

**PLANNING AND ZONING COMMISSION
DECEMBER 13, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Steven Alaniz
Kevin Sanchez
Ruben Arcaute
Connie Garza

P&Z ABSENT

J.D. Villarreal
Raquenel Austin
Diana Izaguirre
Jasen Hardison

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Victor Flores
Irasema Dimas

GUEST PRESENT

Kabubi Tacos
Panaderia Donato
Israel Gaona
Gilberto Maldonado
Javier Covarrubias
Jose Rios
Mike Rhodes
Antonio Izaguirre
Hector Gutierrez
Mario Reyna

CALL TO ORDER

Vice Chairman Mr. Sanchez called the meeting to order at 5:37 p.m.

CITIZENS PARTICIPATION

Vice Chairman Mr. Sanchez asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR NOVEMBER 20, 2023

Vice Chairman Mr. Sanchez asked if there were any corrections to the minutes for November 20, 2023. Mr. Sanchez moved to approve the minutes. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:39 p.m.

Ended: 5:41 p.m.

Item #1.1

Rezoning:

**A tract of land containing 6.33 acres,
being a part or portion of Porcion 52
PUD to R-3
Amigos Del Valle, Inc.**

Ms. De Luna went over the write-up stating the subject site is located ½ mile south of Mile One South and Inspiration Road along the west side of Inspiration Road – see vicinity map.

SURROUNDING ZONES:

N:	R-2	– Duplex-Fourplex Residential
E:	PUD	– Planned Unit Development
W:	PUD	– Planned Unit Development
S:	PUD	– Planned Unit Development

EXISTING LAND USES:

N:	Single Family Residential
E:	Single Family Residential
W:	Single Family Residential
S:	Vacant
Site:	Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map, and current surrounding land uses. However, staff notes that FLUM can be amended. The Board recently approved a duplex-fourplex residential subdivision on the north side of the proposed site. The developer has advised staff that if the rezoning request is approved they would like to construct an assisting living for senior citizens. Staff does not foresee any detriment to the surrounding areas with the applicant's proposal.

RECOMMENDATION: Staff is recommending Approval.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to approve the rezoning as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:41 p.m.

Ended: 5:44 p.m.

Item #1.2

**Conditional Use Permit: Build a Pool House
2505 San Lorenzo
Lot 17, Sharyland Plantation Village
San Miguel Ph. 8
PUD
Arnulfo R. Achirica**

Ms. De Luna went over the write-up stating the subject site is located approximately 460' off of the Santa Monica & San Lorenzo intersection along the north side of San Lorenzo –see vicinity map. The request before the Board is to consider permitting the construction of a pool house. The irregular lot is located at the cul-de-sac of San Lorenzo and measures 35,135 square feet. The proposed pool house will have 2,557 square feet and will consist of the following: pool room, 1.5 bathrooms, gym, 2-car garage, storage, kitchen, grill area, bar, hall, pergola, and a terrace. Pool houses are allowed in a Large Lot Single Family Zone as long as they apply for a conditional use permit and comply with the following conditions:

- Lot be a minimal of 12,000 sq. ft.
- Cannot be made available or used for lease, rent, hire, and the owner of such use may not receive remuneration for the use of one of the above
- Proposal must be clearly secondary to the primary residence
- Shall not have access to a public street (No shared/extended driveway)
- Shall not have separate kitchen area or utilities

REVIEW COMMENTS:

The lot complies with the square footage requirements and all building setbacks will be met. The driveway is more than sufficient to accommodate any guest's vehicle. The pool home must be connected to the same water and electrical meters, i.e. no separate utilities. Staff notes that if the request is approved the site plan would have to be amended deleting the kitchen, since no separate kitchens are allowed. The property owner and contractor has been made aware and are willing to comply.

RECOMMENDATION: Staff recommends approval subject to:

- 1) no separate utility and electrical connections,
- 2) transferability to other future owners imposing the same conditions imposed to this applicant,
- 3) not to be used for rental purposes, and
- 4) removal of the kitchen.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to the approve the conditional use permit as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:45 p.m.

Item #1.3

Conditional Use Permit:

**Mobile Food Truck – Kabubi Arabian Tacos & Gyros
2509 Colorado Street, Ste. 202
Lot 1, Block 2, Santa Lucia Development
C-3
Michel J. Abou Yakzan**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street. The applicant is leasing a space on the Mobile Food Park and would like to place his mobile food truck to offer Arabian Tacos y Gyros. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Monday – Sunday from 10:00 am to 12:00 am
- **Employees:** 2
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.

- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 19 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.) and
- 3) Must acquire a business license prior to occupancy.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Alaniz moved to the approve the conditional use permit as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:45 p.m.

Ended: 5:47 p.m.

Item #1.4

Conditional Use Permit:

**Xulcan Event Center
2813 E. Griffin Parkway, Suite C
Lot 1, Adams Crossing
C-3
Xulcan Event Center
c/o Antonio Izaguirre**

Ms. De Luna went over the write-up stating the subject site is located at the NE corner of Griffin Parkway & Taylor Road. The applicant is leasing a 1,200 square feet suite within a multi-unit commercial plaza for his proposed event center. The applicant proposes to have small scale events such as birthday parties, gender reveals, reunions, seminars, etc. Access to the site will be provided via a driveway off of Griffin Parkway and Taylor Road.

- **Hours of Operation:** The hours of operation vary depending on the type of event; however, most of the events are during the evenings and on weekends and typically take place during the hours of 6:00 pm till 2:00 am
- **Staff:** 1 employee
- **Parking & Landscaping:** In reviewing the floor plan, the 1,200 sq. ft. building will have 8 tables with 8 chairs for a total of 64 seats. A total of 21 parking spaces will be required for this site. Staff notes that there is a total of 63 parking spaces that area held in common within the commercial plaza. Landscaping is meeting code.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 18 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with the Building, Fire and Sign Codes.
- 2) Must comply with noise ordinance, and
- 3) Acquisition of a business license.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to approve the conditional use permit as per staff's recommendation. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:47 p.m.

Ended: 5:50 p.m.

Item #1.5

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Tommasino Pizza, Pasta & Vino
2100 E. Griffin Parkway
Lots 1 & 2, Block 2, Springfield Ph. I Commercial
C-3
Tommasino Ristorante, LLC
c/o Javier D. Covarrubias**

Ms. De Luna went over the write-up stating the subject site is located on the southeast corner of Creek Run and Griffin Parkway (FM 495) along the south side of Griffin Parkway. The applicant is leasing a suite within a multi-tenant commercial plaza for his proposed Italian Restaurant. He would like to offer alcoholic beverages with his meals. Access to the site is off of Griffin Parkway and Lawndale Road.

- **Days & Hours of Operation:** Monday – Sunday from 8 am to 2 am
- **Staff:** 10 employees
- **Parking 0& Landscaping:** In reviewing the floor plan, there is a total of 116 seating spaces, which require 39 parking spaces. It is noted that the parking is held in common and there are 72 parking spaces that are shared with other businesses. Landscaping is meeting code.
- **Sale of Alcohol:** Such uses require that no alcoholic beverages be sold within 300' of church, public or private school, private hospital, or residential uses; there is a residential subdivision within 300' radius; thus, a waiver of the separation requirement needs consideration. P&Z and City Council have waived this requirement for other similar businesses.

REVIEW COMMENTS: Staff mailed out 50 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2 year re-evaluation at which time the applicant will have to renew his CUP & TABC License,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.),
- 3) Wet zone property, and
- 4) Acquire a business license prior to occupancy.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Alaniz moved to close the public hearing. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to the approve the conditional use permit as per staff's recommendation. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:50 p.m.

Ended: 5:52 p.m.

Item #1.6

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Las Calles De Mexico Taqueria
308 N. Shary Road, Ste. A
Lot 1, Sundance Crossing
C-3
Las Calles De Mexico, LLC**

Ms. De Luna went over the write-up stating the subject site is located approximately 214' south of E. 4th Street along the east side of Shary Road – see vicinity map. The applicant has been running a taqueria at the above location since June 2020 and would like to offer alcoholic beverages with his meals. Access to the site is off of two 25' driveways off of Shary Road along the north and south side of the property.

- **Days & Hours of Operation:** Sunday – Thursday from 11am to 10pm and Friday and Saturday from 11am to 11pm
- **Staff:** 6 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 78 seating spaces, which require 26 parking spaces. It is noted that the parking is held in common and there are 47 parking spaces that are shared with other businesses. Landscaping is meeting code.
- **Sale of Alcohol:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of church, public or private school, private hospital, or residential uses; there is none.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 20 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Since the restaurant is not open after 12 a.m., and the sale of alcohol is not the primary item for purchase, staff does not object to the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2 year re-evaluation at which time the applicant will have to renew his CUP & TABC License,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.), and
- 3) Wet zone property

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to the approve the conditional use permit as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:52 p.m.

Ended: 5:55 p.m.

Item #1.7

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic Beverages
- Whistling Duck
1603 E. Griffin Parkway
Lots 10 & 11, Block 3
Shary Gardens Subdivision
C-3
Whistling Duck, Inc.**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). The applicant has been in operation at this location since September 2017 and is requesting renewal of his Conditional Use Permit for the sale and on-site consumption of alcohol. They are a family restaurant offering weekend brunch and dinner options. They have a full bar and offer a variety of domestic and craft beer. This CUP was last approved by P&Z on August 23, 2021 for a period of 2 years. Staff notes that this would be the applicant's 4th renewal.

- **Hours of Operation:** Monday - Wednesday from 7:00 a.m. to 10:00 p.m., Thursday from 7:00 a.m. to 12:00 a.m., Friday & Saturday 7:00 a.m. to 1:00 a.m., and Sunday from 10:00 a.m. to 10:00 p.m.
- **Staff:** 10 employees during different shifts.
- **Parking:** There is a total of 119 parking spaces which are held in common for this commercial plaza.

- **Sec. 6-4:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of a church, public or private school, or public hospital. There are none of these land uses within the above radius (measured *door to door* for church or hospital; measured *lot line to lot line* for schools.)
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are some residences within this radius); thus, a waiver of the separation requirement needs consideration.

REVIEW COMMENTS: Staff mailed out 22 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Staff has asked Mission PD to provide a report in relation to the sale of alcohol and there have been no reports since its last approval. Since there have been no incidents, staff does not object to approving the request for a longer period of time.

RECOMMENDATION: Staff recommends approval for life of use subject to:

1. No objection to a waiver of 300' separation requirement from residential,
2. Must continue to comply with all Building, Fire, and Health Codes, and
3. Not to be transferable to others.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Alaniz entertained a motion. Mrs. Garza moved to the approve the conditional use permit as per staff's recommendation. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:55 p.m.

Ended: 5:57 p.m.

Item #1.8

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic Beverages
- The Grove at Sharyland Bar & Grill
2402 Brock Street, Unit 2
Lots 21 & 22, Shary Business Center
(aka Shary Business Center Condos Unit 3)
C-3
Grove at Sharyland
c/o Mauricio Hernandez**

Ms. De Luna went over the write-up stating the subject site is located within a commercial plaza approximately 420' south of Griffin Parkway along the east side of Shary Road. The applicant operates a bar & grill which offers alcoholic beverages with their meals. The applicant has live entertainment or DJ on Friday thru Sunday from 9 p.m. to 12 a.m. The applicant would like to re-apply for the conditional use permit. The last CUP approved for this location was on October 11, 2021 for a period of 2 years.

- **Hours of Operation:** Monday – Sunday from 11:00 a.m. to 2:00 a.m. Alcoholic beverages will only be sold during allowable State selling hours.
- **Staff:** 10 employees
- **Parking:** In viewing the floor plan, there is a total of 110 seating spaces, which require 37 parking spaces (110 seats/ 1 space for every 3 seats = 36.6 parking spaces). It is noted that the parking area is held in common (153 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residence within the 300' radius, however P&Z and City Council have waived this requirement for a similar business in this plaza.

REVIEW COMMENTS: Staff mailed out 27 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Staff has asked Mission PD to provide a report in relation to the sale of alcohol and there have been no reports since its last approval.

RECOMMENDATION: Staff recommends approval subject to:

- 1) CUP to be valid for a period of 2 years at which time the applicant will need to renew his CUP and TABC license
- 2) Waiver of the 300' separation requirement from residential neighborhoods.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to approve the conditional use permit as per staff's recommendation. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:57 p.m.

Ended: 6:01 p.m.

Item #1.9

Conditional Use Permit

Renewal:

**Sale & On-Site Consumption of Alcoholic Beverages
& Drive-Thru Service Window – El Ronco Servi-Car
1728 W. Griffin Parkway
Lot B, Girasol Estates Subdivision
C-3
Ismael Reyes**

Ms. Dimas went over the write-up stating the subject site is located on the NW corner of Salinas Drive & W. Griffin Parkway—see vicinity map. The applicant constructed a 3,000 sq. ft. drive-thru business with a drive-thru service window. Access to the site is via a 37' driveway along W.

Griffin Parkway and a 24' driveway along Salinas Drive that will allow stacking for approximately 3 vehicles. The applicant has experienced that business is slow during the week so he takes orders and have them wait in the drive-thru window and during weekends push them to the parking stalls on the west side of the building. The applicant originally had 3 tables with 4 chairs each to allow his customers to be able to consume their snacks and drinks at the site, therefore the need for the conditional use permit for the sale and consumption of alcohol since then he has removed them but would still like to renew the conditional use permit just in case he gets a request from a customer to seat outside to enjoy his snacks. This CUP was previously approved on February 22, 2021 for a period of 2 years. Staff notes that this would be the 1st renewal.

- **Hours of Operation:** Sunday – Thursday from 12 pm to 10 pm and Friday & Saturday from 12 pm to 11 pm
- **Employees:** 5 employees
- **Parking & Landscaping:** 11 parking spaces are required for a building this size. The applicant is providing 11, thus meeting code. Landscaping is meeting code.
- **Sale of Alcohol:** Such uses need to be 300' from nearest residence, church, school, or publicly owned property. There are residential homes and a church within the 300' radius, therefore a waiver of the 300' separation would be needed.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 18 notices to property owners within a 200' radius of the site. As of the date of this write-up, the Planning Department has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

1. CUP to be valid from a period of 2 years at which time the applicant will need to renew their CUP and their TABC license,
2. Waiver of the 300' separation requirement from the residential homes, and
3. Must continue to comply with all Building, Fire, and Health Codes.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to the approve the conditional use permit as per staff's recommendation. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:01 p.m.

Ended: 6:02 p.m.

Item #2.0

Conditional Use Permit

Renewal:

**Drive-Thru Service Window -
Panaderia Donato
3003 N. Conway Avenue**

**Lot 1, Husain Subdivision
C-3
Jorge A. Melesio**

Ms. Dimas went over the write-up stating the subject site is located approximately ¼ of a mile south of W. Mile 2 Road along the west side of Conway Avenue. The applicant has a bakery and would like to continue utilizing the existing drive-thru service window. Access to the site is off of a 22' driveway cut along Conway on the south side of the property. Entrance to the 10' x 98' drive-thru lane is off of the west side of the property.

- **Hours of Operation:** Monday to Sunday from 7:00 a.m. to 9:00 p.m.
- **Staff:** 4 employees
- **Parking & Landscaping:** Based on the square footage of the building, a total of 22 parking spaces are required for the commercial plaza. The commercial plaza has a total of 32 parking spaces that are held in common and are shared with the other businesses. Staff notes that the applicant will need to install landscaping to meet code.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against this request

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 2 yr. re-evaluation in order to assess this business;
- 2.) Must comply with all City Codes (Building, Fire, etc.)
- 3.) CUP not to be transferable to others.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to the approve the conditional use permit as per staff's recommendation. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:03 p.m.

Ended: 6:02 p.m.

Item #2.1

Preliminary & Final

Replat Approval:

**KMDG Subdivision
Being a 1.364-acre tract, A Re-Plat
of Lots 3-9, of Morwil Heights Subdivision
C-3
Developer: Luis L. Khit
Engineer: SOTEX Engineering, LLC**

Mr. Ramirez went over the write-up stating the subject site is located approximately 430' south of E. 8th Street on the west side of Bryan Road. The developer is proposing to combine Lots 3-9 to make 1 commercial use lot. Currently, the property is vacant. – see plat for actual dimension, square footages, and land uses.

UTILITIES

When MorWil Heights Subdivision was developed, water and sewer services were made accessible to each lot. This replat will not affect any utility lines or the availability to connect to them upon issuance of permits.

STREETS & STORM DRAINAGE

The main access to this property will be from Bryan Rd. This is a simple re-plat; the detention will be based on a 50-year storm event with a 10-year release flow rate. the proposed runoff will be detained in a proposed detention pond situated in the eastern portion of this tract along Bryan Rd. and discharge into an existing TxDOT drainage inlet with an 8" bleeder line. Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

- Must comply with all other format findings
- Street lighting already exists

RECOMMENDATION

Staff recommends approval.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Alaniz moved to the approve the replat as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:04 p.m.

Ended: 6:14 p.m.

Item #3.0

Preliminary & Final

Approval:

Retama Phase VI Subdivision

Being 9.173 acres out of Lot 14,

Del Monte Irrigation Co. Subdivision

PUD (R-1)

Developer: Rhodes Development, Inc.

Engineer: Melden & Hunt, Inc.

Mr. Ramirez went over the write-up stating the subject site is located on the SE corner of Bentsen Palm Dr. and Military Parkway East. This tract is currently vacant with a proposed land use for

15 residential lots, 22 cottage lots, and 3 common areas— see plat for actual dimensions, square footages, and land uses.

VARIANCE 1

Request variance from Sec. 98-134 'Streets' of the Code of Ordinances Ch. 98 - Subdivisions to allow the design and proposed construction of a 30' ROW whereas the code requires streets within a subdivision to be at least 50'.

VARIANCE 2

Request variance from Sec. 98-134 'Streets' of the Code of Ordinances Ch. 98 - Subdivisions to allow a pavement width of 30' whereas the minimum pavement width of minor residential streets shall have 32' back-to-back

WATER

The developer is proposing to connect to an existing 8" water line located along the south R.O.W. of Hummingbird Lane and extend an 8" water line through the site providing water service to each lot. It will be looped to the south onto the existing 8" line which was stubbed by the Phase V development and to the existing 12" main line along the south ROW of Military Pkwy East. This system will be stubbed at Hummingbird Ln. and Mallard Dr. ends for future extensions. There are 3 proposed fire hydrants via direction of the Fire Marshal's office. – **see utility plan**

SEWER

The developer is proposing to connect to an existing sewer cleanout on the north side ROW of Hummingbird Ln., which was left for this purpose, and extend an 8" PVC line to collect from all lots abutting to this street which will end with a standard MH. Lots 346-372 will be serviced by an 8" sewer line located on the west side of the street to be connected to an existing 12" sewer main along the north side of Ballard Dr. which will collect from the remaining lots. All lots will be stubbed front-and-center with a 4" PVC line. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$7,400.00 (\$200 x 37 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 2 existing streets extended from phase V (Hummingbird L. and Ballard Dr.) to have dead-ends for future expansions with a main access to Military Pkwy East from Hummingbird Ln. between Lots 340 & 341. This access will have an 80' ROW with median islands. The design will also include an internal street with a proposed paved 30' ROW.

This property is located in a Zone "B" on FEMA's Flood Insurance Rate Map. This development is included in Drainage Basin 45 of the Bentsen Palms Master Drainage Study therefore in accordance with the Approved Master Drainage Plan. The plan will route storm water into a detention pond from Mission Main Canal which will outfall into the mission Pilot Channel of the H.C.D.D. No. 1 System. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

1. No Park Fees – Mike Rhodes dedication of park land still stratifies the park Dedication Ord.
2. Installation of Street Lighting as per City Standards
3. Compliance with the Private Street policies
4. Comply with all other format findings

RECOMMENDATION

Staff recommends denial to include all variances due to the lack of evidence for any hardships or willingness to fulfill required subdivision design criteria.

Vice Chairman Mr. Sanchez asked if the board had any questions.

Mr. Arcaute asked what were the reasons for the adjustments?

Mr. Mike Rhodes stated that he was the developer. He added that they were doing similar designs in other cities. He mentioned that these cottages face a park and a trail instead of a road. He added that the road behind was a rear entry house and it was curb, gutter and drainage and functions more like an alley. He stated that with a 30' right of way you still have 15' utility easement on each side.

Mr. Mario Reyna stated that he was the project engineer. He mentioned that they have a 30' right of way, a 15' utility, sidewalks, and electrical easements adjacent to it. He added that in a typical city street you have a 50' right of way you only have 9' from back and curb to maintain utilities, so in this case you actually have 15. He mentioned that it's giving the city bigger room to maintain the facilities.

Mr. Arcaute asked that why did staff recommend denial.

Ms. De Luna stated that staff recommend denial because it was not meeting subdivision code.

Mr. Reyna stated that the codes were not developed for innovative development like this one. He added that every city that they develop they ask for variances. He stated that this was a private development.

Vice Chairman Sanchez asked that if the street needed to be 50 feet.

Mr. Reyna stated that the right of way needed to be 50 feet. He added that a typical alley is 24' we are doing 30'. He mentioned that in that 50' you have 9' for utilities and we are giving you 15'. The more innovative way to look at it is to help us with the setbacks.

Mr. Arcaute stated that the concept looks great.

There being no further discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to approve the subdivision with the variances. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:14 p.m.

Ended: 6:15 p.m.

Item #3.1

Preliminary & Final

Approval:

Holland Terrace Subdivision

Being a Subdivision of a 4.50 acre tract of land

Out of Lot 25-5, West Addition to Sharyland

Subdivision

R-1T

Development: JJAB Family Limited Partnership

Engineer: Spoor Engineering Consultants, Inc.

Mr. Ramirez went over the write-up stating the subject site is located on the east side of Holland Ave. approximately 600' north of Griffin Pkwy. - **see vicinity map**. The developer is proposing (34) thirty-four single family residential lots and (1) one lot for detention. Presently, this site is occupied by an old single-family residence and the remaining land is a vacant field. - see plat for actual dimensions, square footages, and land uses.

WATER

Water will be supplied through an 8" PVC line running to and through the development which will be looped by boring and connecting to an existing 10" line on the west side of Holland Ave. and teeing to existing valves at W. Rose Marie Ave. and N. Thornton Ave. This will allow 1" water services to each lot. There are 2 proposed fire hydrants for this project via direction of the Fire Marshal's office. – see utility plan

SEWER

The sanitary sewer line will connect to an existing 8" line along and within the east R.O.W of N. Holland Ave. A proposed 8" Sanitary Sewer main will run through the subdivision and collect from each lot through a 4" front and center stub out service. The Capital Sewer Recovery Fee will be applied at \$200.00/Lot which equates to \$6,800.00 (\$200 x 34 Lots).

STREETS & STORM DRAINAGE

The subdivision will have access from Holland Ave. by either Stacie Ln. or W. 24th Place. Proposed W.25th St. will be 40' Back-to-Back within a 60' Right of Way and N. Thornton Ave. will be retrofitted to connect to the existing 50' ROW and expand from a 32' B-B to a 40' B-B. Rainfall detention will be accomplished on site in the proposed detention area. A new 24" drain is proposed to convey the street and residential lot runoff into the proposed detention area of Lot 1. An 18" drain is proposed from the detention area to connect to an existing City of mission 24" drain line on W. 24th Place which drains to the 42" drain located on the west side of Holland with the ultimate outfall being the City of Mission detention area north of Chaparral Heights. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Water District Exclusion

Payment of Park fees (34 Lots x \$500 = \$17,000.00)

Installation of Street Lighting as per City Standards

Must comply with all other format findings

RECOMMENDATION

Staff recommends approval subject to:

1. Payment of Capital Sewer Recovery Fees
2. Payment of Park Fees
3. Provide Water District Exclusion, and
4. Comply with all other format findings

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Alaniz moved to approve the subdivision. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:15 p.m.

Ended: 6:16 p.m.

Item #3.2

Preliminary & Final

Approval:

**La Villita Estates No. 3
A 9.37 acre tract of land out of Lot 45-3,
West Addition to Sharyland**

Rural E.T.J.
Development: COMAREX, LLC
Engineer: Pablo Soto, Jr. P.E.

Mr. Ramirez went over the write-up stating the subject site is located 330' east of the intersection of Mile 6 North Road and Los Ebanos Road on the north side of Mile 6 North Road. (Mission Rural ETJ) – see vicinity map. The property is open land and the proposed use will be for 48 single family residential lots and 1 detention pond – see plat for actual dimension, square footages, and land uses.

WATER

The water CCN belongs to the Sharyland Water Supply Corporation. The developer is proposing to install an 8" PVC water main line along the west side of the internal street to be connected to an existing 12" water line located along the south side of Mile 6 North Road. Water will be supplied to each lot by a 1" service line. There are 3 fire hydrants within the development to be used as filling stations via direction of the Fire Marshal's office – see utility plan

SEWER

This site will be treated by wastewater service from the City of Alton. This system consists of an 8" diameter line that taps into the existing 12" line. This 8" line then runs north along the east side of the internal street ROW ending with a 48" sanitary sewer manhole on the northwest corner of Lot 25. From the 8" line, 48 - 4" diameter sewer service lines will be stubbed out for each lot. This is not within the City of Mission's Sewer CCN.

STREETS & STORM DRAINAGE

The subdivision is designed to have only 1 internal street which will be accessed from Mile 6 North Road. The proposed internal street is a 32' back-to-back within a 50' Right of Way. This street will include a turnaround at mid-point and end with a cul-de-sac.

The area lies in a Zone "X" (unshaded) as per FEMA's Flood Insurance Rate Map being determined to be outside the 500-year floodplain. Proposed drainage design will include storm inlets with piping and a detention pond with an 18" bleeder connecting into the West Main III Drain located along the northside of the subdivision. The City Engineer has reviewed and approved the drainage report.

RECOMMENDATION

Staff recommends approval.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to approve the subdivision. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:16 p.m.

Ended: 6:17 p.m.

Item #3.3

Consider a Variance request to allow an installation of septic tank on Lot 49, Misiones de San Jorge as requested by Cesar Cabello from CABA Investments, LP

Variance request from the Code of Ordinances / Chapter 98 - SUBDIVISIONS / ARTICLE I. - IN GENERAL / Sec. 98-6. – General provisions. (a) No permit shall be issued within the city for the installation of septic tanks upon any lot in a subdivision. All residents in any subdivision shall be connected to public utility services provided by the city.

On November 8, 2023 staff received a letter from Cesar Cabello, Acting Manager for CABA Investment, LP requesting the installation of a septic system at the proposed subdivision of Las Misiones de San Jorge Lot 49. Currently, the project is under construction. As per statement, the system will service a 14'10"x48'10" portable structure which will serve as a sales and construction office for personnel use as the project develops up until the said lot will need to be cleared for vertical construction. The building is classified as a temporary sales office for the sale of lots which is considered a permitted use per Article VIII – Use Districts and Conditional Uses.

The request may have merit since the subdivision is underway and is currently not connected to the city's infrastructure. It has been determined that due to this unusual circumstance and the lack of options available, denying this request would deprive the applicant of the formal use of the proposed structure. In addition, there is no evidence that the general public's health, safety, convenience and/or welfare would be negatively affected in any way. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area either. This request is restricted and will be monitored thru permitting and payment of fees and noted within the adopted schedule of fees for non-residential per building lined item septic tanks. The applicant has submitted a certified design of the proposed system and will be subject to City's requirements and inspections.

RECOMMENDATION: Staff recommends approval.

Vice Chairman Mr. Sanchez asked if the board had any questions.

Mr. Arcaute asked that if the sells office was going to be removed and septic once the project was done.

Mr. Ramirez stated "yes".

There being no further discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to approve the request. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#4.0

ADJOURNMENT

There being no further items for discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to adjourn the meeting. Mr. Alaniz seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:16 p.m.


Kevin Sanchez, Vice Chairman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
FEBRUARY 14, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Jasen Hardison
Steven Alaniz
Connie Garza
J.D Villarreal
Omar Guevara
Kevin Sanchez
Diana Izaguirre

P&Z ABSENT

Raquenel Austin
Jasen Hardison

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Victor Flores
Irasema Dimas

GUEST PRESENT

Cesar Elizondo
Aimee Elizondo
Elsa Elizondo
Joanna Cruz
Eluid Saucedo
Karen Prewitt
Kay Wolf
Pedro Mendoza
Rosario Mendoza
Javier S. Martinez
Selma Gonzalez
Wendy & Angel Guzman
Julian Gonzalez
Jaquelin Lopez
Irma Garza Acuna
Ida Garza
Gabriel Guerra
Robert Norrgard
Ricardo Gomez Jr.
Diane Norrgard
Jael Geshay
Sanjuanita Lozano
Krysti Davis
Robert Dukauits
Ricardo Garcia
Omar Garcia

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:35 p.m.

CITIZENS PARTICIPATION

Chairwoman Izaguirre asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR JANUARY 24, 2024

Chairwoman Izaguirre asked if there were any corrections to the minutes for January 24, 2024. Mr. Sanchez moved to approve the minutes. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre entertained a motion to un table Items 1.1, 1.2, and 1.3. Mr. Sanchez moved to un table the items. Mrs. Garza seconded the motion. Upon the vote, the motion passed unanimously.

Started: 5:35 p.m.

Ended: 5:56 p.m.

Item #1.1, 1.2, 1.3

Rezoning:

**A tract of land containing 0.612 of one acre,
being a part or portion of the Gulf Course and Lake
Reserve out of Meadow Creek Country Club Phase I-B
1916 Crystal Drive**

**(AO-I) Agricultural Open Interim to
(R-1) Single Family Residential
Meadow Creek Development**

**A tract of land containing 0.551 of one acre, being
a part or portion of the Gulf Course and Lake Reserve
out of Meadow Creek Country Club Phase I-B
1931 Meadow Way Drive
(AO-I) Agricultural Open Interim to
(R-1) Single Family Residential
Meadow Creek Development**

**A tract of land containing 0.613 of one acre, being
A part or portion of the Gulf Course and Lake Reserve
out of Meadow Creek Country Club Phase I-B
1914 Crystal Drive
(AO-I) Agricultural Open Interim to
(R-1) Single Family Residential
Meadow Creek Development**

Ms. De Luna went over the captions and locations for items 1.1, 1.2, and 1.3.

Chairwoman Izaguirre asked if there was anyone in the audience in favor or against the request.

Mrs. Karen Prewitt who resides at 2101 Mauve Drive stated that she was against the rezoning request. See exhibit A.

Mrs. Kay Wolf who resides at 2100 Mauve Drive stated that she was against the rezoning request. See exhibit B.

Mrs. Diana Norrgard stated that she resides at 1807 Meadow View Drive and was against the rezoning request.

Mr. Gabriel Guerrero who represents Meadow Creek Developments at 5105 N. 10th Street Mcallen Texas, mentioned that they met with the residents from Meadow Creek. He added that he told the residents that he would mention the concerns to the rest of the owners from Meadow Creek that they were only the owners of the properties being rezoned and not the whole subdivision. He added that he was willing to work with the residents with any concerns they have. Mr. Gabriel Guerrero mentioned that they were willing to comply with every requirement the city had if approved to rezone.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked that if the lift station was removed?

Ms. De Luna stated that she knew that the lift stations were removed and were on city sewer.

Mr. Edgar Gonzalez City Engineer stated that the lift stations were removed during the Bentsen phase 3 project.

Chairwoman Izaguirre asked that if the lift stations were cleaned out?

Mr. Edgar Gonzalez stated that he was not aware that he would need to ask the utility supervisor.

Chairwoman Izaguirre asked that if the city had lights on mile 1 and scenic way?

Ms. De Luna stated that the issue had been addressed to AEP. She added that she was not aware on process AEP had.

Chairwoman Izaguirre stated that if the issue was with AEP and not with the City of Mission.

Ms. De Luna stated that the city takes care of the lights but the issue had been addressed to AEP to replace the lights.

Chairwoman Izaguirre asked that when was the request submitted?

Mr. Edgar Gonzalez stated that the request was submitted a couple of months ago.

Chairwoman Izaguirre stated that if they can check the status on that request.

Mr. Edgar Gonzalez stated "yes".

Chairwoman Izaguirre asked that if the water pressure had been checked?

Mr. Edgar Gonzalez stated no. He added that he would need to address it to the utility supervisor and check the area.

Chairwoman Izaguirre asked that at what time do they have issues with the water pressure.

Mrs. Karen Prewitt stated that they had issues in the morning.

Chairwoman Izaguirre stated that the reason she was asking all these questions were of all the issues this subdivision had. She mentioned that the rezoning was not the issue that it was things that the city needed to look into.

Mr. Kevin Sanchez asked that if the subdivision had an HOA?

Ms. De Luna stated that there was no HOA.

Chairwoman Izaguirre asked that what was the Bentsen project.

Mr. Edgar Gonzalez stated that it was a sewer line project.

Chairwoman Izaguirre asked that what was the project that the city was widening a ditch in the area.

Mr. Edgar Gonzalez stated that it was a county project. He mentioned that it was precinct 3. He also mentioned that there was another project through Rhodes Development that they widening a ditch that fronts their property.

Chairwoman Izaguirre asked staff that when was the other drainage project on elm getting done.

Mr. Edgar Gonzalez stated that project was getting done in the next phase. He added when the Glasscock project was done.

Chairwoman Izaguirre asked that the city should show the constituency of that project. She added that great things have happened in the city and people should know so they won't be worried.

Ms. Garza stated that the concerns brought to the board can be solved outside and not with the items that had been presented.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the rezoning. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:56 p.m.

Ended: 6:15 p.m.

Item #1.4

Rezoning:

**A 27.969 acre tract of land out of
Lot 29-10, West Addition to Sharyland
AO-I to R-1
Jorge E. Miranda**

Ms. De Luna went over the write-up stating the subject site is located ¼ mile north of Mile 2 Road along the west side of Bryan Road – see vicinity map.

SURROUNDING ZONES:

N:	AO-I	– Agricultural Open Interim
E:	AO-I	– Agricultural Open Interim
W:	AO-I	– Agricultural Open Interim
S:	AO-I	– Agricultural Open Interim

EXISTING LAND USES:

N:	Residential
E:	Residential
W:	Residential & Open Acreage
S:	Residential & Open Acreage
Site:	Residential

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: Staff notes that the proposed zone complies with the City's Future Land Use Map, and surrounding land uses.

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if there was anyone in the audience in favor or against the request.

Mr. Julian Gonzalez who resides at 1204 E. Mile 2 Road stated that he was against the rezoning request. He mentioned that he had several concerns on the rezoning request. He mentioned that one of his concerns was the infrastructure in that area. He added that in the 22 years that he had lived that area he had gone through several hurricanes and never had any flooding issues. He mentioned that any obstruction or any violation to what he had right now can cause flooding. He stated that another concern he had was the traffic and with the new subdivision it would cause more traffic and accidents.

Mr. Joel Geshay who resides at 1308 E. 2 Mile Lane stated that he was against the rezoning request. He mentioned that one of his concerns were property values. He stated that the area had major traffic problems. He mentioned that the subdivision would not be conducive it to the area.

Mr. Sanchez asked that what was the minimum lot size for an (R-1A) Large Lot Single Family Residential.

Ms. De Luna stated that it was 8,500 sq ft.

Mrs. Wendy Guzman stated that she was against the rezoning request. She stated that she drives through that intersection every day and she had witness a lot of car accidents. She added that the Bryan house was a huge hazard if you're driving from north to south.

Mrs. San Juanita Lozano who resides at 1206 E. Mile 2 stated that she was against the rezoning request. She stated that her main concern was the amount of homes that are going to be built. She added that when Mr. Miranda lived in that property she had several issues with people jumping her fence.

Mrs. Christy Buckly Davis who resides at 3305 N. Bryan Road stated that she agreed with all the concerns Mr. Julian Gonzalez had.

Mr. Robert Dukquits who resides at 1104 E. 2 Mile Road stated that he was against the rezoning request.

Mr. Robert Garcia who resides at 1105 E. 2 Mile Road stated that he shared the same concerns as his neighbors.

The developer Mr. Omar Garcia stated that none of the concerns voiced were in regards to the rezoning. He added that those concerns would be addressed with the city during the subdivision process.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Sanchez asked the developer if he had an idea on how many lots were being purposed?

Mr. Omar Garcia stated that would be during the subdivision process.

Mr. Villarreal stated that basically what the investor was trying to do was rezone the property. He added that all the concerns that the citizens had were resolved during the subdivision process.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:15 p.m.

Ended: 6:20 p.m.

Item #1.5

Rezoning:

**A tract of land being tract 37,
Resubdivision of M.L. Woods CO., Inc.
(aka Lot 37, Earnhard Subdivision U/R)
C-3 to R-1
Rosebel Avila**

Ms. De Luna went over the write-up stating the subject site is located approximately 700' east of Conway Boulevard. along the south side of Melba Carter – see vicinity map.

SURROUNDING ZONES:	N:	R-1	– Single Family Residential
	E:	R-1	– Single Family Residential
	W:	C-3	– General Business
	S:	I-1	– Light Industrial

EXISTING LAND USES:	N:	Residential
	E:	Vacant Lot
	W:	Commercial Building
	S:	Open Acreage
	Site:	Residential

FLUM: Industrial (I)

REVIEW COMMENTS: The area currently has a mixture of uses ranging from residential, commercial, and industrial. Staff notes that the proposed zone does not comply with the City's Future Land Use Map however, it complies with the surrounding land uses. This property was rezoned to commercial back in 1998, but it has never been used as commercial. Currently, the applicant has a residence on the lot.

The City Council has recently denied other rezoning request for commercial use making it clear that the Council would like to keep this area as single family residential. The City has invested in various improvements over the past several years. These improvements include street lights, sidewalks, and several CDBG homes.

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Rosebel Avila was present he stated that the purpose of the rezoning was to keep his home on his property.

Ms. Irene Garza who resides at 308 Melba Carter Street stated that the sign was on the wrong property. She added that if the property owner was allowed to have two homes.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Alaniz moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the rezoning. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:20 p.m.

Ended: 6:26 p.m.

Item #1.6

Rezoning:

**All of Lots 1 & 2, Block 2,
Leal Subdivision
R-1 to C-3
Pedro Mendoza**

Ms. De Luna went over the write-up stating the subject site is located on the southwest corner of W. 1st Street and Dunlap Avenue— see vicinity map.

SURROUNDING ZONES:	N:	AO-I	– Agricultural Open Interim
	E:	R-1	– Single Family Residential
	W:	AO-I	– Agricultural Open Interim
	S:	R-1	– Single Family Residential

EXISTING LAND USES:	N:	Mission Fire Station #2
	E:	Residential
	W:	Canal ROW
	S:	Residential
	Site:	Garage/Warehouse

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map, and surrounding land uses. The property is surrounded by residential homes, although staff notes that this property has a warehouse which has been used as a mechanic shop since the 1950's. Staff mailed out 16 notices to property owners within 200' radius to get their input in regards to this request. As of this date, staff has not received any comments in favor or against this request. Since this property has always been used as commercial, staff does not foresee any detrimental effect to the surrounding residential areas.

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Pedro Mendoza stated that property had been used as a mechanic shop for many years. He stated that he wanted to rezone the property to comply with the requirements.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to approve the rezoning. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:26 p.m.

Ended: 6:29 p.m.

Item #1.7

Conditional Use Permit:

**Home Occupation – Urgent Care Transport
3307 Amethyst Avenue
The North 37.50' of Lot 130A & Lot 130B
Mountain View Ph. I
R-1
Cesar Elizondo**

Ms. De Luna went over the write-up stating the subject site is located approximately 100' north of Ramirez Street along the west side of Amethyst Avenue – see vicinity map. The applicant proposes to designate a room within their home to be utilized as an office for dispatching only. The applicant offers transportation service for medical patients, to and from doctor's appointments. Traffic and parking will not be an issue, as the vans will not be parked at the site. The vans would be taken home to the employee's houses on a daily basis. No customers will be going to the home and no sign is proposed.

- **Days/Hours of operation:** Monday - Friday from 7am to 5pm
- **Staff:** 2 employees will man this operation

REVIEW COMMENTS: Staff notes that other similar home occupations have been approved with no concerns. Normally, staff would not require a conditional use permit since there will be no incoming or outgoing traffic and everything will be via phone or online. The applicant is required to get insurance and a business license from the City, therefore the need for a conditional use permit. Staff mailed out 21 notices to property owners within 200' radius and staff received one call in opposition to this request. The concern voiced is that this subdivision has a home owners association that does not allow a business out of a residence.

RECOMMENDATION: Staff recommends approval subject to:

1. 1 year re-evaluation to assess the new business, and
2. Compliance with all City Codes (Building, Health, Fire, etc.)

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Cesar Elizondo who resides at 3307 Amethyst Avenue stated that is was his home was only used for office purposes. He stated that no business was going to be conducted at his home.

Mr. Sanchez asked that if the HOA was aware?

Mr. Cesar Elizondo stated that the HOA was ok with an office but no other type of business.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Villarreal moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the approve the conditional use permit as per staff's recommendations. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:29 p.m.

Ended: 6:30 p.m.

Item #1.8

Conditional Use Permit:

**Drive-Thru Service Door and
Sale & On-Site Consumption of Alcoholic
Beverages – Tiny Cantina
2210 E. Interstate Hwy 2, Ste. W
Lot 1, Treme Subdivision**

**C-3
Tiny Cantina
c/o Raul Correa**

Ms. De Luna went over the write-up stating the subject site is located at the SW corner of J.R. Drive and Expressway 83 along the Frontage Road. The applicant is leasing a 2,000 sq.ft. suite located at the east end of the plaza which include a glass door which he intends to use as a drive-thru service door. The customers will place their order at the drive-thru service door and will be directed to the marked parking stalls to wait for their order. The applicant will offer beer, wine and snacks to go or indoor seating if you like to sit and relax. Access to the site is off Expressway 83 and JR Drive, through existing 30' driveways.

- **Days/Hours of operation:** Monday – Thursday from 12pm to 10pm, Friday – Saturday from 11am to 11pm, and Sunday from 12pm to 9pm
- **Staff:** 5 employees will man this operation
- **Parking:** In reviewing the site plan, there is a total of 45 seating spaces which require 15 parking spaces. It is noted that parking is held in common and there is a total of 106 total parking spaces shared with the various businesses within the commercial plaza.
- **Sale of Alcohol:** This business does have a bar component which requires that there be no churches, schools, or residences within 300' of the restaurant. There are no such uses within 300'.

REVIEW COMMENTS: Staff mailed out 5 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Staff notes that the applicant has other similar businesses in McAllen, Pharr & South Padre Island that have been running with no problems.

RECOMMENDATION: Staff recommends approval subject to:

1. 1 year re-evaluation to assess the new business, and
2. Compliance with all City Codes (Building, Health, Fire, etc.)

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the conditional use permit as per staff's recommendation. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:31 p.m.

Ended: 6:32 p.m.

Item #1.9

Conditional Use Permit:

**Manufacture of Sheet Metal in a C-3 Zone
2500 W. Expressway 83
Lots 5, 6, & 7, Ala Blanca Norte Unit 1
C-3
Ines Lopez**

Ms. De Luna went over the write-up stating the subject site is located 100' west of Dolores Del Rio Avenue along the north side of W. Expressway 83 – see vicinity map. The applicant proposes to manufacture sheet metal (decoiling and cutting) within his 8,442 sq.ft. existing buildings. His future plans will be to have a display showroom within the building for a total of 18,244 sq.ft. Access to the site is via two driveways off of Expressway 83 Frontage Road. Zoning Code, Article VIII, Section 1.43.3.I states: Any of those permitted uses under the light industrial zoning district would be consider subject to applying for a conditional use permit.

This item was previously considered and approved by City Council on November 14, 2022 for a period of 1 year, however Section 1.54(4) of the Zoning Code states that if a conditional use permit has not been used within one year after the date granted, the permit is automatically canceled. Since it's being over a year and the business has not even started, therefore the need to re-apply.

The applicant proposed to utilize only 1 machine to cut and decoil the sheet metal. The customer would be able to decide the shape and size of the sheet metal that they need. The applicant stated that the roll forming line machine does not exceed 40-50 decibel, thus complying with the noise ordinance.

- **Hours of Operation:** Monday through Friday from 9:00 a.m. to 5:00 p.m. and Saturday from 9:00 a.m. to 1:00 p.m.
- **Staff:** 3 employees operating the business.
- **Parking & Landscape:** In reviewing the floor plan, the 5,192 sq. ft. building will require 16 parking spaces and he is proposing 19. Once phase 1 is complete he will need to add an additional 5 parking spaces to comply with the minimum requirement. The applicant is also proposing to have 23,691 sq.ft. of landscaping thus meeting code.

REVIEW COMMENTS: P&Z has reviewed and approved other similar requests for manufacturing and processing products, Staff feels that this new business will be beneficial to the current business area. Staff mailed out 21 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 1 year re-evaluation to assess this new operation,
- 2.) Must comply with all City Codes (Building, Fire, Landscaping, Parking, etc.),
- 3.) Installation of a solid buffer fence along the north side of the property, and
- 4.) Must acquire a business license.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to the approve the conditional use permit as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:32 p.m.

Ended: 6:34 p.m.

Item #2.0

Conditional Use Permit:

**To Keep El Comalito Mobile Food Truck
1900 W. Griffin Parkway
Lot 4, Inspiration Point Subdivision
C-3
Omar Solis**

Ms. De Luna went over the write-up stating the subject site is located approximately 500' from N. Inspiration Road along the north side of W. Griffin Parkway (FM 495) –see vicinity map. El Comalito Mobile Food Truck offers Mexican inspired cuisine, like tacos, tostadas, and burritos. The operation is pick up and go basis. Access to the site is provided off of Griffin Parkway through 2 existing 24' concrete driveways. The last CUP for this location was approved by P&Z on April 27, 2022 for a period of 1 year. The applicant would like to renew his CUP, staff notes that this would be his first renewal.

- **Days / Hours of operation:** Monday – Sunday from 6am – 12 pm and 6:00 p.m. to 11:00 p.m.
- **Staff:** 2 employees will man this operation.

- **Parking:** The building measures 3,200 sq. ft. Based on the size of the building, there is a total of 11 parking spaces required for the building and 3 parking spaces that will be required for the mobile food trailer for a total of 14 parking spaces. Staff notes that the parking is held in common for this commercial plaza.

REVIEW COMMENTS: Staff notes that the property owner has two adjacent lots to this and Mr. Solis will be able to utilize those parking spaces for his business. Staff mailed out 28 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2-year re-evaluation to continue to assess this operation,
- 2) Compliance with all City Codes (Building, Fire, Parking, etc.),
- 3) No tables or chairs in parking lot, and
- 4) CUP not transferable to others

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the conditional use permit as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:34 p.m.

Ended: 6:36 p.m.

Item #2.1

Conditional Use Permit:

**To Keep a Portable Building for
Sales Office Use – Twins Auto Plex
1523 E. Interstate Hwy 2
Lot 6, Henry Saenz Subdivision
C-4
Twins Auto Plex, LLC
c/o Javier Sergio Martinez**

Ms. De Luna went over the write-up stating the subject site is located on the NW corner of Interstate Highway 2 and Stewart Road—see vicinity map. The request is to keep a portable building to be used as a sales office for the sale of automobiles. This same portable building has been used as a sales office since January 26, 2005. Since the CUP is not transferable to others, the applicant desires his own CUP to continue the use of the portable building as a sales office. It is noted that Lots 1-5 of this subdivision all have portable buildings thereon that are also used as automobile sales offices.

- **Hours of Operation:** Monday to Friday from 9 am to 6 pm and Saturdays from 9 am to 4 pm
- **Staff:** Owner and 1 employee
- **Parking & Landscaping:** A 193' X 84' asphalt area exists in the front of the building. It will serve as the display area for the vehicles and parking for patrons as well. A minimum of 5 parking spaces are required for the proposed use based on the square footage of the building. Staff observes that the lot is in a highly visible area—NW corner area of U.S. Expressway 83 and Stewart Road. Like we have done with the other existing auto and truck sales dealers in the area, we are asking that the applicant improve the landscaping in the front display area of the lot.

RECOMMENDATION: Staff recommends approval subject to:

1. 6 month re-evaluation to assess this new operation,
2. Compliance with all City Codes (Building, Fire, Sign, etc.)

3. Compliance with Section 1.57-3 of the Landscaping and Buffering Code on outside storage. Regarding the later condition of approval, the rear storage area of the site must be completely screened from public view,
4. Acquisition of a Business License, and
5. CUP not transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Guevara moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the conditional use permit as per staff's recommendation. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:34 p.m.

Ended: 6:36 p.m.

Item #2.2

Conditional Use Permit:

**To Keep a Portable Building for
Sales Office Use – Pitayo Auto Sales
1523 E. Interstate Hwy 2
Lot 6, Henry Saenz Subdivision
C-4
Pitayo Auto Sales & Auto Parts
c/o Ricardo Gomez, Jr.**

Ms. De Luna went over the write-up stating the subject site is located on the NW corner of Interstate Highway 2 and Stewart Road —see vicinity map. The request is to keep a portable building to be used as a sales office in conjunction with another car lot business. Staff notes that this same portable building has been used as a sales office since January 26, 2005. Since the CUP is not transferable to others, the applicant desires his own CUP to continue the use of the portable building as a sales office. It is noted that Lots 1-5 of this subdivision all have portable buildings thereon that are also used as automobile sales offices.

- **Hours of Operation:** Monday to Friday from 10am to 6pm and Saturdays from 10am to 5pm
- **Staff:** Owner and 1 employee
- **Parking & Landscaping:** A 193' X 84' asphalt area exists in the front of the building. It will serve as the display area for the vehicles and parking for patrons as well. A minimum of 5 parking spaces are required for the proposed use based on the square footage of the building. Staff observes that the lot is in a highly visible area—NW corner area of U.S. Expressway 83 and Stewart Road. Like we have done with the other existing auto and truck sales dealers in the area, we are asking that the applicant improve the landscaping in the front display area of the lot.

RECOMMENDATION: Staff recommends approval subject to:

1. 6 month re-evaluation to assess this new operation,
2. Compliance with all City Codes (Building, Fire, Sign, etc.)
3. Compliance with Section 1.57-3 of the Landscaping and Buffering Code on outside storage. Regarding the later condition of approval, the rear storage area of the site must be completely screened from public view,
4. Acquisition of a Business License, and
5. CUP not transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Guevara moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the conditional use permit as per staff's recommendation. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:37 p.m.

Ended: 6:40 p.m.

Item #2.3

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Angel's Kitchen
2005 W. Mile 3 Road, Ste. 1700
Lot 7, Block 4, Taurus Estates No. 9 Phase I
C-3
Angel's Kitchen, LLC
c/o Antonia Hernandez**

Ms. De Luna went over the write-up stating the subject site is located approximately 1/8 of a mile west of Inspiration Road along the south side of W. Mile 3 Road – **see vicinity map**. The applicant has been running the business at this location and would now like to offer alcoholic beverages with his meals. Access to this location is off of a 36' driveway of W. Mile 3 Road, a 30' driveway off of Crisantema Street and another along Magdalena Avenue.

- **Hours of Operation:** Monday – Friday from 8am to 9pm, Saturday from 8am to 7pm, and Sunday from 8am to 3pm
- **Staff:** 4 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 53 seating spaces, which require 18 parking spaces (53 seats/1 space for every 3 seats = 17.6 parking spaces). It is noted that the parking area is held in common in this commercial plaza (165 existing parking spaces) and is shared with other businesses. Staff notes that the parking would need to be re-stripped, potholes fixed and add landscaping.
- **Sale of Alcohol:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of church, public or private school, private hospital, or residential uses. There is a residential subdivision within 300'; however, P&Z and the Council have waived this separation requirement in previous CUP's.

REVIEW COMMENTS: Staff mailed out 24 notices to property owners within 200' radius of the site, and as of this writing, staff has not received any comments in favor or against this request. Since the sale of alcohol is not the primary use, staff does not object to this proposal.

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 2 years re-evaluation at which time the applicant will have to renew his CUP & TABC License,
- 2.) Must comply with all City Codes (Building, Fire, etc.), and
- 3.) Waiver of the 300' separation requirement from residential homes.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mrs. Antonia Hernandez was present stated that the times had changed. She mentioned that on Friday, Saturday, and Sunday they were open until 11:00p.m.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Alaniz moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the conditional use permit as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:40 p.m.

Ended: 6:42 p.m.

Item #2.4

Conditional Use Permit:

Drive-Thru Service Window

- La Mexico

4009 N. Inspiration Road

Lot 9, Block 5, Taurus Estates Subdivision No. 9 Ph. I

C-2

Blesson B. George

Ms. De Luna went over the write-up stating the subject site is located on the NW corner of Inspiration Road and Azalea Street. –see vicinity map. The applicant would like to renew the conditional use permit to keep utilizing the existing drive-thru service window for his business. The last CUP for the Drive-Thru Service Window was approved on September 26, 2022 for a period of 1 year. The site has a 30' access point off of Inspiration Road and a 24' access to an alley off of Azalea. Drive-thru customers would primarily use the Azalea alley access in order to utilize the drive-thru service window. The location of the window allows for enough stacking for at least 3 vehicles.

- **Hours of Operation:** Monday to Sunday from 6:00 a.m. to 1:00 a.m.
- **Staff:** 8 employees
- **Parking:** Based on the square footage of the building there are 12 parking spaces required. The applicant has 24 parking spaces, leaving 12 surplus spaces. Staff notes that the parking would need to be restriped and add more landscaping.

REVIEW COMMENTS: Staff mailed out 24 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 1 yr. re-evaluation in order to assess this business;
- 2.) Must comply with all City Codes (Building, Fire, etc.), and
- 3.) CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the approve the conditional use permit. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:42 p.m.

Ended: 6:43 p.m.

Item #3.0

Site Plan Approval:

Construction of a Health Care Facility with Medical Retail Space

Lot 1, KMDG Subdivision

A Re-Plat of Lots 3-9, of Morwil Heights Subdivision

C-3

Luis L. Khit

Mr. Ramirez went over the write-up stating the subject site is located approximately 430' south of E. 8th Street along N. Bryan Rd. – see vicinity map. The developer is proposing one main structure on the property being a vacant 1.364 -acres of a combined 7 lots.

Upon reviewing the site plan, main access will be from N. Bryan Rd. The building size will measure 14,932 sq. ft. which will be split between an Administration & Expansion and Leasable Space. The leasable space will be prepped for 3 suites and the admin. building will consist of exam rooms, offices, work stations, storages, break rooms, restrooms, and a second floor available for expansion.

The front building setback is approximately 118' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 60 parking spaces will be allocated to serve the Plaza, 4 being handicapped stalls. There is an existing fire hydrant at the NW corner of the site and along the south property line which will be relocated slightly further south closer to the lot line. Fire lanes will be noted at restricted locations throughout the parking zone.

Storm water detention areas will surround the site to comply with drainage requirements as stipulated on the approved drainage report. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

OTHER COMMENTS:

1. 1 enclosed dumpster will be located within the Lot to be screened with a 6' block fence and opaque (solid) gates.
2. Sign permits will be required.
3. Installation of a solid buffer fence abutting residential properties.

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the approve the site plan approval as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:43 p.m.

Ended: 6:44 p.m.

Item #3.1

Site Plan Approval:

**Construction of a Commercial Plaza
Lot 1, Loretto Subdivision
C-3
Robert Gonzalez**

Mr. Ramirez went over the write-up stating the subject site is located on the north side of E. Griffin Pkwy (F.M. 495) approximately 170' west of Orange Ave. – see vicinity map. The developer is proposing one main structure on the property being a vacant 2.24-acre tract of land. The main access will be from E. Griffin Pkwy (F.M. 495) and an alley on the east side of the lot that has been granted permission to be widen.

The building will have a Spanish colonial façade with classic terracotta shingles, stucco style finish, and 3 towers with Mediterranean accents. The structure will measure a grand total of 4,859 sq. ft. which will consist of 5 suites: suite A will have a total of 647 sq. ft.; all others will be 1,053 sq. ft. Each suite will be equipped with a unisex restroom, water heater, mop sink, and front and rear access doors. A 5' rear sidewalk will be required per fire code.

The front building setback is approximately 220'-6" from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan. A total of 54 parking spaces and 4 handicap stalls are allocated to serve the Plaza. An existing fire hydrant and its assemblies are located to the east of this site. Fire lanes will be noted at restricted locations throughout the site.

Storm water detention area has been designated on the south side of the property that will connect to an existing inlet located at Orange Street. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

OTHER COMMENTS:

1. 1 enclosed dumpster will be located within the Lot to be screened with a solid buffer and opaque (solid) gates.
2. Sign permits will be required per tenant
3. Installation of a buffer fence abutting all

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the site plan approval as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:44 p.m.

Ended: 6:45 p.m.

Item #3.2

Site Plan Approval:

**Construction of a Commercial Plaza
Lot 1, Camelia's Plaza Subdivision
C-1
Jose R. Carreras**

Mr. Ramirez went over the write-up stating the subject site is located on the west side of N. Bryan Rd. approximately 451' south of E. Griffin Pkwy (F.M. 495). – see vicinity map. The developer is proposing one main structure on the property being a vacant 2.923 acres of land. The main access will be from N. Bryan Rd. by a designated access driveway to the south of the property and a shared common access easement with the owner to the north.

The building will have a contemporary façade with flat roofs, stucco finish, some stone work, and standard metal and glass storefronts. The structure will measure a grand total of 11,850 sq. ft. which will consist of 6 units: each unit will be 1,975 sq. ft. The units will include a unisex restroom and front and rear access doors.

The front building setback is approximately 146'-6" from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan. A total of 70 parking spaces and 2 handicap stalls are allocated to serve the Plaza to include 3 electric vehicle parking lots equipped with charging stations. There are 2 existing fire hydrants and its assemblies located on front of the development that will serve this project with fire lanes noted at restricted locations throughout the site.

Storm water detention area has been designated on the south side along the property line that will connect to an existing 60" RCP within the N. Bryan Rd. R.O.W. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

OTHER COMMENTS:

1. 1 enclosed dumpster will be located within the Lot to be screened with a solid buffer and opaque (solid) gates.

2. Sign permits will be required per tenant
3. Installation of a buffer fence abutting all residential properties

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to the approve the site plan approval. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:45 p.m.

Ended: 6:46 p.m.

Item #4.0

Single Lot Variance:

**A 1.0 ac. of land out of the South one-half (S. ½) of the North one-half (N ½) of Lot 26-10, West Addition to Sharyland Subdivision of Porciones 53,54,55,56, & 57
AO-1
Angel Guzman**

Mr. Ramirez went over the write-up stating the subject site is located on Teolifo Dr., a private street that intersects with Bryan Rd. - see vicinity map. The property measures 264' X 153.33' in which the owner is proposing to build a residential home. Currently, the property is vacant. This lot will require a 10' utility easement dedication along the western and southern most boundaries.

WATER: There is an existing 8" water line along Bryan Rd. The meter would be installed along the Bryan Rd. R.O.W. resulting in a service line to measure approx. 790' in length. There is also an existing fire hydrant along Bryan Rd. 200' south of the intersection approx. 1000' away from the site. A hydrant would be required to be within 500' of the property.

SEWER: There is no city sewer available in this area. An OSSF would be required for this property.

STREETS: The property has no frontage to a public street however access to the property is thru a 15' public roadway easement together with the said lot shared with same on the north side property which has been designated as a private driveway aka Teolifo Dr. The nearest streetlight is located at the intersection of Teolifo Dr. and Bryan Rd. approx. 790' away from the property, thus requiring a streetlight no further than 150' from the site.

OTHER COMMENTS

- Park Fees are required at \$500 per lot.
- Capital Sewer Recovery Fee will not be imposed.
- Provide proof of exclusion from the Water District
- Property to be rezoned for its proposed use
- Comply with the 50yr storm detention requirements

RECOMMENDATION

Staff recommends approval subject to

1. Dedication of an additional 10' front public roadway easement to be used for road right-of-way
2. Provide proof of water district exclusion
3. Install a water service line to an existing 8" line on Bryan Rd.
4. Dedication of a 10' utility easement along the western most and southern boundary of the property
5. Payment of Park fee
6. Installation of a street light within 150' from the site

7. Comply with the 50year storm detention code
8. Rezoning of property
9. Request variance for the installation of on-site sewer facility (septic tank)

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the Single Lot Variance as per staff's recommendation. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:46 p.m.

Ended: 6:47 p.m.

Item #5.0

Homestead Exemption

Variance:

**A tract of land out of Lot 192,
John H. Shary Subdivision
R-1
Rodrigo Gutierrez**

Mr. Ramirez went over the write-up stating the subject site is located on the east side of Union St. approximately 283' north of E. 2 ½ St. – **see vicinity map**. The lot measures 75'x 165' or 12,375 sq. ft. The lot exceeds the minimum square footage size requirements for an R-1 lot. The applicant proposes to construct a single-family residence.

WATER – The applicant is to connect to an existing 8" water line located along the west side of Union St. to supply water to the lot.

SEWER – The applicant is to connect to existing 8" sanitary sewer line located along the east side of Union St. to provide sewer service to the lot. The Capital Sewer Recovery Fee is waived as per the Homestead Exemption Variance.

STREET & STORM DRAINAGE – The subject site has frontage to Union St. No additional ROW will be required per Homestead Exemption Variance.

OTHER COMMENTS

- Waiver of park and sewer capital recovery fees.
- A fire hydrant is within the required 500' minimum distance of the property. No additional fire hydrants are needed.
- A streetlight is located on front of the Lot.
- Submittal of affidavit of intention to build a single-family residence within one year for personal use only.

RECOMMENDATION: Staff recommends approval

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the Homestead Exemption as per staff's recommendation. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:47 p.m.
Ended: 6:48 p.m.
Item #6.0
Preliminary & Final
Plat Approval

Sendero Phase IA Subdivision
Being a resubdivision of 16.473 acres of land out of
The south end of Porcion 52
PUD (R-1)
Developer: Rhodes Development, Inc.
Engineer: Melden & Hunt, Inc.

Mr. Ramirez went over the write-up stating the subject site is located approximately 397' west of S. Inspiration Road and along the south side of Mile One South Road — **see vicinity map**. The developer is proposing (111) One Hundred Eleven Single Family Residential lots — see plat for actual dimensions, square footages, and land uses.

WATER

The developer connected to an existing 12" water line located along the south R.O.W. of Mile One South Rd. and extended an 8" water line through the subdivision providing a 2" water service to each lot. There are 5 fire hydrants via direction of the Fire Marshal's office. — **see utility plan**

SEWER

The developer is proposing to connect to an existing manhole within the R.O.W. at the southern access of the development and extend a 12" line west along the north side of the Perezville Ditch. An 8" Sanitary Sewer line will run through the subdivision and collect from each lot through a 4" front and center stub out service. The Capital Sewer Recovery Fee are required at \$200.00/Lot which equates to \$22,200.00 (\$200 x 111 Lots).

STREETS & STORM DRAINAGE

The proposed internal street is a 32' Back-to-Back within a 50' Right of Way, access will be from Mile One South Rd. and/or Inspiration Rd. The storm drainage system will consist of multiple curb inlets ranging in size from 24" to 42" RCP. Surface and street runoff will be caught by said inlets and conveyed via storm lines into the Perezville Drain (owned by H.C.D.D. No. 1) adjacent to south side of this property and ultimately have an outfall into the Mission Pilot Channel system of the H.C.D.D No.1 via 5'x5' box culvert under the United Main Canal. The development is included in Drainage Basins 26 & 32 of the Bentsen Palms Master Drainage Study. The required detention of 278,000 cubic feet (6.336 ac-ft) shall be provided within the Perezville Drain Ditch widening. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

No Park Fees – Mike Rhodes dedication of park land still stratifies the park Dedication Ord.
Installation of Street Lighting as per City Standards

RECOMMENDATION

Staff recommends approval subject to:

1. Payment of Capital Sewer Recovery Fees
2. Provide Water District Exclusion
3. Comply with all other format findings

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the Subdivision as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:48 p.m.
Ended: 6:49 p.m.
Item #6.1
Preliminary & Final
Plat Approval

RENU Acres Subdivision
A 5.0 acre tract of land out of Lot 92,
The Nick Doffing Co. Subdivision No. 1
Rural E.T.J.
Developer: Uner Gomez
Engineer: Nain Engineering, LLC

Mr. Ramirez went over the write-up stating the subject site is located at the southeast corner of the intersection of W. Mile 7 North and Brushline Road (Mission Rural ETJ) – see vicinity map. The developer is proposing (5) Five Single Family Residentials lots – see plat for actual dimension, square footages, and land uses.

WATER

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to an existing 8" water line located along the west side of Brushline Road with individual service lines to Lots 1, 3,4, & 5 and a service line connecting to an existing 8" main from W. Mile 7 North for Lot 2. There are 2 existing fire hydrants available to be used as filling stations via direction of the Fire Marshal's office – see utility plan

SEWER

Sanitary Sewer service for this subdivision will be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot meets or exceeds the county's typical ½ acre standard where septic tanks are permitted. This is not within the City of Mission's Sewer CCN.

STREETS & STORM DRAINAGE

Access will be available from Brushline Rd for Lots 1, 3,4, and 5 and from W. Mile 7 North Rd for Lot 2. The storm runoff after development will be increased by 2.25cfs for a total of 5.0cfs, which has been calculated that 8,817 cf of storm runoff for a 50 yr design frequency and will be detained within the property by a proposed detention area. An 18" pipe with safety end treatment will be required at driveways. The City Engineer has reviewed and approved the drainage report.

RECOMMENDATION

Staff recommends approval subject to meeting the Model Subdivision Rules and meeting any comments from the County Planning Department.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the subdivision as per staff's recommendation. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:49 p.m.
Ended: 6:50 p.m.
Item #6.2
Preliminary & Final
Plat Approval

Reserve on Taylor Subdivision
Being a 10.0 acres tract of land,
out of Lot 236, John H. Shary Subdivision
R-1A
Developer: Elite Development, LLC
Engineer: M2 Engineering, PLLC

Mr. Ramirez went over the write-up stating the subject site is located on the West side of Taylor Rd. approximately 1,520' South of Griffin Pkwy (F.M. 495) — **see vicinity map**. The tract is currently vacant with a proposed land use for 30 residential lots and 2 detention ponds. This subdivision will be private therefore shall comply with policies and regulations per city ordinance. — see plat for actual dimensions, square footages, and land uses.

WATER

The developer is proposing to connect to an existing 6" water line located along the west R.O.W. of Taylor Rd. and extend an 8" water line through the site providing water service to each lot. It will be looped to the west connecting into the existing adjacent subdivision. There are 4 proposed fire hydrants via direction of the Fire Marshal's office. — **see utility plan**

SEWER

The developer will connect to an existing sewer line located north of this site along the south ROW of the proposed E. 22nd St. and extend south into the subdivision with an 8" PVC line to collect from all lots abutting to this street which will end with a standard MH on front of Lot 30. All lots will be stubbed front-and-center with a 4" PVC line. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$6,000.00 (\$200 x 30 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 1 street with access from Taylor Rd. and end at a cul-de-sac. Since this development will be private, no other dead-ends for future expansions or accesses will be necessary. The street will have a 50' ROW with median islands to support gate entrances, key pads, and turn-arounds. The design will include a proposed 32' B-B paved street with curb & gutter. A 30' ROW parallel from the northern property line will be dedicated to the future expansion of E. 22nd St. which shall be escrowed to the City for this purpose.

The site lies within a Zone X flood zone as per FIRM panel No. 480345 005C. The site features uniform drainage patterns draining towards the west. The proposed drainage infrastructure consists of an internal pipe system with curb inlets that will capture and convey the residual storm runoff towards an onsite drainage detention pond situated along the east property line. From thereon, the onsite detention pond will connect and drain into an existing 36" storm line found along the west side of Taylor Rd. The municipal separate storm sewer system is owned and operated by the City of Mission. The designated detention pond is designed to accommodate the required storage volume. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

1. Installation of Street Lighting as per City Standards
2. Water District exclusions
3. Payment of Park fees (\$500xLot)
4. Comply with all other format findings

RECOMMENDATION

Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the Subdivision as per staff's recommendation. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Exhibit "A"

Planning and Zoning Committee 2-14-24

Good evening committee members,

I am here today in protest of this rezoning of all 3 tracts. As I have researched the Mission, TX Code of Ordinances for AO-P, Section 1.361, 1A, part a and b, there are 10 items that must take place "prior to applying for rezoning." I have sent 1 email to Ms. DeLuna and 2 emails to Mr. Bocanegra asking if these requirements have been met. However, I have not received a response from either person. At our meeting with the Meadow Creek Development ^{architect} ~~owners~~ ^{the owners} ~~representatives~~ on Monday, I asked if ~~they~~ ^{he} had hired an engineer to develop a plan for the drainage needed per the ordinances. ~~Mr. Guerrero~~ ^{He} said they do not have an engineer at this time because the city said it must be rezoned first.

I would like to inform you about what my extensive hours of research has uncovered. According to former mayor Beto Salinas in the Nov 2016 city council meeting, Meadow Creek was originally not within city limits in 1984 when the PUD was filed with Hidalgo County but was annexed later. At that time, the county added the drainage systems from golf course ponds to the resacas, just to ensure the 5 year drainage plan was in place. Now, the county requires a 50 year drainage plan. If you look at all of the recent developments in Mission, retention ponds are part of those areas and they are not even in a flood plain. The drainage we have on the 5 year plan, is shown in the photos of these tracts during the June 2018 rain event of 22" of rain. The current condition of the drainage pond located behind tract 2 is inoperable due to years of overgrowth and no maintenance. .

According to the ordinances, prior to processing the rezoning application, draining challenges must be met with "realistic/viable solutions to solve them." I have not heard of any such solutions from city staff in regards to these plans.

I come to you today with not only my concerns but the concerns of elderly homeowners who are unable to attend. These tracts were not part of the housing development because the area is

Exhibit "B"

Good evening,

My name is Kay Wolf and I live at 2100 Mauve Dr.. Thank you for allowing me to speak.

I was recruited to move here 18 years ago to serve as Assistant City Manager for the City of Hidalgo.

I find it hard to believe that we need to add more housing in the area being discussed that does not have enough water pressure for our needs, like not enough water pressure for a shower every day and it takes a long time to wash clothes.

Also, the sewer situation is atrocious. The smell is constant and bad outside & inside our homes. This is truly a serious health issue for us and for the city. Nothing ever seems to be completed once it starts. And the sewer and water are serious examples.

One last note is there is a very serious area located where ^{lowell} Whole 10 is. There has been a huge amount of brush, lumber, palm fronds, stuff from trash & building junk has been dumped out there creating a truly serious mound. This too has become a really serious issue as a fire hazard.

It would behoove you to listen to your constituents ^{because} Everyone is worried about it.

There is one last note that is dangerous and that is the entrance to Scenic Dr. and all the way to circle drive and that is - there are no or not enough lights to get safely on the street and all the way into circle drive.

Thank you for listening.

**PLANNING AND ZONING COMMISSION
FEBRUARY 28, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Jasen Hardison
Steven Alaniz
Connie Garza
J.D Villarreal
Kevin Sanchez
Diana Izaguirre
Raquenel Austin

P&Z ABSENT

Omar Guevara

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Irasema Dimas

GUEST PRESENT

Alferdo Izmajtouich
Zoreida Lopez
Elizabeth Oviedo
Alvaro Longoria
Clarisse Corbeil
Jesus Salinas
Erica Cantu
Juan Cantu
Gregory Davis
Kevin Davis

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:33 p.m.

CITIZENS PARTICIPATION

Chairwoman Izaguirre asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR FEBRUARY 14, 2024

Chairwoman Izaguirre asked if there were any corrections to the minutes for February 14, 2024. Ms. Garza moved to approve the minutes. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5 :35 p.m.

Ended: 5:43 p.m.

Item #1.1

Rezoning:

**Tract 1, being the West 100' of the
South 105' of the South 210' of the
East 630' of Lot 30-12,
West Addition to Sharyland
AO-I to R-1
Margarito & Ramona Salas**

No Action.

Started: 5:43 p.m.

Ended: 5:46 p.m.

Item #1.2

Rezoning:

**Lots 32, 33, & 34, Block "C",
Butterfield Addition
R-1 to C-3
Beatriz Salinas**

Ms. De Luna went over the write-up stating the site is located approximately 132' south of E. 1st Street along the west side of Mayberry Road.

SURROUNDING ZONES: N: C-2 – Neighborhood Commercial
E: C-2 & P – Neighborhood Commercial & Public
W: R-1 – Single Family Residential
S: R-1 – Single Family Residential

EXISTING LAND USES: N: Commercial
E: Vacant
W: Residential
S: Residential
Site: Residential

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: Staff notes that the proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses. Staff mailed out 22 notices to property owners within 200' radius to get their input in regards to this request. As of this date, staff has not received any comments in favor or against this request. Staff notes that the applicant is requesting a higher density than what is currently existing in this area and for that reason staff cannot support the request.

RECOMMENDATION: Staff recommends denial.

Chairwoman Izaguirre asked if there was anyone in the audience in favor or against the request.

Mrs. Beatriz Salinas was present stated that she's requesting the rezoning to build a restaurant.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked that what was the zoning for the properties north of the property that was being rezoned.

Ms. De Luna stated that the zone was a (C-2) Neighborhood Commercial. She added that a convince store and a restaurant were allowed on a (C-2) but for a restaurant a Conditional Use Permit is required.

Chairwoman Izaguirre stated that a (C-2) Neighborhood Commercial would be better for that area.

Mr. Villarreal asked that if the applicant was informed of the option of a (C-2) Neighborhood Commercial.

Ms. De Luna stated that staff spoke to the applicant.

Chairwoman Izaguirre asked that if the applicant was ok with a (C-2) Neighborhood Commercial.

The applicant stated from the audience that they were aware that if the (C-3) General Business was denied their next option was a (C-2) Neighborhood Commercial and they were ok with that.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to deny the (C-3) General Business but approved a C-2 Neighborhood Commercial. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:43 p.m.

Ended: 5:43 p.m.

Item #1.3

Rezoning:

**A 5.02 acre tract of land out of Lot 265,
John H. Shary Subdivision
AO-I to R-1T
Guadalupe & Alberto Ramon**

No action.

Started: 5:43 p.m.

Ended: 5:56 p.m.

Item #1.4

Rezoning:

**A tract of land containing 3.532 acres,
being a part or portion out of Lot 20-11,
West Addition to Sharyland
C-3 to R-3
Ellen Moskalik**

Ms. De Luna went over the write-up stating the site is located on the southeast corner of Business Hwy. 83 and Bryan Road – see vicinity map.

SURROUNDING ZONES:	N:	C-3	– General Business
	E:	R-5	– High Density Manufacturing Housing (non-existent)
	W:	C-3	– General Business
	S:	C-3	– General Commercial

EXISTING LAND USES:	N:	Vacant
	E:	Tropical Valley Acres RV Park
	W:	Mission EDC
	S:	Commercial
	Site:	Vacant

FLUM: General Commercial (GC)

REVIEW COMMENTS: Although the Future Land Use Map at this time is GC, staff notes that it serves as a guide for development. An R-3 zone is considered to be a lesser dense than what is currently zoned. On 2/12/24, the City Council voted to approve Resolution #1889 in favor of an R-3 multi-family development for this area. The proposed R-3 development will be private and gated for senior's only. Staff notes that the Future Land Use Map can be amended to reflect the R-3 use. Although staff recommendation is for approval, P&Z can make its own recommendation to the City Council considering comments in favor or against the request.

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Alfredo Izmajtouich with the Cesar Chavez foundation was present representing the applicant. He mentioned that they were proposing to develop 113 senior units. He added that the front side will be developed at a future date.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to the approve the rezoning as per staff's recommendation. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:26 p.m.

Ended: 6:29 p.m.

Item #1.5

Conditional Use Permit:

**To Place 2 Temporary Mobile Offices
for Office Use**

**107 International Boulevard
Lot 2A, Mission Business Park
I-1
B2Z Builders, LLC**

Ms. De Luna went over the write-up stating the subject site is located on the northeast corner of Industrial Way and International Boulevard. The applicant desires to place two (2) 8' x 20' modular offices for the sole use of day-to-day business operations of said construction company. Access to the site is off of International Boulevard.

- **Days/Hours of Operation:** Monday – Saturday from 7:00 a.m. to 6:00 p.m.
- **Staff:** 4 employees
- **Parking:** Based on the square footage of the buildings a total of 4 parking spaces are required. The applicant is proposing 7 parking spaces, thus compliant with the parking requirements.
- **Landscaping:** The city requires 10% of landscaping, the applicant is proposing 15% of landscaping including caliper trees.

REVIEW COMMENTS: It is not uncommon to have portable buildings in office settings. Staff mailed out 8 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. If approved, the portable buildings will be used for a maximum of 2 years at which time a permanent structure will be considered.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2 year approval to assess this operation,
- 2) Compliance with all City Codes, (Building, Fire, Parking, etc.), and
- 3) CUP not transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to the approve the conditional use permit. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:48 p.m.

Ended: 5:59 p.m.

Item #1.6

Conditional Use Permit:

**Mobile Food Truck- Seoul Food Truck
2509 Colorado Street, Ste. 207
Lot 1, Block 2, Santa Lucia Development
C-3
Seoul Food Truck, LLC**

Ms. De Luna went over the write-up the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street – **see vicinity map**. The applicant is leasing a space on the Mobile Food Park and would like to place his mobile food truck to offer Korean Food. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Tuesday – Sunday from 6:00 pm to 10:00 pm, Closed on Mondays
- **Employees:** 7 employees in different shifts
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67

parking spaces to comply with the minimum requirement. The applicant is also proposing to have 23,691 sq.ft. of landscaping thus meeting code.

REVIEW COMMENTS: P&Z has reviewed and approved other similar requests for manufacturing and processing products, Staff feels that this new business will be beneficial to the current business area. Staff mailed out 21 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 1 year re-evaluation to assess this new operation,
- 2.) Must comply with all City Codes (Building, Fire, Landscaping, Parking, etc.),
- 3.) Installation of a solid buffer fence along the north side of the property, and
- 4.) Must acquire a business license.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mrs. Ingrid Menesa was present. She stated that she new that the building didn't meet the new codes that the city required.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre stated that if Delia's Tamales goes all the way to the back and doesn't have an alley, and if they would replat without the alley would it be able to be used.

Ms. De Luna stated that they would need to replat but would limit the access to the house in the back.

Chairwoman Izaguirre stated that the homes behind Delia's Tamales don't have an entrance through the back.

Ms. De Luna stated that the subdivision usually has a plat note that states that the subdivision doesn't have an alley.

Chairwoman Izaguirre stated that the alley belonged to Aziz and the plaza not the home owners.

Mr. Villarreal stated that if the alley should be the reason we should give him access to the window. He added that the alley was a public roadway.

Ms. De Luna stated that the city had an ordinance in place that allowed business to access the alley for their drive-thru but it was creating a problem. She mentioned that commercial vehicles were blocking the alley and damaging water meters. She added that the applicant received money from the EDC to built the drive-thru service window without obtaining the conditional use permit first.

City Engineer Mr. Abel Bocanerga stated that 19 feet distance between the two building didn't meet fire code. He mentioned that fire needed a 12 foot drive thru lane and a 12 foot lane.

Mrs. Austin asked that what was the minimum feet?

City Engineer Mr. Abel Bocanerga stated a minimum of 24ft.

Mr. Alaniz asked that if the hood system was being moved.

The applicant stated that yes that was included in the project.

Chairwoman Izaguirre asked that if the money the applicant received had to be turned back in to the EDC if the item was denied.

Ms. De Luna stated that she didn't know.

Mr. Sanchez asked that if the applicant had considered curb side.

Mrs. Oviedo stated that they have a curb side but didn't have a lot of customers and the customers she has get off.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to "table" the conditional use permit so fire department can be present. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:50 p.m.

Ended: 6:04 p.m.

Item #1.8

Conditional Use Permit:

Renewal:

**Sale & On-Site Consumption of Alcoholic
Beverages – Mission Event Center
200 N. Shary Road
Lot 1, Mission Event Center Subdivision
C-3
City of Mission**

Ms. De Luna went over the write-up stating the subject site is located 1,200' east of Shary Road along the north side of Ruby Red Blvd. The Mission Event Center has been in business since 2017 and is being used as a Conference Center to host both corporate and social events. Some of these events include: business meetings, conferences, trade shows, special performances, weddings, reunions, birthday parties, etc. The applicant will like to renew the conditional use permit for the sale of alcoholic beverages. The last CUP approved for this location was on February 10, 2020 for a period of 4 years. Staff notes that this would be the second renewal.

- **Days/Hours of operation:** Monday – Sunday from 6am until 2am or as needed
- **Staff:** 6 employees will man this operation
- **Parking & Landscaping:** There is a total of 383 parking spaces available for this building and landscaping is meeting code.

In viewing the location map, there are single family residences located within three-hundred feet (300') to the south of the business. The City's Alcohol Beverage and Zoning Code states the following:

The property line of the lot of any of the above-mentioned businesses, especially those businesses which have late hours must be at least 300 feet from the nearest residence, church, school or publicly owned property, or must provide sufficient buffering and sound insulation of the building such that the business is visible and cannot be heard from such structure or areas, and must be designed to prevent disruption of the character of adjacent residential areas.

The planning and zoning commission may, under extenuating or special circumstances unique to the site or event, recommend waiver of the 300 foot requirement on a temporary or permanent basis to the city council who shall have the ultimate decision on the matter.

REVIEW COMMENTS: Staff mailed out 41 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval for life of use subject to:

1. Continued compliance with all City Codes (Building, Health, Fire, etc.), and
2. CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to the approve the conditional use permit. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:07 p.m.

Ended: 6:16 p.m.

Item #1.9

Discussion and Action to amend the Planning and Zoning Commission Bylaws

A directive was given to staff to review the bylaws for all the Boards in an effort to make any necessary changes. In the Planning and Zoning Commission bylaws staff proposes the changes below:

Article 1

Organization

- C. The tenure for each member of the Planning and Zoning Board shall be for ~~three (3)~~ two (2) years. Vacancies occurring shall be filled for the unexpired term in the same manner as provided for original appointments.

Purpose of this amendment is to be consistent with the other boards.

Article IV

Voting

- F. A Planning and Zoning Board member shall only abstain from voting if he/she has a vested interest in a particular proposal before the Planning and Zoning Board and shall sign an affidavit to the conflict (see attached Exhibit A). Should there not be sufficient cause for abstention, the Planning and Zoning Board member shall vote.

Purpose of this amendment is to update city forms for all boards.

Article VI

Meetings

- A. ~~Regular meetings shall be on the second and fourth Wednesdays of each month at 5:30 p.m. at the City Hall's Council Chambers.~~

The Planning and Zoning shall hold at least one regular meeting in each month at a time to be fixed by it for such regular meetings, and may hold as many additional regular meetings during the month as may be necessary for the transaction of the business of the City and its citizens. All regular meetings of the Planning and Zoning Commission shall be public and shall be held at a place designated in advance.

Purpose of this amendment is to cut the waiting time an item gets presented to the City Council.

Article VII

Administrative and clerical support for the Planning and Zoning Board shall be provided by the City's ~~Community Development and Planning~~ Department which shall keep any and all records pertaining to business undertaken by the Planning and Zoning Board.

Purpose of this amendment – the Planning Department is the only department that handles and keeps all records pertaining to business undertaken by the P&Z Board.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Villarreal asked that if the term gets reduced does that affect the term the current members have.

Ms. De Luna stated that change would begin next year.

Mr. Villarreal asked that if it was possible that the entire commission can be replaced.

Ms. De Luna stated "yes" but the likelihood is that they won't.

Mrs. Austin asked that how soon before the meetings do the conflict of interest need to be signed?

Ms. De Luna stated that if once the board members would receive their packet and the board member knew that they needed to abstain from an item to notify staff so staff before the meeting to work on the conflict of interest.

Mrs. Garza stated that if a board member wishes to abstain from an item that there is no conflict of interest, can the board member still abstain.

Ms. De Luna stated yes, if the board member wishes to abstain they can.

Mrs. Garza asked that what about adding the alternate board members to vote.

Ms. De Luna stated that she can add that suggestion if the board wishes.

Chairwoman Izaguirre stated that the city attorney stated that if all the board members were present the alternate could not vote. She added that the alternate can vote only when one of the board members was missing.

Mrs. Austin asked that if staff can add the option of zoom.

Ms. De Luna stated that option was only available for city council meetings. But if the commission wanted for staff to add that option they would.

Chairwoman Izaguirre stated that the attorney general stated that board members cannot vote through zoom. She added that board members can join but not vote.

Ms. De Luna stated that to her understanding as long as you have four board members present.

Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to the approve the Discussion and Action to amend Planning and Zoning Commission Bylaws. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:16 p.m.

Ended: 6:17 p.m.

Item #2.0

Homestead Exemption

Variance:

**Tract 1, being the East 71.41' of the West 126.79'
of the South 410' of the North 640' of Lot 7
of the Resubdivision of Lot 14-8 and 15-8,
West Addition to Sharyland
R-1
Atanacio Machuca**

STREET & STORM DRAINAGE – The subject site has frontage to N. Los Ebanos Rd. (Existing Collector 80') and W. Blake St. (Minor Street 50'). Currently, N. Los Ebanos Rd. has a 60' ROW therefore a 10' ROW dedication will be requested. There is a street light at the same corner satisfying the requirement for adequate security lighting.

OTHER COMMENTS

Where such homestead exemption variances are proposed. The city may allow the following:

- Waiver of park fees.
- Waiver of any other requirements as approved by the city council.
- Submittal of affidavit of intention to build a single-family residence within one year for personal use only.

RECOMMENDATION: Staff recommends approval subject to any and all requirements noted and or waivers granted.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to approve the Homestead Exemption as per staff's recommendation. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#3.0

ADJOURNMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Ms. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:18 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission