



JULIE LEONARD, PLACE 1
DEJA HILL, PLACE 2
RAUL HERNANDEZ, VICE-CHAIR, PLACE 3
CHARLES RUSSELL JR., PLACE 4
LIAN STUTSMAN, PLACE 5
KEITH MILLER, PLACE 6
BILL MYERS, CHAIRPERSON, PLACE 7

PLANNING COMMISSION REGULAR MEETING AGENDA

WEDNESDAY, MAY 10, 2017

6:30 P.M.

CITY COUNCIL CHAMBERS, 105 E. EGGLESTON ST.

CALL REGULAR SESSION TO ORDER

PRESENTATIONS

PUBLIC COMMENTS

*Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please register on the speaker sign-in sheet at least five-minutes prior to the scheduled meeting time. **NO ACTION MAY BE TAKEN BY THE PLANNING COMMISSION DURING PUBLIC COMMENTS.***

CONSENT AGENDA

The following Items will be enacted by one motion. There will be no separate discussion of these items unless requested by a Commission Member; in which event, the item will be removed from the consent agenda and considered separately.

1. Consideration, discussion, and possible action on a Short Form Final Plat, 1 lot on 1.069 acres more or less, located at 13500 N FM 973 Manor, TX. Agent: Miguel Gonzales. Owner: Julio Mireles
Scott Dunlop
Planning Coordinator
2. Consideration, discussion, and possible action on a Final Plat for Presidential Heights Phase 2, ninety-six (96) single family lots on 26.72 acres more or less, located at Bois D'Arc Road and Tower Road Manor, TX. Agent: Kimley-Horn. Owner: West Elgin Development Corp.
Scott Dunlop
Planning Coordinator

REGULAR AGENDA

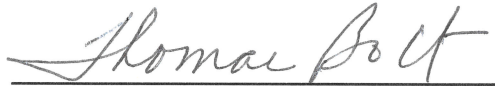
3. Consideration, discussion, and possible action on the April 12th Planning Commission Minutes.
Scott Dunlop
Planning Coordinator
4. Consideration, discussion, and possible action on a Concept Plan for Manor Commons East, twenty-two (22) lots on 73.3 acres more or less, located at the SE corner of US Hwy 290 and FM 973, Manor, TX. Agent: ALM Engineering
Scott Dunlop
Planning Coordinator

- | | |
|---|--------------------------------------|
| 5. Consideration, discussion, and possible action on a Short Form Final Plat, 4 lots on 10 acres more or less located at 15123 Bois D'Arc Road Manor, TX. Agent: Landmark Engineering, Javier Barajas. Owner: Brenda Marquez. | Scott Dunlop
Planning Coordinator |
| 6. Consideration, discussion and possible action on a Conditional Use Permit for Lot 1 Shadowglen Commercial Lots Subdivision, locally known as 14001 Shadowglen Blvd to allow for a Game Room. Owner: HFS Brothers Investments LLC. Applicant: Tony Welch, Beer:30 | Scott Dunlop
Planning Coordinator |
| 7. Consideration, discussion, and possible action on a request to remove a significant tree being a 25-caliper inch willow tree #9745 shown on the Manor Commons SE Preliminary Plan. | Scott Dunlop
Planning Coordinator |

ADJOURNMENT

POSTING CERTIFICATION

I, hereby, certify that this notice of the Manor Planning Commission Regular Meeting Agenda was posted on this 5th day of May, 2017 at 5:00 P.M., as required by law in accordance with Section 551.043 of the Texas Government Code.



Tom Bolt
City Manager

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 special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact Frances Aguilar, City Secretary at 512-272-5555. Provide a 48-hour notice when feasible.

This public notice was removed from the bulletin board at the Manor City Hall on:

_____, 2017 at _____ am/pm by _____.

City Secretary's Office
City of Manor, Texas



AGENDA ITEM NO. 1

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 10, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Short Form Final Plat, 1 lot on 1.069 acres more or less, located at 13500 N FM 973 Manor, TX. Agent: Miguel Gonzales. Owner: Julio Mireles

BACKGROUND/SUMMARY:

This property is being platted to create a legal lot for future development of a plumbing business. It has not been approved by our engineers yet.

PRESENTATION: YES NO

ATTACHMENTS: YES (IF YES, LIST IN ORDER TO BE PRESENTED) NO

Plat

STAFF RECOMMENDATION:

It is City staff's recommendation, that this item be denied as submitted.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE

PRELIMINARY PLAN
MIRELES PARK

State of Texas:
County of Travis: KNOW ALL PERSONS BY THESE PRESENTS:

THAT I, JULIO C. MIRELES, OWNER OF 1.069 ACRES OF LAND OUT OF AND A PART OF THE GREENBURY GATES SURVEY NO. 63, ABSTRACT 315, IN THE CITY OF MANOR, TRAVIS COUNTY, TEXAS, BEING ALL OF A 1.069 ACRE TRACT OF LAND CONVEYED TO ME BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2015111013, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID 1.069 ACRES PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTERS 212 AND 232, OF THE LOCAL GOVERNMENT CODE, DO HEREBY SUBDIVIDE SAID 1.069 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON, TO BE KNOWN AS:

MIRELES PARK

AND DO DEDICATE TO THE PUBLIC FOREVER THE USE OF ALL STREETS AND EASEMENTS SHOWN ON SAID PLAT, THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN ON SAID PLAT, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND THIS THE _____ DAY OF _____, 201____.

JULIO C. MIRELES
13500 N FM 973
MANOR, TEXAS 78653

State of Texas:
County of Travis:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JULIO C. MIRELES, KNOWN KNOWN TO BE THE PERSON OR AGENT WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 200____, A.D., NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS.

NOTARY: _____
PRINT OR STAMP NAME HERE MY COMMISSION EXPIRES _____

THIS SUBDIVISION IS LOCATED WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF MANOR, TEXAS, ON THIS THE _____ DAY OF _____, 201____.

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MANOR, TEXAS, ON THIS THE _____ DAY OF _____, 201____.

APPROVED: _____ ATTEST:

MARY ANN PARKER, CHAIRPERSON FRANCES AGUILAR, CITY SECRETARY

ACCEPTED AND AUTHORIZED FOR RECORD BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, ON THIS THE _____ DAY OF _____, 201____.

APPROVED: _____ ATTEST:

RITA JONSE, MAYOR FRANCES AGUILAR, CITY SECRETARY

State of Texas:
County of Travis:

I, DANA DEBEAUVOR, CLERK OF THE COUNTY COURT OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 201____, A.D. THE COMMISSIONERS COURT OF TRAVIS COUNTY PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT AND SAID ORDER WAS DULY ENTERED IN THE MINUTES OF SAID COURT.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE _____ DAY OF _____, 201____, A.D.
DANA DEBEAUVOR, COUNTY CLERK, TRAVIS COUNTY, TEXAS.

BY: _____
DEPUTY

IN APPROVING THIS PLAT, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD STREETS, ROADS, OR OTHER THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH, THE BUILDING OF ALL STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH, IS THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER(S) OF THE SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'S STREET AND DRAINAGE IMPROVEMENTS (THE IMPROVEMENTS) TO COUNTY STANDARDS IN ORDER FOR THE COUNTY TO ACCEPT THE PUBLIC IMPROVEMENTS FOR MAINTENANCE OR RELEASE FISCAL SECURITY POSTED TO SECURE PRIVATE IMPROVEMENTS, TO SECURE THIS OBLIGATION, THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF THE IMPROVEMENTS. THE OWNER(S) OBLIGATION TO CONSTRUCT THE IMPROVEMENTS TO COUNTY STANDARDS AND TO POST A FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BINDING ON THE OWNERS AND THEIR SUCCESSORS AND ASSIGNS UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY, OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS COURT FOR FILING OR THE SUBSEQUENT ACCEPTANCE FOR MAINTENANCE BY TRAVIS COUNTY, TEXAS, OF ROADS AND STREETS IN THE SUBDIVISION DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET NAME SIGNS OR ERECT TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT, STOP SIGNS AND YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S CONSTRUCTION.

NOTES:

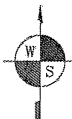
1. WATER AND WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF MANOR AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF MANOR, WATER AND WASTEWATER DEPARTMENT FOR REVIEW.
2. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF MANOR.
3. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF MANOR WATER AND WASTEWATER SYSTEM.
4. FOR A MINIMUM TRAVEL DISTANCE OF 25' FROM THE ROADWAY EDGE, DRIVEWAY GRADES MAY EXCEED 14% ONLY WITH SPECIFIC APPROVAL OF SURFACE AND GEOMETRIC DESIGN PROPOSALS BY THE CITY OF MANOR.
5. PRIOR TO CONSTRUCTION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF MANOR.
6. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF MANOR FOR REVIEW. RAINFALL RUN-OFFS SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY PONDING OR OTHER APPROVED METHODS.
7. THE PROPERTY OWNERS OR ASSIGNS SHALL MAINTAIN ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY.
8. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
9. BUILDING SET-BACK LINES ARE IN CONFORMANCE WITH CITY OF MANOR ZONING REGULATIONS.
10. THE EASEMENTS AS SHOWN ON THIS SUBDIVISION PLAT REPRESENTS THE LATEST TITLE SURVEY WITH COMMITMENT GENERATED BY FIRST NATIONAL TITLE INSURANCE COMPANY WITH GF# 15-205409-WL, WITH AN EFFECTIVE DATE OF JANUARY 29, 2009.
11. NO PORTION OF THIS TRACT IS IN A FLOOD HAZARD ZONE AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION DEPARTMENT OF HUD FLOOD BOUNDARY MAP AS PER MAP NO. 48453C0485H, TRACT IS IN ZONE X, DATED SEPTEMBER 26, 2009.
12. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO THE WILBARGER CREEK NUD NO. 1 WASTEWATER SYSTEM.
13. WATER IS SUPPLIED BY MANVILLE WATER SUPPLY COMPANY.

State of Texas:
County of Travis:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 201____, A.D. AT _____ O'CLOCK _____ M., DULY RECORDED ON THE _____ DAY OF _____, 201____, A.D. AT _____ O'CLOCK _____ M., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS THE _____ DAY OF _____, 201____, A.D.

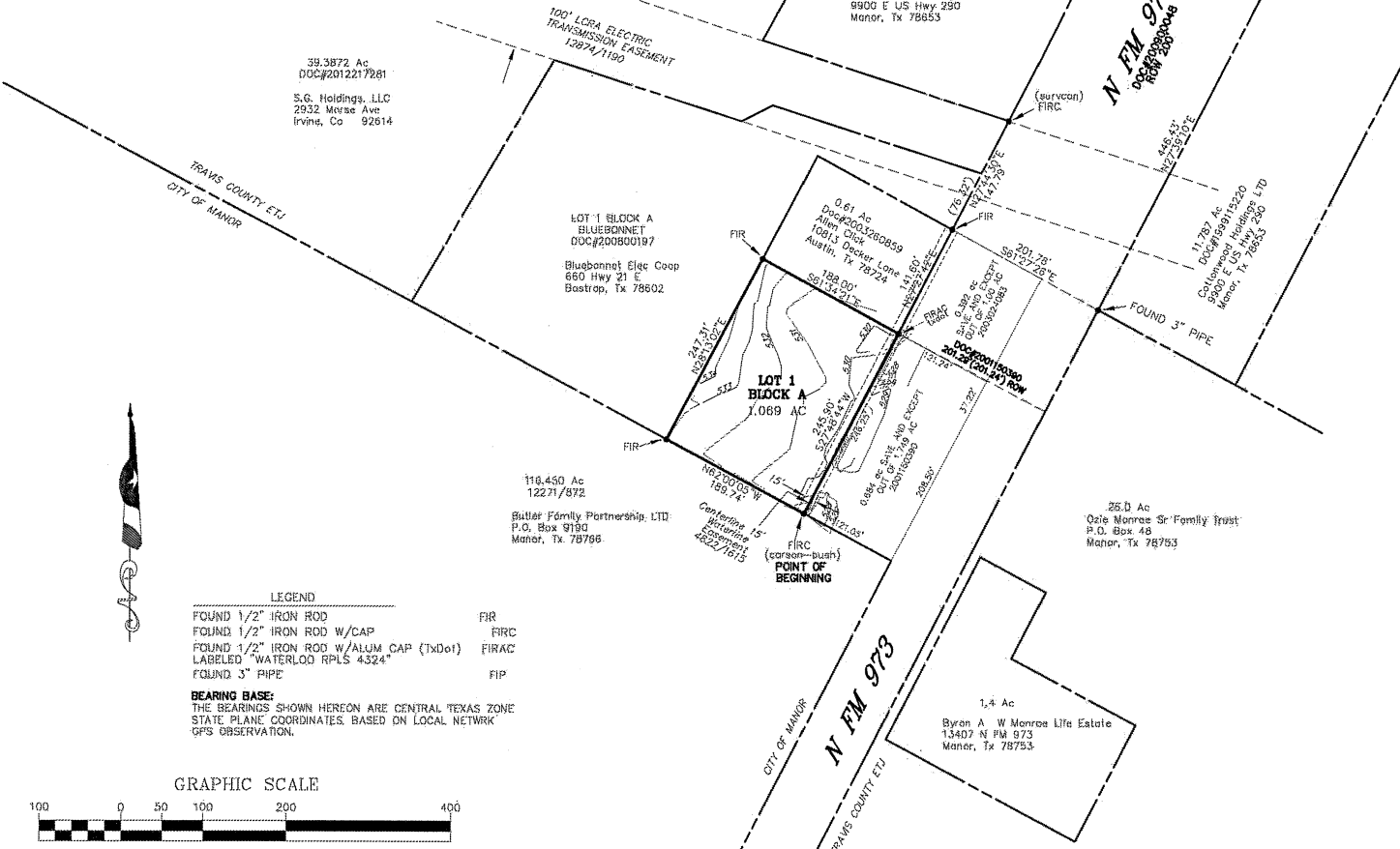
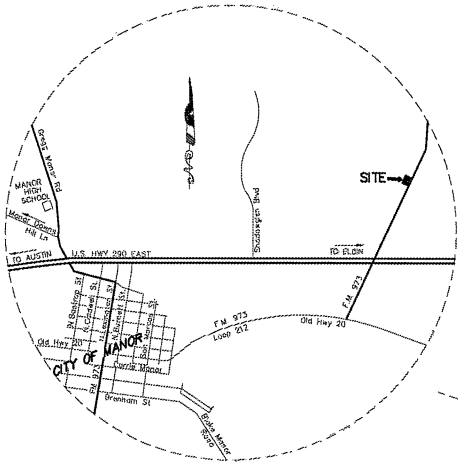
DANA DEBEAUVOR, COUNTY CLERK
TRAVIS COUNTY, TEXAS.

BY: _____
DEPUTY



WATERLOO SURVEYORS INC.
P.O. BOX 160176
AUSTIN, TEXAS 78716-0176
Phone: 512-481-9602
www.waterloosurveyors.com
FIRM# 10124400
JT4031P

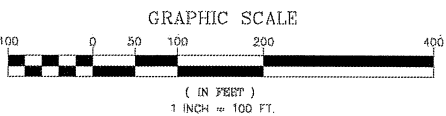
**PRELIMINARY PLAN
MIRELES PARK**



LEGEND

FOUND 1/2" IRON ROD	FIR
FOUND 1/2" IRON ROD W/CAP	FIRAC
FOUND 1/2" IRON ROD W/ALUM CAP (TxDot)	FIRAC
LABELED "WATERLOO RPLS 4324"	FIP
FOUND 3" PIPE	FIP

BEARING BASE:
THE BEARINGS SHOWN HEREON ARE CENTRAL TEXAS ZONE STATE PLANE COORDINATES, BASED ON LOCAL NETWORK GPS OBSERVATION.



FIELD NOTES
BEING 1.069 ACRES OUT OF THE GREENBURY GATES SURVEY NO. 63, ABSTRACT 315, TRAVIS COUNTY, TEXAS, AND BEING THAT SAME 1.069 ACRES CONVEYED TO JULIO C. MIRELES BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2013171610, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. FOR WHICH A MORE PARTICULAR DESCRIPTIONS BY METES AND BOUNDS IS AS FOLLOWS.

BEGINNING at an iron rod found with cap (cannon/bush) in the west right of way of N FM 973 at the SE corner of that certain 1.069 acre of land described in Document No. 2013171610, Official Public Records, Travis County, Texas, same being the north line of a 116.45 acre tract conveyed to Butler Family Partnership, LTD., by deed recorded in Volume 12271, Page 675, Real Property Records, for the SE corner hereat;

THENCE N69°00'05"W for a distance of 189.74 feet to a 1/2" iron rod found at the SE corner of Lot 1, Block A, Bluebonnet, a subdivision in Travis County, Texas, according to the map at plot thereof recorded in Document No. 200800197, Official Public Records, for the SE corner hereat;

THENCE N28°13'02"E along the NW line hereat for a distance of 247.31 feet to a 1/2" iron rod found at the SW corner of a 0.61 acre tract conveyed to Allen Click by deed recorded in Document No. 2003260859, Official Public Records, for the NW corner hereat;

THENCE S61°34'21"E for a distance of 188.00 feet to a 1/2" iron rod with aluminum cap (TxDot) found in the west line of N FM 973 at the SE corner of said Click tract, for the NE corner hereat;

THENCE S27°48'44"W along the west ROW of N FM 973 for a distance of 245.80 feet to the POINT OF BEGINNING of this tract, containing 1.069 acres of land, more or less.

Surveyors Certification
I, THOMAS P. DIXON, AM AUTHORIZED UNDER THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEY RELATED PORTIONS OF THE TRAVIS COUNTY SUBDIVISION ORDINANCE, AMENDED, IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY DIRECT SUPERVISION, ON THE GROUND, MARCH 2, 2017.
NO PORTION OF THIS TRACT LIES WITHIN THE BOUNDARIES OF THE 100-YEAR FLOOD PLAIN AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY MAP PANEL NO. 48453C04E5H, EFFECTIVE DATE OF SEPTEMBER 26, 2008.

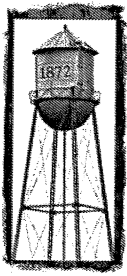
Thomas P. Dixon
THOMAS P. DIXON R.P.L.S. #4324 DATE 3/24/2017

WATERLOO SURVEYORS INC.
P.O. BOX 160176
AUSTIN, TEXAS 78716-0176
Phone: 512-481-9602
www.waterloosurveyors.com
FIRM# 10124400



OWNER:
JULIO C. MIRELES
13500 N FM 973
MANOR, TEXAS 78653

LEGAL DESCRIPTION:
BEING 1.069 ACRES OUT OF THE GREENBURY GATES SURVEY NO. 63, ABSTRACT 315, TRAVIS COUNTY, TEXAS, (ETJ MANOR)
ACRES: 1.0692 ACRES, MORE OR LESS
PROPOSED 1 COMMERCIAL LOT
PREPARATION DATE: MARCH 23, 2017



**CITY OF
MANOR**
EST.  1872
TEXAS

AGENDA ITEM NO. 2

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 10, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Final Plat for Presidential Heights Phase 2, ninety-six (96) single family lots on 26.72 acres more or less, located at Bois D'Arc Road and Tower Road Manor, TX. Agent: Kimley-Horn. Owner: West Elgin Development Corp.

BACKGROUND/SUMMARY:

This is the 2nd of 6 phases for Presidential Heights. Homes are currently being built on phase 1 and a preliminary plan for phase 3-6 is in review. Construction plans for this phase are also in review. This final plat has not been approved by our engineers yet.

PRESENTATION: YES NO

ATTACHMENTS: YES (IF YES, LIST IN ORDER TO BE PRESENTED) NO

Plat

STAFF RECOMMENDATION:

It is City staff's recommendation, that this item be denied as submitted.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE

THE STATE OF TEXAS)
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, WEST ELGIN DEVELOPMENT CORPORATION, A TEXAS CORPORATION, THE OWNER OF 26.724 ACRE TRACT OF LAND IN THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN CALLED 169.360 ACRE TRACT, CONVEYED TO PRESIDENTIAL GLEN, LTD., AS RECORDED UNDER DOCUMENT NUMBER 2016071831, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, AND DO HEREBY SUBDIVIDE SAID, HAVING BEEN APPROVED FOR SUBDIVISION, PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTER 212 AND 232 OF THE LOCAL GOVERNMENT CODE.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS "PRESIDENTIAL HEIGHTS PHASE 2" OF THE CITY OF MANOR, TRAVIS COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY SUBDIVIDES SAID 26.724 ACRES OF LAND OF SAID IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT TO BE KNOWN AS "PRESIDENTIAL HEIGHTS PHASE 2" AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, PUBLIC EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSED AND CONSIDERATION THEREIN EXPRESSED; SUBJECT TO ANY EASEMENT OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND THIS DAY _____

By: WEST ELGIN DEVELOPMENT CORPORATION, A TEXAS CORPORATION
PETER DWYER
PRESIDENT
6900 U.S. HIGHWAY 290 E
MANOR, TEXAS 78653-9720

COUNTY OF TRAVIS:
STATE OF TEXAS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED PETER DWYER KNOWN TO ME TO BE THE PERSON OR AGENT WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____

NOTARY PUBLIC
NOTARY REGISTRATION NUMBER _____
MY COMMISSION EXPIRES: _____
COUNTY OF TRAVIS
STATE OF TEXAS

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

I, ROBERT J. SMITH, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STAND POINT AND COMPLIES WITH THE ENGINEERING RELATED PORTION OF THE CITY OF MANOR, TEXAS SUBDIVISION ORDINANCE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

THIS SITE IS LOCATED IN THE COTTONWOOD CREEK WATERSHED.

NO PORTION OF THIS SITE LIES WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 4845300485J, EFFECTIVE DATE AUGUST 18, 2014, TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

ROBERT J. SMITH, P.E.
REGISTERED PROFESSIONAL ENGINEER No. 106319
KIMLEY-HORN AND ASSOCIATES, INC.
10814 JOLLYVILLE ROAD
AVALLON IV, SUITE 300
AUSTIN, TEXAS 78759

I, JAMES W. RUSSELL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEYING RELATED PORTIONS OF THE CITY OF MANOR, TEXAS SUBDIVISION ORDINANCE IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

JAMES W. RUSSELL
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4230 - STATE OF TEXAS
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216
PH. 210-541-9166

GENERAL NOTES.

1. PROPERTY OWNERS OR HIS/HER ASSIGNS SHALL PROVIDE FOR ACCESS TO THE DRAINAGE EASEMENT AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY CITY OF MANOR, AND TRAVIS COUNTY, FOR INSPECTION OR MAINTENANCE OF SAID EASEMENT.
2. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE OWNER OR HIS/HER ASSIGNS.
3. A 10' ELECTRICAL, NATURAL GAS, PROPANE, CABLE T.V., TELEPHONE, AND INTERNET EASEMENT IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET RIGHTS OF WAY.
4. PUBLIC SIDEWALKS BUILT TO CITY OF MANOR STANDARDS, ARE REQUIRED ALONG ALL STREETS WITHIN THIS SUBDIVISION. SIDEWALKS SHALL BE IN PLACE PRIOR TO THE ADJOINING LOT BEING OCCUPIED, FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHDRAWING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE COVERING BODY OR UTILITY COMPANY.
5. DRIVEWAY AND DRAINAGE CONSTRUCTION STANDARDS SHALL BE IN ACCORDANCE WITH THE REQUIREMENT OF THE CITY OF MANOR STANDARDS UNLESS OTHERWISE SPECIFIED AND APPROVE BY THE CITY OF MANOR.
6. THE OWNER OF THE SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF MANOR. ALL LOTS IN THIS SUBDIVISION NOT DESIGNATED AS SINGLE FAMILY WILL BE MAINTAINED BY PRESIDENTIAL HEIGHTS COMMUNITY AND/OR ITS SUCCESSORS AND ASSIGNS.
7. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE DESIGN GUIDELINES OF PRESIDENTIAL GLEN SUBDIVISION DEVELOPMENT AGREEMENT.
8. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTIONS IS MADE TO THE PRESIDENTIAL GLEN M.U.D. WATER AND WASTEWATER SYSTEM.
9. NO OBJECTS, INCLUDING BUT NOT LIMITED TO BUILDING, FENCES, LANDSCAPING OR OTHER CONSTRUCTIONS SHALL BE ALLOWED WITH AN DRAINAGE EASEMENT SHOWN HEREON EXCEPT AS SPECIFICALLY APPROVED BY THE CITY OF MANOR.
10. ALL STREETS, DRAINAGE IMPROVEMENTS, SIDEWALKS, WATER AND WASTEWATER LINES, AND EROSION CONTROLS SHALL BE CONSTRUCTED AND INSTALLED TO CITY OF MANOR STANDARDS.
11. EROSION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON INDIVIDUAL LOTS, INCLUDING DETACHED SINGLE FAMILY IN ACCORDANCE WITH SECTION 14.0 OF THE ENVIRONMENTAL CRITERIA MANUAL.
12. ALL STREETS IN THE SUBDIVISION SHALL BE CONSTRUCTED TO CITY OF MANOR URBAN STREET STANDARDS. ALL STREETS WILL BE CONSTRUCTED WITH CURB AND GUTTER.
13. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF MANOR.
14. THE COVENANTS, CONDITIONS AND RESTRICTIONS ASSOCIATED WITH THIS SUBDIVISION ARE RECORDED UNDER DOCUMENT NUMBER _____ OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
15. WITHIN A SIGHT DISTANCE EASEMENT ANY OBSTRUCTION OF SIGHT DISTANCE BY VEGETATION, FENCING, EARTHWORK, BUILDING, SIGNS OR ANY OTHER OBJECT WHICH IS DETERMINED TO CAUSE A TRAFFIC HAZARD IS PROHIBITED AND MAY BE REMOVED BY ORDER OF COMMISSIONERS COURT AT OWNERS EXPENSE, THE PROPERTY OWNER IS TO MAINTAIN AN UNOBSTRUCTED VIEW CORRIDOR WITHIN THE BOUNDS OF SUCH EASEMENT AT ALL TIMES.
16. THE SUBDIVISION OWNER/DEVELOPER AS IDENTIFIED ON THIS PLAN IS RESPONSIBLE FOR POSTING FISCAL SURVEY FOR THE CONSTRUCTION OF ALL SIDEWALKS AS SHOWN OR LISTED ON THE PLAN. WHETHER INSTALLED BY THE OWNER/DEVELOPER OR INDIVIDUAL HOMEBUILDERS. IT IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER TO ENSURE, ALL SIDEWALKS ARE ADA COMPLIANT UNLESS A WAIVER HAS BEEN GRANTED BY TDLR.

CITY OF MANOR ACKNOWLEDGMENTS

THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF MANOR CORPORATE CITY LIMITS AS OF THIS DATE. _____ DAY OF _____

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MANOR, TEXAS, ON THIS DATE. _____ DAY OF _____

APPROVED:

MARY ANN PARKER, CHAIRPERSON

ATTEST:

FRANCES M. AGUILAR, CITY SECRETARY

ACCEPTED AND AUTHORIZED FOR RECORD BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, ON THIS DATE. _____ DAY OF _____

APPROVED:

RITA G. JONSE, MAYOR

ATTEST:

FRANCES M. AGUILAR, CITY SECRETARY

COUNTY OF TRAVIS:
STATE OF TEXAS:
KNOW ALL ME BY THESE PRESENTS:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE DATE. _____ DAY OF _____ AT _____ O'CLOCK. _____ DULY RECORDED ON THE DAY OF _____ DAY OF _____ 2017, AT _____ O'CLOCK _____ IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NUMBER _____ OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS _____ DAY OF _____

DANA DEBEAUVOR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

By: _____
DEPUTY

WATER AND WASTEWATER:

THE TRACT OF LAND SHOWN HEREON IS WITHIN THE BOUNDARIES OF PRESIDENTIAL GLEN M.U.D. SAID M.U.D. HAS WATER AND WASTEWATER SERVICE AVAILABLE UPON COMPLETION OF FACILITIES BY THE DEVELOPER.

DATE _____ KENNETH SCHROEDER, P.E. M.U.D. ENGINEER
SCHROEDER ENGINEERING COMPANY

VARIANCES:

(APPROVED VARIANCES ACCORDING TO PRESIDENTIAL GLEN SUBDIVISION DEVELOPMENT AGREEMENT)

1. LOT FRONTAGE WIDTHS OF SINGLE-FAMILY LOTS SHALL BE AS FOLLOWS:
A) NOT MORE THAN 45% OF SUCH LOTS, NOT INCLUDING CUL-DE-SAC LOTS, MAY HAVE A LOT FRONTAGE WIDTH OF NOT LESS THAN 40 FEET.
B) 55% OR MORE OF SUCH LOTS, NOT INCLUDING CUL-DE-SAC LOTS, SHALL HAVE A LOT FRONTAGE WIDTH OF 50 FEET OR GREATER.
C) ANY CUL-DE-SAC LOT SHALL HAVE A LOT FRONTAGE WIDTH OF NO LESS THAN 30 FEET.
2. THE MINIMUM SINGLE-FAMILY RESIDENTIAL LOT SHALL BE 4,000 FEET.
3. FRONT SETBACKS FOR SINGLE-FAMILY RESIDENTIAL LOTS SHALL BE STAGGERED AS FOLLOWS:
A) 40% OF ALL LOTS WITHIN THE PROPERTY SHALL HAVE A SET BACK OF 20 FEET FROM THE FRONT PROPERTY LINE.
B) 20 % OF ALL LOTS WITHIN THE PROPERTY SHALL HAVE A SET BACK OF 22.5 FEET FROM THE FRONT PROPERTY LINE.
C) 20% OF ALL LOTS WITHIN THE PROPERTY SHALL HAVE A SET BACK OF 25 FEET FROM THE FRONT PROPERTY LINE.
D) 20% OF ALL LOTS WITHIN THE PROPERTY SHALL HAVE A SET BACK OF 27.5 FEET FROM THE FRONT PROPERTY LINE.
4. SINGLE-FAMILY RESIDENTIAL LOTS HAVE A MINIMUM SIDE SET BACK OF FIVE (5) FEET FOR EACH LOT.
5. SINGLE-FAMILY RESIDENTIAL LOTS HAVE A MINIMUM REAR SET BACK OF TEN (10) FEET FOR EACH LOT.
6. SINGLE-FAMILY RESIDENTIAL LOTS ARE NOT REQUIRED TO FACE A SIMILAR LOT ACROSS THE STREET.
7. SIDE LOT LINES ARE NOT REQUIRED TO PROJECT AWAY FROM THE FRONT LINE AT APPROXIMATELY RIGHT ANGLES TO THE STREET LINES AND RADIAL TO CURVED STREET LINES.
8. TEN PERCENT (10%) OF NON-RESIDENTIAL TRACTS SHALL BE RESERVED FOR OPEN SPACE FOR NON-IMPERVIOUS COVER.
9. AN AERIAL PHOTOGRAPH MAY BE SUBMITTED AS PART OF A PRELIMINARY PLAT SUBMITTAL TO SHOW THE SIGNIFICANT TREES LOCATED WITHIN THE BOUNDARIES OF ANY PROPOSED OPEN SPACE. PARKLAND AND OTHER UNDISTURBED AREAS. AN ON-THE-GROUND TREE SURVEY MUST BE PERFORMED AND A TREE SURVEY MAP MUST BE SUBMITTED WITH PRELIMINARY PLAT SUBMITTAL TO SHOW ANY SIGNIFICANT TREES WITH IN THE BOUNDARIES OF ANY PROPOSED DISTURBED AREAS. THEY SURVEY MAP MUST INCLUDE THE NUMBER OF SIGNIFICANT TREES, THE SPECIES OF SIGNIFICANT TREES, THE SIGNIFICANT TREE DIAMETERS, THEIR CRITICAL ROOT ZONES, THE SIGNIFICANT TREE TO REMAIN DURING CONSTRUCTION, AND THE SIGNIFICANT TREES DESIGNATED TO BE REMOVED DURING CONSTRUCTION.
10. SIGNIFICANT COTTONWOOD, HACKBERRY OR MESQUITE TREES SHALL BE REPLACED AT A RATE OF 50% PER CALIPER INCH REMOVED WITH AN APPROVED HARDWOOD TREE. ALL OTHER SIGNIFICANT TREES MUST BE REPLACED AT THE RATIOS DEFINED IN THE CITY'S SUBDIVISION ORDINANCE.
11. THE CONSTRUCTION OF SIDEWALKS NEED NOT BE COMPLETED PRIOR TO THE FINAL APPROVAL AND ACCEPTANCE OF A FINAL PLAT, BUT MUST BE COMPLETED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR WITHIN 2 YEARS FROM THE APPROVAL OF THE FINAL PLAT. A COST ESTIMATE FOR THE CONSTRUCTION OF ANY SIDEWALKS NOT CONSTRUCTED PRIOR TO THE FINAL APPROVAL AND ACCEPTANCE OF THE FINAL PLAT SHALL BE PREPARED AND A BOND FOR 110% OF SUCH COSTS SHALL BE POSTED WITH THE CITY. EACH YEAR THE DEVELOPER AND THE CITY MAY AGREE TO THE ADDITIONAL SIDEWALKS COMPLETED DURING THE PREVIOUS YEAR AND REDUCE THE AMOUNT OF THE BOND TO REFLECT THE CONSTRUCTION COSTS OF THE SIDEWALKS THAT HAVE BEEN COMPLETED. SIDEWALKS NOT COMPLETED PRIOR TO THE END OF THE 2-YEAR PERIOD SHALL BE COMPLETED BY THE DEVELOPER OR BY THE CITY WITH THE BOND FUNDS. FAILURE TO PROVIDED SUFFICIENT BONDS OR COMPLETE THE SIDEWALKS SHALL NOT OBLIGATE THE CITY TO BUILD SIDEWALKS.
12. THE IMPROVEMENTS TO AND DEDICATIONS OF RIGHT-OF-WAY TO BOIS D'ARC LANE SHALL BE THOSE REQUIRED BY TRAVIS COUNTY.
13. TWENTY-FIVE FEET (25) OF RIGHT-OF-WAY SHALL BE DEDICATED ALONG THE HIGHWAY 290 FOLLOWING THE SOUTHERN BOUNDARY OF THE PROPERTY AT THE TIME OF THE SUBDIVISION OF THOSE PORTIONS OF THE PROPERTY ABUTTING HIGHWAY 290.
14. A 15' WATER LINE EASEMENT SHALL BE CONVEYED TO THE CITY ALONG BOIS D'ARC LANE AT THE TIME OF THE SUBDIVISION OF THOSE PORTIONS OF THE PROPERTY ABUTTING BOIS D'ARC LANE.
15. DEVELOPERS WILL DEDICATE NO LESS THAN 33 ACRES OF LAND WITHIN THE PROPERTY TO PRESIDENTIAL GLEN MUNICIPAL UTILITY DISTRICT FOR USE AS PARKS OR PUBLIC RECREATIONAL FACILITIES.
16. A PRELIMINARY OR FINAL PLAT FILED WITH THE CITY WILL SHOW ANY PROPERTY WITHIN THAT PRELIMINARY OR FINAL PLAT THAT WILL BE DEDICATED TO THE PRESIDENTIAL GLEN MUNICIPAL UTILITY DISTRICT.
17. DEDICATION OF PARKLAND TO THE PRESIDENTIAL GLEN MUNICIPAL UTILITY DISTRICT WILL SATISFY ANY REQUIREMENT IN CITY ORDINANCES FOR DEDICATION OF PARKLAND TO THE CITY.

SUBDIVISION PLAT ESTABLISHING

PRESIDENTIAL HEIGHTS PHASE 2

BEING 26.724 ACRES OF LAND, IN THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315 SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 169.374 ACRE TRACT, CONVEYED TO PRESIDENTIAL GLEN, LTD., IN DOCUMENT NUMBER 2006027512 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

Kimley»Horn

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216
PH: (210) 541-9166 FAX: (210) 541-8699
CONTACT: JAMES W. RUSSELL, R.P.L.S.
TBLPS FIRM REGISTRATION NO. 10193973

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
10814 JOLLYVILLE ROAD, AVALLON IV, SUITE 300
AUSTIN, TEXAS 78759
PH: (512) 418-1771 FAX: (512) 418-1791
CONTACT: ROBERT J. SMITH, P.E.

OWNER/DEVELOPER:
WEST ELGIN DEVELOPMENT CORPORATION
MANOR TEXAS, 78653-9720
PH: (512) 327-7415
CONTACT: PETE DWYER

Sheet No.

2 OF 3

PRESIDENTIAL HEIGHTS PHASE 1 – PHASE 1 GENERAL INFORMATION:

TOTAL ACREAGE.....26.724 ACRES
 LINEAR FOOT OF 50' ROW.....2,016'
 LINEAR FOOT OF 70' ROW.....642'
 NUMBER OF SINGLE FAMILY LOTS.....96
 ACREAGE OF SQUARE FOOT LOTS.....17.13 ACRES
 NUMBER OF NON-RESIDENTIAL LOTS.....4
 ACREAGE OF NON-RESIDENTIAL LOTS.....4.893 ACRES
 TOTAL NUMBER OF LOTS.....100

NOTE:

1. ALL LOTS EXCEED 4,500 SQUARE FOOT MINIMUM LOT AREA REQUIREMENTS PER DEVELOPMENT AGREEMENT.

TYPE	A	B	C	D	TOTAL
TOTAL LOTS	38	20	19	19	96

BLOCK	LOT	CLASSIFICATION
A	87 & 88	OPEN SPACE/DRAINAGE
E	46	SURFACE DRAINAGE
F	1	OPEN SPACE/PARKLAND

*NON-RESIDENTIAL LOTS
 (NOT CLASSIFIED WITHIN PRELIMINARY LAYOUT VIEW)

LEGAL DESCRIPTION:

Being 26.724 acre tract of land in the Greenbury Gates Survey Number 63, Abstract Number 315, Travis County, Texas, and being a portion of that certain called 169.374 acre tract, conveyed to Presidential Glen, L.D., as recorded under Document Number 2006027612, Official Public Records of Travis County Texas; said 26.724 acre tract being more particularly described as follows:

BEGINNING, at a found 1/2 inch iron rod with cap located in the northeasterly right of way line of Tower Road, (Variable Right of Way) and marking the most southerly corner of the said certain 169.374 acre tract of land; same being the most westerly corner of that certain called 15.116 acre tract of land conveyed to J.L. Perry Jr., as described in Volume 11862, Page 268, Official Public Records of Travis County, Texas;

THENCE, North 64deg 12' 39" West, along the northeasterly right of way line of Tower Road, (Variable Right of Way), and along the southerly boundary line of said 169.374 acre tract, a distance of 525.01 feet, to a set 1/2 inch iron rod with KHA cap, for the most southerly corner of herein described tract;

THENCE, leaving the said northeasterly right of way line of Tower Road, (Variable Right of Way), and into the said 169.374 acre tract the following courses:

North 25deg 47' 44" East, a distance of 355.19 feet, to a set 1/2 inch iron rod with KHA cap;
 North 64deg 12' 16" West, a distance of 47.34 feet, to a set 1/2 inch iron rod with KHA cap;
 North 27deg 05' 52" East, a distance of 289.27 feet, to a set 1/2 inch iron rod with KHA cap;
 North 01deg 10' 45" East, a distance of 449.12 feet, to a set 1/2 inch iron rod with KHA cap;
 South 88deg 49' 15" East, a distance of 72.49 feet, to a set 1/2 inch iron rod with KHA cap;
 Southeasterly, along the arc of a curve to the right having a radius of 635.00 feet, a central angle of 08deg 24' 38", an arc length of 91.40 feet and a chord bearing: S 84deg 41' 50" E, 91.32 feet, to a set 1/2 inch iron rod with KHA cap;
 Northeasterly, along the arc of a curve to the left having a radius of 15.00 feet, a central angle of 86deg 54' 38", an arc length of 22.62 feet and a chord bearing: N 56deg 13' 16" E, 20.54 feet, to a set 1/2 inch iron rod with KHA cap;
 South 76deg 59' 09" East, a distance of 70.00 feet, to a set 1/2 inch iron rod with KHA cap;
 Southwesterly, along the arc of a curve to the right having a radius of 534.98 feet, a central angle of 00deg 08' 59", an arc length of 1.40 feet and a chord bearing: S 13deg 05' 25" W, 1.40 feet, to a set 1/2 inch iron rod with KHA cap;
 Southeasterly, along the arc of a curve to the left having a radius of 15.00 feet, a central angle of 84deg 54' 53", an arc length of 22.23 feet and a chord bearing: N 29deg 17' 31" E, 20.25 feet, to a set 1/2 inch iron rod with KHA cap;
 Southeasterly, along the arc of a curve to the right having a radius of 635.00 feet, a central angle of 08deg 54' 22", an arc length of 98.70 feet and a chord bearing: S 67deg 17' 47" E, 98.60 feet, to a set 1/2 inch iron rod with KHA cap;

South 62deg 50' 36" East, a distance of 51.02 feet, to a set 1/2 inch iron rod with KHA cap;
 North 27deg 09' 24" East, a distance of 780.00 feet, to a set 1/2 inch iron rod with KHA cap;
 South 62deg 50' 36" East, a distance of 140.00 feet, to a set 1/2 inch iron rod with KHA cap;
 South 62deg 57' 57" East, a distance of 50.00 feet, to a set 1/2 inch iron rod with KHA cap;
 Northeasterly, along the arc of a curve to the right having a radius of 472.58 feet, a central angle of 03deg 58' 30", an arc length of 33.14 feet and a chord bearing: S 29deg 08' 39" E, 33.13 feet, to a set 1/2 inch iron rod with KHA cap;
 South 62deg 50' 36" East, a distance of 159.35 feet, to a set 1/2 inch iron rod with KHA cap;
 South 27deg 09' 24" West, a distance of 670.72 feet, to a set 1/2 inch iron rod with KHA cap;
 South 62deg 50' 36" East, a distance of 465.50 feet, to a set 1/2 inch iron rod with KHA cap;
 South 27deg 09' 24" West, a distance of 13.25 feet, to a set 1/2 inch iron rod with KHA cap;
 South 62deg 50' 36" East, a distance of 50.00 feet, to a set 1/2 inch iron rod with KHA cap;
 North 27deg 09' 24" East, a distance of 8.49 feet, to a set 1/2 inch iron rod with KHA cap;
 South 62deg 50' 36" East, a distance of 184.85 feet, to a set 1/2 inch iron rod with KHA cap on the northwesterly right of way line of Bois Arc Road, (variable right of way);

THENCE, South 27deg 09' 43" West, along the northwesterly right of way line of Bois Arc Road, (variable right of way), a distance of 314.20 feet, to a found fence post;

THENCE, South 27deg 11' 01" West, along the northwesterly right of way line of Bois Arc Road, (variable right of way), a distance of 25.85 feet, to a found 1/2 inch iron rod with cap, for the easterly corner of said that certain called 15.116 acre tract;

THENCE, leaving the said northwesterly right of way line of Bois Arc Road, (variable right of way), and along the common line of said 169.374 acre tract and said 15.116 acre tract of land, the following courses:

North 61deg 28' 16" West, a distance of 738.57 feet, to a set 1/2 inch iron rod with KHA cap;
 South 22deg 50' 05" West, a distance of 948.43 feet, to the POINT OF BEGINNING and containing 26.724 acres (1,164,119 square feet) of land, more or less.

SUBDIVISION PLAT ESTABLISHING

PRESIDENTIAL HEIGHTS PHASE 2

BEING 26.724 ACRES OF LAND, IN THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315 SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 169.374 ACRE TRACT, CONVEYED TO PRESIDENTIAL GLEN, L.D., IN DOCUMENT NUMBER 2006027612 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

Kimley»Horn

SURVEYOR:
 KIMLEY-HORN AND ASSOCIATES, INC.
 601 NW LOOP 410, SUITE 350
 SAN ANTONIO, TEXAS 78216
 PH: (210) 541-9188 FAX: (210) 541-8699
 CONTACT: JAMES W. RUSSELL, R.P.L.S.
 TBPLS FIRM REGISTRATION NO. 10193973

CIVIL ENGINEER:
 KIMLEY-HORN AND ASSOCIATES, INC.
 10814 JOLLYVILLE ROAD, AVALLON IV, SUITE 300
 AUSTIN, TEXAS 78759
 TBPE FIRM REGISTRATION NO. F-628
 PH: (612) 418-1771 FAX: (612) 418-1791
 CONTACT: ROBERT J. SMITH, P.E.

OWNER/DEVELOPER:
 WEST ELGIN DEVELOPMENT CORPORATION
 9900 U.S. HIGHWAY 290 E.
 MANOR TEXAS, 78653-9720
 PH: (612) 327-7416
 CONTACT: PETE DWYER

BENCH MARK LIST

TBM #3 - RAILROAD SPIKE FOUND AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF TOWER ROAD WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF BOIS D ARC ROAD, NEXT TO A FIBER OPTIC MARKER, ELEVATION 552.94 FEET

DWG NAME: K:\SMA_S\JANU\06024708-PRESIDENTIAL HEIGHTS PHASE 2\DWG\KIMLEY-HORN-PLAT-PRESIDENTIAL HEIGHTS PHASE 2\DWG01.PLT PLOTTED BY: WILARRSAL.MQUEL 4/13/2017 2:39 PM LAST SAVED: 4/20/17 3:10 PM



JULIE LEONARD, PLACE 1
DEJA HILL, PLACE 2
RAUL HERNANDEZ, VICE-CHAIR, PLACE 3
CHARLES RUSSELL JR., PLACE 4
LIAN STUTSMAN, PLACE 5
KEITH MILLER, PLACE 6
BILL MYERS, CHAIRPERSON, PLACE 7

PLANNING COMMISSION REGULAR MEETING MINUTES

WEDNESDAY, APRIL 12, 2017

6:30 P.M.

CITY COUNCIL CHAMBERS, 105 E. EGGLESTON ST.

COMMISSIONERS

PRESENT:

PLACE 1: JULIE LEONARD

PLACE 2: DEJA HILL

PLACE 3: RAUL HERNANDEZ, VICE-CHAIR

PLACE 4: CHARLES RUSSELL, JR.

PLACE 5: LIAN STUTSMAN

PLACE 6: KEITH MILLER

PLACE 7: BILL MYERS, CHAIRPERSON

CITY STAFF PRESENT:

SCOTT DUNLOP, PLANNING COORDINATOR

PAULINE GRAY, CITY ENGINEER

CALL REGULAR SESSION TO ORDER

Chairperson Myers announced a quorum and called the meeting to order at 6:36 PM

PRESENTATIONS

PUBLIC COMMENTS

*Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please register on the speaker sign-in sheet at least five-minutes prior to the scheduled meeting time. **NO ACTION MAY BE TAKEN BY THE CITY COUNCIL DURING PUBLIC COMMENTS.***

No public comments

CONSENT AGENDA

The following Items will be enacted by one motion. There will be no separate discussion of these items unless requested by a Commission Member; in which event, the item will be removed from the consent agenda and considered separately.

1. Consideration, discussion, and possible action on a Concept Plan for Manor Commons East, twenty-two (22) lots on 73.3 acres more or less, located at the SE corner of US Hwy 290 and FM 973, Manor, TX. Agent: ALM Engineering
Scott Dunlop
Planning Coordinator
2. Consideration, discussion, and possible action on a Preliminary Plan for Manor Commons East, twenty-two (22) lots on 73.3 acres more or less, located at the SE corner of US Hwy 290 and FM 973, Manor, TX. Agent: ALM Engineering
Scott Dunlop
Planning Coordinator
3. Consideration, discussion, and possible action on a Concept Plan for the Villages at Manor Commons, three hundred seventy five (375) single family lots on 76 acres more or less, located at the SE corner of US Hwy 290 and FM 973, Manor, TX. Agent: ALM Engineering
Scott Dunlop
Planning Coordinator
4. Consideration, discussion, and possible action on a Preliminary Plan for the Villages at Manor Commons, three hundred seventy five (375) single family lots on 76 acres more or less, located at the SE corner of US Hwy 290 and FM 973, Manor, TX. Agent: ALM Engineering
Scott Dunlop
Planning Coordinator
5. Consideration, discussion, and possible action on Preliminary Plan for Presidential Heights Phases 3 – 6, four hundred eighteen (418) single family lots on 112 acres more or less, located at the intersection of Bois D’Arc Road and Tower Road, Manor, TX. Agent: Kimley-Horn
Scott Dunlop
Planning Coordinator
6. Consideration, discussion, and possible action on a Final Plat for Stonewater Resubdivision Lot 132, Block H, Phase 2, ten (10) single family lots on 1.17 acres more or less, located at Stoneridge Gap Lane and Almodine Road, Manor, TX. Agent: Doucet and Associates
Scott Dunlop
Planning Coordinator

Motion to approve the denial as submitted of consent agenda items 1 – 6 by Commissioner Miller, Seconded by Vice-Chair Hernandez. 5 – 0 to approve the denial as submitted.

REGULAR AGENDA

7. Consideration, discussion, and possible action on the March 8th Planning Commission Minutes.
Scott Dunlop
Planning Coordinator
Motion to approve the March 8th Planning Commission Minutes by Commissioner Leonard, Seconded by Commissioner Miller. 5 – 0 to approve.
8. Consideration, discussion and possible action on a rezoning request for Lot 1, Block 42 Town of Manor, locally known as 101 East Boyce Street from R-1 Single Family to NB Neighborhood Business.
Scott Dunlop
Planning Coordinator

Planning Coordinator Scott Dunlop spoke that the structure had been renovated to ADA standards so it could be converted into a business and a daycare has been proposed there. Also, that a Conditional Use permit would be required for that proposed use and a preliminary site plan showed about 7 parking spaces in the City and TXDOT ROWs.

Gloria Hernandez, a notified neighbor, spoke in opposition of the rezoning citing commercial uses would be inconsistent, a lack of parking (especially for a daycare that required drop-off and pick-up), traffic is already congested and adding commercial uses would increase that and make it more dangerous.

Commissioner Hill asked about what the traffic is currently like and how the parking could affect that.

Gloria Hernandez stated she could no longer safely cross Lexington and instead had to go around the block to a less congested crossing.

Planning Coordinator Scott Dunlop spoke that in the preliminary site plan, the proposed parking is in the ROWs of the City and TXDOT so new pavement would be added and the cars would not be parking on the existing pavement area.

Motion to deny Neighborhood Business rezoning by Commissioner Hill, Seconded by Commissioner Leonard. 5 – 1 to deny with Commissioner Miller opposing and Commissioner Stutsman abstaining.

9. Consideration, discussion and possible action on a rezoning application for 17 acres more or less out of the James Manor Survey No 40, Abstract 546, Travis County, near the intersection of Gregg Manor Rd and Hill Ln, from R-2 Single Family to C-1 Light Commercial.

Scott Dunlop
Planning Coordinator

Motion to approve C-1 Light Commercial zoning by Commissioner Leonard, Seconded by Commissioner Miller. 7 – 0 to approve.

10. Consideration, discussion and possible action on a rezoning application for 11 acres more or less out of the James Manor Survey No 40, Abstract 546, Travis County, near the intersection of W. Parsons St. and N. Bastrop St, from R-1 Single Family to C-1 Light Commercial.

Scott Dunlop
Planning Coordinator

Motion to approve C-1 Light Commercial zoning by Commissioner Stutsman, Seconded by Vice-Chair Hernandez. 7 – 0 to approve.

11. Consideration, discussion and possible action on a rezoning request for 1.6 acres out of the Greenbury Gates Survey Number 63, Abstract 315 and Calvin Barker Survey 38, Abstract 58, Travis County, located at 12920 Old Hwy 20 from Interim Agricultural (A) to Light Commercial (C-1).

Scott Dunlop
Planning Coordinator

Planning Coordinator spoke that this item had previously been before the Commission on March 8th at which a motion to approve received a 2 – 2 vote so no recommendation was forwarded to City Council on March 15th. At the March 15th City Council meeting they voted to send the item back to Planning Commission on April 12th for further review. It is the same application as was presented at the March 8th meeting. Staff further spoke that C-1 Light Commercial may be too intense a zoning category for this location and Neighborhood Business would be more appropriate and staff would support a Neighborhood Business recommendation.

Motion to approve Neighborhood Business zoning by Commissioner Hill, Seconded by Commissioner Stutsman. 5 – 1 to approve with Commissioner Leonard opposing and Commissioner Russell abstaining.

12. Consideration, discussion and possible action on a Preliminary Plan for Lagos master planned community Phase 1, one hundred eighteen (118) Single Family lots and two (2) Multi-Family lots on 49 acres more or less at FM 973 and Murchison St. Scott Dunlop
Planning Coordinator
- Motion to approve by Commissioner Miller, Seconded by Commissioner Russell. 7 – 0 to approve.**
13. Consideration, discussion and possible action on a Conditional Use Permit for the North 80ft of Lots 11-15, Block 30 Town of Manor, locally known as 109 North Burnet Street to allow for a Game Room. Scott Dunlop
Planning Coordinator
- Planning Coordinator spoke that this item needed no action because after it was filed a zoning verification was performed that showed the property had been rezoned Downtown Business District on September 21, 2011. Downtown Business District does not allow Game Machines.**
- Planning Commission took No Action.**
14. Consideration, discussion and possible action on a Concept Plan for the re-subdivision of Lot 132, Block H, Phase 2 Stonewater, 10 Single Family lots on 1.17 acres more or less located at Stoneridge Gap Lane and Almodine Road. Scott Dunlop
Planning Coordinator
- Motion to approve by Commissioner Stutsman, Seconded by Vice-Chair Hernandez. 7 – 0 to approve.**
15. Consideration, discussion and possible action on a Preliminary Plan for the re-subdivision of Lot 132, Block H, Phase 2 Stonewater, 10 Single Family lots on 1.17 acres more or less located at Stoneridge Gap Lane and Almodine Road. Scott Dunlop
Planning Coordinator
- Motion to approve on the condition the Concept Plan is approve at April 19th City Council by Commissioner Leonard, Seconded by Commissioner Russell. 7 – 0 to approve with condition.**

ADJOURNMENT

Motion to adjourn by Commissioner Stutsman, Seconded by Commissioner Miller. 7 – 0 to adjourn at 7:02 PM

Bill Myers, Chairperson



AGENDA ITEM NO. 4

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 10, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Concept Plan for Manor Commons East, twenty-two (22) lots on 73.3 acres more or less, located at the SE corner of US Hwy 290 and FM 973, Manor, TX. Agent: ALM Engineering

BACKGROUND/SUMMARY:

This is the concept plan for the recently approved Manor Commons PUD that encompasses the commercial, multifamily, and open space lots. It has been approved by our engineers.

PRESENTATION: YES NO

ATTACHMENTS: YES (IF YES, LIST IN ORDER TO BE PRESENTED) NO

Concept Plan
Engineer Letter
Approval Letter

STAFF RECOMMENDATION:

It is City staff's recommendation, that the Manor Commons East Concept Plan be recommended for approval at the May 17th City Council meeting.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE



ALM Engineering, Inc. F-3565

April 5, 2017

Tom Bolt
Development Services
City of Manor
P.O. Box 387
Manor, TX 78653

Cc: Frank Phelan, P.E.
Jay Engineering Company, Inc.
1500 C.R. 269
Leander, TX 78641
(512) 259-3882 ex. 308

Re: Engineers Summary
Manor Commons SE Commercial
Concept Plan

The Concept Plan for Manor Commons SE Commercial Subdivision includes 73.248 acres of land consisting of 22 lots broken into two blocks. There are 20 commercial lots and two parkland lots along with approximately 1,650 lf of Ring Road.

A CLOMR has been approved for this site to modify the flood plain in such a manner that the FEMA Zone "AE" will be contained within the park area upon completion of all phases. A majority of these modification will be made with Phase 1 construction for the site. The results of the Drainage Study provided with this application indicate that detention will not be necessary with the proposed site development.

Water will be provided by the City of Manor with the extension of a 12" water main under FM 973 at the intersection of Ring Road and a connection to the existing 12" water main running along US Hwy 290.

Wastewater will be provided by the City of Manor with lots 5-11, block "A" being served by the 15" wastewater line running along US Hwy 290 and the remaining lots being served by an 8" gravity main that will be extend through the site from the existing Manor Lift Station located on Old Hwy 20.

Some of the trees located on the site will be damaged or removed due to road installation, utility construction and grading. We are asking for Commission approval to remove one tree over 18 inches. Tree #9745 is a 25 inch willow tree that will have to be removed to allow for the extension of the four 7"x8" box culverts running under US Hwy. 290. Due to the location on the main channel there is not a way to preserve this tree. We are allocating the tree replacement for the project based on the acreage of each lot. Using a rate of 13.86 caliper inches/acre, for the trees being removed, each lot will be responsible for including the tree replacement in their site development plans

If you have any questions please contact me at (512) 431-9600.

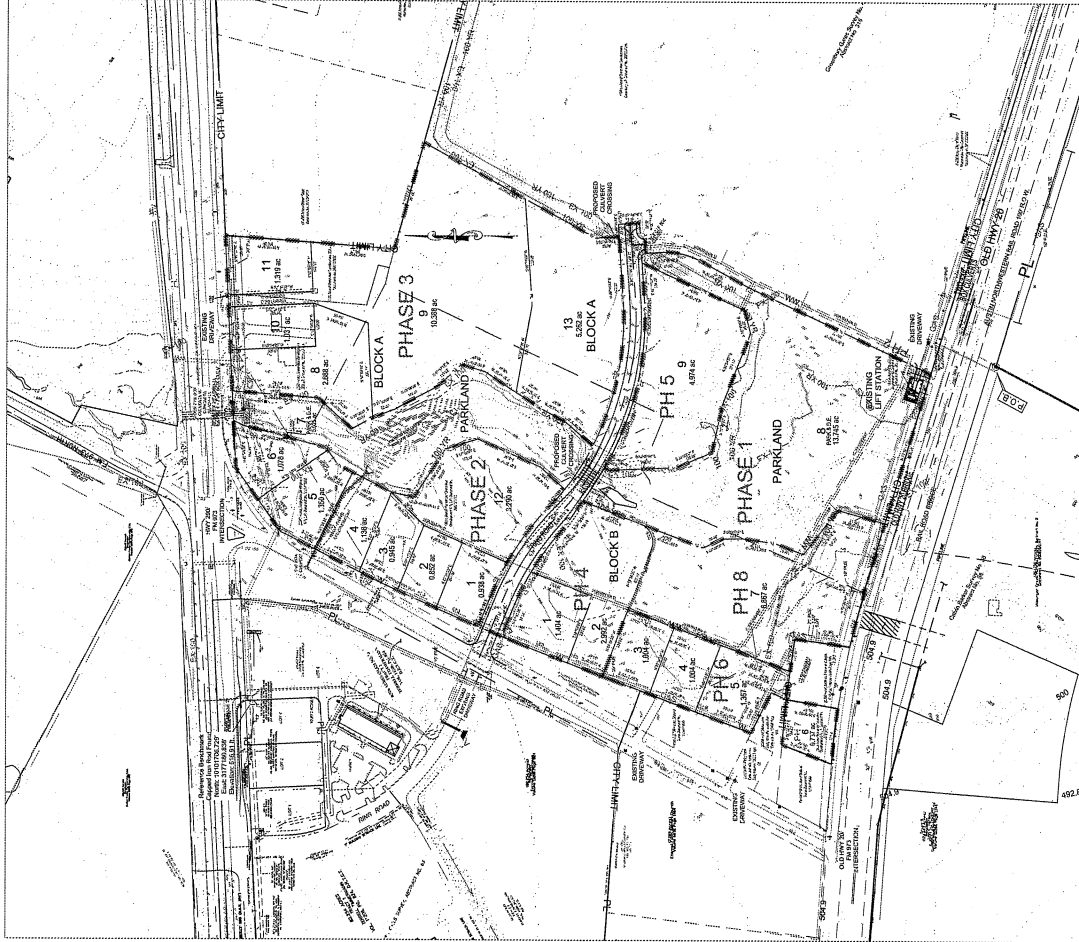
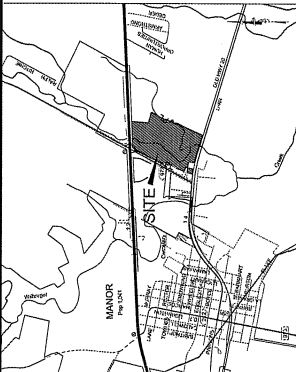
Sincerely,


Matt Mitchell, P.E.



MANOR SE COMMERCIAL CONCEPT PLAN - NOT FOR RECORDATION

SUBMITTAL DATE: MARCH 1, 2017



Owner: 3.077 Acres Greenview Development 871, L.P. Document No. 2000176022
 2.00 Acres Greenview Development 923, L.P. Document No. 2002497828
 2.00 Acres Greenview Development 924, L.P. Document No. 2002497829
 Approximately 28.000 out of the 104.57 Acres Greenview Development, Greenway, L.P.
 Document No. 2002297515
 501 VALE STREET
 MANOR, TEXAS 75701

Engineer: Matthew Mitchell, P.E.
 ALM Engineering, Inc.
 1705 S. Capital of Texas Highway, Suite 150
 Austin, Texas 78746
 512.431.9800
 1901 Fentress Road, Suite 150
 Austin, Texas 78746
 (512) 442-0960

Surveyor: 101.1 CARSON, INC.
 101.1 CARSON, INC.
 1901 Fentress Road, Suite 150
 Austin, Texas 78746
 (512) 442-0960

Total Number of Blocks: 22
 Total Number of Lots: 72,348 AC
 Total Area: 72,348 AC
 Projected Date of Completion: 12 Months
 Projected Date of Occupancy: 12 Months
 Projected Date of Inception: 12 Months
 Projected Date of Completion: 12 Months
 Projected Date of Occupancy: 12 Months
 Projected Date of Inception: 12 Months

Water and Wastewater Provider: CITY OF MANOR
 101 E. Eggleston St.
 Manor, Texas 75701
 Phone: (512) 272-5555

Electrical Supply: BLUEBONNET ELECTRIC COOP
 3708 East Austin St.
 Manor, Texas 75701
 Phone: (512) 272-5555

Gas Supply: Atmos Energy
 822 Congress Ave. 6900
 Manor, Texas 75701
 Phone: (512) 272-5555

- #### ESTIMATED PHASE DATES
- PHASE 1 - NOVEMBER 2017
 - PHASE 2 - NOVEMBER 2017
 - PHASE 3 - NOVEMBER 2017
 - PHASE 4 - NOVEMBER 2018
 - PHASE 5 - NOVEMBER 2019
 - PHASE 6 - NOVEMBER 2020
 - PHASE 7 - NOVEMBER 2021
 - PHASE 8 - NOVEMBER 2022
- #### GENERAL NOTES
1. Utility and wastewater systems serving this subdivision shall be designed and installed in accordance with the City of Manor Standard Specifications for Streets, Utilities and Wastewater Treatment for reference. All utility plans and specifications shall be submitted to the City of Manor.
 2. All utility lines shall be installed in accordance with the City of Manor Standard Specifications for Streets, Utilities and Wastewater Treatment for reference.
 3. No lot in this subdivision shall be occupied until connected to the City of Manor.
 4. Prior to construction, a site development permit must be obtained from the City of Manor.
 5. Prior to construction, a site development permit must be obtained from the City of Manor.
 6. The property owner or design shall maintain all drainage easements on private property.
 7. All building setbacks shall be in accordance with the City of Manor Zoning Ordinance.
 8. All building setbacks shall be in accordance with the City of Manor Zoning Ordinance.

Revisions	By	Date	Description

DATE	REVISION	#
5/1/2017 <td></td> <td></td>		

SCALE: 1" = 200'
 DATE: 5/1/2017
 DRAWN BY: KM
 CHECKED BY: MM

ALM ENGINEERING, INC.
 1705 S. Capital of Texas Highway, Suite 150
 Austin, Texas 78746
 (512) 431-9800
 c:\img\bcg\label.net



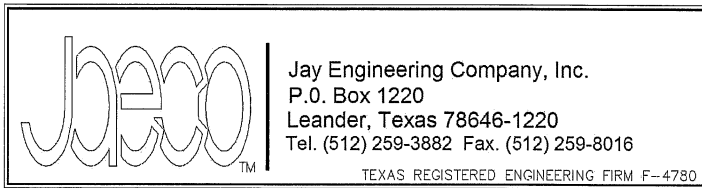
MANOR SE COMMERCIAL
 FM 973
 MANOR, TX

TABLE 8: MANOR COMMONS ROADOUT NET INDU. EXTERNAL VEHICLE TRIPS

Description	Unit	Rate	Trips	Trips	Trips	Trips	Trips	Trips	Trips	Trips	Trips
			Peak	Off Peak	Trips	Trips	Trips	Trips	Trips	Trips	Trips
Residential	Single Family Homes	210	300 DU	8,150	54	181	250	204	125	24	24
Commercial	Offices	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Hotels	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Specialty Retail	850	30,000 sq ft	2,339	38	11	29	43	48	94	94
Commercial	Drive-In Bank	823	4,000 sq ft	933	28	21	49	49	49	98	98
Commercial	Fast-Food with Drive-Thru Window	854	9,000 sq ft	4,492	228	200	408	133	141	204	204
Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Hotels	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Specialty Retail	850	30,000 sq ft	2,339	38	11	29	43	48	94	94
Commercial	Drive-In Bank	823	4,000 sq ft	933	28	21	49	49	49	98	98
Commercial	Fast-Food with Drive-Thru Window	854	9,000 sq ft	4,492	228	200	408	133	141	204	204
Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Hotels	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
Commercial	Specialty Retail	850	30,000 sq ft	2,339	38	11	29	43	48	94	94
Commercial	Drive-In Bank	823	4,000 sq ft	933	28	21	49	49	49	98	98
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Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
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Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
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Commercial	Restaurants	150	250,000 sq ft	1,117	117	117	117	117	117	117	117
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Commercial	Drive-In Bank	823	4,000 sq ft	933	28	21	49	49	49	98	98
Commercial	Fast-Food with Drive-Thru Window	854	9,000 sq ft	4,492	228	200	408	133	141	204	204

NOT FOR RECORDATION
 ACCEPTED AND APPROVED FOR RECORD BY THE CITY COUNCIL, CITY OF MANOR, TEXAS, ON THIS _____ OF _____, 2017, A.D.
 APPROVED: _____ ATTEST: _____
 WILLIAM AYERS, CHAIRPERSON CITY SECRETARY
 ACCEPTED AND APPROVED FOR RECORD BY THE CITY COUNCIL, CITY OF MANOR, TEXAS, ON THIS _____ OF _____, 2017, A.D.
 APPROVED: _____ ATTEST: _____
 HONORABLE MAYOR RITA G. JORSE CITY SECRETARY
 MAYOR OF THE CITY OF MANOR, TEXAS

MANOR SE COMMERCIAL
 CONCEPT PLAN
 NOT FOR RECORDATION
 MANOR, TEXAS
 ALM ENGINEERING, INC. (512) 431-9800
 1705 S. Capital of Texas Highway, Suite 150
 Austin, Texas 78746



Date: Monday, March 27, 2017

Matthew Mitchell
ALM Engineering, Inc.
1704 S Capital of TX Hwy
Austin TX 78746
almeng@sbcglobal.net

Permit Number 2017-P-1036
Job Address: , Manor, TX. 78653

Dear Matthew Mitchell,

The first submittal of the Manor Commons SE Commercial Concept (*Concept Plan*) submitted by ALM Engineering, Inc. and received on April 05, 2017, have been reviewed for compliance with the City of Manor Zoning Ordinance 263B.

Engineer Review

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

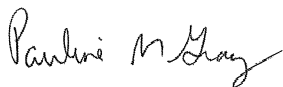
1. Section 21(c)(2) of Subdivision Ordinance 263B requires that the date the Concept Plan was prepared should be shown on the Concept Plan.
2. Signature blocks for Planning and Zoning and City Council should be added to the plan.
3. It is hard to distinguish between the different linetypes of the drawing. For example it is hard to tell the difference between the existing and new 100-yr. floodplain lines.
4. There are some lines that are not labeled.
5. Section 21(c)(12) of Subdivision Ordinance 263B requires that significant features on or within 200 feet of the property be clearly shown on the plans.
6. Section 21(c)(8)(i) and 21(c)(ii) of Subdivision Ordinance 263B require that the number of LUEs required for each category of lot be shown and the traffic volume to be generated by all proposed development other than single family be shown on the concept plan.
7. The summary letter submitted is for the proposed Preliminary Plan for the project, not the Concept Plan.

3/27/2017 10:08:39 AM
Manor Commons SE Commercial Concept
2017-P-1036
Page 2

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

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

Thank you,

A handwritten signature in cursive script that reads "Pauline M. Gray".

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



March 30, 2017

RE: COMMENT RESPONSE #1
Permit Number 2017-P-1036
Job Address: , Manor, TX. 78653

To Whom it May Concern,

In response to your comments dated March 27, 2017 please see the following.

1. Section 21(c)(2) of Subdivision Ordinance 263B requires that the date the Concept Plan was prepared should be shown on the Concept Plan.
RESPONSE: The submittal date has been added to the top of the page.
2. Signature blocks for Planning and Zoning and City Council should be added to the plan.
RESPONSE: Added.
3. It is hard to distinguish between the different linetypes of the drawing. For example, it is hard to tell the difference between the existing and new 100-yr. floodplain lines.
RESPONSE: See clarified linetypes.
3. There are some lines that are not labeled.
RESPONSE: Lines information has been added to legend and some layers removed.
4. Section 21(c)(12) of Subdivision Ordinance 263B requires that significant features on or within 200 feet of the property be clearly shown on the plans.
RESPONSE: Significant features have been labeled.
5. Section 21(c)(8)(i) and 21(c)(ii) of Subdivision Ordinance 263B require that the number of LUEs required for each category of lot be shown and the traffic volume to be generated by all proposed development other than single family be shown on the concept plan.
RESPONSE: The number of LUES have been shown on Concept along with estimated traffic based on an EXCERPT OF PAGE 21 FROM THE MANOR COMMONS TRAFFIC IMPACT STUDY DATED SEPTEMBER 1, 2016 PREPARED BY JAMES SCHWERDTFEGER, P.E., OF BIG RED DOG ENGINEERING F-17778
7. The summary letter submitted is for the proposed Preliminary Plan for the project, not the Concept Plan.
RESPONSE: A concept plan summary letter has been provided.

If you have any questions or comments, please contact me at 512-431-9600.

Sincerely


Matthew Mitchell, P.E.



4-5-2017

JAY ENGINEERING COMPANY, INC.
P.O. Box 1220 (512) 259-3882
Leander, TX 78646 Fax 259-8016

May 1, 2017

Mr. Tom Bolt
City Manager
City of Manor
P.O. Box 387
Manor, TX 78653

Re: Manor SE Commercial Concept Plan
Revised Concept Plan Review
City of Manor

Dear Mr. Bolt:

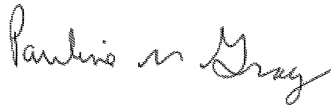
The REVISED Manor SE Commercial Concept Plan submitted by ALM Engineering, Inc. and received by our office on May 1, 2017, has been reviewed for compliance with the City of Manor Subdivision Ordinance 263B.

The REVISED Concept Plan appears to be in general compliance with City Ordinance requirements and we therefore take no exception to the REVISED Concept Plan as presented. All previous comments have been addressed.

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

We trust that you will find this information helpful when considering approval of this Final Plat. If you should have any questions, or need additional information, please let us know.

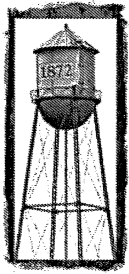
Sincerely,



Pauline M. Gray, P.E.

PMG/s

Copy: Matt Mitchell, P.E. - ALM Engineering, Inc.
Scott Dunlop - City of Manor



CITY OF
MANOR
EST.  1872
TEXAS

AGENDA ITEM NO. 5

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 10, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON A SHORT FORM FINAL PLAT FOR MARQUEZ SUBDIVISION, FOUR (4) LOTS ON 10 ACRES MORE OR LESS, LOCATED AT BOIS D'ARC ROAD AND KIMBRO WEST ROAD. AGENT: LANDMARK ENGINEERING. OWNER: BRENDA MARQUEZ.

BACKGROUND/SUMMARY:

This is a small 4 lot subdivision in our ETJ. It has been approved by our engineers.

PRESENTATION: YES NO

ATTACHMENTS: YES (IF YES, LIST IN ORDER TO BE PRESENTED) NO

Map

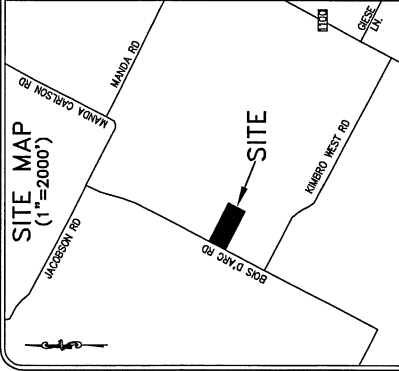
Response Letter

Approval Letter

STAFF RECOMMENDATION:

It is City staff's recommendation, that this item be approved.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE



FINAL PLAT OF
MARQUEZ SUBDIVISION

CONSUMER PROTECTION NOTICE
FOR HOMEBUYERS:

IF YOU ARE BUYING A LOT IN THIS
SUBDIVISION, YOU SHOULD DETERMINE
WHETHER THE SUBDIVISION AND THE
LAND AROUND IT ARE INSIDE OR
OUTSIDE THE CITY LIMITS.

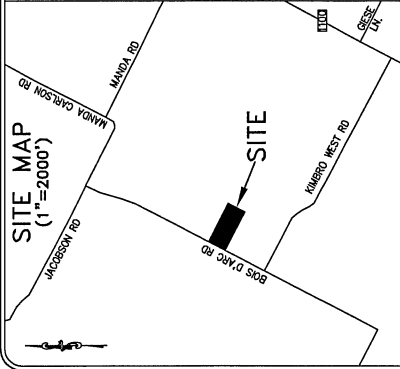
THIS CAN AFFECT THE ENJOYMENT AND
VALUE OF YOUR HOME. DEPENDING ON
STATE LAW AND OTHER FACTORS, LAND
OUTSIDE THE CITY LIMITS MAY BE
SUBJECT TO FEWER LOCAL GOVERNMENT
CONTROLS OVER THE DEVELOPMENT AND
USE OF LAND THAN INSIDE THE CITY
LIMITS.

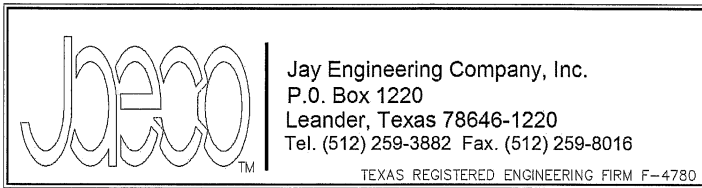
FINAL PLAT OF
MARQUEZ SUBDIVISION

CONSUMER PROTECTION NOTICE
FOR HOMEBUYERS CONTINUED:

THE SUBDIVISION'S RESTRICTIVE COVENANTS MAY
CREATE PRIVATELY ENFORCEABLE RESTRICTIONS
AGAINST INCOMPATIBLE LAND USES WITHIN THE
SUBDIVISION, WHETHER IT IS INSIDE OR OUTSIDE THE
CITY LIMITS.

DEPENDING ON STATE LAW AND OTHER FACTORS,
HOWEVER, OUTSIDE THE CITY LIMITS NEITHER PRIVATE
NOR GOVERNMENTAL RESTRICTIONS MAY BE AVAILABLE
TO (1) RESTRICT EITHER THE NATURE OR EXTENT OF
DEVELOPMENT NEAR THE SUBDIVISION, OR (2) PROHIBIT
LAND USES NEAR THE SUBDIVISION THAT ARE
INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD.





Date: Friday, November 04, 2016

Javier Barajas
Landmark Engineering, Inc.
7813 Callbram Lane
Austin TX
jbarajas@landmarkces.com

Permit Number 2016- P1009
Job Address: , Manor, TX. 78653

Dear Javier Barajas,

The first submittal of the 15123 Bois D'arc Road Subdivision (*Short Form Final Plat*) submitted by Landmark Engineering, Inc. and received on March 01, 2017, have been reviewed for compliance with the City of Manor Zoning Ordinance 263B.

Engineer Review

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

The location map on the plat is not to scale as required in Section 24(c)(1)(iii) of Subdivision Ordinance 263B. A location map showing the relation of the subdivision to streets and other prominent features in all directions for a radius of at least one (1) mile using a scale of one (1) inch equals two thousand feet (1" = 2,000') must be shown on the plat. The latest edition of the USGS 7.5-minute quadrangle map is recommended.

Identification of proposed uses were not identified on the plat as required in Section 24(c)(1)(iv) of Subdivision Ordinance 263B. Identification and location of proposed uses and reservation for all lots within the subdivision must be provided on the plat.

Property ownership for all properties within three hundred feet of the subdivision boundary is not shown on the plat as required in Section 24(c)(1)(v) of Subdivision Ordinance 263B. The owner's names and the property line of property within three hundred (300) feet of the subdivision boundary, together with the respective plat or deed reference as determined by the most recent tax roles must be shown on the plat. A reference table may be used to maintain clarity.

A signature block for the Commissioner's Court is not shown on the plat as required in Section 24(c)(1)(vi) of Subdivision Ordinance 263B. Since the property is within the City of Manor ETJ, County approval must also be obtained.

The engineer's certification is not provided as required by Section 24(c)(1)(vii) of Subdivision Ordinance 263B. Certification from a registered professional engineer and approval by the State Health Department (if applicable) that water satisfactory for human consumption is available in adequate supply at the time of submission, except that such certification is not required if the property will be served by the City water system.

Certification from the County Health District is not provided as required by Section 24(c)(1)(viii) of Subdivision Ordinance 263B. Certification from the County Health District that a subdivision is located in an area which cannot reasonably be served by an organized wastewater collection system and that the use of septic tank or other means of disposal has been approved by the County Health District. Said certificate shall show the limitations, if any, of such approval.

State Plane Coordinates are not provided on the plat as required by Section 24(c)(3)(i) of Subdivision Ordinance 263B. True bearings and distances to the nearest established street lines, official monuments, or existing subdivision corner which shall be accurately described on the plat and rotated to the state plane coordinate system. Using said system, X and Y coordinates shall be identified for four (4) property corners.

The location of sidewalks is not shown on the plat as required by Section 24(c)(4)(viii) of Subdivision Ordinance 263B. The proposed location of sidewalks for each street, to be shown as a dotted line inside the proposed right-of-way lines must be shown on the plat.

No tax certificate was provided as required in Section 24(d)(2)(v) of Subdivision Ordinance 263B. Certification from all applicable taxing authorities that all taxes due on the property have been paid must be provided.

The owner certification blocks all have the same name on them. (See attached markup).

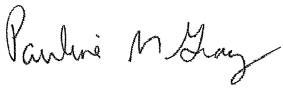
Section 24(d)(4)(vi) of Subdivision Ordinance 263B requires the location of building setback lines, as required by the City's Zoning Ordinance, designated by a plat note that states: "Setbacks shall comply with the City's Zoning Ordinance."

11/4/2016 2:02:16 PM
15123 Bois D'arc Road Subdivision
2016- P1009
Page 3

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

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

Thank you,

A handwritten signature in cursive script that reads "Pauline M. Gray".

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

February 7, 2017

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

RE: 1st Review of Short Form Final Plat - **15123 Bois D'arc Road Subdivision**

Dear Pauline Gray, P.E.:

The following is a response to your Short Form Final Plat comments for the 15123 Bois D'arc Road Subdivision letter dated Nov.4, 2016, responses are highlighted in red.

- The location map on the plat is not to scale as required in Section 24(c)(1)(iii) of Subdivision Ordinance 263B. A location map showing the relation of the subdivision to streets and other prominent features in all directions for a radius of at least one (1) mile using a scale of one (1) inch equals two thousand feet (1" = 2,000') must be shown on the plat. The latest edition of the USGS 7.5-minute quadrangle map is recommended.
RESPONSE: Location map is shown to scale on all sheets of the plat.
- Identification of proposed uses were not identified on the plat as required in Section 24(c)(1)(iv) of Subdivision Ordinance 263B. Identification and location of proposed uses and reservation for all lots within the subdivision must be provided on the plat.
RESPONSE: All lots are to be for single family use only (see Note #4, Page 3 of 3).
- Property ownership for all properties within three hundred feet of the subdivision boundary is not shown on the plat as required in Section 24(c)(1)(v) of Subdivision Ordinance 263B. The owner's names and the property line of property within three hundred (300) feet of the subdivision boundary, together with the respective plat or deed reference as determined by the most recent tax roles must be shown on the plat. A reference table may be used to maintain clarity.
RESPONSE: Property owners within three hundred feet of the subdivision have been identified along with the deed number.

- A signature block for the Commissioners Court is not shown on the plat as required in Section 24(c)(1)(vi) of Subdivision Ordinance 263B. Since the property is within the City of Manor ETJ, County approval must also be obtained.

RESPONSE: Commissioners Court block has been added, Sheet 3 of 3.

- The engineer's certification is not provided as required by Section 24(c)(1)(vii) of Subdivision Ordinance 263B. Certification from a registered professional engineer and approval by the State Health Department (if applicable) that water satisfactory for human consumption is available in adequate supply at the time of submission, except that such certification is not required if the property will be served by the City water system.

RESPONSE: Engineers certification has been added on sheet 3 of 3.

- Certification from the County Health District is not provided as required by Section 24(c)(1)(viii) of Subdivision Ordinance 263B. Certification from the County Health District that a subdivision is located in an area which cannot reasonably be served by an organized wastewater collection system and that the use of septic tank or other means of disposal has been approved by the County Health District. Said certificate shall show the limitations, if any, of such approval.

RESPONSE: The Travis County OSSF notes and certification have been included.

- State Plane Coordinates are not provided on the plat as required by Section 24(c)(3)(i) of Subdivision Ordinance 263B. True bearings and distances to the nearest established street lines, official monuments, or existing subdivision corner which shall be accurately described on the plat and rotated to the state plane coordinate system. Using said system, X and Y coordinates shall be identified for four (4) property corners.

RESPONSE: State Plane Coordinated along with bearings and distance are depicted on the plat.

- The location of sidewalks is not shown on the plat as required by Section 24(c)(4)(viii) of Subdivision Ordinance 263B. The proposed location of sidewalks for each street, to be shown as a dotted line inside the proposed right-of-way lines must be shown on the plat.

RESPONSE: Sidewalks are not proposed for this subdivision. Please note that there are no existing sidewalks along this road; the area is rural.

- No tax certificate was provided as required in Section 24(d)(2)(v) of Subdivision Ordinance 263B. Certification from all applicable taxing authorities that all taxes due on the property have been paid must be provided.

RESPONSE: A current tax certificate will be provided once the taxes on the property have been paid.

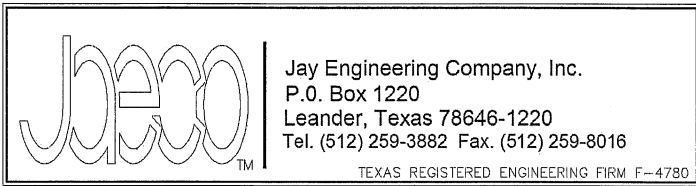
- The owner certification blocks all have the same name on them. (See attached markup).
RESPONSE: Owners certification blocks have been revised.
- Section 24(d)(4)(vi) of Subdivision Ordinance 263B requires the location of building setback lines, as required by the City's Zoning Ordinance, designated by a plat note that states "Setbacks shall comply with the City's Zoning Ordinance."
RESPONSE: The ordinance and section mentioned above talks about the submittal of the plat to City of Manor. Please clarify setback requirements and information.

Please do not hesitate to contact me if you have any questions or additional information regarding this project. I may be reach at (512) 913-5080 or jbarajas@landmarkces.com

Best regards,



Javier Barajas, P.E.



Date: Friday, February 24, 2017

Javier Barajas
Landmark Engineering, Inc.
7813 Callbram Lane
Austin TX
jbarajas@landmarkces.com

Permit Number 2016- P1009
Job Address: , Manor 78653

Dear Javier Barajas,

The subsequent submittal of the 15123 Bois D'arc Road Subdivision submitted by Landmark Engineering, Inc. and received on March 01, 2017, have been reviewed for compliance with the City of Manor Subdivision Ordinance 263B. We can offer the following comments based upon our review (satisfied comments stricken, new or outstanding comments in bold):

Engineer Review

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

The location map on the plat is not to scale as required in Section 24(c)(1)(iii) of Subdivision Ordinance 263B. A location map showing the relation of the subdivision to streets and other prominent features in all directions for a radius of at least one (1) mile using a scale of one (1) inch equals two thousand feet (1" = 2,000') must be shown on the plat. The latest edition of the USGS 7.5-minute quadrangle map is recommended.

Identification of proposed uses were not identified on the plat as required in Section 24(c)(1)(iv) of Subdivision Ordinance 263B. Identification and location of proposed uses and reservation for all lots within the subdivision must be provided on the plat.

Property ownership for all properties within three hundred feet of the subdivision boundary is not shown on the plat as required in Section 24(c)(1)(v) of Subdivision Ordinance 263B. The owner's names and the property line of property within three hundred (300) feet of the subdivision boundary, together with the respective plat or deed reference as determined by the most recent tax roles must be shown on the plat. A reference table may be used to maintain clarity.

A signature block for the Commissioner's Court is not shown on the plat as required in Section 24(c)(1)(vi) of Subdivision Ordinance 263B. Since the property is within the City of Manor ETJ, County approval must also be obtained. See attached pdf showing the signature block.

The engineer's certification has been provided as required by Section 24(c)(1)(vii) of Subdivision Ordinance 263B, but it is not the correct format. See the attached pdf for the correct certification note to use.

Certification from the County Health District is not provided as required by Section 24(c)(1)(viii) of Subdivision Ordinance 263B. Certification from the County Health District that a subdivision is located in an area which cannot reasonably be served by an organized wastewater collection system and that the use of septic tank or other means of disposal has been approved by the County Health District. Said certificate shall show the limitations, if any, of such approval.

State Plane Coordinates are not provided on the plat as required by Section 24(c)(3)(i) of Subdivision Ordinance 263B. True bearings and distances to the nearest established street lines, official monuments, or existing subdivision corner which shall be accurately described on the plat and rotated to the state plane coordinate system. Using said system, X and Y coordinates shall be identified for four (4) property corners.

The location of sidewalks is not shown on the plat as required by Section 24(c)(4)(viii) of Subdivision Ordinance 263B. The proposed location of sidewalks for each street, to be shown as a dotted line inside the proposed right-of-way lines must be shown on the plat.

No tax certificate was provided as required in Section 24(d)(2)(v) of Subdivision Ordinance 263B. Certification from all applicable taxing authorities that all taxes due on the property have been paid must be provided.

The owner certification blocks all have the same name on them. (See attached markup).

Section 24(d)(4)(vi) of Subdivision Ordinance 263B requires the location of building setback lines, as required by the City's Zoning Ordinance, designated by a plat note that states: "Setbacks shall comply with the City's Zoning Ordinance."

There are two different proposed subdivision names on the plat. The correct one should be shown.

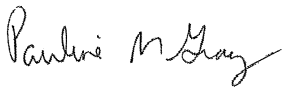
The Planning and Zoning Chairperson should be listed as William Myers.

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

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

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

Thank you,



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

March 1, 2017

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

RE: 2nd Review of Short Form Final Plat - **15123 Bois D'arc Road Subdivision**

Dear Pauline Gray, P.E.:

The following is a response to your Short Form Final Plat comments for the 15123 Bois D'arc Road Subdivision letter dated Feb. 24, 2017, responses are in red.

- A signature block for the Commissioners Court is not shown on the plat as required in Section 24(c) (1)(vi) of Subdivision Ordinance 263B. Since the property is within the City of Manor ETJ, County approval must also be obtained. See attached pdf showing the signature block.

RESPONSE: The signature block has been added to the plat.

- The engineer's certification has been provided as required by Section 24(c)(1)(vii) of Subdivision Ordinance 263B, but it is not the correct format. See the attached pdf for the correct certification note to use.

RESPONSE: The engineer's certification has been modified per PDF received.

- No tax certificate was provided as required in Section 24(d)(2)(v) of Subdivision Ordinance 263B. Certification from all applicable taxing authorities that all taxes due on the property have been paid must be provided.

RESPONSE: Tax certificate is attached.

- There are two different proposed subdivision names on the plat. The correct one should be shown.

RESPONSE: Marques Subdivision is the correct name for the subdivision. Plat has been revised and the correct name is depicted.

- The Planning and Zoning Chairperson should be listed as William Myers.

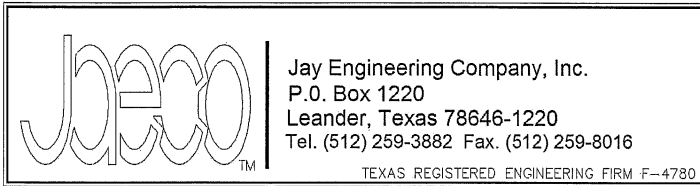
RESPONSE: Name has been updated.

Please do not hesitate to contact me if you have any questions or additional information regarding this project. I may be reach at (512) 913-5080 or jbarajas@landmarkces.com

Best regards,

A handwritten signature in black ink, appearing to be 'J. Barajas', written in a cursive style.

Javier Barajas, P.E.



Date: Wednesday, March 22, 2017

Javier Barajas
Landmark Engineering, Inc.
7813 Callbram Lane
Austin TX
jbarajas@landmarkces.com

Permit Number 2016- P1009
Job Address: , Manor 78653

Dear Javier Barajas,

We have conducted a review of the final plat for the above-referenced project, submitted by Javier Barajas and received by our office on March 01, 2017, for conformance with the City of Manor Subdivision Ordinance 263B. The Plans appear to be in general compliance with City Ordinance requirements and we therefore take no exception to their approval as presented.

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

Sincerely,

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



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 10, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion and possible action on a Conditional Use Permit for Lot 1 Shadowglen Commercial Lots Subdivision, locally known as 14001 Shadowglen Blvd to allow for a Game Room. Owner: HFS Brothers Investments LLC. Applicant: Tony Welch, Beer:30

BACKGROUND/SUMMARY:

This is a conditional use permit to allow for Game Machines to be located at the Shadowglen retail center, 14001 Shadowglen Blvd, across from the medical tower. The PUD zoning allows C-1 and C-2 uses. Game machines are a conditional use in C-1 areas.

PRESENTATION: YES NO

ATTACHMENTS: YES (IF YES, LIST IN ORDER TO BE PRESENTED) NO

Game Room Ordinance

STAFF RECOMMENDATION:

Development staff has no opposition to the request.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE

ORDINANCE NO. 439

**A ORDINANCE OF THE CITY OF MANOR, TEXAS, REGULATING
GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES;
ESTABLISHING A PENALTY; ESTABLISHING A LICENSING FEE;
AND PROVIDING FOR RELATED MATTERS**

WHEREAS, the City of Manor, Texas, a home rule municipality, desires to regulate gaming machines to ensure that machines that are located within the City are not illegal gambling machines;

WHEREAS, the City Council finds that the regulations set forth herein promote the public health, morals, safety, and welfare; and

WHEREAS, the City may enact fees to defray the expenses of administering this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS

Section 1. Adoption of Findings of Fact. The findings and recitations set out in this ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Game Room and Amusement Redemption Machine Regulations Adopted. The game room and amusement machine regulations set forth in Exhibit A are hereby adopted.

Section 3. Application and License Fee. The City's fee schedule shall be amended to add the following fees:

(A) Game Room and Amusement Redemption Machine Fees

Section 4. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 5. Effective Date. This Ordinance will become effective upon its adoption, passage by the City Council in accordance with the procedures on the date of passage as required and publication as required by law.

Section 6. Public Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Government Code.*

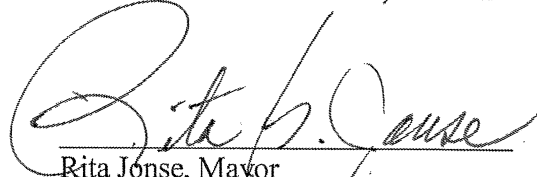
PASSED AND APPROVED on this the 1ST day of June, 2016.

ATTEST:

THE CITY OF MANOR, TEXAS



Frances Aguilar, City Secretary



Rita Jonse, Mayor

REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES

A. DEFINITIONS.

In this Ordinance:

(1) AMUSEMENT REDEMPTION MACHINE means any electronic, electromechanical, or mechanical contrivance designed, made, and adopted for bona fide amusement purposes that rewards the player exclusively with noncash merchandise, prizes, toys, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than ten times the amount charged to play the game or device once, or \$5.00, whichever amount is less.

(2) GAME ROOM means a building, facility, or other place that is open to the public and whose primary purpose is entertainment and contains 1 or more operational amusement redemption machines.

(3) GAME ROOM OWNER means a person who has an ownership interest in a game room.

(4) OPERATIONAL MACHINE means a machine that is ready to be played and accessible to the public.

(5) POLICE OFFICER means a Manor Police Department police officer.

B. LICENSE REQUIREMENTS

(1) License Required.

(a) It shall be unlawful for an owner or operator of a game room to operate, use, or maintain a game room without first obtaining city game room license.

(b) An application for an existing game room location that is submitted by an individual who is different from the individual named as the owner or operator on the current application or a re-application for an existing game room location after denial or revocation shall be considered a new application and not a renewal.

(2) Game Room License.

(a) A game room owner shall obtain a license from the city for each game room located in the city.

(b) The game room owner shall submit a completed application in the form provided by the City. Any failure to provide the information required by this section or a determination that inaccurate, erroneous or incomplete information has been submitted shall be grounds for denial of the application.

1. The proposed game room must comply with this Ordinance at the time of the submission of the application for a license.

2. Each application shall also be accompanied by (i) a copy of a certificate of occupancy issued by the building official as appropriate for the proposed game room; (ii) a statement as to whether or not the applicant has been convicted of any crimes or violations listed in Section B(2)(c) of this Ordinance; the nature of the offense; the punishment or penalty assessed therefore if previously convicted; and the place of conviction; and (iii) in the case of a game room to be operated under an assumed name, a true and correct copy of the registration of the assumed name filed in the office of the Travis County Clerk, bearing the file mark or stamp that evidences its filing in that office; and (iv) non-refundable fee(s) for the license as stated in the city fee schedule. Any failure to provide the documents required by this item shall be grounds for denial by the director.

(c) Each application received under this section may be investigated to determine whether the applicant has been convicted of one of the following applicable offenses:

1. Gambling, gambling promotion, keeping a gambling place, communicating gambling information, possession of gambling devices or equipment, or possession of gambling paraphernalia as described in Chapter 47 of the Texas Penal Code;

2. Forgery, credit card abuse or commercial bribery as described in Chapter 32 of the Texas Penal Code;

3. A criminal offense as described in Chapter 34 of the Texas Penal Code;

4. Criminal attempt, conspiracy or solicitation to commit any of the foregoing offenses; or any other offense to the laws of another state or of the United States that, if committed in this state, would have been punishable as one or more of the aforementioned offenses; or

5. A criminal offense as described in Chapter 352, Subchapter B of the Texas Local Government Code; and

(i) Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date if the conviction is of a misdemeanor offense; or

(ii) Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense.

(d) A license issued under this section shall be subject to revocation by the City if any person gives false or misleading information in connection with his or her application for a permit or license required pursuant to this Ordinance.

(e) Any failure of a proposed game room to meet all requirements of this Ordinance shall be grounds for denial, revocation, or suspension of a game room license.

(f) Each city game room license is valid for one year and shall expire on the anniversary date of the issuance of the license. A license may be renewed for the following calendar year beginning 60 days before the expiration of the current license by filing a completed application for each license and paying the applicable fee set forth in the city fee schedule. A renewal application shall be subject to the same requirements in this section as for an initial city game room license application.

(3) Hearings.

(a) Any applicant desiring to contest the denial, revocation, or suspension of a game room license may request a hearing before the City Manager in accordance with the following procedures:

1. A request for hearing must be in writing and delivered to the City Secretary within ten days of the denial. The applicant waives the right to hearing if the request is not timely received by the City Secretary.

2. The only issue before the City Manager shall be whether or not the proposed game room complies with the requirements of this Ordinance.

3. If the City Manager determines that a proposed game room does not comply with the requirements of this Ordinance, then application for a game room license shall be denied. The applicant may re-apply for a game room license if changes are made to bring the proposed game room into compliance with this Ordinance.

4. The decision of the City Manager shall be final.

(4) License displayed. The game room owner shall display within plain sight of an accessible public area of each game room a current permit or license for that game room.

(5) Effect. Each licensee under this Ordinance must meet and comply with all requirements of law applicable to the premises or any activity conducted thereon and the issuance of a license under this article shall not excuse the licensee, his agents or employees or any patrons of such premises therefrom.

C. UNRESTRICTED ACCESS BY POLICE OFFICER.

(1) An owner, manager, or employee of a game room, or other person exercising control over a game room, a portion of a game room, or an operational amusement redemption machine, shall provide a police officer with immediate unrestricted access during business hours to all areas of the game room and to all operational amusement redemption machines located in the game room.

D. INSPECTION BY POLICE OFFICER.

(1) A police officer may inspect a game room or an operational amusement redemption machine located within the City of Manor, Texas' incorporated city limits to determine whether the game room or operational amusement redemption machine complies with this Ordinance and state law.

(2) An owner, manager, or employee of a game room or other person who does not allow a police officer to inspect a game room or operational amusement redemption machine commits an offense.

E. GAME ROOM SIGN REQUIRED.

A game room owner shall mark each entrance to a game room with a sign that:

(1) Bears the words "GAME ROOM" in one and one-half inch or larger block letters; and

(2) Is legible from a distance of 25 feet.

F. TRANSPARENT, UNCOVERED WINDOWS REQUIRED.

(1) Every game room shall have transparent unobstructed windows or open space on at least one (1) side so that the area is open to view by the general public passing by on a public street or using a corridor, lobby or other room to which the public has access and is admitted without charge.

(2) The owner, manager or employee of a game room shall not permit any obstruction of such public view by the use of drawn shades, blinds, partitions, tinting or other structures or obstructions..

G. HOURS OF OPERATION, INGRESS AND EGRESS

(1) All game rooms shall have their hours of operation clearly marked on every entrance.

(2) All game room shall have all doors providing ingress and egress from the game room unlocked during the hours of operation.

(3) It shall be unlawful for any person to keep, conduct or operate any game room for profit or to allow or permit any game room to remain open for business or open to the public before the hour of 5:00 a.m. or after the hour of 12:00 a.m. within 300 feet of any property zoned for residential use when the game room use is first established except game rooms located on the Highway 290 corridor.

H. LOCATION RESTRICTION.

(1) No coin-operated machines may be located for operation within three hundred (300) feet of a church, school or hospital.

(2) Game rooms shall only be permitted in C-1 Light Commercial, C-2 Medium Commercial, and C-3 Heavy Commercial zoned districts

I. ILLEGAL MACHINES

(1) This article shall not be construed to authorize or permit the keeping, exhibition, operation, display, or maintenance of any machine that is prohibited by the constitution of this state or Chapter 47 of the Texas Penal Code.

J. OFFENSE; PENALTY.

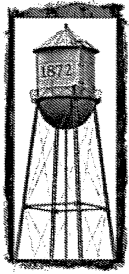
(1) A person who fails to comply with the requirements of this Ordinance commits a Class C misdemeanor punishable by a fine not to exceed \$500.

(2) Proof of a culpable mental state is not required for a conviction of an offense under this chapter.

(3) Each day that a violation occurs is a separate offense.

K. EXEMPTIONS

(1) This Ordinance shall not be construed to embrace bona fide fraternal organizations and lodges, social clubs or social gatherings in private residences for the sole purpose of sociability and amusement.



CITY OF
MANOR
EST.  1872
TEXAS

AGENDA ITEM NO. 7

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 10, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a request to remove a significant tree being a 25-caliper inch willow tree #9745 shown on the Manor Commons SE Preliminary Plan.

BACKGROUND/SUMMARY:

As part of the floodplain reclamation and development of the properties the culverts under 290 are being extended and a 25" tree is proposed to be removed. Per our Landscaping ordinance, trees greater than 18" require Commission approval

PRESENTATION: YES NO

ATTACHMENTS: YES (IF YES, LIST IN ORDER TO BE PRESENTED) NO

Summary letter
Tree survey - total area
Tree survey - detail
Landscape ordinance

STAFF RECOMMENDATION:

It is City staff's recommendation, that this item be approved.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE



ALM Engineering, Inc. F-3565

February 28, 2017

Tom Bolt
Development Services
City of Manor
P.O. Box 387
Manor, TX 78653

Cc: Frank Phelan, P.E.
Jay Engineering Company, Inc.
1500 C.R. 269
Leander, TX 78641
(512) 259-3882 ex. 308

Re: Engineers Summary
Manor Commons SE Commercial
Preliminary Plan

The Preliminary Plan for Manor Commons SE Commercial Subdivision includes 73.248 acres of land consisting of 22 lots broken into two blocks. There are 20 commercial lots and two parkland lots along with approximately 1,650 lf of Ring Road.

A CLOMR has been approved for this site to modify the flood plain in such a manner that the FEMA Zone "AE" will be contained within the park area upon completion of all phases. A majority of these modification will be made with Phase 1 construction for the site. The results of the Drainage Study provided with this application indicate that detention will not be necessary with the proposed site development.

Water will be provided by the City of Manor with the extension of a 12" water main under FM 973 at the intersection of Ring Road and a connection to the existing 12" water main running along US Hwy 290.

Wastewater will be provided by the City of Manor with lots 5-11, block "A" being served by the 15" wastewater line running along US Hwy 290 and the remaining lots being served by an 8" gravity main that will be extend through the site from the existing Manor Lift Station located on Old Hwy 20.

Some of the trees located on the site will be damaged or removed due to road installation, utility construction and grading. We are asking for Commission approval to remove one tree over 18 inches. Tree #9745 is a 25 inch willow tree that will have to be removed to allow for the extension of the four 7'x8' box culverts running under US Hwy. 290. Due to the location on the main channel there is not a way to preserve this tree. We are allocating the tree replacement for the project based on the acreage of each lot. Using a rate of 13.86 caliper inches/acre, for the trees being removed, each lot will be responsible for including the tree replacement in their site development plans

If you have any questions please contact me at (512) 431-9600.

Sincerely,


Matt Mitchell, P.E.



 2-28-2017



TREE LIST

NO.	DESCRIPTION	NO.	DESCRIPTION
800	10" Oak	800	10" Oak
801	10" Oak	801	10" Oak
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900	10" Oak	900	10" Oak

SEE PAGE 5 FOR TREE REPLACEMENT CALCULATIONS

LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- 100 YR FLOOD PLAN
- PROPERTY LINE
- ADJOINER
- EXISTING WATER MAIN
- EXISTING WASTEWATER MAIN
- PROPOSED 6" O.M. WATER LINE
- PROPOSED 6" O.M. WW LINE
- TREES PRESERVED
- GUARD RAIL
- GAS
- EK GAS MAIN

MANOR SE COMMERCIAL
 PRELIMINARY PLAN
 NOT FOR RECORDATION

MANOR, TEXAS
 ALM ENGINEERING, INC., 2008
 1705 S. Austin Road, Suite 205, Austin, Texas, 78746

Scale: 1"=100'
 0 100 200
 ALM



EXTEND 4 - 7'X8' BOX CULV

temporary benchmark square on headwall 512.78 ft.

N 87° 06' 05" E 447.27'

Flowline: 503.5 ft.

TOP 505.62
STA 51+50

104.20' EX. P.U.E.

N 87° 05' 39" E
164.41'

N 23° 54' 02" E
293.66'

TOP 499.70
STA 50+00

STA 45+60
12" FL (IN) 499.02
15" FL (OUT) 498.77

N 87° 05' 31"
178.29'

STA 47+14
12" FL (IN) 502.39
12" FL (OUT) 502.29

N 14° 44' 48" E 293.66'

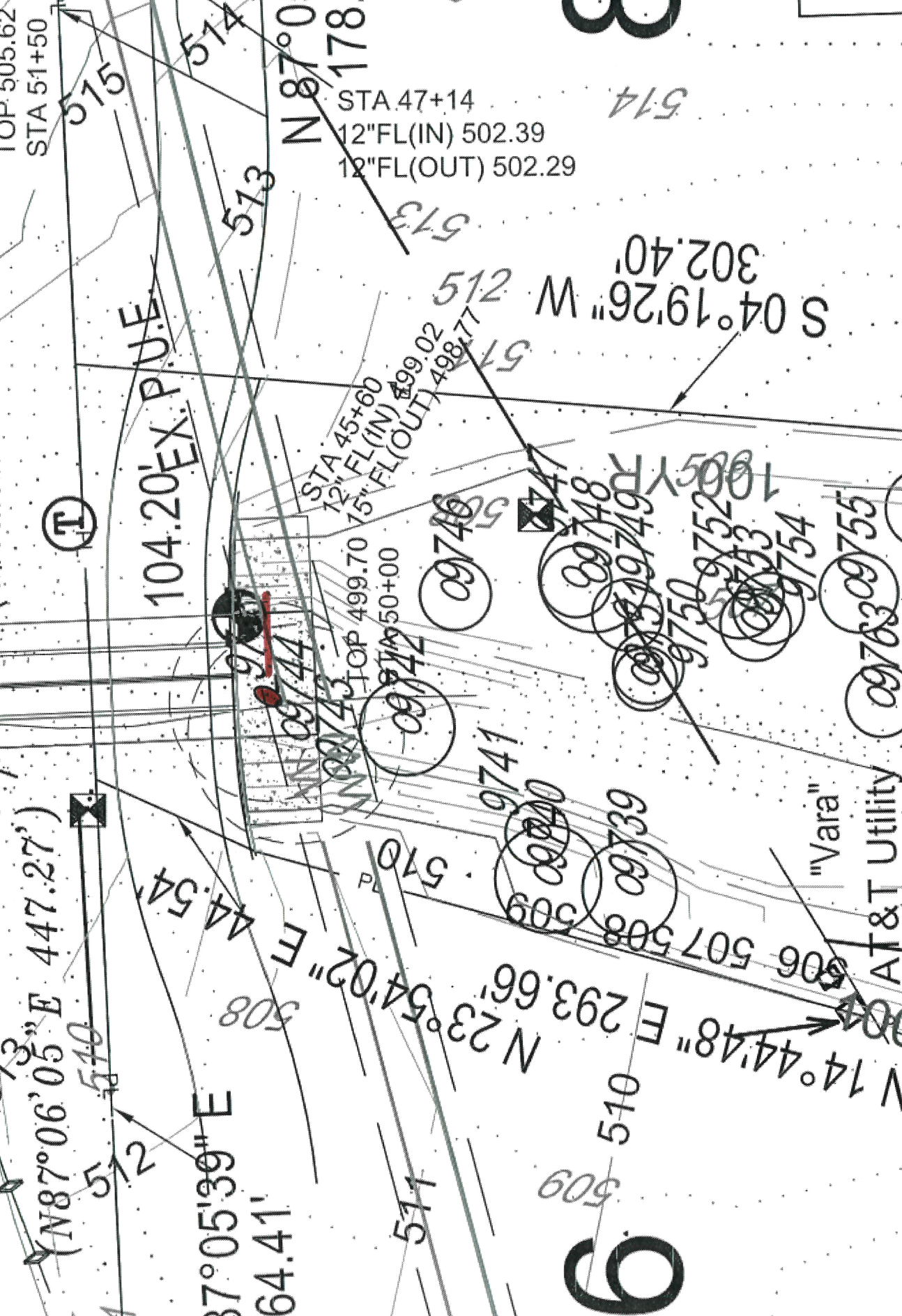
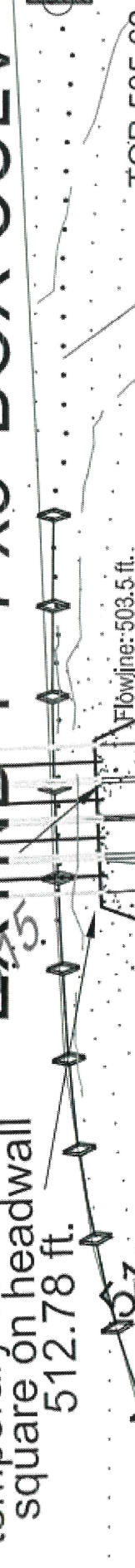
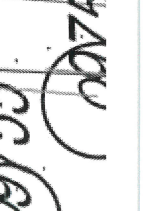
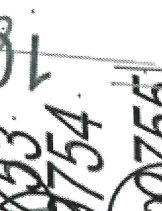
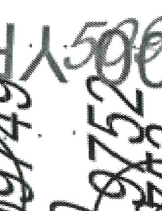
S 04° 19' 26" W 302.40'

"Vara"
A & T Utility
Cabinets

6

8

bu



ARTICLE 3.09 LANDSCAPING AND SCREENING*

Sec. 3.09.001 Findings

(a) The city council finds that the establishment of landscaping and screening requirements and regulations within the city will promote the general health, safety, and welfare of the city.

(b) The city council finds that the general health, safety, and welfare of the city will be protected and promoted by the adoption and enforcement of minimum landscaping and screening regulations to enhance and protect the environmental, ecological, and aesthetic appeal of the city.

(Ordinance 365, sec. 1, adopted 6/17/09)

Sec. 3.09.002 Landscaping and screening requirements

(a) Purpose.

(1) For the purpose of providing for the orderly, safe, attractive and healthful development of land located within the community and promoting the health, safety and general welfare of the community, it is deemed necessary to establish requirements for the installation and maintenance of landscaping elements and other means of site improvements in developed properties.

(2) The regulations contained herein are necessary to enhance the community's ecological, environmental and aesthetic qualities.

(3) Paved surfaces, automobiles, buildings and other improvements produce increases in air temperatures, a problem especially noticeable in this southern region, whereas plants have the opposite effect through transpiration and the creation of shade. Likewise, impervious surfaces created by development generate greater water runoff causing problems from contamination, erosion and flooding. Preserving and improving the natural environment and maintaining a working ecological balance are of increasing concern. The fact that the use of landscape elements can contribute to the processes of air purification, oxygen regeneration, water absorption, water purification, and noise, glare and heat abatement as well as the preservation of the community's aesthetic qualities indicates that the use of landscape elements is of benefit to the health, welfare and general well-being of the community and, therefore, it is proper that the use of such elements be required.

(4) The city experiences frequent droughts and periodic shortages of adequate water supply; therefore, it is the purpose of this section to encourage the use of drought-resistant vegetation that does not consume large quantities of water.

(Ordinance 365, sec. 2, adopted 6/17/09)

(b) General requirements.

(1) Installation and plan. All landscape materials shall be installed according to American Association of Nurserymen (AAN) standards. An approved landscape plan shall be required for all new development in any zoning district, save and except A, OS, R-1, and R-2 districts. (Ordinance 365-A, sec. 2, adopted 6/1/16)

(2) Maintenance. The owner of the landscaped property shall be responsible for the maintenance of all landscape areas. Said areas shall be maintained so as to present a healthy, neat and orderly appearance at all times and 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 this Section.

(3) Planting criteria.

(A) Trees. Trees shall be a minimum of two (2) inches in caliper measured three (3) feet above finished grade immediately after planting. A list of preferred landscape trees is included as

exhibit A at the end of this article. If the developer chooses to substitute trees not included on the recommended list, those trees shall have an average mature crown greater than fifteen (15) feet in diameter to meet the requirements of this section. Trees having an average mature crown less than fifteen (15) feet in diameter may be substituted by grouping trees so as to create at maturity the equivalent of a fifteen (15) foot diameter crown if the drip line area is maintained. A minimum area three (3) feet in radius is required around the trunks of all existing and proposed trees.

(B) Shrubs, vines and ground cover. Shrubs, vines and ground cover planted pursuant to this section shall be good, healthy nursery stock. Shrubs must be, at a minimum, a one (1) gallon container size.

(C) Lawn grass. It is recommended that grass areas be planted with drought-resistant species normally grown as permanent lawns, such as Bermuda, Zoysia, or Buffalo. Grass area may be sodded, plugged, sprigged or seeded except that solid sod shall be used in areas subject to erosion.

(D) Synthetic lawns or plants. Synthetic or artificial lawns or plants shall not be used in lieu of plant requirements in this section.

(E) Architectural planters. The use of architectural planters may be permitted in fulfillment of landscape requirements.

(F) Other materials. Any approved decorative aggregate or pervious brick pavers shall qualify for landscaping credit if contained in planting areas, but no credit shall be given for concrete or other impervious surfaces.

(Ordinance 365, sec. 2, adopted 6/17/09)

(c) Landscape requirements.

(1) Minimum area. A minimum percentage of the total lot area of property on which development occurs after the effective date of this subsection shall be devoted to landscape development in accordance with the following schedule:

<u>Zoning or Use</u>	<u>Percentage</u>
(A) Multifamily structures	20%
(B) Open space	20%
(C) Office and professional uses	15%
(D) Commercial or retail uses	15%
(E) Industrial or manufacturing uses	10%
(F) Institutional uses	10%
(G) Agricultural	None
(H) Single-family residential	See subsection (c)(2) of this section

(Ordinance 365-A, sec. 3, adopted 6/1/16)

(2) Residential structures. Minimum landscape requirements for detached single-family residential structures shall be a minimum of two (2) two-inch trees, six (6) two-gallon shrubs and lawn grass from the front property line to the front two (2) corners of the structure. Residential structures on reverse frontage lots shall also be required to screen the rear of the structure from the abutting highway, access road, or other public rights-of-way.

(3) Exceptions. Exceptions to these provisions may be granted to require a lesser amount of landscaping, by the commission, if the aesthetic, buffering and environmental intent of this article is met, and the reduction of the landscape area results in the preservation of natural features having comparable value to the reduced landscape requirements.

(Ordinance 365, sec. 2, adopted 6/17/09)

(4) Placement. Landscaping shall be placed upon that portion of a tract that is being developed. Fifty percent (50%) of the required landscaping area and required plantings shall be installed between the front property lines and the building being constructed. Undeveloped portions of a tract or lot shall not be considered landscaped, except as specifically approved by the commission. Landscaping placed within public rights-of-way shall not be credited to the minimum landscape requirements by this section. Auto sales facilities, golf courses, and similar facilities may place up to ninety percent (90%) of required landscaping along the side or back property lines of the tract with approval of the commission. (Ordinance 365-A, sec. 4, adopted 6/1/16)

(5) Credit for significant trees. In order to reward the preservation of significant trees, no more than fifty percent (50%) of the critical root zone shall be disturbed and/or distressed with impervious cover, and the remaining critical root zone shall consist of at least one hundred (100) square feet. (Ordinance 365, sec. 2, adopted 6/17/09)

(6) Required plantings.

(A) Institutional (I) zoned districts: For every six hundred (600) square feet of landscape area, two (2) trees and four (4) shrubs shall be planted for the first twenty thousand (20,000) square feet of landscape area. For every six hundred (600) square feet of landscaped area in excess of twenty thousand (20,000) square feet shall plant one-eighth (1/8) tree and three (3) shrubs.

(B) All other zoning districts save and except Agricultural (A) and Single-Family (R-1), (R-2): For every six hundred (600) square feet of landscaped area, two (2) trees and four (4) shrubs shall be planted.

(C) To reduce the thermal impact of unshaded parking lots, additional trees shall be planted, if necessary, so that no parking space is more than fifty (50) feet away from the trunk of a tree, unless otherwise approved by the commission.

(Ordinance 365-A, sec. 5, adopted 6/1/16)

(7) Replacement of required trees. In cases of death or removal of a tree planted pursuant to the terms of this section, a replacement tree of equal size and type shall be required to be planted. A smaller tree that will have a mature crown similar to the tree removed may be substituted if the planting area or pervious cover provided for the larger tree in this section is retained. (Ordinance 365, sec. 2, adopted 6/17/09)

(8) Replacement tree ratio.

(A) 1:2 for significant trees eighteen (18) caliper inches and larger;

(B) 1:1 for significant trees between eight (8) and eighteen (18) caliper inches; and

(C) Replacement trees shall not be required for the removal of trees smaller than eight (8) caliper inches. The removal of significant trees eighteen (18) caliper inches or larger requires commission approval.

(D) A fee-in-lieu, determined at the time of request, for this subsection may be granted by the city council.

(Ordinance 365-A, sec. 6, adopted 6/1/16)

(d) Screening requirements.

(1) Generally. In addition to the landscaping requirements of this section, the screening of off-street parking, loading spaces and docks, refuse, dumpster and outside storage areas, satellite dishes larger than 18 inches in diameter, antennas, mechanical equipment, and the rear of structures on reverse frontage lots must be screened from view from the street or public rights-of-way. This subsection does not apply to areas of auto sales facilities where automobiles are displayed for sale. Automobiles displayed for sale in an auto sales facility must be kept clean and neatly parked on a paved area, with all wheels on the paved area. (Ordinance 365-A, sec. 7, adopted 6/1/16)

(2) Approved screening techniques. Approved screening techniques include privacy fences, evergreen vegetative screens, landscape berms, existing vegetation or any combination thereof.

(3) Privacy fences.

(A) All fences along a common property boundary shall be less than or equal to six (6) feet in height.

(B) Fences less than or equal to eight (8) feet in height shall be allowed for impeding access to hazardous facilities, including, but not limited to, electrical substations, swimming pools and chemical or equipment storage yards; where the slope of a line drawn perpendicular to the fence line averages twenty percent (20%) or more on either side of the fence over a distance no less than fifteen (15) feet; or where the fence forms a continuous perimeter around a subdivision and the design of said perimeter fence is approved by the commission.

(C) Fences less than or equal to three (3) feet in height shall be allowed in front yards for lots one (1) acre in size, or less, or as otherwise approved by the commission.

(D) No fence or other structure more than thirty percent (30%) solid or more than three (3) feet high shall be located within twenty-five (25) feet of the intersection of any rights-of-way.

(E) All fences shall be constructed to maintain structural integrity against natural forces such as wind, rain and temperature variations.

(F) The finished side of all fences built to comply with these regulations shall face away from the screened object.

(4) Evergreen vegetative screens. Evergreen plant materials shall be shrubs, at least thirty (30) inches in height and at a minimum spacing of 48 inches at the time of installation, in combination with landscape trees fulfilling the requirements of this article.

(5) Landscape berms. Landscape berms, in combination with trees, shall fulfill the screening requirements of this section if the berms are at least three (3) feet in height and have maximum side slopes of four (4) feet of horizontal run for every one (1) foot in vertical rise.

(6) Existing vegetation. Existing vegetation, demonstrating significant visual screening capabilities and as approved by the commission, shall fulfill the requirements of this section.

(Ordinance 365, sec. 2, adopted 6/17/09)