

**REGULAR PLANNING AND ZONING COMMISSION
JANUARY 9, 2013
CITY COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

Rene Flores
Ned Sheats
Carlos Lopez
Mario Garza
Abiel Flores
Marisela Marin
Diana Izaguirre

STAFF PRESENT

Daniel Tijerina
Bobby Salinas
Susana De Luna
Irasema Dimas
Sonia Marroquin
Police Chief, Martin Garza

GUESTS PRESENT

Mark Richards
Luis Alberto Briseño
Maxilou Link
Jay Inks
Arturo Casanova
Nora Arguelles

CALL TO ORDER

Chairman Rene Flores called the meeting to order at 5:00 p.m.

CITIZENS PARTICIPATION

Chairman Rene Flores asked if there was any citizens' participation.

There was no response.

APPROVAL OF MINUTES FOR DECEMBER 12, 2012

Chairman Rene Flores asked if there were any corrections to the minutes for December 12, 2012. Mr. Ned Sheats moved to approve the minutes as presented. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:01 p.m.

Ended: 5:03 p.m.

ITEM # 1.1

Election of Chairman and Vice-Chairman

Mr. Bobby Salinas stated that it was common procedure to elect a Chairman and a Vice-Chairman every year.

Chairman Rene Flores asked if there were any nominations.

Mr. Mario Garza stated that he felt comfortable with the current Chairman and Vice-Chairman and therefore he would like to nominate them again.

Mr. Rene Flores stated that it was an honor serving the board and that he loved doing it.

Mrs. Marisela Marin stated that she also loved serving the board but she felt that Mr. Ned Sheats would do a better job as a Vice-Chairman then her, therefore, she nominated Mr. Ned Sheats as a Vice-Chairman and Mr. Rene Flores as a Chairman.

Acting Chairman Rene Flores asked if everyone was okay with the nominations, he would take a vote. Mr. Mario Garza moved to approve the motion to leave Mr. Rene Flores as a Chairman and make Mr. Ned Sheats Vice-Chairman. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:03 p.m.

Ended: 5:12 p.m.

ITEM # 1.2

Conditional Use Permit:

**To Keep an existing 14' x 20'
Portable Building for Office Use
1612 W. Business Highway 83
The E. 75' of Lot 3,
Mission Acres Subd.
C-3
Servando Pruneda**

Mr. Bobby Salinas went over the write up stating that the site is located 400' east of Adams St. along the north side of Business 83. This site was previously used as a restaurant however the building that existed has since been demolished. The applicant installed a portable building not knowing a CUP was required. The applicant wishes to keep the 14' x 20' portable building to be used as an office for a towing/repo service. The portable is setback approx. 98' from the property line that will allow for the front area to be utilized for customer parking. Access to the site will be off of Business 83.

- **Hours of Operation:** Monday – Saturday from 8:30 a.m. to 6:30 p.m., Sundays on call.
- **Staff:** 2 employees will run the business.
- **Parking:** A business office of this size requires a minimum of 4 parking spaces. The applicant is providing 4 total spaces, thus compliant with code.
- **Landscaping:** In speaking with the applicant there is a lot of existing pavement along the front of the lot. He has agreed to install at least three trees in order to improve what is currently in existence.

It is not uncommon to have a portable sales office for this type of business. The portable being setback 98' from Business 83 will help lessens the portable's visibility from Business 83. Staff knows that having a portable sales office along Business 83 may not be a long term desire of the City when considering the aesthetics along a major corridor. Thus, perpetual (CUP) monitoring will be the norm where, one day the portable will need to be upgraded with an on-site built structure.

Staff recommended approval subject to: **1)** 1 year re-evaluation to assess this new business, **2)** installing and maintain 3 new trees on the property and install shrubs, plants, and grass around office building, **3)** the portable building to be skirted, **4)** acquire a business license, **5)** install slats in the chain link fence to the north, **6)** complete installation of restroom, and **7)** comply with Sign Code.

Chairman Rene Flores asked if there was any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative were present.

Mr. Arturo Casanova stated that he will be renting the property from Mr. Pruneda. He stated that he has his own towing company, which is located on Texan Rd. and 3 Mile Line, but was asked to locate in the City in order to get the business established inside the city limits. He stated that Mr. Pruneda is giving him the opportunity to do what's needed in order to comply with the requirements and not pay rent for the next 3 months due to the expenses that he is going to be making in order to comply with all the requirements.

Chairman Rene Flores mentioned that the board was pleased to hear that he was willing to make an investment into the business in order to get it established inside the City.

Mr. Casanova also stated that he will be installing rails on the doors and windows because his office has been burglarized twice while on 3 Mile Line. He stated that he and another person would be the only employees and that the office hours are 8:30 a.m. to 6:30 p.m. but he is on call 24 hours.

Chairman Rene Flores asked how many tow trucks Mr. Casanova owned.

Mr. Casanova replied that he only owns 1 truck.

Chairman Rene Flores asked if towed vehicles will be stored on site.

Mr. Arturo Casanova replied that they will be stored behind the fence only for the allowable time so that the owner could pick it up; after the allowable time has expired the vehicle will be moved to the other location on Texan Road.

Chairman Rene Flores asked if there would be buffering required along the side of the neighbors.

Mr. Bobby Salinas replied that there was a chain link fence already installed and the only requirement that the city was requesting at this time was to install slats on the chain link fence.

Mr. Ned Sheats asked if the building had a restroom.

Mr. Arturo Casanova replied that at that moment it did not but it does have all the pipe lines and that his plumber was going to get a permit in order to complete the bathroom and sink.

Mr. Ned Sheats asked if there was sewer on the property.

Mr. Bobby Salinas replied that there used to be a restaurant in the front of the property and that the restaurant was connected to sewer.

After a brief discussion, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendations. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:12 p.m.

Ended: 5:55 p.m.

ITEM # 1.3

Conditional Use Permit:

**Sale & On-Site Consumption of
Alcoholic Beverages –
Fanatics Sports Bar & Grill
2140 E. Business Highway 83
Lot 1, Grapefruit Bowl, Inc.
C-4
Fanatics Sports Bar & Grill
/ Matador Lounge, Inc.**

Mr. Daniel Tijerina went over the write up stating that Fanatics is located approximately 400' east of Ragland Road on the South side of Business

Highway 83. It is located adjacent to Valley Bowl where both businesses share common parking. The main entrance is located at the NW corner of the building. In viewing the floor plan there are 9 pool tables, video games, and several televisions for patrons to view sports and other programs. The restrooms are located on the west side of the business.

- **Hours of Operation:** Sunday – Wednesday from 2:00 p.m. to 12:00 a.m., Thursday and Friday from 2:00 p.m. to 2:00 a.m., and Saturdays from 12:00 p.m. to 2:00 a.m.
- **Staff:** 14 employees
- **Parking:** In viewing the floor plan, there are a total of 188 seats which require 63 parking spaces ($188/3 \text{ seats} = 62.6 \text{ parking spaces}$). It is noted that there are 180 parking spaces held in common between Valley Bowl and Fanatics located along the front and rear of the building.
- **Sale of Alcohol:** Section 1.56-1 of the Zoning Code cites that “Bars” must be 300’ from the nearest residence, church, school or publicly owned property. There is a mobile home subdivision located within 300’; however, P&Z and the City Council have the option to waive this separation requirement.
- Must comply with all Building, Fire, and Health Codes.
- Must obtain separate (individual) address and acquire a business license.

Due to the bar mixing with a more family oriented bowling alley, Staff has informed the applicant that the two businesses must be permanently divided with a solid wall to not allow public access between the two. The applicant is to submit a proposal that would comply with this requirement and also be in compliance with Fire and Building Code requirements.

Staff recommended approval subject to: **1)** a 1 year re-evaluation in order to assess the business, **2)** wavier of the 300’ requirement to City Council, **3)** construct a solid wall that will divide Valley Bowl and Fanatics, **4)** must comply with all City and TABC code requirements, **5)** must “Wet Zone” the property, **6)** obtain a separate address for Fanatics, **7)** acquire a separate Business License, and **8)** provide uniformed security.

Chairman Rene Flores asked if there were any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative were present.

Mr. Jay Inks owner of Fanatics and Valley Bowl stated that he was thankful for the opportunity to resolve the issue. He mentioned that they have been serving alcohol for many years and in late December it was brought to their attention that they needed a special permit to sell. He stated that he needed more feedback on the separate address requirement, since they have been operating with the same address on the liquor license for over 30 years. By obtaining another address for Fanatics it will increase the cost, paperwork, and a new TABC license.

He also stated that for over 40 plus years people have been able to walk back and forth from business to business and constructing a wall would cause pedestrian to walk within the parking area and could be dangerous.

Chairman Rene Flores asked Mr. Daniel Tijerina why staff was asking for a different address.

Mr. Daniel Tijerina replied that it was a recommendation from the Police Chief Martin Garza and that it was required in order to distinguish whether emergency calls originate from Valley Bowl or Fanatics.

Mrs. Marisela Marin stated that it was her understanding that the addresses are assigned during the subdivision process.

Mr. Daniel Tijerina replied that it was correct but in this case the building overlaps both lots and it was approved like that for the expansion and there was no different address issued. He also mentioned that the Police Chief was asking for the different address for the 911 responding program. Another issue is that the property is only partially wet zoned and Fanatics needs to get Wet Zoned.

Mrs. Marisela Marin and Chairman Rene Flores stated that in their opinion this was not enough reason why to get a different address.

Mr. Ned Sheats stated that unless there is an overwhelming issue that the board hasn't been told, he didn't see the reason why that was a requirement. He also mentioned that he was in favor of the wall requirement since the two business environments were completely different.

Chief of Police Martin Garza walked in at 5:38 p.m.

Chief Garza stated that the address requirement was being requested in order to present the Planning and Zoning Commission and City Council with more accurate reports of incidents. He also stated that the recommendation

of the wall was in order to prevent children from leaving Valley Bowl into Fanatics and exposing him/her to any danger.

Mr. Jay Inks replied that his business is not always a bar, in the mornings have from Winter Texans and school field trips using the pool tables and playing machines, but as the day progresses the business changes its atmosphere.

After a brief discussion on the wall requirement, Mr. Ned Sheats stated that he would feel more comfortable if the items were placed on the 'Table' in order to get the list of all the violations.

Chairman Rene Flores entertained a motion. Mr. Ned Sheats moved to "Table" the item. Mr. Carlos Lopez seconded the motion. Upon a 4-3 vote, the motion passed with Mr. Abiel Flores, Mrs. Marisela Marin, and Chairman Rene Flores dissenting.

Started: 5:12 p.m.

Ended: 5:55 p.m.

ITEM # 1.4

Conditional Use Permit:

**Sale & On-Site Consumption of
Alcoholic Beverages – Valley Bowl
2140 E. Business Highway 83
Lot 2, Grapefruit Bowl, Inc.
C-4
Valley Bowl/Jim Inks, Inc.**

Mr. Bobby Salinas went over the write up stating that Valley Bowl is located approximately 400' east of Ragland Road on the South side of Business Highway 83. It is located adjacent to Fanatics where both businesses share common parking. Viewing the floor plan, there are 24 bowling lanes and the approach and pit areas, a party room, an office as you enter the building, the rental area for bowling and shoes, the Café/snack bar/kitchen area, game room area, another office, and a utility/storage area. The main entrance to the facility is located along the North side of the building. There are separate restrooms for men and women.

- **Hours of operation:** Monday – Thursday from 8:00 a.m. to 12:00 p.m., Fridays from 8:00 a.m. to 1:00 a.m., Saturday from 12:00 p.m. to 1:00 a.m., and Sundays from 1:00 p.m. to 12:00 a.m.
- **Staff:** 21
- **Parking:** In viewing the floor plan, there are a total of 298 seats which require 99 parking spaces (298/3 seats = 99.3 parking spaces). It is noted that there are 180 parking spaces held in common between

Valley Bowl and Fanatics located along the front and rear of the building, thus exceeding code by 18 spaces.

- **Sale of Alcohol:** Section 1.56-3 of the Zoning Code cites that “Bars” must be 300’ from the nearest residence, church, school or publicly owned property. There is a mobile home subdivision located within 300’; however, P&Z and the City Council have the option to waive this separation requirement.

Notices were sent to property owners within 200 feet of this business where Staff has not received any comments in favor or against this CUP. Since Valley Bowl has been in business for several years and we have not received any complaints in regards to this establishment, staff would not object to a 1 year re-evaluation, future approvals may be for a longer tenure.

Staff recommended approval subject to: **1)** a 1 year re-evaluation in order to assess the business, **2)** waiver of the 300’ requirement to City Council, **3)** must comply with all City and TABC code requirements, **4)** must “Wet Zone” the entire property, and **5)** must acquire a business license, if needed.

Chairman Rene Flores asked if there were any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative were present.

Mr. Jay Inks was present to answer any questions the board may have.

Since Valley Bowl is linked to Fanatics the board was asked to “Table” this item as well.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to ‘Table’ the item. Mr. Carlos Lopez seconded the motion. Upon a 4-3 vote, the motion passed with Mr. Abiel Flores, Mrs. Marisela Marin, and Chairman Rene Flores dissenting.

Started: 5:55 p.m.

Ended: 5:58 p.m.

ITEM # 1.5

**Conditional Use Permit Renewal: To Keep an 8’ x 14’ Portable Building for the Sale of Sno-Cones & Snacks
1800 W. Griffin Parkway
Lot 11,**

**Inspiration Point Subdivision
C-3
Luis Alberto Briseño**

Mr. Bobby Salinas went over the write up stating that the site is located on the NW corner of Inspiration Road and Griffin Parkway. This CUP was originally approved on 10/27/10 for a period of 1 year after business license issuance (business license issued on 1/6/11). The CUP was later renewed administratively for 1 year, pursuant to Section 1.55 of the Zoning Code. Since the last renewal, the Zoning Code has been modified to require all CUPs to be reviewed by the City Council, thus Mr. Briseño is now seeking a renewal of his CUP through the P&Z & City Council.

The portable building is located along the northeast area of the property that faces Inspiration Road. There is some moderate landscaping that deflects the inherent portable building's effect and has permission to use the restroom facilities within Leo's Drive-In convenience store.

- **Hours of operation:** Every day from 12:00 p.m. to 9:00 p.m.
- **Staff:** The applicant and his wife operate the stand.
- **Parking:** There are 33 existing parking spaces for the entire site. The convenience store requires 15 parking spaces and the portable requires 4 spaces and is placed on 2 spaces, thus leaving 12 extra spaces available for both businesses.
- Must continue to comply with the City's Sign Ordinance.
- Must continue to comply with Health & Fire regulations.

Mr. Briseño has continued to comply with the requirements that were originally asked of him in 2010 and we have not received any complaints regarding the stand, thus Staff does not object to a 3 year re-evaluation.

Staff recommended approval subject to: **1)** a 3 year re-evaluation in order to continue to assess the business, **2)** must continue to comply with the City's Sign Ordinance, and **3)** must continue to comply with the Health & Fire requirements.

Chairman Rene Flores asked if there were any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative were present.

Mr. Luis Alberto Briseño was present to answer any questions from the board.

There being no discussion, Chairman Rene Flores entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit as per staff's recommendation. Mr. Mario Garza seconded the motion. Upon a 6-1 vote, the motion passed with Chairman Rene Flores dissenting.

Started: 5:59 p.m.

Ended: 6:01 p.m.

ITEM # 1.6

**Conditional Use Permit Renewal: Residential Structure for Office Use in an R-1A zone
3503 N. Taylor Road
Lot 1-A,
Summers Estates Subd.
R-1A
Mark V. Richards**

Mr. Bobby Salinas went over the write up stating that the site is located 1,000' north of 2 Mile Road along the west side of Taylor Road. Mr. Richards desires to renew his CUP to have his office within a residential structure where no one will reside. The office is utilized for a small oil and gas management company; however, the structure continues to appear residential with no signage on the premises.

P&Z first approved this request on 9/23/09 with the condition that he would not allow heavy equipment, acquire a business license and have a 1 year re-evaluation of the site. This CUP was most recently approved on 1/11/12.

- **Hours of Operation:** Monday – Friday from 8:00 a.m. to 5:00 p.m.
- **Number of Employees:** 4
- On December 1, 2011, we received a letter of 'No Objection' from the owner of 11 lots (Gerald Gabbert) stating their support for renewing the existing CUP "for any period of time requested by Mr. Richards and approved by the P&Z and City Council".

With such a low-key operation that has less traffic than a typical residence with a 4 member family and the fact that staff has not received any complaints from any of the adjoining properties, staff does not object to a 3 year re-evaluation of the CUP in order to continue to assess the office use.

Chairman Rene Flores asked if there were any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative were present.

Mr. Mark Richards was present to answer any questions from the board.

There being no discussion, Chairman Rene Flores entertained a motion. Ms. Diana Izaguirre moved to approve the conditional use permit as per staff's recommendation. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:01 p.m.

Ended: 6:04 p.m.

ITEM # 1.7

**Conditional Use Permit Renewal: Home Occupation –
Licensed Child Care Home
4203 San Roman
Lot 104,
Paseo Lindo Phase II Subd.
PUD
Nora Arguelles**

Mr. Bobby Salinas went over the write up stating that the subject site is located between Santa Laura and Santa Teresa, along the north side of San Roman. A Home Occupation CUP for a licensed child care home was most recently approved by P&Z on 1/11/12. The home has a two car driveway off of San Roman capable of accommodating the safe drop off and pick up of children. There are also existing 4' sidewalks for pedestrian traffic. There is a six foot opaque buffer fence surrounding the rear of the residence to maximize protection of the children. Ms. Arguelles primarily uses her living room to care for the children.

- **Hours of Operation:** Monday – Friday from 8:00 a.m. to 3:00 p.m.
- **Staff:** Herself and 1 other adult run the registered home.
- Applicant is DHS certified as previously required.
- Must continue to comply with Sect. 1.56-1, Zoning Code (home occupations regs.)

Staff has never received any complaints from the neighborhood. Since this is in a PUD though, continual re-evaluations should be the norm. Staff does not object to approve the conditional use permit subject to: **1)** a 3 year re-evaluation in order to keep monitoring the child care facility and **2)** must continue to comply with the Home Occupation portion of the Zoning Code.

Chairman Rene Flores asked if there was any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative was present.

Ms. Nora Arguelles was present to answer any questions from the board.

Chairman Rene Flores asked Ms. Arguelles how many children she takes care of.

Ms. Arguelles replied that she takes care of 12 children.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendation. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:04 p.m.

Ended: 6:07 p.m.

ITEM: 1.8

**Conditional Use Permit Renewal: Sale & On-Site Consumption of
Alcoholic Beverages –
Catholic War Veterans
500 W. Business 83
Lots 7-10, Block 150, M.O.T.
C-4
Catholic War Veterans**

Mr. Bobby Salinas went over the write up stating that this CUP was recently renewed by P&Z on 12/20/10. The 4,800' sq.ft. lounge is located on the NW corner of Business 83 and Slabaugh Ave.

- **Hours of Operation:** Monday – Friday from 4:00 p.m. to 12:00 a.m. and Saturdays from 6:00 p.m. to 12:00 a.m.
- **Parking and Landscaping:** There is sufficient parking, existing landscaping, and existing sidewalks.
- **Sale of Alcohol:** Section 1.56-3 cites that 'lounges' must be 300' from the nearest residence, church, school or publicly owned property. The City of Mission's main Fire Station is located within 300' of the CWV, however, P&Z and the Council waived this separation requirement in the CUP's original approval in 2003.

There have been no complaints forwarded to the Planning Department in regards to the sale and on-site consumption of alcohol.

Staff recommended approval subject to: **1)** Waive the 300' separation requirement as done in the previous CUP, and **2)** a 3 year re-evaluation in order to continue to assess this operation.

Chairman Rene Flores asked if there was any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative was present.

There was no response.

Mrs. Marisela Marin asked Mr. Bobby Salinas if staff was changing the recommendations due to the first time this was requested it was approved for 1 year and during the re-evaluation it was also approved for another year and now staff was recommending approval for 3 years and she was reluctant in approving it for such a long time.

Mr. Bobby Salinas replied that the board could approved it for the amount of time that they wish, from 6-months to 3 or maybe 5 years, but during that time if any complaints come up they could revoke the conditional use permit.

Mrs. Marisela Marin replied that now she felt more comfortable approving it for 3 years.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit as per staff's recommendation. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:07 p.m.

Ended: 6:11 p.m.

ITEM: 1.9

Conditional Use Permit Renewal:

**The Complimentary Offering of
Alcoholic Beverages for On-Site
Consumption for a Social
and/or Cultural Event
921 E. 12th Street**

**Lot 1,
Mission Library Subdivision
R-2
Upper Valley Art League**

Mr. Bobby Salinas went over the write up stating that UVAL is located east of the Mission Library and that an aerial of the site reflects the common parking spaces that serve the facility. Ord. # 3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks will be offered (not sold) during social/cultural event.

On 1/11/12, P&Z voted to approve a request by the UVAL for the offering of alcoholic beverages for 1 year. UVAL is now requesting a renewal for another year that would allow the serving of complimentary alcoholic beverages during Art events for 2013. We note that UVAL has submitted its schedule of events up to 2016; however, Staff is wary of such an extended approval, due to unknown changes that may occur in the latter years. P&Z may however, approve whichever calendar years they wish. All events are scheduled from 7:00 p.m. to 9:00 p.m.

It appears that the 2012 social events occurred with no incidents. UVAL firmly attests that they are very watchful of how much the patrons are responsibly served, and intend to have continued vigilance at their social exhibit events. Staff recommended approval for the year 2013.

Chairman Rene Flores asked if there was any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative was present.

Mrs. Maxilou Link was present to answer any questions from the board.

Mrs. Marisela Marin stated that even though the applicant provided calendars for several years she would feel more comfortable approving it for only 1 year.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Carlos Lopez moved to approve the conditional use permit as per staff's recommendation. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:11 p.m.

Ended: 6:14 p.m.

ITEM: 2.0

Conditional Use Permit Renewal: Non-Residential Facilities on an R-1A Lot Linked to the Adjoining Waterford Gardens 2211 Betty Drive Lot 1, Peña Escondida Estates R-1A Lucille G. Cavazos

Mr. Bobby Salinas went over the write up stating that the subject site is located at the northern perimeter of the 2200 block of Betty Drive. The irregularly-shaped R-1A lot is located south of and adjoins the Waterford Gardens, a retirement/nursing home that is owned by the applicant.

Ord. 3557 allows, under CUP approval, certain non-residential facilities to be placed on R-1A lots. In this regard, the applicant's CUP allowed her to install 8' walkways, a driveway, and a gazebo on the R-1A zoned lot for use by Waterford residents. There is also an opaque buffer fence that surrounds the sides and the frontage onto Betty Drive with additional landscaping provided. The following conditions were imposed during the original 12/8/10 CUP approval:

1. 1 year re-evaluation to assure smooth acclimation; may be renewed for extended periods after 1st year;
2. Pave sidewalks along Betty Drive (via plat note)
3. Keep gate locked; to be opened only for landscape maintenance, etc.;
4. No commercial signage on R-1A property;
5. Maintain landscaping, in particular, to the exterior and south of the wood fence, in a professional manner; also, fence to be maintained professionally;
6. Any security lighting to be downcast into the same property.

On 1/25/12 P&Z approved a renewal of the CUP for 1 year when an inspection of the property revealed that all conditions had been met and staff had not received any complaints.

Staff has recently inspected the property once again and found that all items are currently being met. Since we have not received any complaints regarding the current use of the R-1A lot, staff does not object to approving the CUP subject to: **1)** 3 year re-evaluation due to the adjoining residential neighborhood; and **2)** Continue to maintain the landscaping and wood fence in a professional manner, in particular, along the south side of the fence.

Chairman Rene Flores asked if there was any public opposition to the request.

There was no response.

Chairman Rene Flores asked if the applicant or representative was present.

There was no response.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendation. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:14 p.m.

Ended: 6:19 p.m.

ITEM: 3.0

Discussion and Action for an Amendment to the Speed Hump Policy as Adopted in Ordinance # 3644

Mr. Bobby Salinas went over the write up stating that on 4/25/11, City Council adopted Ordinance No. 3644, which created a policy for Homeowner's Associations to apply for the installation of speed humps on public streets within their neighborhoods. We have had a few requests for speed humps however, when it comes to the cost to install, the HOAs are having a hard time coming up with the funding for the installation. Also, there was a concern that the amount of Traffic Volume required by code was too high and makes it very difficult for smaller neighborhoods (with speeding problems) to comply with the City's volume requirement. We have areas where citizens have identified traffic problems for the City, where a speed hump may be beneficial; however, the traffic issues remain due to lack of funding or the size of the neighborhood.

Staff is proposing amendments to the Speed Hump Policy in regards to the minimum amount of traffic volume per day and cost responsibility in order to make it more beneficial to the citizens of Mission. Staff recommended approval to the amendments. (See changes shown in red on Exhibit "A").

Chairman Rene Flores asked if there were any comments from the board.

Mrs. Marisela Marin asked if the City would be responsible for all the cost of the speed humps.

Mr. Bobby Salinas replied that was correct but at the same time it did not mean that the City was going to install speed humps left and right throughout the city, the applicants would need to meet all the requirements and go before the Traffic Control Committee and then City Council in order to get it approved.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the amendments as per staff's recommendation. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM # 4.0
ADJOURNMENT

There being no further items for discussion, Mr. Ned Sheats moved to adjourn the meeting. Mr. Mario Garza seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:19 p.m.

Rene A. Flores, Chairman
Planning and Zoning Commission