Lot 1 in Manor Villa Estates. As a part of the proposed development, the Tract will need to be rezoned to Townhome (TH) with maximum allowed 12 units/acre.

This proposed zoning designation would support the transition of land use(s) in the area from single family to the west, to increased residential density through the subject site, and then to Industrial/Light Industrial uses heading east and surrounding the site. The project will be developed in accordance with the City of Manor Code of Ordinances and other applicable local, state and federal standards.

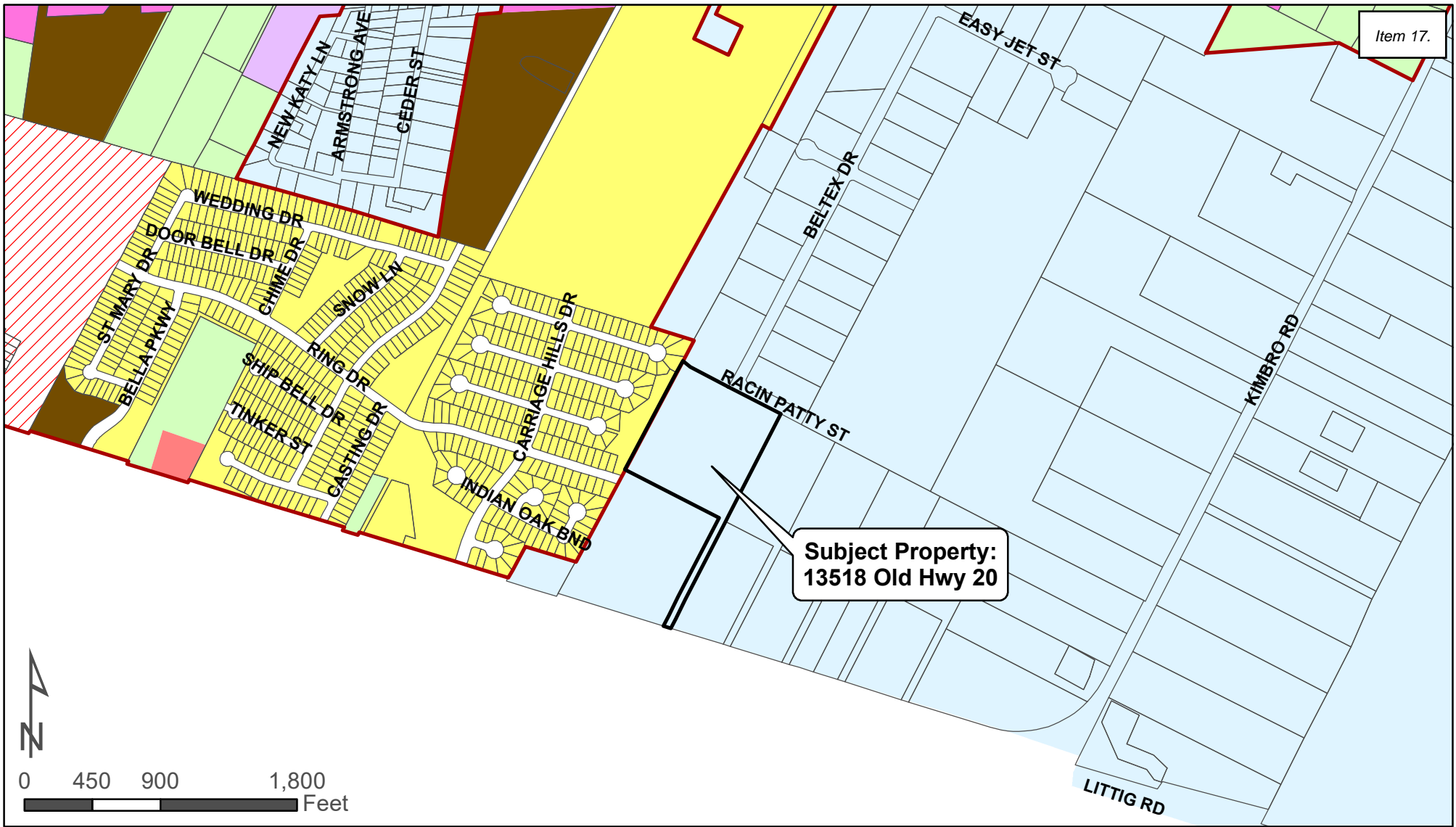
Should you have any further inquiries about the intent of the development or impacts on the surrounding community, please feel free to contact me at (210)-581-3600 and mjphillips@bgeinc.com.

Please see attached exhibits for zoning map and Boundary survey.

Sincerely,

A handwritten signature in blue ink that reads "M. Phillips".

Mary Jane Phillips, P.E.
Director
BGE, Inc.
TBPE Firm #F-1046

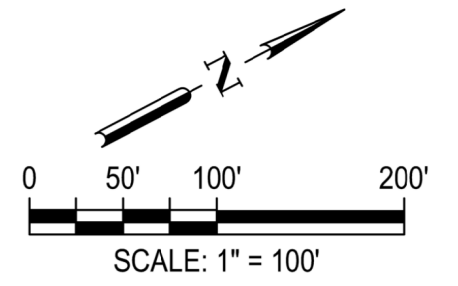


Proposed Zoning: Townhome (TH)

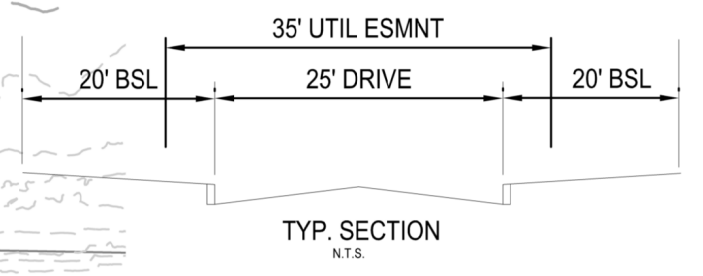
Zone

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





- A (22x43)
- B (25x47)
- C (22x48)



TOTAL Condo Units 137 with Amenity Center
(total 143 Units without Amenity Center)

~3,890 linear feet of Road center line

20' Front setback from curb
10' Min. Bldg separation
25' Setback from Project Boundary

CONTOURS, COUNTY PARCELS AND JURISDICTIONAL WATERS WERE TAKEN FROM PUBLICLY AVAILABLE DATA. THIS DOCUMENT NOT TO BE USED FOR CONSTRUCTION. NO FIELD SURVEY WAS CONDUCTED TO PREPARE THIS DOCUMENT.

**14ac MANOR 2
OLD HWY 20 (ETJ)**

PRELIM CONDOMINIUM PLAN

BGE, INC.
7330 SAN PEDRO AVE, SUITE 202
SAN ANTONIO, TX 78216
TBPE Registration No. F-1046
TEL: 210.581.3600 www.bgeinc.com



April 27, 2022

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2022-P-1434-ZO

Case Manager: Scott Dunlop

Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 14.55 acres, more or less, and being located at 13518 Old Hwy 20, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing on a Rezoning Application for 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

***Applicant:* BGE, Inc.**

***Owner:* Flintrock Office Suites, LLC**

The Planning and Zoning Commission will meet at 6:30PM on May 11, 2022 at 105 East Eggleston Street in the City Hall Council Chambers.

The City Council will meet at 7:00PM on May 18, 2022 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 also 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.

ROBIN CHRISTOPHER & LISA
12617 BELTEX RD
MANOR, TX 78653

MADDUX PATTY
1038 RED TOWN RD
ELGIN, TX 78621

ROBIN CHRISTOPHER & LISA
12617 BELTEX RD
MANOR, TX 78653

HLM INVESTMENTS
11111 ROJAS DR
EL PASO, TX 79935

THORPE JARED D & RACHELLE B
13420 INDIAN OAK BND
MANOR, TX 78653

HPA II TEXAS SUB 2020-1 LLC
120 S RIVERSIDE PLZ STE 200
CHICAGO, IL 60606

JOHNSON MELISSA M
13321 RING DR
MANOR, TX 78653

PEDERSEN KATHERINE L
13400 RING DR
MANOR, TX 78653

DIAZ JOSE E & VERONICA
13324 RING DR
MANOR, TX 78653

DEVINE KEITH & HEATHER MORGAN
13413 INDIAN OAK BEND
MANOR, TX 78653

CORONEL-MORALES CRISPIN M &
DALILA ROCHA-TORRES
13412 INDIAN OAK BND
MANOR, TX 78653

GUEVARA WILBER SIGFREDO V
13409 RING DR
MANOR, TX 78653

HARVEY CHRISTOPHER
13405 RING DRIVE
MANOR, TX 78653

PRIGMORE SHAY S & LYDIA M
13401 RING DR
MANOR, TX 78653

WISE JOSHUA
13325 RING DR
MANOR, TX 78653

ATAMBI AMSINI & BENEDICTA YEBOAAH
13404 RING DR
MANOR, TX 78653

DAY MATTHEW TAYLOR
13328 RING DR
MANOR, TX 78653

BRYANT WILLIAM JR
13417 INDIAN OAK BND
MANOR, TX 78653

RICE CODY LARUE
13329 RING DR
MANOR, TX 78653

RICHARDS JACOB DALE &
LAUREN ELISABETH RICHARDS
13408 RING DR
MANOR, TX 78653

PRICE DAVID
PO BOX 26523
AUSTIN, TX 78755

ROBINSON DEANA ELIZABETH &
NANCY LEE ROBINSON
13328 HIGH SIERRA ST
MANOR, TX 78653

GONZALES JOSE JR
13417 FOREST SAGE ST
MANOR, TX 78653

MWAMBA CHARLES &
ANGELA V MUKENDI
13333 HIGH SIERRA ST
MANOR, TX 78653

ARZU FRANCISCO
8605 COBBLESTONE
AUSTIN, TX 78735

SMITH JEROME L
13325 HIGH SIERRA ST
MANOR, TX 78653

SAULS DESHON
13409 FOREST SAGE ST
MANOR, TX 78653

AMH 2015-2 BORROWER LLC
ATTN : PROPERTY TAX DEPT
23975 PARK SORRENTO STE 300
CALABASAS, CA 91302

CASTILLEJA DEANNA
13413 FOREST SAGE ST
MANOR, TX 78653

MCINTOSH CHANDRIKA VITHINIA
13405 FOREST SAGE ST
MANOR, TX 78653

WALKER KENNETH J
13420 FOREST SAGE ST
MANOR, TX 78653

WREN TANGLYN
13324 HIGH SIERRA ST
MANOR, TX 78653

MANZANARES JONATHAN PEREZ ETAL
13413 PINE NEEDLE ST
MANOR, TX 78653

TABOKHI SARI AL
13409 PINE NEEDLE ST
MANOR, TX 78653

MARSHALL BRIAN
13420 PINE NEEDLE ST
MANOR, TX 78653

DAMN GOOD LLC
510 S CONGRESS AVE STE 108
AUSTIN, TX 78704

GINBEY LOGAN
13425 PINE NEEDLE ST
MANOR, TX 78653

ALMANZA MANUEL CHIMAL &
NANCY FUENTES VASQUEZ
13405 PINE NEEDLE ST
MANOR, TX 78653

MALDONADO BENITO
13416 PINE NEEDLE ST
MANOR, TX 78653

MEZZETTI BRADLEY & KARI BANSE
13416 FOREST SAGE ST
MANOR, TX 78653

TOMBE PHILIP
13412 FOREST SAGE ST
MANOR, TX 78653

VIDOURIA JOSEPH
13408 FOREST SAGE ST
MANOR, TX 78653

JIMENEZ ANTHONY
13424 PINE NEEDLE ST
MANOR, TX 78653

VASQUEZ GUADALUPE T
13421 PINE NEEDLE ST
MANOR, TX 78653

SALEEM SHAHZAD
13417 PINE NEEDLE ST
MANOR, TX 78653

MYNAR MISTY
13436 HARRY S TRUMAN DR
MANOR, TX 78653

BAKER WILLIE
13408 PINE NEEDLE ST
MANOR, TX 78653

ZALARAM LLC
30 CHADWICK DR
DOVER, DE 19901

GINSEL FAMILY LTD
% STAN GINSEL
7111 CREIGHTON LN
AUSTIN, TX 78723

KOETHER CORA E LIFE ESTATE
908 CIRCLE LN
BEDFORD, TX 76022