

**PLANNING AND ZONING COMMISSION  
NOVEMBER 19, 2014  
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

**P&Z PRESENT**

Rene A. Flores  
Ned Sheats  
Carlos Lopez  
Marisela Marin  
Abiel Flores

**P&Z ABSENT**

Diana Izaguirre  
Mario Garza

**STAFF PRESENT**

Daniel Tijerina  
Bobby Salinas  
Susana De Luna  
Irasema Dimas

**GUESTS PRESENT**

Guadalupe Munguia  
Julio Cerda  
Joe & Kathy Espinoza  
Anthony Bocanegra  
Dionicio Hernandez  
David Garza  
Charles Carter

Elva Salinas  
Victor Trevino  
Pilar Gonzalez  
Jimmy Sanchez  
Ana I. Hernandez  
Abiel Ramon

Yadira Gonzalez Ramon  
Carmen & Francisco Martinez  
Servando Ozuna  
Leticia Ogletree  
Maria Acosta  
Luis Sanchez

**CALL TO ORDER**

Chairman Rene A. Flores called the meeting to order at 5:01 p.m.

**CITIZENS PARTICIPATION**

Chairman Rene A. Flores asked if there was any citizen's participation.

There was none.

**APPROVAL OF MINUTES FOR OCTOBER 22 & NOVEMBER 5, 2014**

Chairman Rene A. Flores asked if there were any corrections to the minutes for October 22 & November 5, 2014. Mr. Ned Sheats moved to approve the minutes as presented. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:02 p.m.**

**Ended: 5:04 p.m.**

**ITEM #1.1**

**Rezoning:**

**33.49 acres out of Lot 24-3 &  
27.97 acres out of Lot 24-4,  
West Addition to Sharyland Subdivision  
R-1 to P  
Mission CISD**

Mr. Bobby Salinas went over the write-up stating that the property is located on the SW corner of Holland Avenue and W. Griffin Parkway.

**SURROUNDING ZONES:**

N:	R-1	Single Family Residential
	R-2	Duplex-Fourplex
	C-2	Neighborhood Commercial
	C-3	General Business District
E:	AO-I	Agricultural Open Interim
	R-1	Single Family Residential
W:	AO-I	Agricultural Open Interim
S:	AO-I	Agricultural Open Interim
	R-1	Single Family Residential

**LAND USES:** The surrounding land uses consist of a combination of single family homes, apartments, and businesses to the north, single family homes to the east, an irrigation canal to the west, and single family homes and open acreage to the south. The subject site includes O’Grady Elementary, K. White Jr. High, and the MCISD Central Kitchen and consists of other accessory facilities.

**FLUM:** The Future Land Use Map reflects a Public (P) designation.

**REVIEW COMMENTS:** The Public Zone requires all public facilities such as City, County, Federal Buildings; and Schools to fall within this zone. MCISD is proposing to expand their Central kitchen and chose to include the adjoining school properties to the rezoning.

The P zone proposal and the existing use are consistent to the City’s Future Land Use designation of Public (P). The existing use and any future construction/use is exactly what the P zone is intended to regulate.

**RECOMMENDATION:** Staff recommends approval.

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

There was no response.

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

There was no response.

There being no discussion, Chairman Rene A. Flores entertained a motion. Mr. Ned Sheats moved to approve the rezoning as per staff’s recommendations. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:04 p.m.**

**Ended: 5:08 p.m.**

**ITEM #1.2**

**Rezoning:**

**The E. 1 acre of the W. 6 acres of the  
N. 16.65 acres of the S. 21.65 acres of  
Lot 195, John H. Shary Subdivision  
AO-I to R-3  
Abiel and Yadira Ramon**

Mr. Daniel Tijerina went over the write-up stating that the property is located 550' east of Shary Road along the south side of E. 4<sup>th</sup> Street. The property measures 111.26' x 391.32' which equates to 43,568.26 sq. ft.

**SURROUNDING ZONES:**

N: R-1 – Single Family Residential  
E: AO-I – Agricultural Open Interim  
W: AO-I – Agricultural Open Interim  
S: C-3 – General Business District

**LAND USES:** The surrounding land uses consist of a residential subdivision (Shary Crossing) to the north, an electrical substation to the east, open acreage to the west, and La Fogata's parking lot to the south. The subject site currently has 2 single family homes.

**FLUM:** The Future Land Use Map reflects a General Commercial (GC) designation for this area.

**REVIEW COMMENTS:** The area to the west of this site has frontage to a widened Shary Rd. which is more compatible for non-res uses as recognized by the City's FLUM designation of General Commercial (GC). However, the subject site is over 500' away and only fronts E. 4<sup>th</sup> St. An R-3 zone at this juncture would be a nice transition from commercial along Shary to multi-family residential leading away from Shary Road. The re-zoning would provide the desired stair step effect starting from commercial uses on major corridors and ending in residential uses on lesser streets. Also multi-family uses are less intrusive to the residential subdivision than an unknown commercial establishment that would potentially be placed in this area if zoned to commercial.

**RECOMMENDATION:** Staff recommends approval.

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

There was no response.

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

There was no response.

There being no discussion, Chairman Rene A. Flores entertained a motion. Mr. Ned Sheats moved to approve the rezoning as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:08 p.m.**

**Ended: 5:13 p.m.**

**ITEM #1.3**

**Rezoning:**

**Lot 3, R & E Lopez Subdivision  
R-1 to C-3  
Salvador Martinez**

Mr. Daniel Tijerina went over the write-up stating that the property is located 70' east of Kirk Avenue along the south side of Griffin Parkway.

**SURROUNDING ZONES:**

N:	R-1	– Single Family Residential
	C-3	– General Business District
E:	R-1	– Single Family Residential
W:	C-3	– General Business District
	R-1	– Single Family Residential
S:	R-1	– Single Family Residential

**LAND USES:** The surrounding land uses consist of professional offices and a single family home to the north, single family homes to the east, a carwash and open acreage to the west, and a residential subdivision to the south. The subject site currently consists of a single family home and open acreage.

**FLUM:** The Future Land Use Map reflects a General Commercial (GC) designation along the Griffin Parkway frontage.

**REVIEW COMMENTS:** Staff anticipates most of the lots along Griffin Parkway to evolve into commercial uses due to:

- 1) The subject property adjoins Griffin Parkway (SH 495), being a five lane major road (mandates a minimum 120' ROW with an ultimate pavement width of 81').
- 2) The site adjoins other commercially zoned tracts to the north and west.
- 3) The inherent traffic using Griffin Parkway is more conducive for a non-residential use, rather than having a single family home fronting such congestive traffic patterns.
- 4) The proposal for C-3 would be in compliance with the City's Future Land Use Map which reflects a General Commercial (GC) designation.

**RECOMMENDATION:** Approval.

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

There was no response.

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

There was no response.

Chairman Rene A. Flores asked if this was going to be the first commercial development in that area.

Mr. Tijerina replied, "No". He mentioned that there were other commercial developments such as a carwash, drive-thru, and a daycare to the west and on the north side there were other commercial buildings on Oakwood Estates Subdivision.

Mr. Ned Sheats asked if there was a maximum depth that a property needed to be FM 495.

Mr. Tijerina replied, "It typically is 400' maximum."

There being no further discussion, Chairman Rene A. Flores entertained a motion. Mr. Abiel Flores moved to approve the rezoning as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:13 p.m.**

**Ended: 5:16 p.m.**

**ITEM #1.4**

**Rezoning:**

**Lot 7, Block 119,  
Mission Original Townsite Subdivision  
R-1 to C-3  
Dan Damon**

Mr. Daniel Tijerina went over the write-up stating that the property is located 100' south of 8<sup>th</sup> Street along the west side of Doherty Avenue. The lot measures 50' x 150' for a total of 7,500 sq. ft.

**SURROUNDING ZONES:**

N:	C-3	– General Business District
E:	R-1	– Single Family Residential
W:	C-3	– General Business District
S:	R-1	– Single Family Residential

**LAND USES:** The surrounding land uses consist of a parking lot to the north, apartments to the east, a single family home to the south, and a commercial plaza to the west. The subject site is currently open acreage.

**FLUM:** The Future Land Use Map reflects a General Commercial (GC) designation for this site.

**REVIEW COMMENTS:** The proposed C-3 zoning is consistent to existing zonings to and existing commercial uses to the north and west, and this change in zone would be fully compliant to the FLUM's GC designation for this area of Doherty.

**RECOMMENDATION:** Staff recommends approval.

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

There was no response.

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

Mr. Bobby Salinas stated that he had the opportunity to talk to the applicant in case there was a question on what he was proposing to build there. Mr. Salinas stated that pretty much it's going to be a mirror image of what's on the west side a little plaza utilizing the parking along the front it will be facing 8<sup>th</sup> Street.

Mr. Sheats stated that with a C-3 zone they could have anything.

Mr. Salinas stated that he was proposing small retail suites.

There being no discussion, Chairman Rene A. Flores entertained a motion. Mrs. Marisela Marin moved to approve the rezoning as per staff's recommendations. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:16 p.m.**

**Ended: 5:22 p.m.**

**ITEM #1.5**

**Conditional Use Permit:**

**To keep an existing 14' x 20' Portable  
Building for an Auto Sales Office  
1612 W. Business Highway 83  
The E. 75' of Lot 3, Mission Acres Subd.  
C-3  
Luis Sanchez**

Mr. Daniel Tijerina over the write-up stating that the property is located 400' east of Adams Street along the north side of Business 83. This site currently has a 14' x 20' portable building that was approved 8-27-14 by P&Z for a towing/repo service yard. The portable is setback approx. 98' from the property line and has an existing parking area for customer parking along the front of the lot. Access to the site is off of Business 83. The new applicant wishes to lease the site for a used car lot. He wishes to have the display of vehicles along the front of the lot, provide a new parking area for the customers, and have additional vehicle storage at the rear of the office.

- **Hours of Operation:** Monday – Saturday from 9a.m. to 6p.m., Closed Sundays.
- **Staff:** 2 employees will operate the business

- **Parking & Landscaping:** A business office of this size requires a minimum of 4 parking spaces. The applicant is proposing 4 new spaces adjacent to the portable building. Staff is requiring the new parking area to be constructed of asphalt and must comply with the minimum parking code requirements of the City of Mission, i.e. 9' x 18' spaces with a 24' maneuvering lane. Landscaping is in compliance with code.

**REVIEW COMMENTS:** It is not uncommon to have a portable sales office for this type of business. The portable being setback 98' from Business 83 and the proposed vehicle display area will help lessen 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 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.

**RECOMMENDATION:** Staff recommends approval for 1 year.

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

There was no response.

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

Mr. Luis Sanchez who address is 3518 N. Conway was present to address any questions from the Board.

Mrs. Marisela Marin asked if the building had any plumbing.

Mr. Sanchez replied, "Yes, it has a restroom".

There being no further discussion, Chairman Rene A. Flores entertained a motion. Mrs. Marisela Marin moved to approve the conditional use permit as per staff's recommendations. Mr. Abiel Flores seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:22 p.m.**

**Ended: 5:31 p.m.**

**ITEM #1.6**

**Conditional Use Permit:**

**Manufacturing & Re-packaging of**

**Dips in a C-3 Zone**

**2401 S. Shary Road, Ste. K**

**Lot 1, Riverside Plaza at Sharyland Subdivision**

**& Lot 33, Riverside Estates at Sharyland Subdivision, Ph. I**

**C-3**

**Mrs. Maria Del Pilar Gonzalez**

Mr. Daniel Tijerina went over the write-up stating that the property is located on the SE corner of San Miguel Drive and Shary Road. The applicant is proposing to manufacture, process, and package dips within a 2,428 sq.ft. suite within the existing commercial plaza. The applicant was the winner of the MEDC's "Ruby Red Ventures" \$25,000 grant for her new start-up company and came in 2<sup>nd</sup> place for H-E-B's "Primo Pick" which granted her distribution to 30 stores throughout the State. She was also contracted for 100 stores from Speces, which are the owners of Feldmann's. She was also helped by Pan-Am to acquire a business site.

Ms. Gonzalez is proposing the use of 1 commercial blender, a commercial filling machine that would fill 7oz. containers for the dips. She will also be using a label machine once the products are completed. She will then be distributing her products to H-E-B and Feldmann's.

The Zoning Code requires the "**manufacturing...processing, packaging of food products**" to be done within an I-1 (Light Industrial Zone). However, any I-1 use may be permitted within a C-3 with a CUP (Zoning Code, Art. VIII, Sect. 1.43 (3)(i).

- **Hours of operation:** Monday – Friday from 8am to 5pm.
- **Staff:** There will be 5-8 employees operating the business.
- **Parking:** The suite requires 9 parking spaces. It is noted that the parking area is held in common (313 existing parking spaces) with other suites.
- Must comply with all Building, Fire, and Health Codes.
- Must acquire a business license.

**REVIEW COMMENTS:**

P&Z has reviewed and approved four other similar requests for the manufacturing, processing and re-packaging of food products, Staff feels that this new business will be beneficial to the current business area. As of this write-up, Staff has not received any comments for or against this proposal.

**RECOMMENDATION:** Staff recommends approval for 1 year subject to compliance with all Building, Fire, and Health Codes and must acquire a business license and any health cards that may be required.

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

Mr. Jimmy Sanchez who resides at 2328 Orange stated that he was not against the request he was just curious as to what were they going to re-pack.

Chairman Rene A. Flores stated that the applicant could answer his questions.

Mrs. Maria Del Pilar Gonzalez stated that she was just going to re-pack dips.



Chairman Rene A. Flores recalled that this business started as a home occupation and now that business has grown it is time to move on to a commercial building.

Mrs. Gonzalez stated that she was very grateful to the City of Mission because they had helped her a lot with her business.

Chairman Rene A. Flores congratulated Mrs. Gonzalez and asked her what she needed to do in order for her to win the \$25,000.

Mrs. Gonzalez stated that she participated in the Ruby Red Ventures which was a great program that the City of Mission had. She mentioned that she presented her product to a jury which evaluated her product based on quality and presentation amongst 600 contestants throughout the State and they granted her \$25,000 to start her business in a different level. She added that they also put her together with the HEB premium quest as a participant and she came in second place for the whole State of Texas. Mrs. Gonzalez stated that starting in January she would be selling her product throughout the State. She added that small entrepreneurs like her dream big but did greatly appreciate all the help she has received from the City, Chamber of Commerce and the UTPA.

Mr. Ned Sheats thanked Mrs. Gonzalez for renting a space in a brand new building.

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

**Started: 5:31 p.m.**

**Ended: 5:39 p.m.**

**ITEM #1.7**

**Conditional Use Permit:**

**To Construct a new Radio Tower  
on property zoned C-3 (Heavy Commercial)  
405 W. 12<sup>th</sup> Street  
Lots 10-12, Block 184,  
Mission Original Townsite Subdivision  
C-4  
La Respuesta Church Ministries**

Mr. Daniel Tijerina went over the write-up stating that the property is located 200' east of Slabaugh along the south side of W. 12<sup>th</sup> Street. The site has an existing church (La Respuesta Church Ministries). Access to the site is provided through a driveway off of W. 12<sup>th</sup> Street. La Respuesta Church is proposing to install a new ROHN 25G Complete 120' 110MPH Guyed Tower in order to transmit their sermons and other church related programs. The church was granted a low power FM broadcast station construction permit by the Federal Communications Commission. There are no existing

towers in the near vicinity to which they would be able to co-locate for their broadcasting needs.

**REVIEW COMMENTS:** In speaking to the applicant, they are proposing to install the antenna behind the existing church building which is visible from W. 12th St. Staff is requesting the installation of an opaque fence buffer along with a landscape hedge to aid in the screening of the ground equipment. Staff is also requesting that the antenna be capable of allowing for co-location of other antennas in order to avoid any new towers in this area.

**RECOMMENDATION:** Staff recommends approval of the CUP for life of use subject to:

1. Must install an 8' opaque fence around the antenna,
2. Must install a landscape hedge to screen the area,
3. Must allow for co-location by others and,
4. The CUP shall not be transferable to others.

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

There was no response.

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

Representing the church, Pastor Servando Ozuna whose address is 421 W. 12<sup>th</sup> Street stated after being broadcasting for more than 25 years in diverse radio stations and also does T.V. programs for Trinity broadcasting network he was approach by a friend that mentioned that the FCC was going to grant 10,000 radio stations for non-profit organizations. Mr. Ozuna stated that through the whole United States there were more than 90,000 applicants and they were granted one of them. Mr. Ozuna stated that they wanted to make this a community radio station even though it is in a radio station. Mr. Ozuna added that they wanted to open it to the City, schools, or anybody that might have something to broadcast like air the football games on Fridays. He mentioned that they would also have children's and youth programs. Mr. Ozuna stated that this radio station would be a 12' x 12' tower it would be guided by cables.

Chairman Rene A. Flores asked if they would be assigned a specific radio station or how would that work what radio station it would be.

Mr. Ozuna stated that it would be 99.9 KZOA La Respuesta Family Radio.

Mr. Ned Sheats asked who would be doing the engineering for the tower.

Mr. Ozuna stated that the company installing the tower would be Layman Tower Services. He added this company also does the television station here in the valley.

Mr. Ned Sheats asked staff to make sure that the company complies with all the building setbacks for this tower.

There being no discussion, Chairman Rene A. Flores entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit subject to staff's recommendations. Mr. Abiel Flores seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:52 p.m.**

**Ended: 6:08 p.m.**

**ITEM #1.8**

**Conditional Use Permit:**

**Restaurant on property zoned C-2  
Lot 1 and the S. 25' of Lot 2, Block 1  
Bel-Aire Heights Subdivision  
1233 E. Griffin Parkway  
C-2  
Lupe A. Gonzalez**

Mr. Daniel Tijerina stated that they had received a letter from the applicant requesting that there be no action on this item in order to have an opportunity to talk to the residents of their proposal.

Chairman Rene A. Flores asked if there was anybody present in opposition to this item.

A show of hands indicates that they were 8 people in opposition to this request.

Mr. Jimmy Sanchez who resides at 2328 Orange Avenue stated that he had not received a notice of this meeting from the city but somebody put a copy of the notice in his door knob.

Mr. Tijerina stated that by law the city was required to send notices to the property owners only within 200' radius of the proposed site and he was outside the 200' radius. He added that new notices would be mailed out with the new meeting date.

**Started: 5:40 p.m.**

**Ended: 5:47 p.m.**

**ITEM #1.9**

**Conditional Use Permit:**

**To keep a 7' x 8' Portable  
Building for the Sale of Food  
Lot A, Mission Acres Subdivision  
C-3  
Juan & Eduardo Guerrero**

Mr. Daniel Tijerina went over the write-up stating that the property is located on the NW corner of Los Ebanos and Business 83. There is an E-Z Mart convenience store with an existing 7' x 8' portable building located on the west side of the store. On 10-28-13, City Council approved the use of the portable building for a period of 1 year subject to

compliance with the City's Building, Fire, and, Health codes, the acquisition of a business license, painting the building to be aesthetically pleasing, compliance with the landscaping code, and re-stripping the parking lot.

- **Hours of Operation:** Sunday – Friday 6p.m. to 12a.m., Saturdays 6p.m. to 12:30a.m.
- **Staff:** 2
- **Parking:** The convenience store and the portable building require 15 spaces. There are a total of 24 parking spaces including the spaces under the canopies for the gas pumps, thus exceeding code.
- Must comply with building, fire, and health codes.
- Must acquire a business license

**REVIEW COMMENTS:** The portable building has been on the site for several years. Upon an inspection, the owner did install some landscaping along Business 83, re-painted the parking lot and the main building and gas canopies. However, the portable building has not been re-painted. Staff has not received any complaints regarding the operation of the stand. Staff does not object to the re-opening of the stand so long as they re-paint the portable and add 3 trees to their landscaped area.

**RECOMMENDATION:** Staff recommends approval for 1 year subject to:

1. Re-painting the portable building; and
2. Add 3 trees to the landscaped areas.

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

There was no response.

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

There was no response.

Mr. Ned Sheats asked Mr. Tijerina if he could make sure that they paint the hotdog stand the same color as the building.

Mr. Tijerina replied, "Yes"

Mr. Bobby Salinas stated that part of the original recommendation was that they paint the building, canopy and the portable and I guess they understood it was only the building and the canopy.

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

**Started: 5:47 p.m.**

**Ended: 5:51 p.m.**

**ITEM #2.0**

**Public Hearing:**

**To consider Abandoning a Right of Way Easement being a 1.93 acre tract of land Out of a 2.18 acre tract out of Lot 19-3, West Addition to Sharyland Subdivision Mission Real Properties, Inc.**

Mr. Daniel Tijerina went over the write-up stating that the City of Mission holds public hearings on issues involving any abandonment of public ROWs. Public notification procedures (similar to re-zonings) have been activated, i.e. notices were sent to owners within a 200' radius, plus a publication of such 'ROW easement abandonment' placed in the City's newspaper.

**SITE:** The site is located on the NE corner of Los Ebanos Road and U.S. Expressway 83. The ROW easement runs in a north easterly direction from Los Ebanos Road traversing through Lot 19-3. It measures approx. 73' x 1,274'.

Staff received a request from Mr. Steve Spoor of Spoor Engineering on behalf of Mission Properties, Inc. asking for the City Council's consideration of the abandonment. Mr. Spoor states the reason for the request being that the location of the ROW easement "does not benefit the development of the property".

**REVIEW COMMENTS:** The ROW easement was dedicated by the Hidalgo County Water Control and Improvement District No. 14 to the City of Mission in **1956**, prior to the construction of the Expressway. The ROW easement's purpose was for a new street. The ROW is currently a dirt access drive used by an existing telecommunication tower located at the NE corner of the property. The abandonment of this ROW easement would allow for better development of the site as a larger parcel of land. *(NOTE: The City would be looking at a new road ROW dedication in a more proper location during the subdivision review stage, i.e. the dedication of Walsh's extension to run N-S to the expressway.)*

The 73' road easement has never been used as a public road and does not have any public utilities within it. The abandonment of this easement would allow for the property to be more likely to develop as 1 large lot, rather than 2 separate, irregular lots.

**RECOMMENDATION:** Staff does not object to the abandonment of the ROW easement.

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

There was no response.

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

Representing the applicant, Mr. Julio Cerda was present to address any questions from the Board.

There being no discussion, Chairman Rene A. Flores entertained a motion. Mr. Abiel Flores moved to approve the request as presented. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:51 p.m.**

**Ended: 5:59 p.m.**

**ITEM #2.1**

**Pre-Final Plat Approval:**

**F & F Subdivision**

**Being a 10.28 acre tract of land, more or less, consisting of that certain 9.23 acre tract of land, more or less, carved out of Lot 253, Bentsen Groves Subdivision Addition "B", and in part, being a re-plat of all of Lots 43 & 44, Palm Country Estates Subdivision**

**Rural ETJ**

**Developer: Maria De Los Angeles Acosta,  
Ana Isabel & Dionicio Hernandez  
Alberto Rojo**

**Engineer: Salinas Engineering & Associates**

Mr. Daniel Tijerina went over the write-up stating that the subdivision is located on the NE area of Mile 6 and Bentsen Palm Road. The subdivision consists of 9 lots, where Lot 1 shall have the option of being used for commercial or multi-family purposes. The remaining lots shall be used for residential purposes. Since this plat includes two lots that were part of an existing residential subdivision, the public hearing requirements for a re-plat is required.

**WATER:** The water CCN belongs to SWSC. The developer is providing water by connecting to an existing 6" water line located along the north side of Mile 6 and extending a new 6" line north through the new street being proposed by this plat. The City's Rural ETJ regulations do not require fire hydrants.

**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 area is not within the City of Mission's Sewer CCN. (NOTE: Mission sewer is 1.72 miles away).

**STREETS & STORM DRAINAGE:** The subdivision has frontage to Bentsen Palm, a future 80' ROW, 57' paved B-B road. There is no additional ROW required off of Bentsen Palm Road. The plat also has lots that front Mile 6 Road an existing 80' ROW, future 57' paved B-B road. There is some additional ROW being dedicated by this plat at the connection to Bentsen Palm Road. The developer is connecting two existing street stubs (Travis Neal Street) on the north and south, finally completing what was envisioned for those developments. The new portion of Travis Neal St. will be built to the County's construction specifications. No residential access will be allowed from Lot 1. Drainage for the subdivision is proposed through the use of on-site detention on each property as permitted under County guidelines-see drainage report.

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

Chairman Rene A. Flores asked if there was any input from the Board.

There was no response.

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

Mrs. Ana Hernandez who resides at 3604 W. Mile 6 Road stated that she owns lot 3 and just wants to make her lot bigger.

Mr. Salinas stated that part of the new subdivision includes Lots 43 & 43 and that is why they have to do a replat.

Mr. Ned Sheats asked how they ever got this new subdivision to look like this.

Mr. Salinas stated that all he could say was that it was meeting all the requirements.

Mrs. Maria Acosta who resides at 3708 W. Mile 6 Road asked if they could add to the home once the subdivision was done.

Mr. Salinas replied, "Yes".

There being no further discussion, Chairman Rene A. Flores entertained a motion. Mrs. Marisela Marin moved to approve the subdivision plat as per staff's recommendation. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:00 p.m.**

**Ended: 6:08 p.m.**

**ITEM #3.0**

**Homestead Exemption Variance:**

**David Garza Subdivision  
The N. 2.502 Ac. of the S. 5 Ac. out of Lot 58,  
New Calendonia Subdivision, Unit No. 1**

**Suburban ETJ**  
**Developer: David Garza**  
**Engineer: Rio Delta Engineering**

Mr. Bobby Salinas went over the write-up stating that this 1 lot plat is located approximately ½ a mile north of Mile 2 along the west side of Schuerbach Road. The proposed lot measures 165.19' x 660'. You may recall that we saw this subdivision on 9/8/14. The project engineer is now requesting for reconsideration of this plat under the new homestead exemption variance (HVE) ordinance recently approved by the City. On 11-10-14, the City Council passed the HEV ordinance which allows for homesteads to be granted various waivers to the City's subdivision requirements if and only if, the lot is being proposed for the applicant's personal single family home.

**WATER:** The water CCN belongs to Sharyland Water Supply Corporation. The developer is proposing to connect to an existing 6" line located along the east side of Schuerbach Road to provide water service to the lot.

**SEWER:** The developer is proposing the use of an existing On-Site Sewage Facility (Septic Tank) to provide service to the lot. The capital sewer recovery fee is waived via the HVE.

**STREETS & STORM DRAINAGE:** The subdivision abuts Schuerbach Road, which is a future 80' ROW, 57' B/B paved street as required by the MPO. A minimum of 40' of ROW shall be dedicated by this plat along Schuerbach Road. The HEV waives the escrow requirement for the widening of Schuerbach Road. The Project Engineer is proposing drainage for the subdivision with on-site detention for the residential lot as permitted under County guidelines.

**OTHER COMMENTS:**

- Must comply with Model Subdivision Rules;
- Must dedicate water rights;
- The HEV waives the need for 5' sidewalks along Schuerbach Rd.
- The street light requirement is also waived via the HEV.

**RECOMMENDATION:** Staff recommends approval subject to dedication of the ROW along Schuerbach Road and compliance with the comments list above.

Chairman Rene A. Flores asked if there was any input from the Board.

There was no response.

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

Mr. David Salinas who resides at 3207 Bailey was present to address any questions from the Board.



Mrs. Marisela Marin asked if this request would go retro.

Mr. Tijerina stated that it would not because this request did not go before the City Council.

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

**Started: 6:08 p.m.**

**Ended: 6:13 p.m.**

**ITEM #4.0**

**Pre-Final Plat Approval:**

**Upper Rockingham Subdivision  
A 5.748 acre tract of land out of  
Lot 281, John H. Shary Subdivision  
R-1A**

**Developer: Charles Carter Dev., L.P.**

**Engineer: South Texas Infrastructure Group**

Mr. Daniel Tijerina went over the write-up stating that the subject site is located in the SE area of Stewart Road and 2 Mile Road. The proposed subdivision consists of 14 large lot single family residential lots. Each lot ranges from 9,208' sq.ft. to 16,683' sq.ft., exceeding the minimum area for R-1A lots.

**WATER:** The developer is proposing water service by installing a new 8" waterline that will connect into an existing 8" network located along the east side of the subdivision, thus looping the system. The developer is also proposing to add 1 new fire hydrant located via the direction of the Fire Marshal's office.

**SEWER:** The developer is also proposing sewer by connecting into an existing 8" line located along the east side of the subdivision which will be extended west to service the new lots. The Capital Sewer Recovery Fee is required at \$200/Lot which equates to \$2,800.00 (\$200.00 x 14 Lots).

**STREETS & STORM DRAINAGE:** The subdivision has frontage to Stewart Road, a future 80' ROW, 57' B/B street. The developer will be dedicating an additional 20' of ROW along Stewart Road to equate to the minimum 40' from centerline as required by the Hidalgo County Thoroughfare Plan. The property also has frontage along 2 Mile Rd. which is proposed to be a future 100' ROW, 65' B/B street. 2 Mile Rd. was recently widened to 48' B/B, leaving a balance of 8 ½' along the north and south sides. Since we do not foresee additional widening along Mile 2 in the near future, staff is requesting the additional 8 ½' pavement section along Mile 2 to be placed in escrow at \$38.44/l.f. as determined by our Public Works Director. The developer is proposing to widen Stewart Road and will install two new 50' ROW, 32' B/B paved streets. Storm drainage

is accomplished through a series of 24" storm lines and a set of inlets which will connect into an existing storm system currently located to the east of the subdivision.

**OTHER COMMENTS:**

- Park Fees - \$300.00/Lot = \$4,200.00
- Install 5' sidewalks along Stewart Road or escrow in the amount of \$3,576 (298' X \$12L.F.)
- Escrow street widening for 2 Mile Road in the amount of \$10,052.06 (261.50' x \$38.44L.F.)
- There are no reimbursements due for this property.
- Must submit a street light plan for review and approval.
- Water District Exclusion
- Must comply with all other format findings

**RECOMMENDATION:** Staff recommends approval subject to:

1. Must provide escrow for Mile 2 Rd.'s remaining widening;
2. Must pay capital sewer recovery and park fees;
3. Provide water district exclusion; and
4. Comply with all other format findings.

Chairman Rene A. Flores asked if there was any input from the Board.

There was no response.

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

Mr. Julio Cerda from the South Texas Infrastructure Group was present to address any questions from the Board.

There being no discussion, Chairman Rene A. Flores entertained a motion. Mr. Ned Sheats moved to approve the subdivision plat as per staff's recommendation. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #5.0  
OTHER BUSINESS**

On a sad note Mr. Tijerina advised the Board that Mr. Bobby Salinas will be the new Planning Director for the City of Alamo.

**ITEM #6.0  
ADJOURNMENT**

There being no further items for discussion, Mr. Ned Sheats moved to adjourn the meeting. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:16 p.m.

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Rene A. Flores, Chairman  
Planning and Zoning Commission